

## NOTES.

Hon. H. P. Colebatch Hon. J. Nicholson  
Hon. J. W. Kirwan (Teller.)

Amendment thus passed.

Clause as amended agreed to.

[The President resumed the Chair.]

Bill again reported with a further amendment.

*House adjourned at 10.8 p.m.*

## Legislative Assembly,

*Wednesday, 19th November, 1910.*

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The SPEAKER took the Chair at 4.30 p.m., and read prayers.

### QUESTION—CONSTABLE TAYLOR, RETIREMENT.

Hon. W. C. ANGWIN asked the Minister for Mines: 1, When was James Richard Taylor, ex-police constable No. 61, retired from the force? 2, What was the number of years of service. 3, Were a number of men retired at or about the same time, owing to age and years of service? 4, Were the regulations governing the Police Benefit Fund altered just prior to the retirement, making an alteration in regard to the payment of gratuity? 5, If not, why were they not paid the usual gratuity of one month's pay for each year of service? 6, Will he see that the regulations under which they contributed to the fund for so many years are carried out, and not any regulation made just prior to retirement?

The MINISTER FOR MINES replied: 1, 31st May, 1918. 2, 28 years and 29 days. 3, One sergeant was retired in June, 1918, who had had 39 years and 3 months service. 4, Yes. 5, Answered by No. 4. 6, The matter is controlled by the Police Benefit Fund Board, on which the contributors are represented.

Hon. W. C. Angwin: It is not fair, though.

### QUESTION—SPECIAL CONSTABLES, KALGOORLIE.

Hon. P. COLLIER asked the Minister for Mines: 1, How many special constables have been sworn in at Kalgoorlie since the 6th inst.? 2, What wages, if any, are being paid these special constables?

The MINISTER FOR MINES replied: 1, 680. 2, None up to the present.

### QUESTION—HOSPITAL FOR THE INSANE, EX-ATTENDANT EDWARDS.

Mr. DUFF (without notice) asked the Chairman of the select committee on the Hospital for the Insane: Will he allow me to see the papers in connection with the ex-attendant Edwards?

Hon. W. C. ANGWIN replied: I have not any papers.

### QUESTION—PASTORAL LEASES, RETURN.

Mr. WILCOCK (without notice) asked the Premier: When will the return relating to pastoral leases in the Murchison district, ordered by the House three weeks ago, be available?

The PREMIER replied: I think I told the House that the preparation of the return would take a considerable time. So far as the information is available, I shall endeavour to have it placed before the House in a day or two.

### MINISTERIAL STATEMENT—FINANCIAL RELATION WITH COMMONWEALTH.

The PREMIER (Hon. J. Mitchell—Northam) [4.35]: With the permission of members, I desire to make a statement to the House regarding the recent conference of Premiers summoned by the Prime Minister to consider certain proposed amendments to the Commonwealth Constitution. The conference was held in Melbourne on the 26th and 29th of September. This State was represented by the Minister for Education (Mr. Colebatch). The Prime Minister submitted proposals for the amendment of the Commonwealth Constitution on the lines of the 1915 referendum proposals, and invited the support of the different State Governments. The representatives of the States, after conference apart from the Prime Minister, intimated that they were not prepared to pledge their respective Governments, that they considered the proposed amendments to be in excess of what the Federal Parliament required to enable it to deal with the problems of high prices and industrial unrest, and that they desired time to consult their Governments with a view to submitting alternative proposals. The Prime Minister was unable to grant this request but, out of deference to the wishes of the representatives of the States, made certain modifications in his proposals, the most important of which was

the insertion of a provision that, if the alterations in the Constitution were approved by the electors, they should remain in force for three years only, or until such time as a convention had made recommendations for the alteration of the Constitution and such recommendations had been approved by the electors. It was further provided that unless the convention was convened during 1920, the extended powers should expire at the end of that year. The representatives of the States being still of the opinion that the powers asked for were excessive, the Prime Minister agreed to submit the proposals to a committee of three constitutional experts—Sir Robert Garran, Professor Harrison Moore, and Mr. Jethro Brown, and agreed further that if the committee recommended that the transfer of lesser powers would meet the case, the Bills should be amended accordingly. The committee duly met and unanimously recommended certain alterations, which were made. The majority of the committee further reported that the powers asked for were in excess of those required to enable the Federal Parliament to deal with profiteering, high prices and industrial unrest, and recommended further drastic alterations in the proposals, which are set out in the newspaper cutting from the "West Australian" of 1st November. Sir Robert Garran, the secretary of the Attorney General's Department, dissented from the views of his two colleagues, and the alterations proposed by the majority of the committee were not made. During the conference, stress was laid on the necessity for preserving the financial independence of the States, and all the representatives opposed the alterations in the financial agreement that had been foreshadowed by the Federal Treasurer. Following a conference between Mr. Lawson, Premier of Victoria, and Mr. Colebatch with the Federal Treasurer, representations were made on behalf of the whole of the States, as a result of which the Prime Minister has now announced that the matter of amending the financial agreement will be remitted to the proposed convention. The Prime Minister, the Federal Treasurer, and the Premiers of the larger States have all expressed agreement that, whatever arrangement is arrived at as between the Commonwealth and the States as a whole, Western Australia and Tasmania are entitled to some special treatment. So far as Western Australia is concerned, this special treatment can be claimed as a matter of absolute right and the report of Mr. Owen, now in the hands of the printer, clearly demonstrates that such special consideration as this State has secured in the past has been considerably below the amount that should have been conceded. A matter still undecided, but which is of vital importance to Western Australia, is the constitution of the proposed convention. My Government claim that as the Constitution of Australia was framed by conventions in which the States were represented as States, without regard to population, so any con-

vention framed to amend the Constitution should be similarly constituted. In this we are supported by the Governments of South Australia and Tasmania. The Premier of New South Wales has also expressed himself in favour of the representation of the States as States, though he has not committed himself on the question of equality of representation. Repeated applications to the Prime Minister have failed to elicit from him any definite statement as to the policy of the Federal Government in regard to the constitution of the convention, and it has to be borne in mind that the Act in which reference is made to the convention uses the phrase "a convention constituted by the Commonwealth." In the absence of any assurance that the proposed convention will be of a character likely to protect the interests of this State—which, because of its distance from the seat of Government and its comparatively sparse population, is placed under many disabilities—and in view of the failure of the Prime Minister to modify his proposals for increased Federal powers in accordance with the recommendations of the majority of the committee of experts, the Government have decided that it cannot recommend the electors of Western Australia to support the proposals that are to be submitted to them on 13th December next. The Government feel that the interests of the State demand the continuance of the present per capita payment of 25s. per head by the Commonwealth to the States, together with such special payment to Western Australia as the State is clearly entitled to. The Government further regard it as essential that the proposed convention for the remodelling of the Constitution should be representative of the States as States without regard to population. Feeling that these two questions are vital to the sound development of Western Australia and the well-being of its people, the Government cannot recommend the electors to support any contrary course. It may be assumed that, directly after the new Federal Parliament assembles, a Bill for the convening of the convention will be introduced. If necessary, a special session of the Western Australian Parliament will be then convened to deal with the whole question. In the meantime, following on the report submitted by Mr. E. T. Owen, the Government will take such steps as may appear necessary—by the appointment of a Royal Commission or otherwise—to have the case for Western Australia so prepared and presented as to enable the representatives of this State to put forward an unanswerable claim for equitable consideration as a partner in the Commonwealth.

Mr. Jones: Is that an election manifesto?  
The PREMIER: No.

#### BILL—POSTPONED DEBTS.

. Returned from the Council without amendment.

## ASSENT TO BILLS.

Message from the Governor received and read notifying assent to the following Bills:—

- 1, Mining Act Amendment.
- 2, State Children Act Amendment.
- 3, Midland Railway.
- 4, Supply, £975,000.

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BILL—CONSTITUTION ACT AMENDMENT (No. 3).

In Committee.

Mr. Stubbs in the Chair; the Attorney General in charge of the Bill.

Clauses 1, 2—agreed to.

Clause 3—Amendment of Section 15:

Hon. P. COLLIER: With a view to moving, later, the insertion of other words, I now move an amendment—

That all the words of the clause after "hereby" be struck out.

My object is to secure the repeal of Section 15 entirely, instead of merely the repeal of paragraph (2) of that section. I do not wish to repeat arguments which have been expressed in this House on many occasions. My object is to endeavour to secure the insertion of words which will make the Council qualification the same as that for the Assembly; that is, to have the Council elected entirely on an adult franchise. If the Committee do not agree to that further amendment, I propose to submit yet another amendment, which will provide for the election of the Council on a household franchise only. If members desire any liberalisation whatever of the present franchise, it will be necessary for them to support the amendment which I have actually moved, even though they may not be prepared to go as far as I desire to go with regard to the Council franchise. Members who stand by the present Council franchise will, I take it, vote for the clause as printed. I hope the Committee will carry both the amendment which I have moved and the first one which I have foreshadowed, because, as has often been stated, the time for liberalisation of the Upper House franchise is overdue. In other States of the Commonwealth, and particularly in South Australia, the household franchise for the Upper Chamber obtains; and for that franchise there is a logical basis. The householders of a State are the people who pay the great bulk of the taxes, and for that reason alone they ought to be represented in both Houses of Parliament.

The ATTORNEY GENERAL: The proposal of the leader of the Opposition is to effect the most radical change that has ever been mooted in this House with regard to the Legislative Council franchise. The hon. member ingeniously suggests that any

member on this side of the House who desires any amendment whatever in the Council franchise, no matter how trifling, should vote for the amendment he has moved. But it is a very simple matter for any hon. member who wishes to do so, to move an amendment in a few words dealing with that particular portion of the section which he desires to have amended. The sweeping amendments of the leader of the Opposition would destroy the basis of the Legislative Council franchise now existing.

Hon. P. Collier: But the Committee can insert any words they please.

The ATTORNEY GENERAL: The leader of the Opposition desires first of all to make the Council franchise an adult franchise, the same as for the Legislative Assembly. I believe in the bicameral system, and will not support any proposal to do away with it. But if we made the franchise for another place the same as for this House, there would be no need whatever for two Chambers. The futility of such a system has been shown in the Federal Parliament—the Senate, elected upon the same franchise as the House of Representatives, having been a dismal failure. A bicameral system necessitates two different franchises. Now as regards the second suggestion of the hon. member, that we should have household franchise, and household franchise only, for the Legislative Council. I do not think that in any Australian State there is an Upper House franchise based merely on household. Even in South Australia, which I believe has the widest Upper House franchise now existing in the Commonwealth, there are to be found qualifications analogous to those which we have under our present system. I sincerely trust hon. members will not be led astray by the ingenious suggestion of the leader of the Opposition.

Mr. Pilkington: More ingenious than ingenious, I think.

Hon. P. Collier: I was perfectly frank.

The ATTORNEY GENERAL: I hope the Committee will negative the present amendment of the leader of the Opposition, and so obviate the necessity for discussing his two other amendments, which as a member of the Government I feel bound to oppose. I should oppose them also if I were a private member.

Hon. T. WALKER: The Attorney General is anxious to preserve a class distinction which exists even in this democratic country. One can well understand in the older countries, where the government has descended from the so-called upper strata of society to the so-called lower strata, the preservation of such a distinction. The House of Lords represents the Conservative element, perpetuated from the time when the Lords alone, with the King, governed the country, and when the so-called commoners had no say whatever in the direction of national events. Even

in England itself, however, on more than one critical occasion there has been a very popular and almost universal revolt against government by one class. The great revolution of the days of Cromwell had almost as its watchword "The House of Lords is useless and dangerous, and ought to be abolished." It was abolished.

Hon. P. Collier: And Cromwell was not a Labour man.

Hon. T. WALKER: No. Cromwell was the forerunner of government by the commercial class in England. Of late years, again there have been similar contests with similar cries. The present Prime Minister of Great Britain has more than once sounded a note of warning that if the House of Lords did not give way to the will of the Executive appointed by the Commons and sanctioned by the Crown, the House of Lords would have to go. That is within our distinct memories of yesterday. And yet in many of the older countries it is found convenient to preserve the bicameral system. The bicameral systems of the rest of the world have been more or less mere imitations of the British precedent. Still, in many parts of the world the bicameral system has been got rid of—in the States of the American Union, and in the provinces of Canada. So that the amendment of the leader of the Opposition is not the drastic thing the Attorney General would have us believe. It represents an experiment that has already been tried and found satisfactory. But in this State, and in Australia generally, there is such an admiration for the old order of things, purely a sort of fetish, that it is difficult to reach the point where we are ready to try the experiment of single Chamber legislation. We adhere to the old order. That being so, if we cannot do with one Chamber legislation, let us at all events have bicameral legislation on a democratic basis. Let us have both Houses democratic. For, what can be urged in favour of the continuance of another Chamber but that it is a Chamber of review and of reconsideration? That is the strongest argument which can be put forward in defence of that Chamber.

Mr. Mullanv: It is the only argument used, is it not?

Hon. T. WALKER: No; there are others. I am afraid that at the back of the Attorney General's mind there is the argument that the nominal people, those whose hands are horny with toil, cannot be perfectly trusted, that we must have a class above them to watch the vested interests of the State, to see that property is not unduly touched, so see that the people do not arrogate to themselves equal privileges and rights. Property must have its representation. Property is almost, if not quite, as sacred as life itself, and to protect property we must have property representation, the propertied class. That is the idea affecting the judgment of the Attorney General. In a democratic country that argument has not

the same power as it has in the older countries of the world. Men like Mr. Justice Barton, the late Mr. Alfred Deakin, the late Sir Henry Parkes, Sir George Grey, the late Sir George Reil, all came to the conclusion that in forming a Constitution for the whole of Australia we could not be too democratic in the basis of the franchise; and therefore they put the Senate upon the same level as the House of Representatives in respect of franchise. I distinctly remember when the Australian Constitution was to be launched, and the first elections were to take place, candidates upon all the hustings were championing Mr. Barton's amendments to the Constitution and, at Mr. Barton's suggestion and following the very words of one of his great speeches, boasting that the Constitution of Australia was the most democratic in the world. It was the boast of those men I have mentioned, men who took part in framing that provision. Long debates took place upon this very subject, and there were those who used the argument used by the Attorney General to-day; but they were swept aside as not in keeping with the democratic spirit of a great country like this, and the present Constitution of the Commonwealth was adopted. I venture to differ from the Attorney General as to that Constitution in this respect having proved a failure. True, we may have a majority of one party in both Houses, but we can have that here.

Hon. W. C. Angwin: We have it now.

