

Legislative Assembly,*Tuesday, 15th September, 1903.*

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THE SPEAKER took the Chair at 4.30 o'clock, p.m.

PRAYERS.**PAPERS PRESENTED.**

By the PREMIER: Report of governors of the High School for the year. Return showing Midland Railway lands held by absentees in areas of 5,000 acres and upwards, and alienated by the Railway Company, ordered on motion by Hon. G. Throssell. Report of Victoria Public Library. By-laws of Boulder Municipality.

By the MINISTER FOR WORKS: Perth Town Hall, Papers relating to suggested transfer of certain land to Perth City Council.

Ordered, to lie on the table.

REPORT ON AUDIT DEPARTMENT.

THE PREMIER presented a copy of the report prepared by Mr. Percy Whitton on the Audit Department, with copy of correspondence between the Premier and the Auditor General. In moving that these papers do lie on the table, he said an advance copy of the report had already been published, so that members could see it.

MR. MORAN asked how it came about that this report was published before being laid on the table of the House. The Premier had just stated that he took the opportunity of giving it to the Press before laying it on the table.

THE PREMIER: The report was not addressed to the House, and he was at liberty to give it to the Press if he liked.

MR. MORAN: It might be injudicious at times to adopt that principle, in reports of this kind. In his opinion, the

House was entitled to have first information of a report of this character.

THE PREMIER: Reports by the Public Service Commission were sent to the Press as soon as they were received by the Government.

MR. MORAN: In drawing attention to the matter he did not wish to oppose the motion in any way.

THE PREMIER: It appeared to him that it would be more convenient to members to have the report published in the Press, as had been done.

Question passed, and the report laid on the table.

**TRANS-AUSTRALIAN RAILWAY
ENABLING BILL.****TO PROCEED EARLY.**

THE PREMIER: With the permission of the House and of the Speaker, I wish to say that I am particularly desirous of proceeding with the Trans-Australian Railway Enabling Bill, for reasons which I think are perfectly good. Members are aware that quite recently a statement was made in the Federal Parliament to the effect that, as soon as this Bill was through, the Federal Government would entertain a suggestion for carrying out a survey. From what one can see in the papers, there is not too much time available between this and the end of the federal session. With the consent of the House I intend to place the Trans-Australian Railway Enabling Bill upon the Notice Paper for to-morrow; and upon my promise to the House that another day for private members' business shall be given next week instead of to-morrow, I hope the House will agree to my suggestion.

MR. PIGOTT: I can see no objection to the proposal of the Premier. Perhaps it may be advisable to make Thursday a day for private members' business.

THE PREMIER: Not Thursday in this week. I will try to fix one day in next week, Wednesday or Thursday.

**QUESTION—RAILWAY TELEPHONE,
USE BY THE PUBLIC.**

MR. HARPER asked the Minister for Railways: Whether there is any Commonwealth law preventing the use of the railway telephone by the public at the ordinary telegraphic rates.

THE MINISTER FOR RAILWAYS replied: On the 3rd February we were

notified by the Postal Department of the alteration in the telegraph rates, and they advised that they would require the whole of these rates for any message sent over our railway lines. Double rates were therefore charged by this department, in order that we might be recouped the cost of the service. The Commonwealth Postal Act provides that where messages are sent over railway lines, the revenue received shall be divided between the two departments in such proportion as may be considered fair. The matter was brought under the notice of the Postal Department a few days ago, and they stated that they were advised by the Postmaster General, Melbourne, on the 19th June that the existing rates charged by the Railway Department were to continue until such time as a general arrangement was made with all the Railway Departments of Australia. The position, therefore, is this, that if we charge the ordinary rate only we do all the work and get absolutely nothing for it, and until we hear farther from the Postmaster General, Melbourne, I do not see what we can do in the matter; but it will not be lost sight of.

QUESTION—JARRAH LANDS FOR SAWMILLING.

MR. FERGUSON asked the Minister for Lands: 1, Whether any jarrah timber lands are to be thrown open for saw-milling purposes during the present session of Parliament. 2, If so, when the land will be available.

THE MINISTER FOR LANDS replied: It is hoped that requirements may be met before the session ends. The recommendations of the Royal Commission on Forestry are now being considered.

QUESTION—RAILWAY STATION, CLAREMONT.

MR. FOULKES asked the Minister for Railways: 1, Why there was no substantial commencement made of a railway station at Congdon Street, Claremont, during the month of August last. 2, When will such station be finished.

THE MINISTER FOR RAILWAYS replied: 1, Survey was made in August. 2, Plans are now ready. Work of erection will commence on Monday next, and will be completed as speedily as possible.

It has not been practicable to make an earlier start.

CONSTITUTION ACT AMENDMENT BILL.

RECOMMITTAL.

Order read for the third reading of the Bill.

MR. MORAN moved that the Bill be recommitted for amendment of clauses 7, 8, 23, 24. He had given notice of amendments to be moved.

THE PREMIER: While prepared to agree to a recommitment, he hoped it would be distinctly understood that his desire was to have as full a discussion as possible of the various amendments. He had in connection with this Bill favoured discussion in every possible way; but he hoped now that when the decision of the House was arrived at there would be a loyal acceptance of that decision by the minority, on whichever side the minority might be, so that thereafter members should proceed to distribute the seats under the Redistribution of Seats Bill.

Question passed, and the Bill recommitted accordingly.

MR. HARPER in the Chair; the PREMIER in charge of the Bill.

Clause 7—The Council (27 members):

MR. MORAN moved as an amendment,

That the words "twenty-seven" be struck out, and "twenty-one" inserted in lieu.

While acknowledging the desire of the Premier to encourage full discussion on this important question, yet as to a loyal acceptance of any decision which this House might come to on amendments moved at this stage he (Mr. Moran) must say at once that if loyal acceptance were to mean loyalty to the principle of the measure before the Committee, his acceptance would be a disloyal one; but if loyalty was to signify that, having put up as good a fight as possible on particular amendments and been beaten, he would drop farther contention and be loyal to the decision so arrived at, that was his intention. As to what he had endeavoured to do up to the present in connection with this Bill, he had no regrets to express for the past. Having reached the present stage, it was now necessary to put forward strenuous, yea

