

decided as to my political future, or whether I shall even seek re-election for this House at the next general election; but I have decided, for many reasons, to ask to be relieved early next year of the office I have been enabled to hold so long, and I hope and trust not unworthily—[Several MEMBERS: Hear, hear]—through the great support given to me by my friends in this House. It is a great satisfaction, however, to me to know that I shall hand over to my successor a solvent and flourishing colony, with an increasing population (it was 50,000 at the beginning of 1891, whereas it is now 180,000); with an expanding trade (it was only about two millions at the beginning of 1891, whereas it is eleven and a half millions now); with an increased revenue (in 1891 it was half a million, whereas now it is nearly three millions); with a greatly increased gold production (the whole production of gold in the country from 1886, when we first discovered gold, up to the beginning of 1891, was less than a quarter of a million, whereas at the present time the gold production has reached a total of twenty-one millions sterling); with mines of coal (those coal-mines at the Collie which are supplying nearly all our wants on the railways at the present time, and which are a source of wealth to the community, but which, if some people had been listened to, would have been isolated and unused at the present time); with mines of copper, and tin, and lead (which are now flourishing, but which were then either undiscovered or unworked); with a magnificent harbour at Fremantle (at which the P. & O. and Orient steamers call, thereby placing the metropolis on the high road of trade and commerce, and not as it used to be, out of the way round the corner); with a permanent water supply for Coolgardie and Kalgoorlie assured; with railways, telegraphs, water supplies, public buildings, wharves, jetties, and roads all over the colony; with free education for our people; with adult suffrage; with liberal land laws; and generally, I say with confidence, with all those adjuncts necessary to enable a self-reliant and industrious people to work out their material and political advancement. This is our record, and it is a record which no one can ever take from

us. It is our record: this is what you and I have been doing during the last ten years. I thank hon. members for their courtesy in listening to me for so long, and I hope that whoever may be Premier of this country at the end of the next ten years, he will be able to give an account of a still more satisfactory record of what has been done during those ten years than I have been able to give in regard to the ten years that are now past. (General applause.)

On motion by MR. ILLINGWORTH, progress reported and leave given to sit again.

ADJOURNMENT.

The House adjourned at 9:38 o'clock, until the next day.

Legislative Council,

Wednesday, 10th October, 1900.

Papers presented—Question: Dredge for Albany, Particulars—Question: Perth Local Court, etc., Business hindered—Bills of Sale Bill, first reading—Public Service Bill, third reading—Truck Act Amendment Bill, third reading—Industrial Conciliation and Arbitration Bill, second reading, resumed and adjourned—Constitution Act Amendment Bill (Members of Federal Parliament, to Disqualify), second reading, in Committee, progress, Division—Kalgoorlie Municipal Loans Reappropriation Bill, second reading, in Committee, reported—Municipal Institutions Bill, Select Committee's Report—Trustees Bill, first reading—Adjournment

THE PRESIDENT took the Chair at 4:30 o'clock, p.m.

PRAYERS.

PAPERS PRESENTED.

By the COLONIAL SECRETARY: 1, Particulars in connection with referendum on Commonwealth Bill; 2, Amendment of Telephone Regulation No. 14; 3, Estimates of Revenue and Expenditure for the year ending 30th June, 1901.

Ordered to lie on the table.

QUESTION—DREDGE FOR ALBANY, PARTICULARS.

HON. A. B. KIDSON asked the Colonial Secretary: 1, The approximate date of "Parmelia" dredge leaving Fremantle for Albany. 2, The estimated length of time the dredge will be there. 3, How many watches or shifts will be worked when there. 4, The position of dredging ground, whether it will be necessary for the men to live on board, or whether the dredge will be so worked as to allow the men to get on board and ashore at the beginning and end of each watch. 5, In the event of men having to shift their homes to Albany, will they be compensated by the Department for expense incurred through moving.

THE COLONIAL SECRETARY replied: 1, About March, 1901. 2, Five years. 3, Three. 4, Entrance Channel and Mail Boat Anchorage, Princess Royal Harbour. Men can get on board and ashore at beginning and end of watches. 5, The duration of the work at Albany being so long, it is not usual in such cases to pay such compensation.

QUESTION—PERTH LOCAL COURT, Etc., BUSINESS HINDERED.

HON. H. J. SAUNDERS asked the Colonial Secretary: 1, If the Government is aware that the business of the Local and Police Courts in Perth is seriously hindered by the noise of the traffic in the adjoining streets. 2, If so, will the Government take any steps to remedy the grievance by removing the Courts to a more convenient site.

THE COLONIAL SECRETARY replied: 1, The Government is not aware that the business of the Court is seriously hindered. 2, Answered by No. 1.

BILLS OF SALE BILL.

Introduced by Hon. F. M. STONE, and read a first time.

PUBLIC SERVICE BILL.

Read a third time, and returned to the Legislative Assembly with amendments.