Hon. T. WALKER: Theoretically we are not supposed to have any party in the other Chamber, but in fact where two Chambers exist it is very often, as in the case of America, the Senate that has the most powerful political party, representative of the old conservative forces, the most active, the most powerful and, I was almost going to say, the most popular, appealing to the people the more by its great powers and its vigilance and activity. But in this country we are not supposed to have that representation of class and money, an aristocracy of wealth, Lords not of blood but of coin, and therefore the other Chamber is supposed to be only one of review, to see that what is passed here is consistent with the order of leave.

Mr. Munsie: They stick to the consistency aspect in seeing that it is in favour of their own class.

Hon. T. WALKER: Of course they do, and the Attorney General defends them in that. The uni-cameral system is not drastic. It is not a new thing. It is an old thing which has been tried for years in Canada, and there is no attempt to go back to the old bi-cameral system. They are satisfied. It sometimes proves disappointing to the propertied class when the other party is able to get laws passed which affect the working class beneficially and curtail the powers of class legislators to that extent. There have been, now and again, cries for a different franchise, but no statesman of modern times dares to try to turn back the stream. On the whole, what law has been

passed by the Senate of Australia which is a disgrace to the statute-book, unless indeed it be laws passed in urgency during the currency of the war? There may have been some laws passed in those circumstances which would not have been passed in calmer periods. Always in times of great popular commotion we are bound to have some irrational legislation, no matter what the franchise of one or both Houses. What does the leader of the Opposition propose? He proposes to omit the clause as printed in order that he may get one of two amendments. There are many others who want amendments between those two, others who want to go further, and others who do not want to go so far as either. They can get what they want if the clause is swept out of the way, but not otherwise. The leader of the Opposition asks, "Are you satisfied with this franchise as it stands or do you want some advancement on lines taken in South Australia, in the Commonwealth and in the Provinces of Canada?" If we want to keep pace with the march of events in the enlightened countries of the world, and if we want to frame the franchise in accordance with our views thereon, we must vote with the leader of the Opposition. Only one thing can keep us to the vote suggested by the Attorney General, and that is if we are perfectly satisfied that what was good enough for our fathers is good enough for us. We have improved in all other spheres; let not our politics lag behind. I caution hon. members against making this a cast-iron fiction that we have to stand by for all time to come. I do not want to be governed by the fifteenth century; I want to live in the present age, so rich with its manifold blessings, and with its general advancement of humanity.

Mr. LUTEY: I support the amendment. The Attorney General has expressed himself in favour of the bi-cameral system, but this we are opposed to. I would vote to give adult franchise to all the citizens of the State. I do not see why they should not have it. The member for Moore has referred to the Legislative Council as the bulwark of our constitution. Probably it is so, for it has been founded to look after the interests of the privileged classes. The member for Forrest made reference to the greatest soldier who had left Australia, Mr. Murray. When that soldier returns to Australia he will not be entitled to a vote because he does not possess the property qualification.

The Premier: We will see into that.

Mr. LUTEY: It is ridiculous to have this property qualification at all. The man who is helping to produce in this country and helping to carry on the affairs of the nation is as good a man as he who owns a dozen houses. The Government have an opportunity to-day of rectifying the position, and I hope they will give the people a greater say in the government of their country. If the matter were submitted to the people we do not know whether they would choose to abolish the Legislative As-

sembly or the Legislative Council. It is a matter which must be left to their judgment. The Attorney General says that there must be a different system of franchise because of the bi-cameral system, but I do not believe that is necessary.

Mr. PICKERING: The difference between the opinion held by members on this side of the House and that held by those on the other side of the House lies in the fact that one-half of the electors has a fixed interest in the State while the other half only has a transitory interests. There are people who come to the State and invest their all in it, and these have to live in the State for all time.

Hon. W. C. Angwin: They are easier to get out than a man who has nothing.

Mr. PICKERING: There are others who come to this State and only stay as long as it pleases them to do so, but these have the same voice in the conduct of the country as many of the others I have referred to. The man who puts his all into the State has a truer interest in the State than he who puts nothing into it. The member for Kanowna spoke about the privileged classes. If those who pay 6s. 6d. a week rent belong to the privileged classes, may I ask how many people there are in the State who do not pay this amount of rent?

Mr. Munsie: There are thousands of persons who own their own property and pay no rent.

Mr. PICKERING: There are very few persons, who have a permanent interest in the State, who are not paying that amount. It has been demonstrated that the system in vogue in connection with the Commonwealth Parliament is unsatisfactory. We have heard that either Mr. Ryan or Mr. Tudor has advocated the abolition of the Senate. One or other has stated that it is their intention to abolish that House if possible.

Mr. Munsie: The statement was made at the Interstate conference and laid down as a part of their policy.

Mr. PICKERING: When members talk of bringing down the franchise for the Legislative Council to the same level as that for the Legislative Assembly, what they mean is that they are going to abolish the Legislative Council.

Hon. P. Collier: We want to leave that to the people to decide.

Mr. PICKERING: We on this side of the House believe in the bi-cameral system, and we have to leave it to the people to express their approval or disapproval when we go up for election.

Mr. MUNSTIE: If the amendment is carried it will wipe out all qualifications so far as the Upper House is concerned. It is moved for the purpose of obtaining the adult franchise right through. If I could by my vote wipe out the Upper House, I would do so, but we are not yet in a position to vote on those lines. The next best thing is to give the manhood and womanhood of Australia the right to govern themselves. I have just as much respect

for the people who own nothing as I have for those who own much, and they are just as good citizens as the others.

Hon. W. C. Angwin: And more important to the State.

Mr. MUNSIE: Yes. I want the people of the country to govern this State and not bricks and mortar.

Hon. T. Walker: They create all the bricks and mortar.

Mr. MUNSIE: It is time that legislators realised that it is the men and women who count and not property. We have an opportunity here of testing the feeling of members as to whether they favour a continuance of present conditions or whether they want some alteration. If they carry the amendment they will be in favour of an alteration of these conditions, and if they reject it they will be in favour of continuance of these conditions. For my part I intend to vote for the amendment. I will also do my utmost at a later stage to make the Bill more democratic than it is.

Mr. TROY: I am surprised that any hon. member should oppose at this stage in our history any proposal to give the people an equal franchise. The suggestion to abolish the Senate is consistent with democratic principles. The bi-cameral system is not essential to sound government, particularly when an appeal is made to the people every three years. Governments always spend a lot of time in preparing for the next election, and will always refrain from doing anything that may meet with the condemnation of the people. It is said that birds of passage are not entitled to vote on the ground of not possessing the property qualification. I would point out that the pioneers of this State, the men who developed the goldfields, had no stake in this country, but they have assisted in building it up and are surely entitled to a vote in connection with the affairs of the country. They are birds of passage. Within the last two years a large number of men have been employed at the Northampton lead mines. They were bona-fide settlers, but when the mines closed down they had to leave that portion of the country to find a new occupation. Those men therefore are not entitled to vote for the Legislative Council. On the other hand a settler has the right to vote. If the Government to-day were not maintaining 50 per cent. of the settlers on the land those settlers would not be entitled to exercise the franchise for the Upper House. Yet a body of people not receiving support at the hands of the Government, but who are doing equally good service, are deprived of the franchise.

Mr. Maley: Do you mean to say that the people went on the land with absolutely nothing?

Mr. TROY: They went there with very little. We know, however, that but for the assistance given by the State those people would not have a stake in the country. Having that stake they are entitled to vote.

The man who maintains the lines on the railways is not entitled to vote.

Mr. Maley: You know that there are men on the Industries Board in your own district who are good and worthy settlers.

Mr. TROY: I know they are good men. I do not say they should not have a vote. But I do condemn members who advocate that others who do as much for the country as the farmers should not be entitled to vote for the Upper House. Did the miners who went to Baddera go there with anything? I know that they came away with nothing. Why should not those people be entitled to exercise a vote for the Upper House? If the State had been obliged to maintain the mines at Baddera the miners would have been entitled to vote. I have no sympathy with those who pretend that because a man has a certain amount of property he should have a vote for the Upper House. Even people who own houses which are kept for immoral purposes have a vote. Those people are perfectly respectable in the eyes of the member for Sussex.

Mr. Pickering: On a point of order, I ask that the hon. member be made to withdraw the remark that I consider the people who own immoral houses are respectable.

Mr. TROY: Those are people who have a stake in the country, and according to the hon. member they are entitled to vote for the Upper House. People who own houses which are let for immoral purposes may even have a seat in this House. The burglar, the thief, the worst scoundrel in the country—no matter how he may have acquired his property, is entitled to a vote for the Upper House.

Hon. P. Collier: Anything, so long as he has a stake in the country.

Mr. TROY: And no matter how he gets that stake. We find also that the soldier who has fought for his country will not get a vote.

Mr. Pickering: Yes he will under this Bill.

Hon. P. Collier: But the father and mother of the soldier will not be able to vote.

Mr. TROY: The Federal Labour party are quite consistent in advocating the abolition of the Senate, though it is not the method of voting for the Senate with which they are dissatisfied, but they have come to the conclusion that the Senate is an unnecessary institution. We here are not dissatisfied with the Senate franchise, but we are dissatisfied with the franchise of our own Upper House, and we say that that institution is unnecessary. I hope hon. members will agree to the amendment moved by the leader of the Opposition.

Mr. JONES: After listening to the speeches of the Attorney General and the member for Sussex I have been wondering how far behind the Federal Convention of twenty years ago they actually are. They go back beyond the days of the barbarians, even further than the first foundations of society. They go back to the days when man's only property was a heavy club with which he beat his way out in order to secure

recognition in the community. I am not surprised at the attitude of the member for Sussex. Whenever it is possible for him to express ideas which belong to the middle ages, the hon. member can be relied upon to do so. The only occasion on which he has shown anything approaching modernism has been this evening when he displayed a degree of ultra modernism by championing the owners of property amongst whom are the owners of immoral houses.

Mr. Pickering: On a point of order. I did not make any such statement, and I ask that it be withdrawn.

The CHAIRMAN: The member for Sussex objects to the statement made by the member for Fremantle that he stands for the owners of immoral houses.

Mr. JONES: I said that the hon. member stood for the owners of property, that he championed their cause. He did not specify to what uses those owners put their property, and, I submit—

Mr. Pickering: I asked for a withdrawal.

Mr. O'Loughlin: He does not say that you own those houses.

The CHAIRMAN: There is no personal reflection on the member for Sussex.

Hon. P. Collier: The member for Fremantle merely stated that the member for Sussex championed the owners of property, and amongst those owners are men who own immoral houses.

The CHAIRMAN: The member for Fremantle may proceed.

Mr. Pickering: I understood the hon. member to say that I championed the owners of those houses.

Mr. JONES: I have no idea in what relation the member for Sussex stands on that question. I stated that he stood as a champion of property irrespective of the use to which that property is put. There is no other conclusion that the Committee can come to but that in championing property the member for Sussex must be championing property of the description I have given.

The Premier: What about the occupants?

Mr. JONES: If I had my way there would not be any occupants. If I could bring about the introduction of legislation which members on this side desire, there would be neither houses of that description nor occupants. It is the sacredness of property, it is this standing on the rights of vested interests against the rights of the whole of the community which is the direct cause of places of that description being in existence, and the Premier knows it. The Attorney General has told us we must have a different franchise for the Upper House under the present bi-cameral system. Even if the House were prepared to grant that, by what specious reasoning does he say that the different qualification must be a property qualification? He has brought forward no argument whatever. He has not, as he usually does, endeavoured to bring forward some reason why the different qualification should be the ownership of property. If a different qualification is necessary, surely there are higher, nobler, better, and

more manly qualifications than the mere ownership of a few bricks or, as the member for Brownhill-Ivanhoe expressed it, the ownership of a donkey. If he wants a different franchise, why not have one of married men only? That would be a different qualification and a better qualification than that of holding so many acres of broad lands. Further, considering that we are suffering from the infliction of the eternal doctrine of produce, produce, produce, why not allow only the producers of the community to have a vote for the Upper House? Let us say that only those who produce real wealth shall have a vote for the second Chamber.

Hon. W. C. Angwin: Do you mean families?

Mr. JONES: That could be worked out. When a man of 21 or over is engaged in useful production, give him a vote. Cut out the man who is not engaged in useful production. Some hon. members in this Chamber would be cut out; the St. George's-terrace farmer and the land agent would be cut out.

Mr. Maley: What about the Harvest-terrace farmer?

Mr. JONES: If the Harvest-terrace farmer put in his week-end at producing, I would have no desire to disfranchise him. If one had time, it would be possible to outline a dozen different qualifications better and higher than the property qualification.

Hon. P. Collier: An intellectual qualification.

Mr. JONES: Yes, a man of a certain intellectual standard; for instance, a man with sufficient intellect to vote for members on this side of the Chamber. That would show a sanity of intellect as the member for Sussex must allow. Why should we at this stage of the world's history pin ourselves down to a property qualification? In spite of the very reactionary and Tory sentiments of the Attorney General and the member for Sussex, I do not believe they express the feelings of members of this House. I believe they realise that time is going on and that things have changed since our Constitution was enacted. Let us use that measure of humanity and common sense which is ours and say we will broaden this franchise and, if we must have a different qualification for the Upper House, let us build it on something better than a mere property qualification.

Mr. PICKERING: It has never been my practice while in this House to impute motives such as have been imputed to me. It was said that I was advocating a vote for the proprietors of immoral houses.

Mr. Green: Well, move an amendment to say that such men shall be cut out.

Mr. PICKERING: I might just as well say that those members who stand for a franchise other than the one I favour are standing for the occupants of houses of ill-fame. It would be equally justifiable. In discussing any franchise, the question of respectability does not enter at all. If it did, the value of the franchise would be diminished. Members have referred to the stand-

ard of electors who returned the member for Sussex. I would refer to the electors who returned the member for Fremantle.

Mr. Jones: Of very high standard.

Mr. PICKERING: Very high indeed. When their member would impute motives to another member, it shows how high the standard is.

Hon. W. C. ANGWIN: The only argument the Attorney General has advanced is that he believes in the bi-cameral system. He is of opinion that, if the franchise for the Council were adult suffrage, that Chamber might be destroyed. If we consider the large number of referenda taken, we must come to the conclusion that the most conservative vote possible is the vote of the people as a whole. It is recognised that every country in the British Empire would have ceased to exist but for man power, and that property is of no account.

Hon. P. Collier: The property would not have been worth twopence.

Hon. W. C. ANGWIN: I challenge any member who has sat in this Parliament for 14 or 15 years to say that the Legislative Council has done one penn'orth of good. I challenge anyone to show that another place has made any improvement to any of our legislation.

Mr. Green: That is rough on Baxter.