even extraordinary, efforts to draw more clearly the attention of this House and of the people outside to particular matters in the Bill; and his object in having given notice of certain amendments to be moved was, firstly that the Committee of the whole House should again consider the advisability of taking steps to effect a genuine reform in the representation of people in Parliament; secondly, to make it more in keeping with the promises given by the majority of those who carried Federation in this State, amongst them being the Premier; thirdly, to make it in keeping with the general trend of opinion in Australia, which was, if anything, in favour of the State Parliaments reducing their numbers; and fourthly, to be in touch with the majority of States in securing at least in the popular House popular representation. The first amendment of which he had given notice dealt with another place. It was our bounden duty in this Chamber to handle this question apart from any consideration as to how the action of this House would be received in another place. As to the doctrine that we must be guided in a matter of this kind by what we in this Chamber might think another place would do, he entirely dissented from it. We in this Chamber had full power to deal with these matters as a whole, and we became aware of the existence of another place only when that other place set itself against the popular will as expressed through this Chamber. He believed that the claim he was now putting before hon. members would be backed up by the vast majority of electors throughout the State; and on this claim he would be prepared to go to the country to-morrow, or to refer the question to the people in the form of a referendum. He believed the majority of people desired that we should have some legitimate parliamentary reform; and there was a strong opinion in the country in favour of a reduction in the number of members in both Chambers. He was not as strong on the question of reduction as on the question of equal redistribution, or something near it. He had been a little misrepresented the other day by one of the leading daily journals, saying he had argued that the time was ripe for redistribution entirely on a

population basis. [Mr. FOULKES: That was what the hon. member did argue; and one was much surprised to hear it.] If it was a question of redistribution entirely on a population basis or the acceptance of the present Bill, he would go the whole hog for redistribution on a population basis. Indeed a better case could be made out for redistribution entirely on a population basis than could be made out for the higgledy-piggledy plan of redistribution in the Bill before the Committee. His proposals in regard to both Chambers were towards having redistribution on a population basis where settlement was comparatively close and railway communication provided, while allowing also special treatment for the great northern area, as was done in regard to the Northern Territory of South Australia. As to the Upper Chamber, his contention had been to make it more representative by increasing the area of selection and decreasing the number of provinces; but his proposals in reference to that Chamber did not call for a redistribution on a population basis. In regard to the Lower Chamber, we must bring ourselves into line with modern thought, and make this a Chamber in which the majority of the people must rule. The North with its special representation would not materially affect, would certainly not be sufficient to thwart, the rule of the majority in this Chamber. Coming to the amendment, he was proposing to strike out the number "27" with a view to inserting "21" for the Council. Following as a corollary, and keeping in view as desirable that we should have a ratio well defined between the number of the Lower Chamber and the number of the Upper Chamber, a ratio of one-half, he would farther propose to make the Lower Chamber consist of 42 members. Incidentally with regard to the Lower Chamber, upon mature consideration and upon the most careful examination of the constitutions of other States where equality of representation held good, he was satisfied that 42 members elected in decent-sized constituencies on an equal basis (always saving the North) would form perhaps a weightier House than the present fifty. They would at least enjoy the confidence of the people, and whatever legislation resulted, it could be

said it was at least the opinion of the majority. In reference to the Upper Chamber, 21 members elected on a fair, broad, provincial basis would be stronger than the present House and stronger in time of need. Would those who cried out about the destruction of capital and everything sacred to the State, through interfering with the Upper Chamber, not be assured that an election on a wider franchise, free from provincialism, would make the Upper House a much better House? One could support an increase in the number of the Upper House so long as the area of election was widened. He was not pledged to 21 members, though he believed the number would be sufficient and that it would be wise to adopt his suggestion. The country would then say Parliament had gone in for genuine reform. It would look better, and would show that Parliament was in earnest with parliamentary reform and in touch with modern events. It would, if necessary, be easy, as the State grew in population, importance, and wealth, to increase the number of Upper House members. It would be very easy to effect an increase in three years' time. In his proposal there was no panacea for stilling even for a time the clamour for parliamentary reform. Anything done now would require re-doing in three years' time. Necessarily at fairly long intervals the Constitution would need to be remodelled, unless the system of population basis was adopted allowing parts of the State, as they grew in importance, to have *de facto* greater representation. However, the proposal was the best thing to be done at present, and it was a genuine effort to bring about parliamentary reform, so that Western Australia could have the honour and privilege of saying that we have a people's House and that the people rule. This was what he had all along said, and the fight a few nights before had been over the same question. The successful result of that fight was that one more province was reinstated in the metropolitan area. He welcomed the suggestion of the leader of the Opposition. It appeared, however, that up to date the only concession given was that given by the help of the direct Opposition. In Clause 8 he (Mr. Moran) proposed to strike out

"nine provinces" and to insert in lieu "four provinces" for the Upper Chamber, thus providing a broad basis of elections and for the abolition of provincialism. With nine or ten provinces comprising small areas the gentlemen representing them could not view questions with that impartiality and absence of prejudice that members would have if elected for bigger and broader areas. In the Commonwealth Parliament this principle was recognised, so far as the judicial House (the Senate) was concerned. One would like to call the State Upper Chamber the judicial House. For his part there was no endeavour to abolish it. The time was not ripe for that step, and probably never would be ripe. The overwhelming majority of public men in Australia favoured the system of having an Upper House composed of gentlemen viewing every question from a broad standpoint, free from provincialism. The Senators representing Western Australia were men of determined judgment whose views would be respected. If they were required to vote on something affecting Fremantle or Esperance or Perth, or the pearling industry of the North, they would vote as representing the wider basis of the State, and none of them would be prejudiced to any particular portion of the State. They were strong men in whom we should take pride and whom we should delight to honour. The Premier ought to be making this speech. In the days of old the Premier could have made a speech on these proposals before the House that would carry conviction to his followers. Had the Premier stuck to his guns and come down to the Chamber with a Redistribution of Seats Bill giving power to the people, though he lost some followers he might have made better recruits, and though he lost some support from provincialism he would become the head of the liberal party in Western Australia. He (Mr. Moran) would have forgotten everything and rallied under the Premier's banner. But the Premier had departed from the path marked out by himself years ago, and was now at the head of the conservative forces of Western Australia, although his personal sympathies were with the amendment. The Premier's career would have been more successful, and more in keeping with his past, had

he come forward with a Redistribution of Seats Bill in line with his proposals in the Constitution Bill. The Premier had fought the battles of democracy in the days when it was unpopular. By the proposals before the House it was not proposed to make the Upper House like the Senate, but to go some distance towards doing so, for reforms must not be too radical. A proposal to go the whole length would not get the measure of support the proposal should have, though such a suggestion would have the support of the member for Cue and some other members. The amendment was moved with no feeling of hostility to the Government. It could not be so since it did not come from a member of the direct Opposition. The charge could not be levelled that he (Mr. Moran) desired to turn the Government out, because he could not follow the present leader of the Opposition if he took office. Speaking entirely unprejudiced, and entirely open to what the future parties might be, he had no desire to disconcert anybody. The proposal was to divide the State into a Metropolitan or West Province, a South-West Province (comprising the whole of the agricultural districts), a Goldfields or Eastern Province (including the whole of the goldfields), and a Northern Province (comprising the great North-West and North), which, so far as area was concerned, had such a sparse population that even the proposal seemed altogether out of keeping with any scheme of a population basis for the Upper Chamber. What did he claim for these divisions? He claimed at least a modicum of that principle on which the Federal Senate was elected. The Western Province should comprise the whole of this great metropolitan area, and the men for it, he hoped, trusted, and firmly believed, would be such as would advocate not only the welfare of the great metropolitan area but of the whole State. He looked to the metropolitan members of the Upper Chamber to be what he should call the most perfect there, and he said it with all respect. A metropolitan member ought to be such a man as knew that the metropolitan areas depended largely upon the splendid industries scattered far and wide over the State. Such a man had here great educational advantages, and was in touch with a Press second to none