TRUCK ACT AMENDMENT BILL.

Read a third time, on motion by Hon. J. M. SPEED, and transmitted to the Legislative Assembly.

INDUSTRIAL CONCILIATION AND ARBITRATION BILL.

SECOND READING.

Debate resumed from previous day.

HON. F. WHITCOMBE (Central): I do not like the principle which the Government have adopted of introducing a Bill of this importance at this stage of Parliament, because we ought to have the distinct voice of the electors before such a departure is taken. It is almost the first of any great or important legislation of the class called "social," which has been introduced in this colony, and it seems to me the Government, in choosing to bring such legislation forward, are lending themselves in a greater degree than they should to pandering to a particular section of the community, and are falling into line with legislation of the kind introduced some years ago in New Zealand, with results more or less unsatisfactory to that colony. There is only one view in which we can regard this action of the Government, namely that there is a desire on their part to get as many votes as possible at the general election. It is pandering to a certain section of the community, and does not show the Government to possess that confidence in themselves and their actions which they have so frequently and loudly proclaimed. There is no necessity for the departure, unless there is a fear that they may lose some of the support they have had in the past; and it is a sign of weakness on the part of the Government. Their action does not deserve support in Parliament, but, all the same, and for reasons I shall presently give, I shall support the relegation of the Bill to the tender mercies of a select committee as suggested by Mr. Haynes. I do not desire that the Government, in going to the polls next year, shall be in a position to say they tried to bring in a popular measure,

and that it was thwarted by this House. I would rather let them go to the polls with the stigma of trying to get a little cheap success, and of asking for support they have never asked for previously, but have practically refused to take, namely the support of the labour section. I would rather the Government should go to the polls in that way, than that they should have the opportunity of trying to make out a genuine grievance against this Chamber. They would particularly endeavour to show that this Chamber is working in conjunction with the Opposition in another place; but we are here for the purpose of preventing hasty and ill-considered legislation, especially at a time when the Government should not be allowed to enter on a new departure. The Bill as submitted to us is certainly incomplete, unless it is drawn with the intention of handing over the affairs of the colony—and by the affairs of the colony I mean the interests of the colony, and the interests of the employers and wage-payers—into the hands of employees. The Bill, if passed by us in its present form, will have no other effect than that, because under the clauses, in the event of any intention being expressed on the part of a mining company employing a large number of men to shut down or reduce the number of hands, nothing would be necessary on the part of the employees but to demand an increase of wages, thereby securing a reference and compelling the mine to be kept open and all the men to be kept employed. This would hamper capital to more than an unreasonable extent, and would have the effect of driving it to a large extent out of the colony. I should not object to the Bill being introduced after the general election, because we should then have an opportunity of knowing what were the amendments introduced into the New Zealand Act. These amendments, which have been referred to elsewhere, were introduced this year in order to meet deficiencies found to exist in the measure, particularly in reference to the inclusion of the railway employees of the colony, and also for the purpose of remedying some difficulties in the administration. What these difficulties are we have no knowledge now, nor do we know what steps have been taken to remove them in New Zealand. At present the operation

of the Act is looked on in New Zealand purely as an experiment, which has only been partially successful, and successful only because it is recognised that the workers in New Zealand have genuine grievances, in the redressing of which the Act has had some effect. But the difficulties of the experiment will arise when New Zealand ceases to experience the succession of successful seasons and prosperous times enjoyed for the last four or five years, and when work is scarce and certain improved conditions are necessary. That will be the crucial test of the Act and its operation; and if we are to accept the Bill and enter on a similar experimental stage, surely the time might be fairly postponed and the question submitted to the electors of the colony, and not dealt with in a moribund Parliament. The workers, who are a large proportion of the electors, should have an opportunity of seeing what amendments are necessary, and it is better the Bill should be dealt with by a select committee in such a way as to give fair treatment to both sides. There ought not to be a Bill which would enable a large section of the public to say they were perfectly satisfied because they had hold of the "thick end"; and if the Bill should go through without the Council being able to effect reasonable improvements in it, that would be the position, and industrial employments would be in a much worse state than in the past. There has been no real grievance on the part of the workers, such as to warrant this sudden interference of Parliament. The only strike of recent times was the railway strike, and that was settled amicably between the department and the men; and until conditions become strained between parties, I do not know there is any necessity for sudden interference, especially by a Parliament at such a stage as the present Parliament. There is another matter wherein there may be danger to the public interest, and that is the power given, during the continuance of any reference, to prohibit employers from dispensing with any of the men in their employ. In the case of public contracts, where there is a time limit under heavy penalties, a strike or reference would hang up the contract indefinitely, unless there were some provision to have disputes disposed of

quickly. We shall be told that contractors would receive great consideration at the hands of the Public Works Department.

HON. R. S. HAYNES: How about private contracts?