Mr. Davies: I can give one—the exemption on children.

Mr. Munsie: We tried to make that provision here.

Hon. P. Collier: It was because of a lack of intelligence on your side that the Council had to rectify it.

Mr. Davies: We tried but failed.

Hon. W. C. ANGWIN: If it would save unwarranted expenditure we should certainly give the vote to the people. I have a doubt about the abolition of the Legislative Council. Sentiment plays a big part in connection with Parliament, and people who do not visit the Houses frequently, may conclude there is a necessity for both Houses. If the people have to decide the matter, they certainly have to pay.

Mr. Davies: The people in Queensland came to that conclusion.

Hon. W. C. ANGWIN: I do not take note of the Queensland vote, because at the time the vote was taken an action challenging the legality of the vote was pending before the High Court. The opinion of a great majority of the people of this State is that we should effect a reduction in the cost of government. I do not care which House is abolished so long as the House that remains is elected on adult suffrage because, under this franchise, the people would have a right to say who shall represent them. To-day they have not that right. Take the by-election on Saturday last: can anyone say that a 50 per cent. vote of the property owners of the metropolitan province represented the views of the people? No; they take so little interest in the Legislative Council.

The Premier: They were not all property owners.

Hon. W. C. ANGWIN: They had property qualifications.

The Attorney General: It was a by-election.

Hon. W. C. ANGWIN: But the vote was higher than at the general elections, so that has no bearing. The people take such little interest in the Legislative Council. Out of 5,000 electors on the roll, 2,000 cast their votes, and yet this was for an election to a Chamber which has the power to overrule the great majority of the people.

Hon. P. Collier: People do not take any interest in it.

Hon. W. C. ANGWIN: No, they do not even worry to see that their names are on the rolls.

Mr. Willcock: In some cases they are afraid to get their names on the rolls.

Hon. W. C. ANGWIN: The Attorney General has not given one instance to show that this proposal would be detrimental. He merely advocates the bi-cameral system. I do not believe in the bi-cameral system. A good deal of the apathy which exists to-day would disappear if the people were given the vote. I would like to see the initiative and referendum embodied in the Constitution, for then we should not require parties. Those who advocate the present system are afraid to trust the people. They are afraid the people might take something from them, that the people might start out on an expedition of robbery or deprive them of farms and stations, and other possessions. It is a selfish instinct that refuses people the right to take part in the government of their country. If the question rested with the great majority of the electors, those enjoying the privileges of property would be much better protected than they are to-day. The Government have 35 supporters and the Opposition 15 in this House elected on the adult suffrage; yet the Government are afraid to trust those who sent them here. If any members had reason to be afraid to trust the people, surely it should be those on this side of the House.

The Premier: You were not always there.

Hon. P. Collier: You cannot trust them, and yet look at the majority they gave you.

Hon. W. C. ANGWIN: The Premier says we will not always be here.

The Premier: No, I said you were not always there.

Hon. W. C. ANGWIN: The Premier is a good prophet; he can see the writing on the wall.

Hon. P. Collier: He knows the people were wrong when they gave him a majority.

Hon. W. C. ANGWIN: He realises that the views of the people do change. Suppose a mistake were made in connection with the Council, it could be rectified every two years. I do not think the results in legislation would be so bad that we could not rectify them. In my opinion, the proposed change would have a tendency to keep the Council sitting until 11 or 12 o'clock at night attending to the country's business, the same as this House, instead of adjourning at ten time or at 8 or 9 o'clock.



Mr. O'LOGHLEN: I feel that the few remarks I have to make will be wasted in this Chamber, because hon. members opposite are so much creatures of their environment that they will stick to the old order of things rather than give the new order a trial. The member for North-East Fremantle said that the democratic tendencies of members opposite might come to the surface; but I feel that if we on this side talked for a week with all the eloquence of Demosthenes, we would not shift members opposite from their opinion that this is too radical a change, that it is revolutionary in character and would destroy the institution under discussion. After all, members are largely a reflex of the opinion prevailing in their constituencies. That being so, it seems to me that we have slipped back from where we were 20 years ago, when the Federal Convention, led by the giant intellect of Charles Cameron Kingston—to whose memory every Australian democrat should take off his hat—framed the Federal Constitution. That Constitution was framed by the cream of Australia's public men, who stand out as big figures in comparison with the pigmies of the politics of to-day. It is quite true that the Federal Constitution has defects, which the Prime Minister is to-day asking the people to remedy.

Mr. Davies: And the democrats are against him.

Mr. O'LOGHLEN: Some of them may be, and some may not. Personally I will vote for the amendments now before the Australian electorate as an instalment of the Prime Minister's proposals of three years ago. As regards both Houses of the Federal Parliament, the men and women of Australia have an opportunity to bring members to book. In this State, however, there is only a small section of the electors have the right to vote for members of the Legislative Council—only about 58,000 out of a total electorate of 160,000. At the election before last, three men exercised over 20 votes for the Legislative Council between them, because they had property in nearly all the provinces where contests took place. On the other hand, 100,000 men and women had not the right to vote for the Legislative Council at all. And there are members opposite who would continue to refuse to men and women the right to vote for another Chamber. The position of those members to-day is absolutely illogical. They refuse to put confidence in the people. My opinion, and the opinion of most members—including the member for Perth, who is a voracious reader of political economy and kindred subjects—is that, though the people sometimes do wrong, they generally do right. However, this Chamber is not prepared to trust the people. When an election is held for the Upper House, no interest attaches to it. In the case of an election for this House, the expenditure of money, backed by publicity, arouses some interest. But this Parliament as a whole is slipping away from the affections of the Western Australian people, who

are concentrating their attention on the Federal Parliament. People who are rooted in this country and cannot get away from it, and do not want to get away from it, should have the right to vote for the Council. A man whose house in on a mining camp or on a timber mill loses the right to vote for the Council if his house goes up in smoke, though he is just as good a man after his house has been burnt as he was before. The Government would be wise to become a little more democratic, to live up to what a Nationalist Government should do. They say they represent the nation, but in fact they do not. The bedrock of a nation is the producers, and the Government are not prepared to give those producers an opportunity of introducing a more democratic element into our legislative halls. Personally I would like to see the Legislative Council abolished, to have fewer members of Parliament, to encourage brighter intellects in Parliament, and to pay them better when they are here. I prefer that system to having two Houses of Parliament full of members trying to do their best for the country in impossible circumstances. I believe the country would support the abolition of the Upper House and better remuneration for the work done in Parliament. The Notice Paper of this place shows a list of Bills which are bound to go into the waste paper basket shortly, many of them Bills which the Government have no intention of passing.

The CHAIRMAN: I do not see what that has to do with the clause.

Mr. O'LOGHLEN: I think a connection could be established between the legislation proposed to Parliament and the franchise for Parliament. To-day the voice of the people is not articulate in the Upper Chamber. It is articulate here alone. But no matter how strong a man might be, he could fight in this House for days and weeks to get a Bill through without its having the slightest effect on another place. Members elsewhere would not read his speech.

Mr. Hardwick: Do you read the speeches delivered in another place?

Mr. O'LOGHLEN: Sometimes I do. However, I do not find many new ideas in them. I regret exceedingly the indifference of the Government, or their reluctance to proceed on democratic lines in amending the Constitution. I believe that hardly one member from the other side of the House will cross the floor to support the amendment.

*Sitting suspended from 6.15 to 7.30 p.m.*

Mr. CHESON: The amendment, if carried, will mean the striking out of the present qualification for the Council, and will mean also the bringing in of adult suffrage. I will support it because I am against the bi-cameral system. The bringing in of adult suffrage will increase the number of electors, and in the end will afford an opportunity for abolishing the Council. I know four persons in my elect-

orate who, although they paid £96 in rent for mining leases before surrendering them, were not entitled to a vote for the Legislative Council. I know also a man whose household qualifications a few years ago were valued at £30; but the valuation has since been reduced and, in consequence, he no longer has a vote for the Council. Many people have erected houses at a cost of £200 or over, and yet to-day, because such houses would not bring £20 each, those men have not a vote for the Council. Married people with families constitute a much bigger asset to the State than do single persons who simply pay a rent which entitles them to a vote for the Council. I believe in adult suffrage for both Houses. I will support the amendment.

The ATTORNEY GENERAL: The amendment deals, not merely with household franchise but with all other classes of franchise provided in the existing Act.

Hon. P. Collier: My object was to strike out all property qualification.

The ATTORNEY GENERAL: The franchise at present consists of several classes. There is the freehold land qualification, the household franchise, leasehold of a clear annual value of £17, mining lease of an annual value of £10, and the additional qualifications of the road board districts and municipal rolls.

Hon. P. Collier: These would be enrolled under my amendment.

The ATTORNEY GENERAL: The amendment moved by the leader of the Opposition is most drastic and, if passed, would take many members and the country by surprise.

Mr. Troy: Do you really think that?

The ATTORNEY GENERAL: I am absolutely certain of it.

Mr. Troy: Where do you hang out?

The ATTORNEY GENERAL: Like the hon. member, I live in Western Australia.

Mr. Troy: You are pre-historic.

Hon. P. Collier: The Minister lives in that locality where they gave a big majority against the general.

The ATTORNEY GENERAL: All the arguments which come from that side of the House are directed with one object. Hon. members opposite do not believe in the bi-cameral system. They are perfectly honest about it; but hon. members on this side, I trust, do not agree with them. The amendment does not raise the question of one Chamber or two; but it is put forward, rather surreptitiously, in a proposal to do away with the present qualification and substitute adult suffrage. Some members are in favour of adult suffrage. They say the Federal Senate has been a success. Judged by the history of the Federal Parliament that would be hard to justify. When the franchise for the Senate was the subject of legislation it was supposed that the Senate would be a States House. In order to make it a States House it was provided that it should be based on adult

suffrage. That has proved to be a most hopeless failure. The Senate is absolutely useless to protect the rights of the States, and the very purpose for which the franchise of the Senate was fixed at adult suffrage has absolutely failed.

Mr. Hudson: Is it because of the franchise, or because of the Senators?

The ATTORNEY GENERAL: It is because of the franchise, and unfortunately the rights of the States are ignored in the party factions which go on in the Commonwealth Parliament. Hon. members seek to reduce the present Legislative Council to the level of the Senate.

Mr. Troy: We want to lift it.

The ATTORNEY GENERAL: To make it as useless for the purposes of legislation in Western Australia as is the Senate in Australia. The argument is "If we can once establish the proposition that the Legislative Council is useless, we will be within measurable distance of abolishing the Council." That is their object. I have no intention of assisting in any way to abolish the Council. I realise it is necessary that we should have two Houses, the one to act as a check upon the other, to review hurried legislation passed in periods of excitement.

Hon. P. Collier: That affects the other place as well as this.

The ATTORNEY GENERAL: If we have two Houses we shall have a check upon legislation of that character.

Hon. T. Walker: Never.

The ATTORNEY GENERAL: The second House does stand to check legislation hurriedly passed in periods of excitement. If we are to have two Houses, it is a farce to say that they should both have the same franchise. If it came to a question of having the same franchise for both Houses, I would admit that it was useless to retain the Legislative Council. I trust that occasion will never arise. The amendment suggested will in reality give everyone who is a permanent resident of the State, desires to make his home in Western Australia, and has the interests of the country at heart, a vote for the Legislative Council. The member for Hannans said that the suggestion of 6s. 6d. a week would be useless, because no one would know whether their premises were worth 6s. 6d. a week or not. There is, however, a difficulty in arriving at a conclusion on that point. He also said that people had been prosecuted for making a false declaration as to the value of their premises. Those proceedings arose out of the amendment to the Electoral Act passed in 1918. This amending Act lays down that a person shall not make any untrue statement in any electoral paper in answer to any question under the Act without being guilty of an offence, and being liable to a fine of £20. That section bases the offence on the statement being untrue in any respect. The passing of that section has led to a good deal of this agitation as regards the defini-

tion of the householder franchise. Under Sections 168 and 170 of the Criminal Code it is laid down that a person who makes a statement in any declaration, which is to his knowledge untrue, is guilty of a misdemeanour and is liable to imprisonment. In addition, a conviction cannot be obtained on a charge of that nature unless there is some corroborative evidence. These sections do not inflict any hardship upon a person who makes a statement which he knows to be untrue. In the Electoral Act there is another clause which provides that any person wilfully making any false statement in any claim is guilty of an offence under the Act, and is liable to imprisonment not exceeding two years. There we have a safeguard in that the statement must be made wilfully, and the prosecution would have to show that the statement had been made wilfully. It was not until the amending Act of 1918 was passed that the trouble reached the acute stage it has now.

Mr. Hudson: The trouble arose before that section was passed. There have been no elections since.

The ATTORNEY GENERAL: The elections I refer to were for the Legislative Council in 1918. There were some prosecutions on the franchise under this Act, and there were certain convictions. Before the passing of that Act there was no procedure by which a person could be prosecuted summarily for making a false declaration in this connection. It is proposed in this Bill to make it an offence if an untrue statement has been wilfully made. A person may easily make a mistake in regard to the value of his premises, but it is only reasonable that he should be prosecuted if he overvalues them wilfully. The clause is explanatory of the previous household qualification, namely, the £17 clear annual value, and I feel certain it will be of considerable assistance in regard to obtaining the electoral franchise and will qualify those who are entitled to vote.

Mr. LAMBERT: Most of us would be surprised, if not shocked, if the Attorney General were to support the amendment, but it is strange when so many constitutional anomalies require amendment that there should be this stern opposition to any constitutional change. From the time when the British Parliament was first created, constitutional changes have taken place. I consider that the Upper House would be more desirable if it were an hereditary Chamber instead of being constituted as it is to-day.

Hon. P. Collier: The House of Lords is more amenable to the public will than this House.

Mr. LAMBERT: The power of the House of Lords can be summarised as being more or less of a spectacular kind. So long as it does not stand in the way of moral progress and the general welfare of the people, just as in the case with Kings and other people of that kind, little objection can be taken to it. The Legislative Council stands against the common interests of the people.

There is not one step of progress that we desire to take in this State that is not opposed by that Chamber. The grave problem facing this country is Parliament itself. People must come to realise that until they deal with Parliament itself, Parliament can never deal properly with the interests of the State. It is a disgrace to think that men who only represent property in the Legislative Council should hold such power. When we tried to deal with certain insurance companies as to their financial transactions in this State, the measure was thrown out in another place. It is only sham and hypocrisy for members here to suggest that the slightest progress can be made so long as this other Chamber stands in the way. The unrest in this State is due to the fact that people are beginning to realise that they are not getting a fair deal from those who are supposed to represent them in Parliament. Those who constitute another place went throughout the length and breadth of this country saying that they realised that man power was needed, and that this was all that counted, and yet when an opportunity is taken in this Chamber by men of more advanced thought to do justice to that man power, the conservative interests of some hon. members cause them to refrain from giving these men an opportunity of expressing their opinion at the ballot box.