in the Commonwealth—he could say that, after having travelled through the Commonwealth and New Zealand—which have fair-play to all parties; and he had all these aids to enable him to be such a member as would nearly approach to one's idea of what a senator should be. Then again it was proposed that those who represented the goldfields should not be troubled as to whether Kalgoorlie or Coolgardie should have the School of Mines. He did not want to see the goldfields divided against themselves as they had been in the past. If we must take notice of industries, let the goldfields industry be represented by the choice of the whole of the goldfields people on the franchise proposed. Let them be men who would be favourable to the majority of the Upper House electors; men who were well-known and respected. He would have the members elected for the agricultural interest chosen for the whole of the agricultural area, and he did not think that they would neglect the area of his friend the member for the Williams (Hon. F. H. Piessé). He did not think that one agricultural representative chosen would neglect any single iota which went to make for the welfare of the agricultural industry. He would be asked, what about the great South-West, the great Central, and the great North north of York and Northam? The man who did not know as much about the South-West as he did about York and Northam had no right whatever to be in that Chamber. Who would insult Sir John Forrest by saying that he did not know the agricultural interests in all its environments? Who would say that the member for Katanning himself did not represent the whole agricultural interest most eminently and satisfactorily? Was there any man who would deny that a late Minister for Lands, Mr. Throssell, was eminently fitted to represent the agricultural industry? He would come to the pastoral industry, to which he proposed to give three members in the Upper House, and that was a big proportion. Was not the member for the Gascoyne (Mr. Butcher) a complete authority on pastoral matters in this Chamber, and one who was listened to with respect? He was illustrating that in this Chamber there were men who were competent to look after interests. Then, again,

who doubted that the member for the Irwin (Mr. Phillips) was a great authority on the pastoral industry? The member for West Kimberley (Mr. Pigott) could speak with complete knowledge of the pearling industry. How much more were we entitled to demand from gentlemen in another Chamber who were expected to look upon legislation in a calmer atmosphere and free from prejudice and local surroundings, and who had an all-round knowledge of that which they desired to represent? From this Chamber he could pick out men eminently able to sit in any Chamber in Australia; men who were competent judges of the gold-mining industry. He might take the member for Coolgardie (Mr. Morgans), who was acquainted with mining in every phase, and he could go to the other extreme and take the member for Mount Margaret (Mr. Taylor). What was there in the gold-mining industry that the member for Mount Margaret would not be able to give an intelligent opinion upon? Could he not sit in the Council in the interest of the Labour party, and give complete and careful consideration to all mining legislation? And so one might say of other members who represented goldfields. The member for Yilgarn (Mr. Oats) was one of the foremost authorities on mining. Men like these had a right to sit in the Upper Chamber. He believed that under these conditions we should see some active interest taken in Parliament, and there would be a healthy clashing which would lead to the best thing being brought out. Last year the Council threw out the Constitution Bill, and the result had been the total remodelling of it by the present Government. Had that Upper Chamber consisted of strong men, and had those men stood firm at the time of the referendum, history would have been able to relate a different state of affairs for Western Australia, which might not have been cursed and perhaps might have remained to be blessed. There were some members who believed in having 24 members for the Upper Chamber. The member for the Murchison (Mr. Nanson) clung with a certain amount of affection to the Government Bill of last year, which provided for 48 members for the Assembly and 24 for the Council. He (Mr. Moran) was prepared

to allot the extra three members, and if members wanted 30 members or even 27 in the Council, he was still prepared to give the same proportion, if we could not do it in any other way. He was not wedded to four provinces. He would rather have five than 10, and that fifth could very easily be carved out, comprising Geraldton and running all through the country served by that natural port of the goldfields. He was not a mere obstructionist, and the title was one he had no desire to have, though he admitted that if obstruction were desirable he was not what might be called a novice at the game. But that was not his rôle. His rôle was a sincere one of an independent politician at the present time, pleading that Western Australia should be modernised, and that the Upper Chamber should be modernised. He asked this Chamber to cut the State into four provinces and allot 21 members for the Upper House, one-third of the number retiring every two years. He would like there to be six members for the metropolitan area, six for the agricultural industry, six for the goldfields industry, and three for the pastoral industry, which he thought would be ample. He had no desire to go into the boundaries, but if his hon. friend liked he would do so. Roughly, the northern area would, subject to amendment, be—Gascoyne, East Kimberley, West Kimberley, Murchison, Pilbarra, and Roebourne.

MR. ILLINGWORTH: Murchison was classed in the Bill as a goldfields area.

MR. MORAN: The remarks he had made were not based on the position as proposed in the Bill, but on the position as it existed under the electoral law to-day. He asked members to say whether the proposal he made was worthy of forming a basis on which to reconsider the constitution of the Upper Chamber. Was it worthy of being made a basis in reference to the proposal of the leader of the Opposition for constituting an Upper House of 30 members? He submitted his proposal to the Committee with all confidence.

MR. FOULKES: The hon. member had remarked, in reference to redistribution on a population basis, that he (Mr. Foulkes) was not in a condition to understand what the hon. member did say on a previous evening.

MR. MORAN withdrew the expression and regretted having used it. He acknowledged also that he was too apt, in replying to interjections, to use language somewhat in excess of the occasion, but would try to avoid that in future.

MR. FOULKES: The hon. member certainly did argue the other evening in favour of redistribution on a population basis, though he denied this evening having done so.

MR. MORAN: The argument this evening was for redistribution entirely on a population basis, except as to the three northern seats.

MR. FOULKES: The hon. member said the other evening that he was not wedded to the number of members in either House, but wanted an equal redistribution. It was difficult now to understand what the hon. member really did want. He had spoken at great length last Tuesday on the principle of equal redistribution of seats; but to-day he was prepared to climb down from that position. The hon. member should realise that it was impossible to have a redistribution of seats on a purely population basis.

MR. MORAN did not admit that it was either impossible or unjust.