HON. F. WHITCOMBE: I am dealing with public contracts; and whether we believe contractors would receive consideration at the hands of the Public Works Department is another matter. We know how much consideration they have received in the past, and can guess what the future consideration will be if the same management continue. No matter what conditions may arise to prevent completion within contract time, the consideration contractors have received from responsible heads of the Works Department has been very scanty indeed. So far as private contractors are concerned, an equal power is given to employees to hang up work indefinitely, certainly to the ruin of the contractor and to the great disadvantage of the owner of the property. Unless some provision is made for the speedy settlement of all disputes, I do not see how the Bill can be otherwise than unsatisfactory. In regard to the question of security, which was discussed in another place, it is absolutely necessary some security should be found by the employees, or "workers" as they are called in some parts of the Bill, for the fulfilment of the order of the court. The Colonial Secretary addressed himself to the question of the appointment of a Judge as president, and I do not know there need be any great difficulty, although there may be reasonable objection on the part of Judges at present occupying the bench. Whatever difficulty there may be could be overcome by the appointment of a special Judge, a trained lawyer holding the position of the rank of Judge of the Supreme Court. That has been done in New Zealand, and, so far as I know, with considerable success; but, after four years' trial of the Act in New Zealand, there is one feature which should give us reason to pause and consider very carefully before we adopt similar legislation, particularly as this colony proposes or anticipates being an exporting colony, possibly of manufactures. To obtain an idea of what the position is under the New Zealand Act, I entered into communication with the

acting Judge who is president of the court, to ascertain his opinion; and although his answer to me is not as definite as I would like it, I propose to read that portion which bears on the subject, and I think it should be sufficient to cause hon. members to think twice before voting for the immediate coming into operation of this Act. What he writes is this:—

I do not think any reliable opinion can be formed as to the Arbitration Act, because hitherto the men have had legitimate grievances to be put right. The trouble will come when they are not entitled to and won't get anything from the Court: then it will be "What's the good of the Court? We can't get anything and we can't strike." Further, we have had a wonderful run of prosperity for some years. I shall await with a good deal of curiosity what will happen when work is scarce, and we have a spell of bad times. Then, too, if the Act works all right *within* the colony, what is its effect going to be on the colony's exports of manufactured goods? How is the colony with prescribed conditions of labour going to compete with the outside world? The thing is beautiful in theory, but time only will show how it will work out in practice. However, Parliament is passing an amending and consolidating measure, and if I were you I would wait until you get this.

As to not being able to strike, that possibly would be satisfactory; but there is a danger of the political unrest which caused the rise of the labour party in New Zealand ten years ago. It appears the Government of this colony in their wisdom, have obtained the New Zealand Act, but have apparently not obtained the amending measure.

THE COLONIAL SECRETARY: We have obtained the latest information.

HON. F. WHITCOMBE: That may be so, but the Government did not get the latest information before introducing the Bill, which was a leap in the dark, and an attempt to foist on us a measure of which no sufficient trial has yet been made in the colony of its original introduction, and as to the effects of which even that colony is in the dark.

HON. J. M. SPEED (Metropolitan-Suburban): I intend to support this Bill. We have heard from Mr. R. S. Haynes and Mr. Whitcombe many reasons why the Bill should not be passed; but I do not suppose there ever was a measure brought forward in any legislature against which good reasons could not be advanced why it should not be passed.

But there are many reasons why this Bill should be passed. One objection raised by Mr. R. S. Haynes was that there had been forty-one references in three months in New Zealand; but the hon. member did not say that there had been no strikes, and if there have been one hundred and fifty references in three months, it is better for the community to have references than to have strikes. It is not the striker, or the strikee—I think that is a good term—that we have to consider: we have to look to society and the whole disorganisation of trade that follows a strike. That is the dilemma that this Bill is trying to get rid of. The people are likely to suffer most from a strike, as we saw in the trouble which took place a short time ago. It was not so much the dislocation of trade, but the effect on the community at large. In this Bill it is possible to get an impartial judgment from a Judge in whom the people have confidence; one whose opinion is generally treated with respect. No strike can be successful unless the general mass of the community support the strikers. It has been shown over and over again that unless public sympathy is in accord with the strikers, the strike must end in failure; and if the strikers have the sympathy of the public they will gain their point, but they gain their point at the cost of the dislocation of trade, and the loss of a great amount of money. As to the Judges having an objection to sitting in these Courts, I think Judges should look at the matter from another point of view: there is the honour which the people are prepared to give them, and I think the Judges ought to feel proud that the mass of the community are prepared to place them in a position where their dictum will be accepted and acted upon. One Judge has written to Mr. Whitcombe, and has stated that the time may come when the demands of the strikers will not be acceded to, and when they will say what is the use of the court?

HON. F. WHITCOMBE: That Judge was appointed specially to preside over these courts.