Amendment put and a division taken with the following result:—

Ayes	..	..	..	18
Noes	..	..	..	21
Majority against				3

#### AYES.

Mr. Angwin	Mr. Lutey
Mr. Chesson	Mr. Mullany
Mr. Collier	Mr. Munste
Mr. Davies	Mr. Roche
Mr. Green	Mr. Troy
Mr. Holman	Mr. Walker
Mr. Hudson	Mr. Willcock
Mr. Jones	Mr. Wilson
Mr. Lambert	Mr. O'Loghlin

(Teller.)

#### NOES.

Mr. Angelo	Sir H. B. Lefroy
Mr. Broun	Mr. Maley
Mr. Brown	Mr. Mitchell
Mr. Draper	Mr. Money
Mr. Duff	Mr. Plesse
Mr. Durack	Mr. Pilkington
Mr. George	Mr. Scaddan
Mr. Griffiths	Mr. Teesdale
Mr. Harrison	Mr. Willmott
Mr. Hickmott	Mr. Hardwick
Mr. Johnston	

(Teller.)

An endment thus negatived.

Hon. P. COLLIER: I move an amendment—

That after the word "as," in line one of subclause 2, the words "owner or" be inserted.

The paragraph will then read "is an inhabitant occupier as owner or tenant of a dwelling-house within the province." As the clause is drawn a person who is an occupier of a house which he owns will not be entitled to the franchise.

Amendment put and passed.

Hon. P. COLLIER: Paragraph (a) deals with the rental value of not less than 6s. 6d. per week. My object is to strike out the paragraph with the view of inserting another which will provide for a household qualification. I hope there will be a sufficient number of members on the opposite side of the House who, while they are not able to see their way clear to vote for the last amendment, will be able to vote for the householder qualification. I am unable to understand the logic of any person who is opposed to the householder qualification for the Legislative Council. Hon. members have declared that a franchise based on the 6s. 6d. rental value per week practically includes every householder. If it does that, why not let us make the matter clear and include it in the Bill? We know the present qualification of the £17 clear annual value has resulted in no end of friction and litigation. The officer charged with the administration of the Electoral Act has been unable, and has declined, to give a definition or interpretation of the meaning of clear annual value, and he will be equally unable to give a definition of the rental value of 6s. 6d. While the Attorney General is endeavouring to make the matter clear, he has entirely failed to remove the difficulty of the interpretation as it has existed in the past, and he has failed because it is practically impossible to define what is the meaning of the 6s. 6d. rental value per week. The Attorney General stated that the amendment would give everyone a vote who desired to make Western Australia his home. We know in the past this same property qualification has disfranchised 100,000 people who are entitled to vote for the Legislative Council. I cannot see that any consistent argument can be retained against the householder qualification for the Legislative Council. If we adopt the principle, the English language will enable us to frame a clause to give it an interpretation. It is much easier to give an interpretation to "householder" than it is to give an interpretation on the qualification laid down in the Bill. This has been demonstrated in this State where there have been prosecutions, and where no one has been able to correctly interpret our Act as it exists, and which, I claim is not improved by the amendment of the Attorney General.

Mr. Piesso: Will you give us the South Australian interpretation?

Hon. P. COLLIER: What I would propose to insert in the Bill would be this—

In this section the term "dwelling-house" means any structure of a permanent character, being a fixture to the soil, which is ordinarily capable of being

used for human habitation, and includes part of a dwelling when that part is separately occupied as a dwelling: Provided that when a dwelling-house is only part of a building, and any other part thereof is in the occupation as a dwelling of some person other than the occupier of the first mentioned part, such first-mentioned part shall not be a dwelling-house within the meaning of this section, unless it is structurally severed from such other part of the building, and there is no direct means of access between such parts.

Mr. Troy: What does the latter part mean?

Hon. P. COLLIER: It means that two persons cannot occupy the same building and claim to be a householder. The two houses must be structurally constructed so that the people living in them shall be separated; for instance a partition would separate them and there would have to be separate ingress and egress. Such house would in reality be divided so as to make two residences. Such a householder would be just as much entitled to the franchise as if he lived in a separate building. The interests of all concerned will be amply safeguarded by a franchise of this description. There is a logical and reasonable basis for it whereas there is none at all at present. The Attorney General suggests 6s. 6d. a week. What virtue is there in that amount?

Hon. T. Walker: What about 6s. 8d.?

Hon. P. COLLIER: Why not 6s. 3d. or 7s.? One man might be paying 6s. 6d. a week for a dwelling and a neighbour with perhaps a more generous landlord or a house not quite so good might be paying 6s. a week. Can anyone logically draw such an absurd distinction between two men as citizens? Every householder has a stake in the country. He cannot, like the Arab, fold his tent and silently steal away. He is a fixture. The 100,000 people who are denied a vote to-day are just as much permanent residents as the man who owns a mansion. They are the people who are paying the taxes; they are the people who are producing the wealth; to them Mr. Hughes is appealing for the production of more wealth as the salvation of this country. This is the only source from which the Prime Minister can get his response for increased wealth, and this House would brand itself as the most reactionary Tory institution in the British Empire if it refused to adopt a franchise of this kind for another place. The Legislative Council has infinitely more power than the old historic House of Lords itself. The House of Lords is amenable to the will of the people in the Old Country. If Lloyd George succeeds in passing a Bill through the House of Commons, no matter what the opposition of the House of Lords might be, he can get it passed into law; but the Legislative Council here is a stone wall and once it declines to pass a piece of legislation, there is no redress whatsoever. It has the final word.

The 60,000 people who elect another place are the masters of the 160,000 people who elect this House.

The Premier: It has never proved to be so.

Hon. T. Walker: Yes, again and again.

Hon. P. COLLIER: I am not basing my argument on the fact that it has been a House of obstruction; I would not care if it had been more liberal. I am urging the right of citizenship, the inherent and inalienable right of every citizen to have a voice in the government of the country. All the wealth, all the broad acres, all the flocks of sheep and herds of cattle and all the wealthy mansions would not have been worth twopence but for the sinew and man power in the recent war. Surely, having a knowledge of what has taken place, we should have a keener appreciation for human life and effort than we had before; we should not now continue to place wealth and bricks and mortar above human beings. The present franchise excludes from the full rights of citizenship almost two-thirds of the people of this country. These are the people who are responsible for the Premier's big majority. Does he say they are not to be trusted? Does he fear to trust them because of any recognition of the foolishness they were guilty of two years ago when they returned his party with a big majority? He sits in office with a two to one majority by virtue of the votes of the men and women whom he now declares should not have a vote for another place. If they are to be entrusted with the election of Ministers to control the destinies of this State, surely they are to be entrusted with the vote for another place. One could talk all night on a question of this kind and still not exhaust the arguments and reasons which could be urged in favour of it. I believe there are sufficient members in this House to give a majority to such a reasonable and fair proposal. I move an amendment—

That in paragraph (a) the words "and in respect thereof the occupier is liable for and pays a rent at the rate of not less than six shillings and sixpence per week, or which is of a rental value of not less than six shillings and sixpence per week, irrespective of rates and taxes" be struck out.

The ATTORNEY GENERAL: I do not propose to repeat the arguments I used on the previous amendment.

Mr. Jones: Did you use any?

The ATTORNEY GENERAL: But some of them apply with equal force to the amendment now before us. The difference is purely one with regard to rental value. The hon. member asked why I fixed 6s. 6d. a week. If he multiplies that sum by 52, he will find it comes very near to the £17 rental value.

Hon. P. Collier: Why not £16?

The ATTORNEY GENERAL: I have never attempted to liberalise that fran-

chise. I merely desired to make it more explicit and easier to calculate.

Hon. W. C. Angwin: A promise was made last session that such would be done.

The ATTORNEY GENERAL: I desire that a person who is making his permanent home in Western Australia should have a vote. I cannot imagine that anyone who is not paying a rental of 6s. 6d. a week could be regarded as making his permanent home in this State.

Hon. P. Collier: Thousands of men, who have been on the goldfields for the last 25 years, are paying less than that and the same applies to the timber country.

The ATTORNEY GENERAL: I cannot imagine that that is so.

Hon. P. Collier: Low rents are part of the wages in the timber country. Three shillings and sixpence a week is what the timber workers pay.

Mr. Pilkington: Then the place would still be worth 6s. 6d.

Mr. Munsie: Who is going to say that?

The ATTORNEY GENERAL: The hon. member has in mind some prosecutions at Kalgoorlie, and I know from what he has told me there may have been a good deal of hardship attached to some of those convictions.

Mr. Troy: Hardship? A scandal!

The ATTORNEY GENERAL: Suppose it was an offence under the Act for a person to wilfully make an untrue statement in a declaration attached to the claim card, if the evidence was merely that he made the statement not knowing it to be untrue, I venture to think there would not have been one of those convictions.

Mr. Troy: They were all the result of political animus.

The ATTORNEY GENERAL: The hon. member knows perfectly well that resident magistrates and police magistrates are fair and try to be fair.

Mr. Troy: I saw the files in this House.

The ATTORNEY GENERAL: Those magistrates may make mistakes at times, but it is not fair to say, because the magistrates may have convicted some persons who the hon. member thinks should have been acquitted, that the magistrates are unfair or biased. If the penalty is made merely for the careless or wilful making of a false statement, I can see no difficulty in the working of this clause. As regards the valuation of premises, I thought that perhaps the electoral registrar of each province might do it. But that officer might be asked to judge as to the value of premises 50 or 100 miles away from where he was stationed, premises which he had never seen. If the clause goes through as it stands, with a rental value of 6s. 6d. per week, I will certainly undertake to introduce a corresponding amendment in the Electoral Amendment Bill now before Parliament. I do not want any person to be kept off the roll merely by reason of being afraid of bringing himself within the criminal law through applying for enrolment. My

reason for fixing the rental value at 6s. 6d. per week is that I regard it as a reasonable standard.

Hon. P. Collier: I would prefer 6s. 3d.

Hon. T. Walker: Make it 6s.

The ATTORNEY GENERAL: I trust hon. members will pass the clause as it stands.

Mr. MUNSIE: I hope the Committee will carry the amendment moved by the leader of the Opposition. The first portion of the words which he proposes should be struck out I have no objection to; that is, the words referring to a person renting a house and paying not less than 6s. 6d. per week for it. It represents some little advance on what the present Act gives.

Hon. T. Walker: Very little.

Mr. MUNSIE: I admit it is very little. But what I really do object to is the words "which is of a rental value of not less than 6s. 6d. per week." Who is going to say what is the rental value of a house occupied by its owner?

The Attorney General: The man himself.

Mr. MUNSIE: But many men have been prosecuted and fined for adopting that course. The paragraph which the Attorney General proposes to delete spoke of £17 clear annual value.

The Attorney General: "Free of rates and taxes" is omitted.

Mr. MUNSIE: That is so. But neither the Crown Law Department, nor the Electoral Department, nor the magistrate, nor the solicitor on either side, could, or would even attempt to, give a definition of "£17 clear annual value." The Attorney General says the owner-occupant is to be the valuer. I know of an instance where a man on the fields was prosecuted because the house, which he valued at £17 clear annually, was rated by the road board valuer at something like £6 10s. annually. The man went into the witness box and swore that to him the place was worth at least 17s. per week, and that he could not secure a suitable house at a less rental than 17s. per week. The road board valuer, on the other hand, went into the witness box and gave his valuation; and the defendant was fined £1. That prosecution was really undertaken by the National Labour party on the goldfields. The National Labour party sent along the names of men who were to be prosecuted, and prosecutions took place accordingly. The National Labour party absolutely had charge on the fields for a while. In every case where a man occupying his own property was prosecuted, the road board valuer was put in the box and his evidence and valuation were accepted in every instance.

Mr. Pilkington: Was not a valuer called by the other side?

Mr. MUNSIE: None except the person who was prosecuted, and who swore to the value of his house. I went as one of a deputation to the Chief Electoral Officer and asked him whose valuation was to be accepted, and the Chief Electoral Officer would not give any definite decision. At last we questioned him point blank, "Is the valua-

tion of the municipal or road board valuer to be accepted?" The Chief Electoral Officer replied, "I do not know of any valuer whose valuation would be more likely to be accepted than that valuer's."

Mr. Pilkington: Did the magistrate hold that the defendant was bound by the valuation of the road board valuer?

Hon. P. Collier: No. The magistrate decided quite the opposite.

Mr. MUNSIE: The defendant's solicitor raised that point before the magistrate, and asked him was he going to be bound by the road board valuer; and the magistrate distinctly replied, no. Nevertheless, he accepted the road board valuer's evidence.

Mr. Money: Why was not a sworn valuer obtained?

Mr. MUNSIE: Is every man owning a house which he believes to be worth 6s. 6d. per week to incur the expense of obtaining a sworn valuer's valuation before putting in a claim card for the Upper House? I venture to say that for the next Upper House election no man in this Chamber, or outside it, will be able to persuade any man or woman to put in a claim card unless the House in which he or she lives has been valued by the road board valuer at 6s. 6d. per week or more. People are not going to take the risk henceforth. I would almost prefer the old valuation to the present one, notwithstanding the reduction of 2s. per annum. I certainly want some better explanation of the clause than that given by the Attorney General before I will support it. Indeed, I believe there will not be much opposition to the amendment of the member for Boulder, for I think hon. members generally have realised that it is time householders had a vote for each House of Parliament.

Mr. PILKINGTON: As I intend to vote against the amendment, I should like to explain my reasons for doing so. I agree with the view expressed by the Attorney General to-day, that the present qualification for voting for the Upper House is really only a qualification to ensure that those who have the franchise are persons who have permanently made their homes in Western Australia. I think it is preposterous to call this a property qualification. If those who are represented by hon. members on the opposite side of the Chamber were prepared to say, "We will have a household franchise, or we will have a franchise based upon some guarantee that every person who votes for the Upper House has his permanent home in this country, and we will not go beyond that or make it a step towards wiping out the Upper House," I would be satisfied to go a long way with them. I have no doubt that hon. members opposite would take that as an instalment of what they want. But, candidly, I am opposing hon. members opposite because they have put forward what they are trying to do. That is to say, they get a little bit here and a little bit there, and in the end will arrive at

what they are aiming at. The leader of the Opposition was both ingenious and ingenious when he moved his amendment. The hon. member will not be satisfied, even if he gets his amendment.