MR. FOULKES: The hon. member evidently did not know what he really wanted. He had drawn imaginary lines across the map of the country, but had not brought any plan showing the boundaries of the proposed electorates, and was very reluctant to bring a proper scheme forward. His proposals were rough and ready. He had claimed, on a previous evening, to know as much about this State as any member in this House; yet with such great qualifications of statesmanship and experience it was not right or seemly for the hon. member to come forward with rough-and-ready proposals for redistribution, without showing any plan of boundaries. The hon. member was continually changing on the question, and if this discussion were adjourned until tomorrow the hon. member would be ready to bring forward fresh proposals. It would be better if he would take the trouble to study the problem of redistribution, for if he did so he would find it most difficult to deal with. We could not shut our eyes to the fact that there was another Chamber, which would give

farther consideration to this question after we have disposed of the Bill; and we should only stultify ourselves and waste time if we entertained fanciful schemes that were certain to be thrown out by members in another place. Let us carry something that was likely to be approved in another place; otherwise we were simply wasting time. He urged the hon. member to study the question more fully, and when he had made up his mind to a policy let him stick to it.

THE PREMIER: When this Bill was before the House last session, the question raised by the present amendment was then discussed; it had also been discussed this session on the present Bill; yet the hon. member now brought up the same question, involving and dealing with the very same issue that had been dealt with twice before. We should bear in mind, when dealing with representation in the Legislative Council, that in Western Australia we occupied a peculiar position; for we had almost a third of the area of the Australian continent, a coast-line stretching from the northern portion of Australia right round to Eucla, with settlement extending from the seaboard some distance inland; and that we had the most important industry carried on far in the interior. There was no instance in Australia outside of this State where, 400 miles from the coast, a large population was settled, and where so important an industry was carried on as the gold-mining industry in the neighbourhood and to the north of Kalgoorlie. The geographical area of this State might be represented by the combined area of Victoria, New South Wales, and Queensland, still leaving a margin in our favour; but having this vast area under our control, we did not fully appreciate the vastness of this area when combined in one State as compared with three separate States elsewhere; it did not come home to us with the force that it would if the same area were separated into three States as in Eastern Australia. Let us assume that the same area on the eastern seaboard of Australia, instead of being divided into three States were combined into one State, and that the question of representation in an Upper House had to be dealt with by that one State instead of being dealt with by three separate Par-

liaments, then surely that joint State in dealing with the question of representation would insist upon geographical reasons as justifying the demand that there should be representation on some other basis than that of a purely population basis. The member for West Perth had admitted we could not have representation in this State on a purely population basis; but he sought to apply that principle of representation on a population basis when allocating the 21 members who were to represent the State in the Council as he proposed to constitute it. In discussing the question, however, the hon. member departed from representation on a population basis. Indeed, as soon as he or anyone departed from that principle, it at once brought us face to face with the question as to what was to be the method of redistribution.

MR. MORAN: The Goldfields Province and Metropolitan Province would be equal in point of population, and the bulk of the Upper House would therefore represent population.

THE PREMIER: When it was claimed that representation should be based upon population, one knew the principle could be applied with logical exactness; but directly one departed from the principle and said that representation should not be entirely on a population basis, at once the question arose in the Upper House as to what principle representation should be based upon. In considering such a question, surely regard must be had to geographical facts, and having regard to geographical facts how could one say that 21 members could adequately represent the State?

MR. MORAN: Yet six members represented the State in the Senate.

MR. FOULKES: Only upon certain subjects.

THE PREMIER: There were six members in the Senate as opposed to five in the House of Representatives. The hon. member for West Perth referred to the Senate, and, if he relied upon the Senate in one instance, he ought to be consistent. The House of Representatives had a quota of 50,000 with five members, while there were six Senators representing the whole of the State, and the State only. Those returned for the Lower House were not returned for the State as a whole. [MR. MORAN: Did the Premier

admit they were returned each for his own province?] Whether there was a fixed number of 6 or 12 in the Senate, a method of representation had to be created that would give the truest reflex of the people of a State as a State. This, however, did not apply to Western Australia, nor did it apply to any possible scheme suggested, unless it was intended that these 21 should be returned by the State as a whole. The member for West Perth did not propose to do this, because he said he was not prepared to adopt representation on a purely population basis. The whole question was, how we were going to distribute the number of members. The member for West Perth entirely ignored geographical facts, but these must be borne in mind whether dealing with representation in the Assembly or in the Upper House. Population basis must be the main factor, but must not be the exclusive factor. Western Australia had to be built up by the development of its resources, and the greatest hope for the future lay in the efforts of those who were carrying on industries, and carrying civilisation into various distant parts of the State. Every portion of the State had been newly found within 10 years. Coolgardie and Hannans had existed since Western Australia existed, but new men had come to the State and found them and developed them. We wanted to assist men, as far as possible, to go out to places which might, in the future, be other Kalgoorlies and Mount Margarets. This was our duty.

MR. TAYLOR: They were not encouraged too much when very far out.

THE PREMIER: They were. With a system of representation where the greatest electoral power was given to populous centres, it was certainly a discouragement to outlying centres, whether agricultural, pastoral, pearling or mining.

MR. TAYLOR: The amendment gave three members to the pastoral industry.

MR. MORAN: The amendment also gave double representation to the agriculturists.

THE PREMIER: Out of 21 members it was proposed to give three to the pastoralists and 18 to the rest of the State. How could the rest of the State be divided in such a manner that 18 members would give even satisfactory

representation? There was a dilemma. If one gave a disproportionate value to the vote of men living in the agricultural areas of the State or in the scattered mining areas of the State, dissatisfaction would be created in populous centres, and could not be avoided.

MR. MORAN: How could small places overrule big places under the suggested amendment?

MR. ILLINGWORTH: Representation was given according to interests.

THE PREMIER: The proposal would give six representatives to the goldfields, six to the agriculturists, and six to the metropolitan area. If Perth and Fremantle were only entitled to the same representation as the goldfields, and to the same representation as the agricultural industry, he would emphatically dissent from it unless settled on a population basis. If the proposed representation was on a population basis it would be perfectly justified, but when one got beyond that basis it could not possibly be maintained that equal representation should be given to the metropolitan areas as to the agricultural and mining areas. The position could not be defended. How could one say that the interests of Perth for one moment compared with the interests of the agricultural or mineral areas? Unless we were going to make representation upon a purely population basis, we could not conceive a distribution of 21 members to do justice to the various interests of the State, bearing in mind the geographical and territorial difficulties, and bearing in mind what had occurred elsewhere. If 21 members were sufficient for a third of the continent of Australia, what number would have to be chosen in any other State?