HON. J. M. SPEED: What appears to me very clearly is that that Judge in every dispute that came before him found there was a remedy that could be applied, and which he did apply. He evidently

never had a case in which the strikers had a grievance which was not removed, for I understand that since the Act has been in force in New Zealand there has been no strike. No doubt the Bill which Mr. Wise has introduced into the legislature of New South Wales is preferable, because there are many defects in this Bill; but it is better to pass the Bill although it may be imperfect, and then amend it afterwards, rather than allow strikes to take place. I hope the House will pass the measure with as few amendments as possible.

HON. A. P. MATHESON (North-East): It is much to be regretted that members seem to think this Bill will prove so injurious to capitalists. I have read the Bill through carefully, and I say, as far as I understand it, that capitalists are not going to be prejudiced to anything like the extent Mr. Haynes anticipates. The hon. member made a great point of the absence of a deposit; that no reasonable security could be given to the employers, and that, if the award were given against the workers, it would be of no benefit.

HON. R. S. HAYNES: When do you go up for re-election?

HON. A. P. MATHESON: In two years. The hon. member is quite mistaken: he is absolutely out of it. I have been making inquiries into the position, and the hon. gentleman is mistaken in thinking that small unions will bring vicious actions against employers of labour and capitalists. I have taken particular pains to look into the question, because if it were the case that small unions are likely to bring actions, there would be a great deal in what the hon. member said; but I find the small unions are absolutely controlled by the Trades and Labour Council.

HON. R. S. HAYNES: Any seven persons can form a union under this Bill.

HON. A. P. MATHESON: Strikes, with the dislocation of labour and the appeals to the court, will, as a matter of fact, not take place without the full concurrence of the Trades and Labour Council.

HON. R. S. HAYNES: Nonsense!

HON. A. P. MATHESON: The hon. member may say "nonsense," and he may

also say that the Bill provides that seven men can bring an action. I admit that seven men can bring an action, but the organisation of the trades unions is such that they are all subservient—and anyone who understands these matters will confirm what I say—to the Trades and Labour Council; therefore, small bodies would be unable to take independent action. Within the last few months a strike was contemplated in a certain industry in Perth, and as a matter of fact most of the men went out, but the Trades and Labour Council secretary investigated the matter, and within twenty-four hours all the men were ordered back again.

HON. R. S. HAYNES: Then what is the use of the Bill?

HON. A. P. MATHESON: It was found that the point that these workers had raised was not a proper one.

HON. R. S. HAYNES: There is no necessity for the Bill if we have the Trades and Labour Council.

HON. A. P. MATHESON: The hon. member is so engaged in trying to damage the Bill that he is not as logical as he usually is. The operation of the Bill is intended to interfere when the Trades and Labour Council do think there is a complaint, and where a strike has taken place. So much for the effect that the Bill is likely to have on capitalists. I fail to see that capitalists are going to be prejudiced by the Bill. On the contrary, the Bill is going to be of general advantage to the community, because if there is anything which will render strikes impossible this Bill will do so. I do not think the Bill is perfect; I think, however, few Bills have ever been introduced into the Legislative Chambers of this colony that are.

HON. A. B. KIDSON: The Early Closing Act.

HON. A. P. MATHESON: The hon. member asks me to make an exception of the Early Closing Act, but I have heard that criticised, and very severely too. There are points in which the Bill must be amended; there is no doubt about that: one point is the definition of a "worker." There is no definition whatever of a "worker" in this Bill, and if any member of the House has taken the trouble to read the *Hansard* debate in another place he will find that the

impression of different members as to what "workers" are is extremely varied. The Attorney General, who introduced the Bill, gave some information as to the decisions on this point which have been given in New Zealand, and these decisions, if he is to be believed, and I suppose he is speaking from the book, are unsatisfactory: they limit the scope of the Bill very materially. Mr. Justice Edwards, in New Zealand, had an opportunity of giving a decision in which some grocers' assistants and the tram-drivers union were concerned, and he held that these two classes of people could not bring their differences before the court because they were not industrial workers, and he distinctly held that an industrial worker under the Act was a producer of a manufactured article. The Bill, under these circumstances, would be absolutely useless: it is not the Bill we want at all. We want a Bill that will apply to all people who labour, because we want the mining community included, the agricultural community included, and all workers in the repairing shops and other industries of that sort included; therefore it is absolutely necessary, in dealing with the Bill, to define what a "worker" is. I propose to give notice of an amendment to the effect that "worker" shall include all wage earners: that is very comprehensive.

HON. R. S. HAYNES: It is too wide.

HON. A. P. MATHESON: When members come to investigate what a "worker" is they will find it extremely difficult to give any definition that will satisfy fifty per cent. of the colony: fifty per cent. will think one way and fifty per cent. the other.

HON. J. W. HACKETT: Whom does your definition exclude?

HON. A. P. MATHESON: Practically no one except those in receipt of a salary.

HON. R. S. HAYNES: What is the difference between wages and salary?