Hon. P. Collier: Oh, yes, I will.

Mr. PILKINGTON: I am sure the hon. member will not expect me to accept that somewhat humorous assistance. If the amendment were all that was sought, one could meet hon. members opposite and find a common ground on which we could rest; but hon. members opposite would like to pull us one by one towards them, and have us give way on certain points one after the other until, finally, we should find ourselves in the quagmire where hon. members opposite would like to see us. Personally, I am going to refuse to start on that march.

Hon. T. Walker: You would get from the desert of sin to Sinai.

Hon. P. Collier: We are getting along but slowly in the task of pulling you across.

Mr. PILKINGTON: I am sorry to see that a new provision has been introduced, because I do not discern in it any practical improvement.

Hon. P. Collier: There is none.

Mr. PILKINGTON: I see in the clause a good many things that in the past have led to litigation, and I see the use of expressions which have been found to be not easily determinable. The qualification for the Council franchise is one which it is perfectly preposterous to call a property qualification. We have selected a qualification which is intended to show that the voter has given some guarantee that he is a permanent resident of Western Australia. I can hardly think there are in the State any houses used in the ordinary way as dwelling houses which are not worth £17 per annum. Of course we must always have anomalies, wherever the line may be drawn. The cases quoted at Kalgoorlie seem to have turned upon the acceptance of the valuation of the road board rate valuator. From what I know of municipal and road board valuations I should say that such valuation is always based very low and is only relatively correct, although perfectly fair for rating purposes.

Hon. P. Collier: I know of more than one four-roomed house occupied by a man and his wife and family, and still valued at less than 6s. 6d. per week.

Mr. PILKINGTON: When I was on the goldfields one could not get any sort of house for £17 a year.

Mr. Munsie: You cannot get them now, but the road board valuation is set below the qualification and, therefore, a man cannot get his vote.

Mr. PILKINGTON: A public valuator should be called to prove that such houses were rented at over £17 a year, whereupon the registrar would be bound to accept it. I will vote against the amendment, because I am not supporting a course by which hon. members opposite wish to lead hon. mem-

bers on this side by degrees towards a full suffrage, with a view to the ultimate abolition of the Council.

Mr. Munsie: Well, that is candid, anyhow.

Hon. T. WALKER: The Attorney General is not intending to liberalise the franchise.

Hon. P. Collier: Except to the extent of 2s. per annum.

Hon. T. WALKER: But that is merely the unavoidable result of the best possible division of £17 per annum. The Attorney General is under the impression that he is doing something beneficial to the community in enabling them to escape the persecutions and prosecutions to which men in the timber areas and on the goldfields have been subjected.

The Attorney General: That was the objection of the deputation.

Hon. T. WALKER: Surely the hon. member now knows that he has done nothing towards that, that the Bill does not help us one iota in that respect. He now proposes to bring down the Electoral Act for amendment, in order to get his idea completely on the statute-book. That is a very poor way of doing business. The real solution of the difficulty lies in the amendment. We are told that the real object is to give a vote to every permanent resident. Is it not absurd to say that the test of a permanent resident is his payment of a weekly rent of 6s. 6d.? During the incubation of citizenship the payment of 6s. 6d. per week proves that he has a genuine stake in the country. It is nonsense! What test is there in that of bona-fide residence in Western Australia? I know of men of clear brains and earnestness of character, taking a lively interest in the welfare of the country, who unfortunately are unskilled labourers, those who turn the sod and produce our harvests, who clear the forests and make room for cultivation, who cannot possibly stay in one locality permanently, who must, by virtue of their labour, travel from place to place.

Mr. Troy: Like the shearers.

Hon. T. WALKER: Yes. They have of necessity to travel from station to station. It is not so long ago that a measure went through this House to compel those who employed them to give them something like a house whilst they were shearing. They cannot have a permanent residence in the State, and yet some of them have been born in the country and never intend to leave it. There are others who came here and are satisfied to move from place to place, and as they move the country blossoms in their path. Yet they are not to be considered. Men who stop about the town and never do anything to develop the country, so long as they pay a rental of 6s. 6d. a week, are to be dignified with full citizenship and to be entitled to vote for the lord of creation, the man in another place. The actual test of a man's bona fide residence in the country is that of his having a home. Yet we are only to have the

money test—the six and sixpenny test! Because a man goes out into the cheerless surroundings of the goldfields, suffers privations there, and denies himself all the comforts of city life, he is to be penalised and to be deprived of the rights of citizenship. It is those who lived in miserable hessian dwellings or in tin houses, or other uncomfortable places on the goldfields, who brought the wealth from the bowels of the earth and made Western Australia famous and rich, who are persecuted because their faith is politically different from the faith of those who have had the biggest run on the Treasury benches. Kill these politicians upon the goldfields because they do not agree with the old time notions of the politicians of the past!

Mr. Johnston: The pioneers before the mining rush played their part, too.

Hon. T. WALKER: Yes, it is still the old cry of class rule. I am surprised at a gentleman of long standing renown for intelligence—the member for Perth, seriously using the argument he did to-night. His argument is simply one of cowardice. He admits the justice of the amendment and can see no objection to it. He tells us that if there were no further steps to be taken, he would willingly vote for it. He admits it is better than the proposal of the Attorney General, and yet he asks us not to vote for it, because there are those upon this side of the House who do not think it is liberal enough, that there are those who believe that adult suffrage for the Upper Chamber would be preferable, and that there are those who say they can get along better in this country without a second Chamber. Because of that the hon. member is afraid, and his argument is one of sheer cowardice. He says in effect, "I dare not go there because I may be pulled further if I do." We see in their nakedness the Tories defending the old order of things. They are afraid to do right lest they might be pulled elsewhere to do wrong. Those who will vote for retaining the position assumed in the Bill will be acting the part of moral cowards. These old conservatives want to stand as monuments of ability, while the tide of progress is flowing past them. The world will learn to laugh at them by and by, and more immediately to scorn and despise them. They are the real blocks to the progress of humanity. These are the men a section of the public worship. I trust it will be realised what oddities these old conservatives are in these modern days of advancing democracy, and that people will leave them and keep them fixed to their pedestal, and let them stand still to their hearts content, while they go on to other grounds in the interests of this country.

Mr. GREEN: The member for Perth has admitted that he would be prepared to vote for the amendment were it not that he is afraid that, by giving way a little along the line he admits is just, this might ultimately lead to the abolition of the Upper House. I

do not think that by popularising the other Chamber we are going to lay the foundation for its abolition.

The Attorney General. You want to maintain it?

Hon. P. Collier: We recognise we are unable to abolish it at present.

Mr. GREEN: The Upper House would have to be party to its own abolition. Those people who represent vested interests are the last to give away their own interests. We are going to buttress the other Chamber by broadening the franchise, and the fear that the hon. member expresses is groundless and also cowardly when he is afraid to trust the people. That is what it means. This appears to be a question of Perth versus the rest of Western Australia. In Perth there is no resident who will be denied the franchise for the Upper Chamber, but in the farming and on the mining fields the people there will be denied the privilege. Under these circumstances the fear which the member for Perth has expressed that the people in other parts will have the same privilege as the people in the metropolitan area is one that comes with ill grace from a man who is trying to lead a new party in this House, I refer to the freetrade party. I heard him give a lecture in Kalgoorlie on Tennyson some time ago, and I can recall even now the gusto with which he narrated Tennyson's wonderful ode to Queen Victoria, and that part which speaks of broadening down from precedent to precedent. The hon. member is not prepared to broaden out anything. Even in the old country which has been shackled by the traditions of the past, the people who have done so much for England are being granted political freedom, while we in this State who have done equally well are told we must stand still. True, a sop has been thrown out to returned soldiers, but it is only a sop. When we are shaping legislation we have to keep in mind whether that legislation is likely to pass another place. The member for Perth admits, even from the democratic standpoint, that the present proposal of the Attorney General is not an improvement on any previous arrangement. Therefore why should we continue to make the people in the mining areas and in the farming districts subservient, so far as politics are concerned, to the people who reside in the metropolitan area who have all the comforts which are attached to living in the city. What is proposed in the Bill will only make confusion worse confounded, and from what I know of the goldfields fewer people will be enrolled under the new arrangement than was the case before the system of terrorism was started there with regard to who should be and who should not be on the rolls of the Legislative Council. It is for us to consider the popular will of the country. It has been stated in the Press that there is a feeling of unrest in the community, not only in regard to industrial matters, but also with regard to political institutions. The dissatisfaction in



regard to political instructions arises largely from the fact that another Chamber on its present franchise, is able to nullify, if indeed it is not also able to entirely exterminate, any proposal of a democratic nature that comes from this House. The amendment which has been suggested is calculated to show that we are making a slight attempt to move with the spirit of the times and it is in consonance with public feeling in the old world. I trust that the position of the Chief Electoral officer will no longer be permitted to remain an invidious one. It has been impossible for him to give a straight out opinion with regard to the reading of the Legislative Council franchise. If he has given an opinion on one day he has been obliged to alter it on the next, and he has had to change his views at the whim of any particular Government that has been in power, all because there has been nothing definite so far as the franchise is concerned. I trust the question will be settled once and for all and that the people will be enabled to know whether they are able to vote for another place.

Mr. JOHNSTON: If the speech of the member for Perth was made with the object of the retention of the *£s. 6d.* qualification I think the Government can well wish to be saved from their friends. I have advocated household suffrage for the Upper House on many occasions. It is rough on the householders, who at present do not pay *£s. 6d.* a week rent that the member for Perth should admit it was just the thing to give them the franchise because they are permanent residents having their homes here, and after making that admission he should oppose it for fear those householders would afterwards take the matter further. I hope the Attorney General will not adopt that view and that the Government will not fail to give justice to householders in this country. When we look at this House, elected on a popular franchise, we can well say that the Government can have no reason to trust the people of Western Australia.

Hon. P. Collier: That is the only thing you seem to be doubtful about.

Mr. JOHNSTON: The Government should trust the people whose permanent homes are in this State. If, later on, this results in a more democratic franchise for the Upper House, I shall have no regrets. When I heard the discussion regarding the homes on the goldfields, my thoughts went back to 1911 when I was glad to earn a crust by taking the census on the Golden Mile. In that locality there are a number of small four-roomed cottages occupied by good citizens, who have lived in the same homes for 5, 10, 15 years, who have brought up families, and who have no intention of leaving the State; and yet they are denied the right of a vote for the Upper House. In the metropolitan area, all the land is practically freehold, whereas in the Traralgon and other areas around Kagoorlie and Boulder, the land is leasehold. A man in Perth owning a block worth *£50* gets a vote for the Upper House. A resident of Perth holding free-

hold on the goldfields to the value of *£50* gets another vote. Yet a man with a family such as I have described is denied a vote. These people on the goldfields are fully entitled to have a say in the election of both Houses. The Government, in pursuance of their democratic policy, might well accept this amendment. We on this side of the House need have no need to fear if we trust the people and this is merely a step in that direction.

Mr. TROY: After hearing the speeches of the Attorney General and the member for Perth I do not wonder that the people despair of ever receiving anything of value from Parliament. There is a tendency among the people to deprecate the work of Parliament, to sneer at Parliament and to become cynical of anything useful ever being accomplished here. The reason is that a great majority of the people have not representation in another place. We failed this evening to give the fullest representation to the people. Now we find the strongest opposition to another suggestion to afford representation to the householder. Much has been said about the permanent resident being entitled to a vote and that, because people have not property of a certain value, they are merely birds of passage. Take Mr. W. E. Moxon, who was chairman of the Chamber of Commerce. As a spokesman of the Liberal party, he directed a lot of the legislation of that party. He was notorious; he was supposed to be an influential man, but he has gone. He had no interest in the State beyond that of the company he represented, and when the interests of the company called him elsewhere, he went. There are people who have been on the goldfields for 25 and 30 years and who have not a vote for another place. They have permanent homes in the country. Mr. Moxon had no interest in the country outside the firm he represented; yet he had more to say than any other man in the country. He has gone to Queensland as the representative of his company and he has the impertinence to express the same views there as he expressed here regarding government. A considerable number of business men have merely interests in that they represent certain companies or corporations and, when they are paid to go elsewhere, they leave immediately. The people on the goldfields cannot leave the State. Their families cannot leave the State, and yet they are denied a vote for the Upper House. The Government might reasonably accept the amendment because it is a clear way out of a difficulty which the Attorney General admits exists.

The Attorney General: It is very much exaggerated.

Mr. TROY: If the amendment is accepted, the difficulty will no longer exist because the qualification of householder will be sufficient and will be clearly defined. If the valuation is left to magistrates of the courts who are often influenced by popular clamour, we shall not get justice. After perusing the papers laid on the Table, I am satisfied that the prosecutions at Kagoorlie

were prompted by political bias and that the resident magistrate was not entirely guiltless. People of the goldfields, renegades of their own class, urged the Attorney General to take action against their own class and the files fully disclose that the prosecutions were prompted by political bias and malice. In Perth during the war, a person of peculiar religious belief, which might be as sound as anyone else's belief, said that the war was a visitation of God because people had been sinful. It was purely a religious expression and yet the magistrate sentenced him to six months' imprisonment. Was that a reasonable prosecution? The accused was a long-haired person, an Israelite I think he was called, and a magistrate in his senses would not have attached any importance to his statement. This shows how a magistrate can be influenced by popular clamour. The magistrate is to decide the valuation—the magistrate on the goldfields who determined against these men and fined them. He was the sole arbiter; he would not accept the road board valuation. I am satisfied that he was prompted by political bias because he is notorious. I have known him to be friendly to a man's face while he would stab the same man in the back. I would not leave it in the hands of any magistrate to decide who should vote and who should not. The member for North Perth will remember the case of a citizen who attended an eight hours demonstration to judge the marching of the various bodies and who was convicted because of popular clamour. If he had attended a Liberal conversazione at the Weld Club, he would have been all right. I am satisfied that the magistrates depend upon the Government for the time being for their positions and are swayed by popular clamour. The member for Perth said this was only a stepping stone to full representation. Of course it is. What kind of a man is he who pretends to believe in democracy and does not believe in a wider franchise for the people? He must be prehistoric. Our institutions are bound to broaden. I was pleased to hear that the member for Williams-Narrogin has not forgotten his former principles. I would like to know where the Minister for Railways stands. During the recent election for Albany Mr. Scaddan said he was a non-party man. He said he still was attached to all his former principles. He had departed from not one of those principles which he held dear and, if the Government introduced a measure which violated his former principles, he would resign. Is the Minister for Mines listening now? No. I have before me the "Hansard" report of a speech made by the present Minister for Mines in which he characterised the present Minister for Works as a reactionary because a few years before he had opposed a similar measure. To-night the Minister for Mines votes with the Government in

opposition to a principle which formerly he sought to embody in a special Bill. Where to-night is the hon. gentleman's solemn promise to the electors of Albany?