MR. MORAN: If they had 600 in England, what proportion ought there to be in West Australia?

THE CHAIRMAN: Order!

THE PREMIER: In Western Australia, settlement and industries, and some of the main industries, extended from Wyndham to Esperance. If 21 members were sufficient, having regard to the vast geographical difficulties, what number would be sufficient for South Australia? If the argument of the hon. member was good to justify 21 for Western Australia, surely it was good

to justify a proportionate reduction in the case of other States which had not the same geographical area.

MR. ILLINGWORTH: South Australia had 18.

THE PREMIER: Twenty-one; but whether 18 or 21, disproportion would exist as compared with 21 in this State, and in South Australia they had an easier country.

MR. MORAN: No.

THE PREMIER: A much easier country to work, because when we got beyond the reach of the railways the whole of their Northern Territory was covered by one district. All the bulk of their electors were within railway reach. That did not apply here at all. Take the area of settlement beginning from Nanine, going along the railway communication right down to Albany in the South, and away up to Kalgoorlie and the northern extension to Laverton and away on the North-East. There was nothing like that in South Australia.

MR. MORAN: Certainly; much bigger. The whole of the Northern Territory had one electorate for the Lower House.

THE PREMIER: The Northern Territory was put aside, and the hon. member said "Put that aside, because it is the same as our pastoral territory." There was no other area like that to which he referred covered by settlement in South Australia, and the railway travelling in South Australia as far as it went was much easier than we had it here. In dealing with a redistribution of provinces we should give due weight to population, but not give exclusive weight to it, and when once we passed from that we had to bear in mind the geographical difficulties in Western Australia and also the extent to which our future depended on the degree to which those small settlements throughout the State succeeded in their efforts either in developing the gold-mining portion of the State or the agricultural or pastoral portion of the State, and they should be as far as possible encouraged. We could not deal with representation in Western Australia as we could deal with it in a State where development was fairly settled, and where the proportionate distribution of population would remain the same within a small margin for the next ten years as it was to-day. There was enormous de-

velopment going on, and as our industries and our sources of development were in their infancy he submitted that before we departed from our present number some undoubtedly good reasons should be given in favour of it.

MR. NANSON: The Premier himself gave a reason.

THE PREMIER: When introducing this Bill last session he emphatically said that 48 was the best number for the Assembly; and he thought so still, but members thought otherwise. He said that the redistribution of seats in the Lower House was the most important thing members could do, and taking the number in the Lower House at 48 he on an automatic rule fixed 24 as a fair number for the Upper House, that being in sympathy with the proportion between the two Houses in the Commonwealth Parliament. In fixing 24 for the Upper House he had no regard as to whether 24 was the exactly correct number having relation to the various interests of the State. He took 48 as being the most important number for this House, and said that the number for the Upper House should be not greater than half the number for the Lower House. He voted against the increase from 48 to 50, and he said then and said again now that this House, if it did not reduce itself, could not reasonably ask the Upper House to reduce itself. He still said so.

MR. TAYLOR: If the argument held good, the number now for the Upper House should be 25.

THE PREMIER: When we took half of 50 we got 25 for the Upper House, and that involved a radical change in the constitution of the Legislative Council, because it did not provide for either provinces with two members each, or provinces with three members each. Directly we agreed to 50 members for the Assembly we were bound to modify the number for the Council, and could not ask that Chamber to reduce their number, seeing that we had not done so.

MR. MORAN: Then for the sake of one, why not make the number 24?

THE PREMIER: One might say, why not make it 27? Why need we worry about a hard and fast proportion. We should rather have regard to the actual facts and circumstances of the case.

MR. NANSON: If the hon. gentleman had refused to give way, he would not have been turned out.

THE PREMIER did not suppose he would. He did not fear that. No member could say that he did not press his views in favour of 48. He had experience then which hon. members had only now. He knew from personal experience the difficulty of getting adequate representation if we had the number of members of the Assembly fixed at 50. But when the question came before the House, he did not take up the position of saying that he was entirely right and the balance of the members entirely wrong. The House fixed the number at 50; but, after all, that did not necessarily settle the question of representation for the Council.

MR. NANSON: Governments had staked their existence on very much smaller things than that.

THE PREMIER: We had to bear in mind the special facts of Western Australia. We had geographical difficulties that demanded from us special consideration. We had along the whole coast of this State and extending into the interior of the State industries that needed development and needed to be encouraged in development. We had a third of the continent, and our population, although in small centres, distributed along the whole coast line and away into the interior. Could it reasonably be said, bearing in mind the interests involved in this State of Western Australia, developing at the rate we had seen during the course of the past few years, that by having 21 members in the Legislative Council we could give adequate representation to those interests which were supposed to find voice in the Legislative Council? We must not deal with this question on the ground that some people might be opposed to an Upper House. The Upper House existed. It existed for a certain reason and to represent certain views. Having regard to these views could we reasonably and honestly say that 21 members of the Council could adequately represent those interests which they were called upon to protect and defend?

MR. NANSON: Twenty-four members could.

MR. MORAN: The Premier knew perfectly well that he had not definitely stated that the number should be 21. The great principle one was fighting for was not so much the question of numbers, but he was arguing the broader principle of making the Upper House what it was supposed to be, a non-provincial Chamber, and having the Legislative Assembly as nearly as possible upon a population basis.

THE PREMIER: Why did the hon. member use the expression "non-provincial?" He meant non-parochial.

MR. MORAN: "Non-parochial" was a better expression. He was sorry the member for Claremont (Mr. Foulkes) was not present. He thought he could afford to take very little notice just now of the hon. member's abuse of him in reference to what he was pleased to call his changed ideas on the matter. He thought nobody misunderstood his ideas on the question. If the hon. member could not understand them he thought he might make the hon. member's electors do so, or those in any other constituency, and there would be no difficulty in the matter at all. He was arguing from the broad principle that we should first make this a population House, and by giving special representation to the North we would not thereby impede the operation of the population principle. In reference to the Upper House, if the electorates were ten or nine provinces, that must needs be a parochial House. We should not altogether consider population in framing the electorates of the Upper House, but it happened fortunately that the two most populous centres in the State, the metropolitan district on the coast and the goldfields centre in the neighbourhood of Kalgoorlie, had the same population. In considering any public work that might be proposed to Parliament, it was not wise to have the battle fought on practically the same lines in both Houses. He had seen and known how matters which had come under the purview of the Upper Chamber had been treated there in a parochial spirit, as if they were being dealt with in a parochial Chamber. If absolute population representation were provided to-morrow, he did not think the interests of the North would be thereby endangered, nor need we suppose that any part of the State would be injured