HON. A. P. MATHESON: That I leave to the hon. member: no doubt there is a legal definition.

HON. A. JAMESON: You do not limit the age.

HON. A. P. MATHESON: I thought the Bill might be limited to adults, but I anticipate the Bill is going to a select

committee. I understand that a majority of hon. members are of that opinion, therefore I merely put that forward as a suggestion. An age limit would be a desirable thing to adopt.

HON. R. S. HAYNES: And a sex limit?

HON. A. P. MATHESON: No; certainly not. Women are just as entitled to combine and have an Arbitration Court and Conciliation Boards as males.

HON. R. S. HAYNES: A chivalrous Judge might be inclined to favour them.

HON. A. P. MATHESON: I do not think the hon. member is right. Judges have to deal with cases in which women are involved at the present moment, and I do not think it should be suggested that a Judge is influenced. I have often heard that a jury is influenced, and I have heard it said by the hon. member himself that a properly handled damsel before a jury has a great effect on that body; but I have never heard the same said in relation to a Judge.

THE COLONIAL SECRETARY: What about the interpretation of industrial matters: is that not wide enough?

HON. A. P. MATHESON: If the Colonial Secretary takes the Bill and reads it clause by clause, and refers to the definition of industrial worker, he will find that it works in a kind of circle. An "industrial dispute" means any dispute arising between one or more employees of an employees' union. "Industrial matter" means "something involving the rights and duties of employers and workers"; and "industry" means "a business or trade of an industrial character." It all works backward and forward, round and round; and while there is no definition, there is plenty of verbiage.

HON. R. S. HAYNES: The words "industrial character" appear everywhere.

HON. A. P. MATHESON: The drafting may be satisfactory from a legal point of view, but to an ordinary intelligence it does not convey very much. It is a great pity, if the Government intend to include the Railway Department in the Bill, they cannot see their way to include other public departments, such as the Post Office, the Public Works Department and the Government Printing Office. But I understand the Railway

Department is one in which the prerogative of the Crown is not involved to the same extent as in other departments. I am told there is something particular in the appointment of the Commissioner of Railways, which enables him to come within the Bill, which could not, however, apply to the Director of Public Works and other Ministers.

HON. R. S. HAYNES: The Commissioner of Railways is in trade, practically.

THE COLONIAL SECRETARY: As a common carrier.

HON. A. P. MATHESON: That is so, and I believe the Railway Act provides for actions against the Commissioner without a petition of right, and therefore nothing becomes disjointed by the railways being brought within the Bill. But then, again, there arises a point which shows the absolute necessity for a definition of the class of workers to be brought within the Bill. In the Legislative Assembly various members were absolutely doubtful as to whether clerks came within the operation of the Bill or not. Under the ruling of the Attorney-General, clerks of course would be excluded, but according to the opinion of Mr. Morgans and others, clerical labour ought to be included.

HON. R. S. HAYNES: And then there is the definition of "living wage."

HON. A. P. MATHESON: I do not see any allusion in the Bill to a "living wage."

HON. R. S. HAYNES: Do you think there ought to be?

HON. A. P. MATHESON: It would be an extremely difficult thing to provide a definition of "living wage," because so many things would have to be taken into account. I know that on the goldfields the Chamber of Mines met and drew up a series of paragraphs dealing with "living wage," but as one of the labour party not unreasonably put it, "How can you limit a man's family?" A living wage for one man is less than a living wage for another.

HON. R. S. HAYNES: Surely the rate of wages ought not to depend on the size of a man's family.

HON. A. P. MATHESON: You cannot lay down any law on such a question as that of a living wage, but must trust to the common-sense of the court.

HON. R. S. HAYNES: What has the size of the family to do with the matter? Do you pay a man with ten children more than a man with fewer children?

HON. A. P. MATHESON: I do not see what the size of the family has to do with it; but the Chamber of Mines introduced the question, and it is in view of their suggestion I am bringing an argument to bear on this particular proposal. I do not think it worth while to go further into the clauses of the Bill at this stage, because no doubt it will be referred to a select committee and will come back with several important alterations.

On motion by Hon. J. W. HACKETT, debate adjourned.

CONSTITUTION ACT AMENDMENT BILL.

[MEMBERS OF FEDERAL PARLIAMENT, TO
DISQUALIFY.]

SECOND READING.

THE COLONIAL SECRETARY (Hon. G. Randell), in moving the second reading, said: Very few words are required in moving this Bill, which consists of three clauses, the first two being as follow:—

No member of either House of the Parliament of the Commonwealth of Australia shall, at the same time, be qualified for nomination or election as a member of either House of the Parliament of Western Australia.

When any member of either House of the Parliament of Western Australia is elected a member of either House of the Parliament of the Commonwealth of Australia, he shall vacate his seat in the Parliament of Western Australia on taking his seat in the Parliament of the Commonwealth.