The Minister for Mines: I have not changed.

Mr. TROY: I do hope that in order to clear up the issue, which is very involved, the Government will accept the amendment of the leader of the Opposition.

Amendment put and passed.

Hon. P. COLLIER: I intend to move that paragraph (b) be struck out. The paragraph reads, "No person shall be qualified by reason of being a joint occupier of a dwelling house." I do not quite understand why the Attorney General inserted the paragraph, which proposes to deprive the joint occupier of a right which he has to-day and has had for years.

The ATTORNEY GENERAL: The leader of the Opposition is, I think, rather under a misapprehension about the importance of the joint occupier. Section 16 of the Constitution Act makes provision for joint owner, joint occupier, joint lessee, and joint licensee. The joint occupier is not of much importance in view of the provision that any person in possession of a leasehold of a clear annual value of £17 is entitled to a vote. In Section 39, which is still preserved, he comes under the heading of a joint lessee. The words do not mean what at one time they were thought to mean. Recently in the West Province an attempt was made, quite honestly, by some people to get lodgers on the roll. The registration was in most cases refused, but by accident some of the lodgers did get on the roll and the Electoral Department refused to accept them. "Household franchise" refers to a person who occupies a house and holds it from someone as a tenant. The English lodger franchise depends entirely on a contract made between the lodger and the householder. The relationship is different. We have never had a lodger franchise in this State.

Hon. P. Collier: But take the case of two families living in one house. Such cases are not numerous, but there are some.

The ATTORNEY GENERAL: That may be. I was going to suggest, later, that Clause 4 of the Bill should be struck out. That clause abolishes the matter of joint occupation altogether.

Hon. P. Collier: You propose to leave the matter as it is?

The ATTORNEY GENERAL: Yes. Then it would follow that paragraph (b) of Sub-clause (2) of this clause must be struck out.

Hon. P. COLLIER: I do not either regard the matter as very important. I do not think many people would be affected either way. But there may be cases of two families jointly occupying a large house and paying the rent between them. It would be unfair to deprive the head of one family of the vote in such a case.

The Attorney General: A proviso is really all that you want.

Hon. P. COLLIER: I think we ought to amend the existing Act a little further. Paragraph (a) of Section 15 of the Act provides that no aboriginal native of Australia, Asia, or Africa, or person of the half blood, shall be entitled to be registered except in respect of a freehold qualification. I do not consider that an African black, or a Chinese, or a Japanese, should have the franchise for any House of our Parliament merely because he is the owner of freehold property. The provision seems an extraordinary one. It goes to show how sacred in the minds of those who framed the original Act were the rights of property. While excluding large sections of our own community, because of want of possession of a certain property qualification, they conceded the franchise to an African black or an Asiatic if only he owned freehold property.

Mr. Teesdale: White men cannot get a vote in Asiatic countries.

Hon. P. COLLIER: That is so. I propose to move an amendment to the effect that Section 15 shall be further amended by the striking out of paragraph (a).

The CHAIRMAN: I ask the member for Boulder to send up his amendment in writing. Meantime the member for Gascoyne has something to say about the proposed new paragraph (4a).

Mr. ANGELO: I desire to sound a note of warning as regards the soldiers' vote in connection with this new paragraph. Owing to the defeat of the amendment of the leader of the Opposition, it is impossible for the Upper Chamber to become a people's House; and if this new paragraph is carried, it will be impossible for the Upper Chamber to remain a House of review. In this connection I desire to draw attention to the number of electors entitled to vote for the Legislative Council. At the last election, there were only 60,972 electors for the Legislative Council in the whole State, and for the contested seats there were only 48,310 electors. Out of that number only 17,973 voted. What is going to be the result if suddenly we are to give 40,000 returned soldiers a vote for that House?

Mr. O'Loghlen: Some of you will wake up.

Mr. ANGELO: I want hon. members to wake up before it is too late. Each soldier will have at least one civilian friend who will sympathise with the soldiers and probably vote for them. Thus the soldiers will have some 40,000 civilians' votes with them, which, added to their own 40,000 votes, will suffice to make the Council a military House. That is the note of warning I wish to sound. If hon. members are prepared to have the Council merely a military House they can vote for the amendment.

Mr. O'Loghlen: Nothing is too good for the soldier.

Mr. ANGELO: Quite so. At present the soldiers have not decided whether they want

votes or not, but if they can see an opportunity for capturing the whole of the Council it is safe to say they will seize it. The soldiers' vote will swamp the vote of all the other electors.

Mr. Wilson: Why should it not?

Mr. ANGELO: If hon. members are satisfied that the Council should become a military House I have nothing further to say.

Hon. P. COLLIER: I move a further amendment—

"The said section is hereby further amended by omitting from the proviso of paragraph (a) the words 'except in respect of a freehold qualification.'"

The ATTORNEY GENERAL: I do not think it is quite what the hon. member wishes. He should make the amendment read "Paragraph (a) occurring in the proviso to Section 15 of the Act." We have passed paragraph (a) in the Bill, and this amendment is really to paragraph (a) of the proviso to Section 15 of the Act.

Hon. P. COLLIER: My amendment is consistent with the beginning of the clause.

The CHAIRMAN: I think it means paragraph (a) of the proviso to the section of the Act; at all events I will add those words.

Mr. Pilkington: But it is in the second proviso.

The CHAIRMAN: All right, I will make it so.

Hon. W. C. ANGWIN: I am surprised that the Minister did not strike out the ratepayers' qualification, for this leads to the stuffing of the roll. A list of ratepayers has to be prepared on or before the 1st September. The officer who prepares the list is not aware of all the changes of address that have occurred and, in consequence, when he prepares the list, names which through changes of address should be struck out are retained on the list unless objection is offered. It gives a great deal of trouble to the Electoral Department.

Amendment put and passed.

Hon. P. COLLIER: I rather think it will be necessary to insert another proviso dealing with the householder and occupier in cases where men may be deemed to be householders and occupiers in two different provinces. We have declared that the qualification shall be "inhabitant occupier as owner or tenant." A man may be termed an inhabitant occupier as owner of houses in the clause as it stands he would be entitled two or more provinces. In that case, under to be enrolled for the several provinces. I think a proviso is necessary. I move an amendment—

That the following proviso be added:—"Provided, however, that no elector being the inhabitant occupier of more than one dwelling-house within the State shall be entitled to be registered for any province other than that in which his principal place of residence is situated."

The ATTORNEY GENERAL: I do not know how the proviso is going to be inter-

jected. I do not think many cases would arise under it. The Bill as it now stands means that the principal qualification is household franchise. It is true a man may have a house in more than one province. Still, I think we had better leave it as it is. Who is going to determine the principal place of residence? It is not only the owner, but the occupier, who has a vote.

Hon. W. C. Angwin: Suppose his name is on two rolls as occupier?

The ATTORNEY GENERAL: There are not many such cases.

Hon. W. C. Angwin: There are hundreds of them.

The ATTORNEY GENERAL: It is rather difficult to say what effect the alteration will have. I am prepared to assent to the proviso at present.

Mr. LAMBERT: The new clause is consequential on the decision of the Committee. If I were in business in one district, I would be on the ratepayers' roll and would automatically go on the Council roll for the province and, if I were living elsewhere, I would go on the Council roll for that province. It is essential to have some such clause.

Sir. H. B. LEFROY: It is inconceivable that a man can occupy two places. Could he, as a tenant, occupy a house in Kalgoorlie and another in Perth?

Mr. Lambert: Certainly for a certain length of time.

Sir H. B. LEFROY: If he had a business in Kalgoorlie and another in Perth he might occupy a house in Kalgoorlie part of the time and a house in Perth part of the time. If he owned the house in Kalgoorlie, he could register as the owner.

Hon. P. Collier: He could vote in both provinces.

Sir H. B. LEFROY: The Constitution does not prohibit him from voting in both places.

Hon. P. Collier: The amendment we have just passed will do so.

Sir H. B. LEFROY: If he owns freehold property in both places he can vote in each place, but we have only been dealing with the right of an occupier to vote. We should be careful that the amendment does not stultify us. It would be better to say that anyone should not vote for more than one province.

Mr. Lambert: Would you support that?

Sir H. B. LEFROY: If there is an attempt to get this in by a side issue, I shall object. The Attorney General should watch it carefully.

Amendment put and passed; the clause as amended agreed to.

Clauses 4, 5—agreed to.

Clause 6—Amendment of Section 38 and repeal of Section 42:

Hon. P. COLLIER: I oppose the clause. It is a necessary safeguard that a member accepting office should have to go up for re-election. If it occurs immediately after a general election, he is not likely to be in-

convenienced much because rarely is there opposition unless the election has been a close one, or he has been returned by a narrow majority. This is a safeguard against the member going back on his pledge and perhaps pursuing a different course from what the electors thought he would.

The PREMIER: It has never been necessary.

Hon. P. COLLIER: On more than one occasion the electors have rejected a member who has accepted office. In the Morgans Ministry three members were defeated on going up for re-election. That showed that the members were out of touch with their constituents. It is not a great hardship for a member accepting office to secure the endorsement of the electors.

The PREMIER: I do not agree with the leader of the Opposition. If a member is elected and joins the Government formed by his party, what is the need for re-election?

Mr. Munsie: What if he is elected by another party and the Government offer him office as an inducement to get a majority?

The PREMIER: How often does that happen?

Mr. Munsie: A lot lately.

The PREMIER: I think not.

Mr. Munsie: Oh yes.

The PREMIER: I see no good reason why a member should seek re-election after accepting office. It means considerable expense to the country and to the member. Three years is a very short term.

Mr. Lambert: Not one of your Ministers was challenged at the by-elections.

Mr. Jones: No, the only one who would have been challenged would not accept ministerial office.

The PREMIER: The hon. member should state why it is necessary to seek re-election. It is not necessary as a safeguard.

Hon. T. Walker: It is a safeguard, absolutely.

The PREMIER: To what extent. What object was there in sending the Attorney General back to the electorate? He had been returned to support the Government.

Hon. T. Walker: Not the present Government. Suppose after a member was returned a new Government were formed and he appealed to his constituents and was rejected. That would be an indication to the Government.

The PREMIER: If we selected for office a member from the other side of the House, the electors might object.

Mr. Munsie: There is nothing to say that shall not be done.

Mr. Johnston: We have the case of the member for Brown Hill-Ivanhoe when Mr. Luty was returned.

The PREMIER: Would any hardship be inflicted if there was no re-election?

Mr. O'Loughlin: There would not be so many defections.

The PREMIER: I see no reason why a member should go up for re-election.

Mr. Jones: Do you think West Sydney would re-elect Billy Hughes when he rattled?

Mr. O'Loughlen: You want us to agree to this and we do not know where it will lead.

The PREMIER: If a member has to seek re-election, the people lose his services for a month. The member for Kanowna knows that.

Hon. T. Walker: Not a bit of it. You go out and we will risk it.

The PREMIER: The leader of the Opposition has not shown that this provision is in any respect a safeguard.

Mr. Munsie: Did not the present Minister for Mines accept office before he was elected, and was he not defeated for the Brownhill-Ivanhoe seat some time before?

The PREMIER: It is a matter for regret that he was defeated on that occasion. When he became a Minister in this Government he was returned for another constituency.

Mr. Munsie: I do not object to that.

The PREMIER: I hope the Committee will agree that when a private member becomes a Minister he should not have to seek re-election.

Hon. T. WALKER: I have heard no argument in favour of a change. The present proposal amounts to a drifting backwards to the time when the king created his Ministers and they were Ministers for life.

The Attorney General: You suggest that the conditions are the same?

Hon. T. WALKER: This appeal to the people is a change which came with the spirit and growth of democracy. Electors may elect a member to serve them, but may not desire him to take a position of responsibility in a Ministry, or they may not wish him to join that particular Ministry. Surely the electors have a right to a voice in this matter when a member changes his relationship to his constituency. The opinion of such a member on becoming a Minister must be controlled by the majority in Cabinet.

The Attorney General: He can always resign.

Hon. T. WALKER: Who ever knew of one who did so? It is on a par with what Carlyle says, that kings never commit suicide.

The Premier: We ought to provide for the recall.

Hon. T. WALKER: Give us the initiative, referendum and recall and we will put up with perpetual Ministries. This serves the purpose of the recall, and we shall be preserving the rights of our constituents. I prefer to stick to the rights of the people. We must not shear them of the privileges and rights they possess. If we get more out of touch with the people than we are at present, we shall be able to do as we like in this Chamber in spite of them. We want to give the people the right to endorse or otherwise the selection of their representatives as members of a Ministry.

The Premier: The House can always protect the interests of the people.

Hon. T. WALKER: The House cannot really do so. One side of this House is always fighting the other. The most we can do is to compromise in the interests of the people, more especially as we have to consult another Chamber. This House never has carried out the real will of the people.

[Mr. Piesse took the Chair.]

Mr. LAMBERT: The Attorney General would be well advised to take the Committee more into his confidence regarding the reason for this change. There must be either a political reason or a reason of economy. The hon. gentleman himself had a unique experience when accepting office under the present leadership. The feelings of his constituents were clearly shown by the result of the election, and I hope personal considerations will not weigh with him when a constitutional change of this nature is proposed. The innovation will deprive the people of a certain right. In no other case but that of the Attorney General has there been political hardship; and the hon. gentleman has not suggested that the change is desirable as a matter of economy. There is no need for us to fear to trust the electors. The political history of Australia has taught elected men not to break away suddenly from their political faith. If they do so, and accept Ministerial rank, the electors should have a right to say whether they will endorse such action. We should be concerned about the reasonable safeguards which the electors of this State ought to have. While no great saving can result from the proposed change, its effect will be to deprive the people of some of the power they now possess. During the war certain political breaks and political mix-ups occurred; and the party opposite, without consulting the electors, soothed their outraged feelings by making changes in the composition of the Ministry. The Attorney General, notwithstanding his more or less pleasant personal experience of a few months ago, will recognise that there is no great need for this innovation.

Mr. MUNSIE: I hope the Committee will delete the clause altogether. If we had not the provision which exists in the Constitution at the present time the Premier would not be where he is just now. His party could not find a seat for the Minister in another place when that Minister was Premier, and that is why we have the member for Northam here as Premier.

Hon. P. Collier: Then we will stick to the conditions which brought the member for Northam here.