simply as the result of a fair and equal distribution of seats in the Legislative Assembly. The trend of modern opinion was in favour of equal representation and equal voting values; therefore why not try it here in the scheme he proposed? Was it to be supposed that any part of the State would be misrepresented or any part would be injured by the action of the majority? Why presume that this must be so in order to keep the great bulk of the people on an unfair basis of representation? He had suggested that the agricultural industry should be represented by six members; and were they not enough to look after that industry? The people who paid the taxes should have the representation, and this was what they had not got in this Chamber at present, for one man had ten times as much representation as another man. The metropolitan centre on the coast had 43,000 of population, the goldfields metropolitan centre had 43,000, and the other parts had 30,000, while to the North he proposed to give three members, though the population was only 3,000. Thus by his proposal 43,000 people in the Perth district were to have only six representatives, while 3,000 people in the North were to have three representatives; but for this disparity there were special reasons, as he had said. If this Lower House were constituted on the basis of population except as to the three members for the North, he would not then mind much how the Upper House was constituted, because the Upper House must sooner or later give way to the will of the majority represented in the Lower House. In making this proposal, he was showing himself to be a truer friend of that Upper Chamber than those who proposed to make it a tinpot Upper Chamber.

MR. NANSON: The Premier had taken up two lines of defence. Firstly, he told the Committee that in order to have proper representation of interests we must have an Upper House of 30 members. If that were true, how was it that in the last session the Premier was perfectly satisfied in proposing an Upper House of 24 members, which he then said would be ample? The member for West Perth now proposed 21 members, and explained that if he could not get an

Upper House of 21 members he would assent to 24. Which of the Premier's two views was correct—that which he expressed last session in proposing 24 members, or the view he brought forward this session in urging that we must have an Upper House of 30 members in order to obtain adequate representation of interests?

THE PREMIER: The hon. member should deal with the motion before the Committee. He might try for once.

MR. NANSON: The member for West Perth had proposed an Upper House of 21 members, but would accept 24 if necessary. If the Premier would now consent to split the difference, he would bring himself into line with the conviction he had expressed last session. The Premier's second line of defence was that there must be an Upper House of 30 members, because the Assembly had refused to reduce its own number. This was manifestly a different reason from what the Premier gave earlier, when he said 30 members were necessary to give adequate representation of interests. This showed that the Premier's two grounds were contradictory, and that he found it impossible to explain his change of front in regard to the membership of the Upper House. The Premier knew that the beginning of his trouble in regard to the constitution of the Upper House was his action in consenting to the demand of the direct Opposition that there should be no reduction in the number of members for the Legislative Assembly. The Premier might call that concession an exercise of common sense, but other people might call it by a different name. If the Premier thought that a prudential regard for the skin of the Government was an exhibition of common sense, he was entitled to take that consolation. When this question of redistribution was discussed in other Parliaments, there would have been no effective redistribution or effective reduction in the number of members if the Government in those several cases had not been prepared to maintain a firm front in proposing reduction. Indeed an Assembly never voluntarily consented to reduce its numbers; but this had to be done under pressure, as in the case of South Australia when the Government there proposed and firmly maintained that

there must be a reduction of the numbers of members in both Chambers; also the same occurred in Victoria when the question was before the Parliament there.

At 6:30, the CHAIRMAN left the Chair.
At 7:30, Chair resumed.

MR. NANSON (continuing): Apparently the Government might now take this opportunity of recommittal to reconsider whether they should not stand firm by their Bill as originally introduced. Some hon. members, earlier in the session, had urged a very sweeping reduction of membership in both Houses, with which proposal he was in great sympathy; but, as had been pointed out again and again, the Bill as introduced last session was essentially a compromise, recognising the principle of reduction but not carrying it to the extent some members desired. If the Government could have only stood firm by the measure of reduction they originally enunciated, there could be no question that that measure would have been carried in the Assembly. We should not, at the present juncture, consider what might might happen elsewhere. It would be exceptional to succeed in carrying out an effective redistribution scheme if the Government allowed themselves to be dictated to by the majority of members as to the form of that scheme. Wherever one proposed to interfere with electorates, either by redistribution or redistribution with reduction, there must always be a certain number of members opposed to the alterations, and unless there was an immensely strong force of public opinion driving members to do a certain thing, a majority of members would be in favour of adopting the line of least resistance, to allow things to continue as they were. By taking a reactionary or excessively conservative course, although the House might carry the point for the moment because public opinion could not make its influence effectively felt, we would be assuring that, when public opinion got an opportunity of making itself felt, the opportunity would be taken of carrying out representation on a population basis. Sooner or later the people would wake to the fact that the present Redistribution of Seats Bill was a sham. If Parliament did anything in regard to redistribution, when left to itself without

a strong pressure of public opinion, very good care would be taken when the opportunity came for the voice of the people to be heard, that Parliament should not be given a chance of carrying a measure purely according to its own views. It was impossible to get away from the fact that the determining motive of the House, in dealing with this question of redistribution, was distrust of the great body of the people. That distrust might to some extent be justified. Majorities were no more infallible than minorities; and it might be necessary to impose some check but not to go to extremes. Where representation had been granted on the basis of population, the terrible results feared by many persons had not followed. When the question was dealt with there was a very general consensus of opinion in the House that it would be unwise to give representation purely on a population basis, and those who sympathised with representation on a population basis were prepared to admit that the time was not ripe to carry it out in its entirety, but they lost no opportunity of stating that they recognised the necessity for compromise. For that reason he had given his support to the Bill as introduced last session. There was a conservative party in the Chamber, not necessarily on one side of the House, and it was a pity that the conservative party had not accepted the compromise suggested by the Government in bringing in the Bill in its original form, and that they were not satisfied with the victory they had thus achieved. It was still more a pity that the Government had not stood firm by the original Bill. Had they stood firm, although some of their supporters might not have agreed with them, if the issue had been a mere party issue there was no question but that the Government would have had a majority behind them, because last session there had been no very strong demand for a dissolution. Even this session, if the Government had let it be known that, rather than give way on the point of leaving the number of members as at present they would sooner go to the country, there would have been a majority of members supporting them, whatever their personal views might have been; and there would have been justification in supporting the Government, rather than