In regard to the latter clause, it may be thought that as soon as a member is elected to the Commonwealth Parliament, his seat shall become vacant for the Parliament of Western Australia; but a little reflection will show that this might operate unjustly. A great deal may happen between the time of election and the time when a man really becomes a member of Parliament, namely when he takes the oath and his seat, and it would be manifestly unfair to deprive the country of the services of an hon. member during that interval, and prevent his taking part in the affairs of his country. I think that view will commend itself to hon. members, though I under-

stand the feeling expressed in another place was that immediately on election for the Federal Parliament, a man should cease to be a member of the Western Australian Parliament; and I have made this explanation in case any hon. member entertains the same opinion, because that is where an act of injustice may very easily be done. A man may possibly decide after his election to the Federal Parliament not to take his seat, and may send in his resignation; and in the view of some members in another place, that man not only loses his seat in the Federal Parliament, but also in the Parliament of his country. I do not think I need say anything more, except that this Bill is an exact reprint of Acts passed in New South Wales, Victoria, and South Australia, and is legislation which probably will be adopted in all the colonies.

HON. J. W. HACKETT: The Bill will have to be sent for Her Majesty's consent.

THE COLONIAL SECRETARY: Yes. I am entirely in accord with the opinion that no member should continue to hold his seat in the local Parliament, and at the same time be a representative in the Federal Parliament. It is necessary we should separate the two sets of members; because it is possible that more than once the two Parliaments may sit at one and the same time, and therefore it is extremely undesirable that there should be any doubt on the question.

Question put and passed.

Bill read a second time.

IN COMMITTEE.

Clauses 1 to 3, inclusive—agreed to.

Schedule—agreed to.

New Clause (reduction of elector's probationary period):

HON. A. P. MATHESON moved that the following be added to the Bill:—

Section fifteen of "The Constitution Acts Amendment Act 1899" is hereby amended by striking out the words "six months," in the sixth line, and inserting the words "one month" in lieu thereof.

A very large number of people who had an opportunity of voting in the Federal Referendum would, he said, find themselves in February or March absolutely debarred from voting. That affected more particularly a large number of lady voters, and also a certain number of men who were entitled to be on the electoral rolls

in December through the municipal roll and the roads boards roll, but who under the operation of the present Act would not be able to vote either for the Federal or the local elections until July. That appeared a great hardship; and six months was a most unreasonable term to require a person to be on the roll before he could vote. The object of the term was no doubt that proper investigation should take place in the interval as to the right of the person to be an elector; but one month, if properly used, would be ample for the purpose in all ordinary circumstances. Electors on the municipal or roads boards rolls were evidently qualified to be voters, or they would not be on those rolls. An additional advantage of the amendment would be felt in the case of the Government having to go out; for as matters stand at present, a majority of the inhabitants of the country would be deprived of voting until July next. A majority of members, for a long time past, had been very much dissatisfied with the six-months probation, as it were, that existed under the present Act.

HON. C. SOMMERS: Six months was altogether too long. One month would give general satisfaction.

HON. D. M. MCKAY: Under this amendment a person could vote in another colony, and then come here and vote in a month's time. That was not fair.

HON. J. M. SPEED: Only a few months ago it was decided unanimously that the momentous question of joining the Commonwealth should be voted on by all the people: there was very little limitation. Therefore it seemed like "straining at a gnat and swallowing a camel" to limit the voting power now.

HON. R. S. HAYNES: Whilst heartily sympathising with the object of the amendment, it would be too far-reaching in its effect; for not only would it allow persons who were a month on the roll to vote at the Federal elections, but the amendment struck at the root of the present Constitution Act. This amendment would not only affect the voting for the Federal House of Representatives, but in a most important particular it would affect the present Constitution Act; and such a drastic amendment ought not to be submitted for the purpose of putting people on the roll for the Federal election. Our Constitution Act

was too sacred a thing to alter from time to time, and he was unwilling to alter the Constitution Act to place people on the roll for a Federal election.

HON. C. SOMMERS: It was more serious to leave them off.

HON. R. S. HAYNES: This amendment ought to have been thought of at the time.

HON. C. SOMMERS: It was "never too late to mend."

HON. R. S. HAYNES: It was. We could keep on tinkering with the Constitution, which was not right. We should not amend the Constitution in any particular, at any rate, until after a general election. A drastic amendment such as this would not be carried in another place.

HON. A. P. MATHESON: Let them refuse it.

HON. R. S. HAYNES: We should not put ourselves in a position, without any mandate from the people, to alter the whole Constitution of the colony.

HON. F. WHITCOMBE: There was a general feeling that 12 months' residence was too long a penalty to place on permanent settlers in the country before giving them a voice in the administration of their own affairs; and he was entirely in accord with the amendment. The objection taken by Mr. McKay was an excellent one, but it would take seven months to carry out the idea which he suggested. Still, any objection was good enough to raise against a measure which was not popular with some people. Even if this Bill had to be dropped, he hoped the amendment would be carried and insisted upon.