Mr. MUNSIE: I do not know of an instance where a man, sticking to the party by whom he has been returned, has been defeated on going up for re-election. A defeat has only come about when the Minister has turned round and joined another party. The

case of the member for Williams-Narrogin, however, was different. That hon. member altered his opinion but he resigned his seat and asked his electors to endorse his attitude. They sent him back again. The only argument which has been used is that this provision does not apply in the Commonwealth. If it had applied in the Commonwealth we would not have had the shuffling and re-shuffling which has been continually taking place. What chance would the Prime Minister have had of being returned in his own electorate after having formed a coalition against the constitution of his own party? Even when the following elections came about the Prime Minister had to seek another electorate. He was afraid to face his own. If the proposal contained in the Bill had been submitted by the Government on the score of economy there might have been some argument in its favour. That, however, has not been done. The only argument used has been the one that a Minister should not go before his constituents except at the time of the general elections. Probably next year there will be a general election, and we cannot say how parties will return. They may be fairly evenly divided, and if we wipe out this provision, some member may declare that he will have three years of office secured, without having to appeal to his constituents. I want the people to continue to have the right which they possess at the present time. If they are dissatisfied with the member who represents them for having accepted office they should have the right to turn him down.

The ATTORNEY GENERAL: One would imagine, listening to the remarks of hon. members, that there was a possibility of having a Ministerial election once a week.

Hon. T. Walker: Nonsense!

The ATTORNEY GENERAL: Perhaps once a week is a slight exaggeration, but the arguments used would appear to be that the interests of the country and the interests of the individual would be best conserved by having constant references to the electors to determine whether a particular member is fit to represent them in a Ministerial capacity.

Mr. Munsie: Nothing of the kind.

The ATTORNEY GENERAL: When hon. members advance arguments of that kind I regret to have to say that I do not believe in them. I have a slight knowledge of human nature, and to anyone who tells me he thinks it advisable that there should be an election in connection with the appointment of a Minister I can only say that I view such a remark with a certain amount of suspicion. With the exception of the few persons employed on elections, nobody wants an election merely because an hon. member has accepted office in the Ministry. I did not say much about the provision on the second reading, for the reason that one constantly hears in the lobby the opinion that the present system should be abolished. That opinion is to be heard every day in the street. Amongst my own electors there is a large majority of the same opinion. The present

system is useless, as is clearly proved when hon. members opposite challenge me to produce an instance of a newly appointed Minister being rejected by his electors.

Hon. T. Walker: The Attorney General might be fair.

The ATTORNEY GENERAL: I am trying to be fair. I cannot believe that the arguments put forward to-night are really genuine. It is suggested that we are depriving the electors of their rights.

Mr. Munsie: So you are.

The ATTORNEY GENERAL: If that is so, which I doubt, I for one am prepared to take the risk of depriving my own electors of their rights in this regard. During the last ten years the system that we still have has been abolished in nearly every Parliament in the British Dominions. Is that to go for nothing? When it suits hon. members opposite we are bombarded with references to what other Parliaments have done, but when the proposal does not suit hon. members opposite the common sense of all the other Parliaments in the British Dominions has no weight whatever. I do not really think many hon. members believe that it is a good thing either for the State or for the members concerned to have an election at every possible opportunity.

Hon. T. Walker: What Parliaments have adopted this?

The ATTORNEY GENERAL: The British Parliament, during last session.

Mr. HOLMAN: I will support the amendment. I have been many years in Parliament and on that experience I say we must have a safeguard against men capable of forsaking their political faith for their personal gain. It so happens that I entered Parliament at a time when several men who had previously fought for democracy forsook their opinions to take office in the Ministry; but they were caught by our system which necessitates a newly appointed Minister going back to his electors, and out of the Ministry of six that went to the country on that occasion only three were returned. That was the Morgans Ministry. Mr. Moss, the late Mr. Frank Wilson and the late Mr. Justice Moorhead—perhaps the most brilliant man who ever sat in this Parliament—were the three who relinquished their principles to enter the Ministry. Mr. Justice Moorhead was turned down by the very men who had previously given him a big majority. So too, both in the case of the late Mr. Frank Wilson—who also was one of our most brilliant men—and in the case of Mr. Moss, of another place. Whenever an hon. member accepts an office of profit under the Crown, the electors who returned him should have the right to speak again. On no occasion that I remember has a man who remained true to his policy been turned down under this system, but nearly every time on which a man has sold his party to gain office he has had a severe struggle, if not a defeat, on going before the country in consequence of having taken office. The Minister for Works

knows this. He was in the House when those bitter struggles occurred which represented the turn of democracy in Western Australia, when the Labour party had practically no standing in politics in this State. It was then very necessary to have this safeguard against a man selling his constituency for the sake of office, and that principle should not be sacrificed to day. So long as we have party Government no man should be permitted to betray his party and take office without having to account to his electors. If he turns for the sake of benefiting himself he should be compelled to go before his constituents. I hope this principle will be retained.

Clause put and a division taken with the following result—

Ayes	..	..	..	23
Noes	..	..	..	14
Majority for	..	..	..	9

#### AYES.

Mr. Angelo	Mr. Maley
Mr. Brown	Mr. Mitchell
Mr. Brown	Mr. Money
Mr. Draper	Mr. Mullany
Mr. Duff	Mr. Nairn
Mr. Durack	Mr. Pickering
Mr. Foley	Mr. Scaddan
Mr. George	Mr. Smith
Mr. Griffiths	Mr. Teesdale
Mr. Harrison	Mr. Willmott
Mr. Hickmott	Mr. Hardwick
Sir H. B. Lefroy	

(Teller.)

#### NOES.

Mr. Angwin	Mr. Roocke
Mr. Chesson	Mr. Troy
Mr. Collier	Mr. Walker
Mr. Holman	Mr. Willcock
Mr. Jones	Mr. Wilson
Mr. Lambert	Mr. O'Loughlin
Mr. Lutey	
Mr. Munslie	

(Teller.)

Clause thus passed.

Clause 7—Repeal of Sections 66 and 67 of 52 Victoria No. 23, and Section 46 of 63 Victoria No. 19, and substitution of new provisions:

Mr. HOLMAN: Seeing that the rats' hole has been guarded at one end, it is only right that they should not have a means of retent to the next hole. Supported by a big body of rats both inside and out—

Mr. Smith: This is not a Vermin Bill.

Mr. HOLMAN: No, but if we put the right dope on them, we shall get rid of a lot of them. This deals with vermin to a great extent but, instead of doing away with them, it safeguards them. The Government should see that another place does not appropriate money to bolster up a big number of rats outside the House. Another place has already exercised its powers. During the last year or two many thousands of pounds have been expended to bolster up one section of the community whose delight in time of

trouble is to rat or blackleg against their fellow workers. Probably we shall have before us in the near future, a report from a so-called Royal Commissioner, a person by the name of Lazarus. If members refer to his antecedents, they will know exactly what justice to expect as the outcome of the Commission. We know why the Commission was appointed; we know who is going to benefit from it. This House, representing the people of the country, must decide how the revenue of the country shall be expended. The amending clause will have a far reaching effect. It will place in the hands of the Legislative Council a power they have never before possessed. Reference will doubtless be made to the reports of committees which have considered the question of money Bills procedure. This Chamber has always reserved the right to say how money shall be appropriated and expended, and those members who have sat in this House for some years must realise the necessity for taking a firm stand. The Bill is merely a piece of camouflage to give some people the idea that they are getting something, and to give another section the right to sell their constituencies and betray their party—in other words, to give another place a right it never had before. I am not going to allow it to pass without a strong protest. The Attorney General should explain how far reaching it really is.

The Attorney General: I have explained it fully.

Mr. HOLMAN: The explanation was on a par with most of the legal explanations we hear from time to time. It merely covered up the defects of the measure.

The Attorney General: I do not think I was offensive when I moved the second reading.

Mr. HOLMAN: I do not suggest that, but it is customary for the legal fraternity to trade on the ignorance of those who listen to them. I am not going to accept any of these amendments to our Constitution without giving the people an opportunity of voicing their opinions in the matter. The people have so far given no indication of their opinion that our system regarding the appropriation of money or revenue should be altered, or that taxation proposals should not originate in this chamber. It is difficult to understand how far reaching this Bill will be. Sections 66 and 67 of the Constitution Act are being repealed, and the Bill provides for giving the Legislative Council power to introduce legislation imposing taxation.

The Attorney General: It does not do any thing of the kind.

Mr. HOLMAN: My opinion is that it does. Why is it necessary to have these amendments? They give a section of the legislature a power it never had before, and I desire that the matter should be thoroughly gone into before this particular clause is passed.

The ATTORNEY GENERAL: The hon. member is not justified in insinuating that

I have not given a fair explanation regarding any of the clauses of the Bill. He seems to doubt my capability for explaining these provisions, and demands that I should point out to him where these clauses do not give the Legislative Council greater powers than they possess at present. It is no use giving the information to the hon. member because he will not accept it. These alterations do not extend the powers now possessed by the Legislative Council. The hon. member has apparently forgotten that he was a member of the joint select committee.

Mr. Holman: I do remember it.

The ATTORNEY GENERAL: He will probably know to what these clauses refer. They are taken verbatim from the recommendations of the joint committee and were agreed to by both sections which sat upon that committee. There was one clause recommended by the members of the Legislative Assembly which was not agreed to by the Council members, and that clause is not included in this Bill. The only clauses here are those agreed to by the joint committee. If we desire to have these clauses made a part of the Constitution Act, it would be a pity if we did not recognise the action taken by our representatives on that joint committee. If we did not do so, we would give the Legislative Council an excuse for not recognising the action of their members. The last recommendation was that the recommendations as a whole should be made the subject matter of amendments of the Act at the earliest opportunity, and this is the first time that the Constitution has come up for amendment since the report of that joint committee.

Mr. JONES: The Attorney General's explanation, so far as it goes, is quite satisfactory, and I presume the clause does not in any way extend the powers of the Legislative Council. I am satisfied, however, that it is the Committee's desire to curtail the influence of another place where that influence is detrimental to the best interests of the country. The clause should go further, and should debar the Council from decreasing any proposed charge or burden on the people except in cases where persons with incomes not exceeding £300 per annum are concerned. Three hundred pounds a year I regard as the minimum income on which a family can be supported at the present time. Occasion will very shortly arise, if the final clauses of the Bill are adequately amended, for the present leader of the Opposition to introduce, as Colonial Treasurer, taxation measures which will seriously affect those friends of the present Government, the absentee landlord and the profiteer. In view of that probability, I shall move the amendment which I have suggested, if the Attorney General is not prepared to do so.

[Mr. Stubbs resumed the Chair.]

Mr. Holman: I have an amendment previous to yours.

Mr. JONES: I am not moving my amendment at present.

Mr. HOLMAN: It is my intention to move in the direction of striking out the words "Sections 66 and 70." When the select committee sat in connection with this matter in 1915, the opinion was held that a measure would soon afterwards be brought in to deal with the matter. Nearly five years have elapsed without anything having been done. Why, therefore, the necessity for introducing it at this stage, when we have been able to do without it for so long? There was no necessity, apparently, for it between 1915 and the present time and there cannot be any urgent necessity for it just now. Other Governments had an opportunity of submitting the question to Parliament but they did not do so. We have been able to do without it for so long and we can continue to do without it for another year or two.

Mr. Jones called attention to the state of the House.

Bells rung, and a quorum formed.

Mr. HOLMAN: I was a member of the joint select committee which sat in 1915, and I am wondering why our five-year-old recommendations should only now be regarded as important. Although we drew up those recommendations in 1915, nothing has since been done to bring them into force.

The Premier: It is the first opportunity we have had of bringing them forward.

Mr. HOLMAN: That may be so, and I give the hon. member credit for trying to put those recommendations into effect; but I cannot applaud him for cloaking other important amendments under the recommendations made by the select committee.

The CHAIRMAN: That is the third time I have heard the hon. member use that argument. I should like him to bring forward other arguments and not keep on repeating himself.

Mr. HOLMAN: Certainly. I will read what took place in the select committee and discuss each of the points raised. To show the interest taken in the appointment of that select committee I may find it necessary to read the debate in the House which led up to that appointment. According to "Hansard" of the 18th August, 1915, the member for Canning (Mr. Robinson) moved—

That, in view of the report of the select committee appointed last session to confer with a committee of the Legislative Council as to the framing of Joint Standing Orders with regard to the procedure on Money Bills, by which report it appears that the committees were at that time unable to arrive at any satisfactory conclusion, a select committee be appointed to inquire into the best means of overcoming the present differences between the two Houses in regard to such



Bills, and that the Legislative Council be requested to appoint a similar committee to confer with the committee of this House on this subject. This shows clearly that the matter did not crop up in 1914.

Mr. Jones called attention to the state of the House.

The CHAIRMAN: A quarter of an hour has not yet elapsed since my attention was called to the state of the House.

Mr. Jones: It is just on the quarter.

The CHAIRMAN: I am the judge of that.

Mr. HOLMAN: I shall keep going for a couple of hours if necessary. The need for an amendment extends back beyond 1914. The unsatisfactory state of affairs indicated by the motion has existed for many years, and I cannot understand why something was not done. On the occasion of moving his motion the member for Canning said—

This subject is so well known to members that there will be no need for me to give the reasons advanced last session when I moved in a similar direction.

The CHAIRMAN: Will the hon. member please address the Chair? I shall not allow him to address a member sitting alongside him.

Mr. HOLMAN: I was just asking the member for Geraldton to get something for me.

The CHAIRMAN: The hon. member will address the Chair.

Mr. HOLMAN: I intend to show the reasons given for moving the motion in 1915. The member for Canning proceeded—

Suffice it to say that the committee appointed last session did very good and useful work.

I was a member of the committee and I intend to quote the report. Although the necessity existed in 1914 no effort has been made until the end of 1919 to give effect to that good work. It is hard to say whether the same necessity exists to-day when the financial position of the country has changed so greatly. This is the time when we should take a strong stand in regard to the expenditure of money and not give way in the slightest regarding the imposition of taxation which might inflict hardship on the people, who already are carrying as much as they can bear. The report continues—

I venture to say that, if we had had a month more time, I believe a conclusion would have been arrived at. I hope the motion will be carried, and that the committee will soon get to work so that this difficulty may be overcome; and when it is this bone of contention, which has existed between the two Houses and caused most inharmonious relations for many years, will cease.