plunging us into a general election when there must be a general election in a few months' time. Now the opportunity was offered, through the recommittal of the Bill, for the Government to reconsider their position and support the proposal to leave the membership of the Lower House on the same basis as originally proposed. As the Premier had pointed out, it would then be easier to obtain an equivalent reduction in the Upper House. If the Government were firm on this question, the Opposition would not endeavour to defeat the Government. Should they attempt, it was quite certain they would not succeed, because there were a good many members on the Opposition side who, though on some points they agreed with the direct Opposition, were wholly divorced from it in regard to that distrust which they considered the Opposition had to the basic principle of liberalism, that representation should bear some proportion to taxation. That state of things did not exist at present in Western Australia, and the Bill did not seem to hold out any promise of it. The scheme of the leader of the Opposition was a compromise favourable to the towns and goldfields as against the agricultural districts. Perhaps to that extent it might be welcome, but, on the other hand, it was not to be welcomed because it maintained the membership at its present numbers. Still that point was not of great importance, because we could not really proceed to deal effectively with the Upper House until the Upper House had first dealt with itself, and the probability was that the Council would say that it had no objection whatever to the Assembly making what alterations it liked in its own Chamber, but that as far as the Council was concerned the Council did not intend to have any redistribution at all, but would allow the membership to remain precisely as at present, and the seats allotted to be precisely the same. If the Council took that view, the matter would have to be fought over again, and the Assembly would have to decide whether it was going to give way to the Council on the point and endeavour to obtain an effective Redistribution of Seats Bill in the Assembly, or whether it was going to allow the Bill to be thrown out altogether, and after three

years being devoted to the question of constitutional reform, or supposed to be devoted to it, we were to go back to the electorates and point out that we had not succeeded in doing anything at all. He hoped that when that arose, as he believed it would arise, there would not be that distrust which was silently expressed against more popular representation. One bright feature in the scheme of constitutional reform was that it abolished plural voting. There was no doubt that in this respect the Bill marked a very distinct advance; but after giving electors that great power which the plural voting itself bestowed upon them, unless we were correspondingly reasonable with regard to representation the first use made by the people of that new power that was given to them would be to carry out representation on a population basis to an extent that very few members had any idea of. He personally would not very much regret it, if such were the case, but that was a consideration he would put to members in urging them not to carry conservative principles to too great an extreme in dealing with this measure.

Question (that the words proposed to be struck out be struck out) passed, and the words struck out.

MR. MORAN: The next step, he thought, would be to move to insert other words in place of "twenty-seven." He noticed that the Ministry said "No" in opposing the striking out of "twenty-seven." It would be well to find out what the Government intended. In moving this motion he asked the Committee to deliberately consider whether they would like to insert "twenty-four," for instance. The question he wished to put to the Committee was whether "twenty-one" or "twenty-four" should be inserted, and the principle at stake was one of provinces—the principle at stake was one of enlarging the area of selection for the Upper Chamber. It was one of, he should almost say, strengthening the Upper Chamber; but still it might be far more representative of a large number of electors, and might remove that parochialism which he maintained must remain if we had ten provinces. This was one step in the direction of having the Chamber elected by the whole State.

MR. PIGOTT: In view of the suggestion previously made by him, he wished to move as an amendment that the word "thirty" be inserted in lieu of the words struck out.

MR. MORAN said he desired a division to be taken on the smaller number first, and afterwards he would be at liberty to vote with the leader of the Opposition on "thirty" or "twenty-four." Probably we should agree to insert "twenty-four."

MR. PIGOTT: We had already voted on "twenty-four."

THE PREMIER: We did not vote on "twenty-one."

MR. MORAN: We could vote on "twenty-four."

THE PREMIER: The hon. member wanted to vote for "twenty-one."

MR. MORAN wished now to propose that there should be 21. Afterwards we could vote on the number being 24. Let us have a division on the smaller number. He moved (as before intimated)—

That the words "twenty-one" be inserted in lieu.

MR. PIGOTT asked members to consider the true position, and say if by the alterations which had already been made we had not gone a very long way in instituting a reform with regard to the Constitution and redistribution of seats. Apparently some members thought it was an impossibility to institute any reform without reducing the number of members not only in the Lower House but the Upper House. But when we came to consider that we were altering the whole system of the franchise with regard to the Upper House, that we were also altering the whole system of the boundaries, that we were giving to the populous districts of the State a larger proportion of the voting power than ever they had had before, that we were, in regard to the Lower House, in every way altering the boundaries of the electorates, members would, he thought, admit that if this Bill passed in its present form, or in the form he suggested, that was with 10 provinces for the Upper House, a great deal would have been done, and on top of all these reforms which were being made we were doing away with plural voting. What more could be done?

MR. TAYLOR: This Bill did not interfere with plural voting. The Electoral Bill was separate.

MR. PIGOTT: It was just as easy to make a reform of the present Constitution by retaining the present number of members as by reducing the number. The member for West Perth (Mr. Moran) had asked him not to move his amendment in order that we might have a vote taken on the question whether we should have 21 members. He had no objection, but a vote had already been taken on the point, and the House considered 24 not a sufficient number. He was sorry to see the Premier giving way in this regard. The House had already taken a vote on it, and had already agreed almost unanimously that 24 members should not be the number. Now we were asked by the hon. gentleman himself to vote on the point again.

THE PREMIER: If we did not take a vote, it might complicate subsequent voting.

MR. PIGOTT: At any rate on the part of the Premier it was showing very bad form when he accepted a vote one evening and afterwards wanted that vote taken again. The Committee had already said that they would not have the number 24, and he could not see that there was any reason why the Premier should have a vote taken again unless he wanted to bring the number back to 24. [Interjection that the number was 21.] If the Premier said "no," he (Mr. Pigott) would not say any more, but simply let the matter go to the vote.

Amendment (Mr. Moran's) put, and a division taken with the following result:—

Ayes	...	...	12
Noes	...	...	20

Majority against ... 8

AYES.	NOES.
Mr. Connor	Mr. Bath
Mr. Daughish	Mr. Burges
Mr. Holmes	Mr. Butcher
Mr. Isdell	Mr. Diamond
Mr. Johnson	Mr. Foulkes
Mr. Moran	Mr. Gordon
Mr. Nanson	Mr. Gregory
Mr. Phillips	Mr. Hayward
Mr. Stone	Mr. Hopkins
Mr. Taylor	Mr. Illingworth
Mr. Wallace	Mr. Jacoby
Mr. Thomas (Teller)	Mr. James
	Mr. O'Connor
	Mr. Piesse
	Mr. Pigott
	Mr. Purkiss
	Mr. Rason
	Mr. Reid
	Sir J. G. Lee Steere
	Mr. Higham (Teller).

MR. TAYLOR moved as an amendment:—

That the words "twenty-four" be inserted in lieu of the number struck out.

The Government might be expected, after what had passed, to vote for this number because the Premier had stated, in explaining the present Bill, that the only way to get a redistribution of seats was to have 24 members for the Upper House and 48 for the Lower. The leader of the Opposition had said it was useless arguing this question farther because it had already been decided; yet when the Bill was before the House last session the very principles that were now in dispute were matters of contention in connection with the Bill of last session, and when that Bill was sent to the Upper House it contained amendments which the Government were willing to accept this session. The member for West Perth had proposed an amendment to-night with the object of broadening the franchise and liberalising the Upper House. The effect would be not only to broaden but to democratise the Upper Chamber considerably, because large electorates would tend to wise and good legislation and would avoid parochialism.