HON. A. P. MATHESON: Mr. R. S. Haynes was mistaken in thinking that the amendment would not be acceptable to a majority of the people, because the majority were clamouring for a more drastic amendment: they would like to see the six months' qualification struck out. He did not limit the operation of the amendment to the Federal elections, because it would be of enormous benefit to the country in cases of election to the local Parliament. We knew what the Premier said last night—that he intended to resign early next year, and to withdraw from politics.

HON. R. S. HAYNES: The Premier did not say that.

HON. A. P. MATHESON: That was the effect of what the Premier said.

HON. J. W. HACKETT: Only resign* the Premiership.

HON. A. P. MATHESON: In these circumstances it was quite desirable, if the Premier resigned, that there should be a general election, and that general election would not be satisfactory if it took place prior to July next year unless the amendment were adopted.

HON. T. F. O. BRIMAGE: Men were coming to the goldfields from the other side every day, taking up land near the towns and settling there, getting their families over as soon as possible—they came here to live and to help make the country. The Commonwealth Bill having been adopted, anyone who had a right to vote in one State had the right to vote in another. Men would take a greater interest in the country if their names were on the roll.

HON. W. MALEY: If this was a drastic amendment it was very necessary in the interests of the country: it was necessary that the votes of the people should be taken to their fullest extent. We should show to the other colonies that this was a live place and possessed a good number of voters. If a wrong was done in not embodying this principle in the Constitution Bill, two wrongs would not make one right.

THE COLONIAL SECRETARY: As this was an important amendment, he moved that progress be reported and leave asked to sit again on Tuesday next.

Motion to report progress put, and a division taken with the following result:—

Ayes	7
Noes	10

Majority against ... 3

AYES.
Hon. E. S. Haynes
Hon. D. McKay
Hon. G. Randall
Hon. J. E. Richardson
Hon. Sir George Shenton
Hon. W. Spencer
Hon. J. T. Glowrey
(Teller).

NOES.
Hon. G. Bellingham
Hon. J. W. Hackett
Hon. A. Jameson
Hon. A. G. Jenkins
Hon. W. Maley
Hon. A. P. Matheson
Hon. C. Sommers
Hon. J. M. Speed
Hon. F. Whitcombe
Hon. T. F. Brimage
(Teller).

Motion thus negatived.

THE COLONIAL SECRETARY said he was somewhat surprised at the action

of hon. members, because it was usual to extend this courtesy to anyone in charge of a Bill, when he desired to report progress, especially on such an important amendment as that now proposed. He could not remember an instance in this House when that courtesy had not been extended under the circumstances. What was proposed was a very sweeping change of the Constitution, and a change in an Act passed not long ago, and then well threshed out in both Houses of Parliament and agreed to by everyone. In no country which he knew of could a person step ashore from a ship and take part in the elections of that country. Twelve months was little enough to allow persons to make themselves acquainted with what was required, and to understand the politics and affairs of the country; and it was extremely undesirable to interfere with an important Act like this which had been passed so recently. He failed to understand the object Mr. Matheson had in view. If it were intended to extend the franchise to every person in the colony, that was entirely and radically wrong. What was wanted was the well-informed, well-grounded opinion of the people of the country, affirmed after they had had an opportunity of acquiring a knowledge of the persons to be elected. To interfere with the Constitution in the way proposed would result in very serious consequences to the country, because there would be a lot of people voting for members to the Federal Parliament who certainly were not in a position to form a good sound judgment.

HON. A. P. MATHESON: They had all voted on the referendum question.

THE COLONIAL SECRETARY: That was very different: the two circumstances could not be put on the same footing. The federal referendum was a special case, and it was desirable to have the suffrages of as many as possible: he supported that idea to the fullest extent; but in a question of this sort it was different, because here was an interference with the Constitution Act, which had only recently been assented to, and no attempt was made to show the present Act was operating unjustly or injuriously to any section of the community.

HON. A. P. MATHESON: It was notorious.

THE COLONIAL SECRETARY: No one in America could exercise a vote before he had been in that country five years, and it was only right the interests of this colony should be protected. He had overlooked the proposed new clause on the Notice Paper, and was therefore not prepared to speak as he should have liked; and he desired the Committee should not hastily pass the amendment, which was far-reaching in its consequences, and one which it would be very foolish to adopt. There were several features of the proposed new clause on which he would like to express an opinion, but he appealed to hon. members to show him that courtesy which was his due, and not proceed hurriedly to pass the amendment.