The motion was passed and a select committee consisting of Mr. Speaker, Mr. Holman, Mr. McDowall, Mr. Gardiner and Mr. Robinson—who comprised the Standing Orders committee of the House—was appointed. Members of the

Council also appointed a committee and the joint committee held many meetings and arrived at certain decisions. With the various changes of Governments in the intervening years, no alteration has been made. I would prefer that the matter be held over until more comprehensive measures can be devised and those members who have since come into the House with more advanced opinions can decide what is required. I acknowledge that new members can always give old members indications of where progress might be made. On the motion for the appointment of the select committee the member for Yilgarn (Mr. Hudson) stated—

I would like to point out that we have a Standing Orders committee to deal with these matters, and the motion will have the effect of duplicating and making a select committee of the Standing Orders committee. I do not know what the Standing Orders committee have done that this motion should be passed.

No attempt had been made up to that date to bring about the amendments.

Mr. Jones called attention to the state of the House.

Bells rung, and a quorum formed.

Mr. HOLMAN: I move—

That progress be reported and leave asked to sit again.

Motion put and a division taken with the following result:—

Ayes	...	...	...	4
Noes	...	...	...	19
Majority against				15

#### AYES.

Mr. Angwin  
Mr. Holman  
Mr. Willcock

Mr. Jones  
(Teller.)

#### NOES.

Mr. Angelo  
Mr. Broun  
Mr. Draper  
Mr. Duff  
Mr. Durack  
Mr. Foley  
Mr. George  
Mr. Griffiths  
Mr. Hickmott  
Mr. Maley

Mr. Mitchell  
Mr. Money  
Mr. Mullaay  
Mr. Nairn  
Mr. Pickering  
Mr. Piesse  
Mr. Scaddan  
Mr. Willmott  
Mr. Hardwick  
(Teller.)

Motion thus negatived.

Mr. HOLMAN: Seeing that the Committee are desirous of having the decision of the select committee made law, one must give consideration to their views. It is interesting to go back to the days when hon. members dealt with these matters. The member for Yilgarn, who regarded himself as a constitutional authority, went on to say, "I have not been consulted on the question of forming one of the select committee." He did not realise his own abilities, but the House considered that he should be one of the members of that committee. Either he felt elated

at the importance of the position given to him, or he felt a measure of sympathy for the Standing Orders Committee of that day. Hon. members then realised that the highest constitutional authorities should be brought together to consider this question, and without the hon. member being consulted they appointed him upon that committee. What other effect could the deliberations of such a committee have upon such a vital question, except that which we have seen. The matter was given due consideration. The member for Yilgarn objected to being appointed a member of another select committee, but expressed his willingness to continue to act on a Joint Select Committee on Standing Orders. Even in those days opinions were divided. Has the member for Yilgarn had an opportunity of expressing to-night his opinion on the recommendations of that joint committee? He has not. Then different tactics were decided upon. The member for Canning (Mr. Robinson) moved that a select committee be appointed, consisting of Mr. Speaker, Mr. Holman, Mr. Hudson, Mr. Gardiner, and the mover. That motion was carried. It would take a long time to go into the subject as fully as its importance warrants. I well remember sitting on that select committee and giving the subject every possible consideration. I realised then that a change was necessary. However, without saying anything further I move an amendment—

That in lines 1 and 2 the words "Sections 66 and 67 of the Constitution Act, 1899, and," be struck out.

Amendment put, and a division taken with the following result:—

Ayes	...	...	...	17
Noes	...	...	...	4
Majority against	...	...	...	13

#### AYES.

Mr. Brown	Mr. Money
Mr. Draper	Mr. Mullany
Mr. Durack	Mr. Nairn
Mr. Foley	Mr. Pickering
Mr. George	Mr. Piesse
Mr. Griffiths	Mr. Scaddan
Mr. Hickmott	Mr. Willmott
Mr. Maley	Mr. Hardwick
Mr. Mitchell	(Teller.)

#### NOES.

Mr. Holman	Mr. Willcock
Mr. Jones	(Teller.)
Mr. Luley	

Amendment thus negatived.

Mr. HOLMAN: I shall now proceed to show exactly what the position was a few months later. I recognise that the numbers are against me, and that there is not much chance of my bringing about the alterations which I desire. It is a matter of great regret to me that an amendment of the Constitution which was recommended in 1915 should be brought forward in 1919.

The CHAIRMAN: That is the seventh time the hon. member has made that statement to-night. I must ask the hon. member not to

repeat himself; otherwise I shall be compelled to call upon him to resume his seat.

Mr. HOLMAN: The Chairman is hardly correct. I am explaining my reasons for not advocating the amendment further. If the necessity arises I can do it for hours.

The CHAIRMAN: The hon. member will not do it for hours, and if he defies the Chair I will put him in his place.

Mr. HOLMAN: If you, Sir, make a threat, I will show that I can uphold my position in this House.

The CHAIRMAN: The hon. member will please continue his remarks.

Mr. HOLMAN: If that is the stand you, Mr. Chairman, intend to take on the question, I will continue to deal with the matter as it appeals to me. This question was discussed in January, 1915.

The CHAIRMAN: That is the tenth time the hon. member has said that.

Mr. HOLMAN: And if the necessity occurs it may be necessary for me to again repeat it. In January, 1915, a resolution was carried in this House—

The CHAIRMAN: The hon. member will please resume his seat.

Mr. HOLMAN: I intend to exercise my right to continue the debate in the way which I think proper. I have mentioned January, 1915, only once.

The CHAIRMAN: The hon. member must resume his seat. I will read Standing Order 73—

Mr. Speaker, or the Chairman, shall order members whose conduct is grossly disorderly to withdraw immediately from the House during the remainder of that day's sitting, and that the Sergeant-at-Arms do act on such directions as he may receive from the Chairman in pursuance of this order; but if on any occasion Mr. Speaker or the Chairman deems that his powers under this Standing Order are inadequate, he may name such member or members in pursuance of Standing Order No. 72, or he may call upon the House to adjudge upon the conduct of such member or members; provided always, that members who are ordered to withdraw under this Standing Order, or who are suspended from the service of the House under the Standing Order No. 72, shall forthwith withdraw from the precincts of the House; subject, however, in the case of such suspended members, to the proviso in that Standing Order regarding their service on private Bill committees.

I desire once more to call the hon. member's attention to the fact that for the last hour he has repeated himself time and again. He has actually used the same sentences. That is not allowed, and while I occupy the Chair I will not permit it to be done. If the hon. member will continue the debate in a proper manner, I shall allow him to resume. If he does not, I shall have to take action and request the Committee to uphold the Chair.

Mr. HOLMAN: I have no desire to flout the ruling of the Chairman. My only desire is to prevent the introduction of legislation which is not in the best interests of the State.

The CHAIRMAN: The hon. member is quite at liberty to do that.

Mr. HOLMAN: Why is it necessary at the present time to introduce legislation that will have the effect of bringing about a drastic reform in our Constitution? I do not see the need for it, but if the need be there, why should we be compelled to accept an amendment which for years past has not been found necessary? One of the objects of the select committee which sat in 1915 was to place in the hands of those who had the most knowledge, the authority necessary to the imposing of fees for licenses or other services. There is no public man in the State who will not admit that what was satisfactory five years ago may be found insufficient to-day.

The CHAIRMAN: For the last time I warn the hon. member that if he uses that sentence again I will ask him to leave the Chamber. If the hon. member has used it once he has used it twenty times during the last hour.

Mr. HOLMAN: I should like to know what sentence you refer to?

The CHAIRMAN: The hon. member has told us twenty times that what was good five years ago is no good to-day. If the hon. member repeats it, I will order him to leave the Chamber; so, too, if he repeats any of the other sentences he has used so often.

Mr. HOLMAN: I will obey your ruling and endeavour not to repeat myself. I have no desire to flout the Chair, but merely to express my opinions in the interests of my constituents. The Bill will have a far-reaching effect, and we should give it serious consideration.

Interruption of proceedings.

The CHAIRMAN: You have repeated that twenty times already. I ask you to leave the Chamber now, and at once.

Mr. HOLMAN: I do not remember repeating that before.

The CHAIRMAN: Will you obey the ruling of the Chair?

Mr. HOLMAN: I am not going to be gagged by you.

The CHAIRMAN: Are you going to leave the Chamber?

Mr. HOLMAN: No. I have not used that sentence before.

The CHAIRMAN: Then I must report to the Speaker.

[The Speaker resumed the Chair.]

The CHAIRMAN: I regret to report, Sir, that I have to name Mr. Holman for wilfully repeating himself and refusing to desist when I warned him. In the interests of the House and in order to comply with Standing Order 73 I asked him to desist, but he refused to do so. I then asked him to leave the Chamber, and he said he would not be gagged by me.

The SPEAKER: The hon. member has been ordered by the Chairman of Committees to leave the Chamber for disobeying the ruling of the Chair. I must uphold the Chairman of Committees and order the member for Murchison to leave the Chamber.

Mr. HOLMAN: I intend to stand upon my rights and privileges as a member of the House and not obey an order by the Chairman of Committees, or even by the Speaker, to leave the

Chamber, unless I am guilty of an offence against the Standing Orders.

The SPEAKER: The hon. member cannot debate the question. He must leave the Chamber.

Mr. HOLMAN: I was accused of repeating myself. I defy the Chairman of Committees or anybody else—

The SPEAKER: Order! The hon. member must resume his seat. The Chairman of Committees has reported that it was necessary for him to take action on the score of tedious repetition. The Chairman of Committees ordered the hon. member to leave the Chamber. The hon. member must leave the Chamber. He cannot discuss the question.

Mr. HOLMAN: I will discuss it all right; don't you make any mistake about that. I am not going to be treated in this way by the Chairman of Committees.

The SPEAKER: Order! The hon. member must resume his seat. The hon. member must leave the Chamber. Sergeant-at-Arms! remove the hon. member.

Mr. HOLMAN: The hon. member will not be removed by the Sergeant-at-Arms or anybody else.

The SPEAKER: The hon. member must leave. Sergeant-at-Arms! remove the hon. member.

Sergeant-at-Arms: Shall I call the police, Sir?

The SPEAKER: Whatever is necessary to remove the hon. member must be done. Sergeant-at-Arms! remove the hon. member from the Chamber.

Sergeant-at-Arms: I have sent for the police, Sir.

Mr. SPEAKER: I order the hon. member for Murchison to leave the Chamber.

Mr. HOLMAN: In deference to your request I shall leave the Chamber, but I desire to take an opportunity to express the opinion that I have been unjustly treated, though not by you.

Mr. SPEAKER: The hon. member cannot discuss the matter at this stage.

Mr. HOLMAN: I shall do so at another stage and perhaps in a most emphatic manner.

[Mr. Holman then left the Chamber.]

Committee resumed.

Mr. JONES: Subclause (3) does not go far enough to meet the drastic changes which the Government wish to make to the Constitution. To merely prevent another place from increasing any proposed charge or burden on the people is not a sufficient safeguard for a Constitution Act to last for any length of time. We are legislating for the future and to meet the needs of the future. I move an amendment—

That the following words be added—"nor decrease any proposed charge except on those people whose income is less than £300 a year."

If a money Bill imposing taxation were sent to another place, members there might deem it necessary to cut down some of the items, and I wish the right to be restricted to persons whose income is less than £300. The Council's amendment regarding the exemption of children under the income tax Act was wise and humane, and must appeal to advanced democrats like the Attorney General. There is no doubt that in

six or seven months, the Labour Party will occupy the Treasury Benches.

The Minister for Mines: You have a long vision.

Mr. JONES: When that time comes it will be necessary to introduce taxation measures affecting profiteers and the moneyed classes of the community. Suppose we introduce a Bill to deal with land values taxation: on reaching another place, members would have the power to cut down the provisions of the measure. We are well aware of what has happened to money Bills in the past. The Government have asked for the exact amount required so that taxation would be equitable and would be exacted from those best able to contribute, but another place has turned down their proposals or so mutilated them as to render the measures useless. I want to avoid any recurrence of that sort of thing. It may be that the wording of the amendment may not be approved of by all hon. members. They may think that an income of £300 a year is not high enough. Possibly many of our farmers will be making more than £300 a year, and it may be desired to increase the amount to £500 a year. What I desire to see is that the taxation upon the wealthier men in the State is not interfered with.

Amendment put and negatived.

Clause put and passed.

Clause 8—Continuation or early determination of Assembly:

Mr. JONES: My desire is to shorten the life of Parliament instead of prolonging it.

The Premier: Vote against the clause.

Mr. JONES: I do not wish to harass the Government.

The Premier: We will risk that.

Mr. JONES: My object is to assist the Government. It is hardly fair to the electors of the State when they voted for their representatives to come here for three years to prolong the period of their representation. If Parliament is prolonged for six months, what is to prevent another Bill from being brought down to prolong it still further?

The Minister for Mines: Any member can resign if he thinks he is doing an injustice to his electors by remaining too long in Parliament.

Mr. JONES: If the hon. member is referring to me, I would tell him that unfortunately there is no one who will stand against me in my electorate. I am not prepared to vote for a clause which will prolong the life of Parliament. The sooner the country gets rid of the present Government the better it will be for the State.

Clause put and passed.

Title—agreed to.

[The Speaker resumed the Chair.]

Bill reported with amendments.

House adjourned at 1.7 a.m.

## Legislative Council,

Thursday, 20th November, 1919.

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The PRESIDENT took the Chair at 4.30 p.m., and read prayers.

### QUESTION—PASTORAL LANDS CLASSIFICATION.

Hon. G. J. G. W. MILES asked the Minister for Education: 1, What area of pastoral land has to date been classified under the Land Act Amendment Act, 1917. 2, How many men are employed? 3, Will the Government expedite the classification, so as to have the whole of the area classified before the end of 1920?

The MINISTER FOR EDUCATION replied: 1, 14,000,000 acres. 2, Two. 3, Arrangements have been made to expedite the work. It is hoped that the classification will be completed by the end of 1920.

### QUESTION — FREEZING WORKS, WYNDHAM, PURCHASE OF BULLOCKS.

Hon. J. DUFFELL asked the Minister for Education: 1, How many bullocks were purchased for the Wyndham Freezing Works during the 1919 season? 2, What was the average cost and weight per bullock? 3, What was the average cost per bullock for killing and canning? 4, What average price was realised for the produce?

The MINISTER FOR EDUCATION replied: 1, 9,386, of which 9,281 were treated; balance being held. 2, £6 15s. 4d. — 630lbs. 3, Not ascertainable until accounts received from Wyndham, expected to arrive middle December. 4, Bulk of produce not yet sold.

### MOTION—LAND SETTLEMENT, MANJIMUP.

Hon. J. NICHOLSON (Metropolitan) [4.34]: I move—

That a return be laid on the Table showing—1, The area of land surveyed and subdivided for settlement in the district of Manjimup; 2, the number of blocks made available; 3, the number of blocks sold or taken up; 4, the number of blocks forfeited; 5, the number of blocks