HON. J. W. HACKETT: While in hearty sympathy with the new clause submitted by Mr. Matheson, he desired to explain that in voting against reporting progress, he was actuated in no way by the motive which was passing through the mind of the Colonial Secretary. He (Mr. Hackett) entirely agreed with the principle that if the representative of the Government desired to report progress in any matter which he considered of sufficient importance to demand that course, the House should unanimously accord permission, and in recent years he remembered but one exception to that rule. If after the debate closed, and members had addressed themselves to the matter, the Colonial Secretary still desired to report progress, he (Mr. Hackett) would certainly vote in favour of that course. The reason he voted against reporting progress before was that he understood several hon. members were prepared to speak, and he wished to hear everything that could be said on the question before consenting to an adjournment to which, it might be freely admitted, the Colonial Secretary was entitled by the usages of the House. The present Act provided a monstrous period, adopted from South Australian legislation without sufficient reason; and it escaped his attention when the Constitution Bill was passing through the House, for had his eye rested on it, he would have moved in the direction Mr. Matheson was now doing. It was extremely important that progress be reported as soon as hon. members had addressed themselves to the question fully, because the amendment proposed by Mr. Matheson

was of a very wide and far-reaching character—so wide that it practically introduced a new principle into the law of the land, as regarded the Constitution. It was a question whether the amendment did not fundamentally alter the character of the Bill, which had been passed in another place by the statutory absolute majorities. The Bill which would be returned to the Legislative Assembly would be fundamentally different from that sent up, and it would be a serious question to consider whether it was absolutely in order to introduce this amendment. That the amendment was fundamental was obvious from the fact that Mr. Matheson proposed to even change the title of the Bill.

HON. A. P. MATHESON: That was to comply with Standing Orders.

HON. J. W. HACKETT: That was so, and he was simply pursuing his argument. If the Bill were so fundamentally altered as to be a new Bill, and under the circumstances the Colonial Secretary still desired to report progress, he (Mr. Hackett) would support a proposal to that effect.

HON. A. G. JENKINS: If the Colonial Secretary, before the motion was put, had taken the opportunity of explaining that he had not made himself conversant with the Notice Paper or looked at the amendments proposed, perhaps hon. members who voted against reporting progress might have been inclined to listen to the hon. gentleman's arguments. But the Colonial Secretary ought not to taunt hon. members who voted against reporting progress because they had looked at the Notice Paper and did not think the amendment was necessary. It was not right or proper for the leader of the House to say that hon. members had gone against an acknowledged principle of the Chamber, because no member who voted against the motion had that idea in his mind, but simply voted for what he considered was right; and personally he (Mr. Jenkins) intended to support the amendment, and hoped it would be carried. As Mr. Hackett had said, if the Colonial Secretary desired after the conclusion of the debate to report progress, no doubt hon. members would support him.

HON. A. JAMESON hoped hon. members would see their way to support the

amendment. The difficulty would not have arisen had it not been for the great urgency of the question. These conditions had arisen since the Constitution Act was passed, and it had been made clear we required an amendment. When there was a strong desire for an amendment of the kind, there was always some very sound reason at the bottom of it, so far as the public were concerned; and the people desired this amendment because, according to the Federal Constitution, we had to elect the Federal representatives according to the laws of the State Parliament. The great bulk of our population came from other parts of Australia; we had become an Australian nation; and it was not right to exclude from the franchise any Australians; for although a person might not have been here a length of time, he was still an Australian. If there were many Victorians or New South Walesmen here who were not entitled to a vote through not being on the roll, they were still Australians, and should have a vote here for a member of the Federal Parliament. He was sorry Mr. R. S. Haynes thought the amendment so drastic as not to be able to support it. If this was a good amendment, it should be supported whether drastic or not. He intended to go for drastic measures in this House, and he would be sure of the support of the hon. member. As Mr. Hackett had pointed out, members were sorry to have done anything unconstitutional or discourteous to the Colonial Secretary. For himself, he had voted against the motion to report progress only because he thought the amendment important and urgent.

On motion by Hon. R. S. HAYNES, progress reported and leave given to sit again on the next Tuesday.

KALGOORLIE MUNICIPAL LOANS REAPPROPRIATION BILL.

SECOND READING.

HON. A. G. JENKINS (North-East): I move the second reading of this simple Bill, providing for the abandonment of certain works, and the reappropriation of the moneys to other works. The Bill has passed through another place practically without amendment.

HON. C. SOMMERS (North-East): I rise to support the second reading of this

Bill, which is urgently needed for the good of the municipality. There is every reason why the Bill should be passed.

Question put and passed.

Bill read a second time.

IN COMMITTEE.

Bill passed through Committee without debate, reported without amendment, and the report adopted.

MUNICIPAL INSTITUTIONS BILL.

SELECT COMMITTEE'S REPORT.

HON. R. S. HAYNES brought up the report of the Select Committee on the Municipal Institutions Bill.

Report received and read. Ordered that the Bill be committed *pro forma* on the next day.

TRUSTEES BILL.

Received from the Legislative Assembly, and, on motion by Hon. H. BRIGGS (for Hon. M. L. Moss), read a first time.

ADJOURNMENT.

The House adjourned at 6:12 o'clock until the next day.