MR. THOMAS: Although he had voted for 21 members, he could not now vote for 24, because a Council of 21 members would provide 6 for the metropolitan area, 6 for the goldfields area, 6 for agricultural districts, and 3 for the northern district, whereas a House of 24 would necessarily give a preponderance of votes to one or other interest. There was a fair and equitable proportion in either 21 or 30 members; therefore he would vote against 24.

THE CHAIRMAN directed attention to standing-order 297, providing that, on recommittal at the stage of third reading, no alteration should be made in a Bill without notice given. Notice of this amendment had not been given; therefore it was out of order.

MR. MORAN: If those members who were in favour of 24 were strongly in earnest, he would move that progress be reported to enable them to give notice of the intended amendment.

Motion (progress) put and negatived.

MR. PIGOTT moved, in accordance with notice :

That the word "thirty" be inserted in lieu of the number struck out.

MR. MORAN recognised that this number would be a distinct gain by giving more justice to populous centres, for it would give three provinces each to the metropolitan centre on the coast and to the metropolitan centre on the gold-fields. It was only after the prolonged fight of last week that the Premier had made a concession to recommit the Bill with a view to considering this amendment; therefore he (Mr. Moran) welcomed the amendment to some extent, though it went against the principle of reducing the number of the Upper House. He had no doubt this was an arranged plan, that it had been arranged with another Chamber and the Government that the Upper House should have this opportunity. We in the Assembly were now forced into this position, though striving to avoid it, and though hidden by the Premier until his acceptance of the amendment to increase the number to 30 showed plainly that his object was to encourage the Upper House in not desiring to reform itself. These tactics were regrettable, for the Upper House would be inclined to say, "The Assembly has decided that we are still to have 30 members; we will remain at 30; we shall have nothing to alter, and we need not reform ourselves." This would be the attitude of those members in another place, who did so little except to adjourn for long periods. Surely it was not too much to ask the Upper House, which represented nothing in particular at present because the electorates were so uneven, to submit themselves to the country as a whole. It would now be seen that this Bill was a sham, a snare, and a delusion.

MEMBER: They must go to the country.

MR. MORAN: There was no "must" about it. Their numbers was not to be altered, and their boundaries would not be altered; therefore it was useless to say they "must" go to the country. He desired now to ask those persons inside and outside the Chamber who of late had been writing and speaking to the effect that to abolish the Upper House would be a tremendous blow to the country, to tell us now what measure that was detri-

mental to the country had the other Chamber ever stopped. It was said years ago in New Zealand that capital would flee from that country if certain reforms were persisted in; yet those reforms had taken place, and capital, instead of fleeing from New Zealand, was flowing into it faster than ever. New Zealand was richer to-day than any other part of Australia. It produced more per head of population than any other place. He had heard it said in this Chamber that payment of members was going to ruin Western Australia, and he had heard a faint echo of the cry a few nights previously; but it had not ruined the country. He had heard, when it was proposed to abolish plural voting for the Lower House, that it would mean the ruin of the property man. He had heard it predicted that the Conciliation and Arbitration Act would ruin capital and ruin industries. Did the Upper Chamber throw out that Bill? He had heard it predicted in the Assembly that the Early Closing Act would ruin business and that it was going to ruin Western Australia and ruin capital, with a big C and a big R every time. Did the Upper Chamber throw it out? Where had the Upper House ever blocked any legislation that was going to ruin capital? Why should members hold out the red flag and be so scared, because they were asked to liberalise the Upper Chamber by electing members on a wider basis? Why should it ruin capital? It would strengthen the weak-kneed Upper Chamber. There was a time when the Upper Chamber should have stood firm, when the State was sold into slavery; but the Upper House gave way at once when they should have stood to protect the whole of the property of Western Australian people. They, however, would stand firm when it was proposed that their number should be interfered with. When it was a question of the country they would give way. It was time the last was heard of the cry of interfering with capital. It was a cry that was never heard in New Zealand, South Australia, or New South Wales. It could only be heard in Queensland, where an intelligent man had told him that the Labour party had ruined the State, allowing no part in it to the drought. He earnestly trusted the question of

liberalising both Chambers would come before the country at the general election, and he was quite willing to speak in every electorate in favour of his views, if he could possibly do so. The people were not being given a fair chance in either House, and it was time they had the chance. He hoped those representing pocket boroughs would not let their timid fears stand in the way of proper redistribution. They should give a man a chance of being elected or rejected by a decent constituency. Then only would there be good legislation, and then members would attend to their duties. The fear of the goldfields had gone. The time had now come to grapple with the question of fair distribution, and it was a question which should be forced on at every opportunity. There had been an intelligent discussion of the question, and the matter had been treated seriously. He had been the means of having the question re-opened.

Amendment (to insert "thirty") passed, and the clause as amended agreed to.

Clause 8—Electoral Provinces:

MR. PIGOTT moved that the word "nine" be struck out and "ten" inserted in lieu.

Amendment passed, and the clause as amended agreed to.

Clause 23—The Assembly:

MR. MORAN moved, as an amendment,

That the word "fifty" be struck out, and "forty-two" inserted in lieu.

In discussing this, the fact that his proposition for reducing the number of members for the Upper House had been defeated should not affect his amendment for a reduction of the Lower House. Members of this House should be elected entirely on a population basis, except in the North. There was no reason why special representation should be given to the old agricultural districts which were so easily get-at-able. We should follow the example of South Australia and make the whole of the North one electorate. Perth and Kalgoorlie could also be made distinct electorates. It would be an overwhelming argument for reduction in the Upper Chamber if the number in the Lower House were reduced. With election on a population basis the Assem-

bly could speak with a strengthened voice.

MR. DAGLISH: There was need for a better system of redistribution than that which existed at present or that proposed by the new Bill. At present 12 members represented 59,929 electors out of 115,393 on the Federal rolls, in addition two other constituencies had over 3,000 electors, so that 14 members represented 65,953, whilst of the balance of the Chamber 36 members were returned by 49,440 electors. Thus 14 members might very frequently be outvoted by three to one by the minority, though representing the majority of the whole of the State. In the new Bill 18 members would represent 65,953 electors, and 32 would represent 49,440. If the amendment were carried the object of the member for West Perth would be to take from the 49,440 electors eight of their representatives, and the position would be altered to a limited extent only. Eighteen members would then represent 65,953 electors, and 24 members 49,440. The margin would still be much in favour of the minority; that was, the minority of electors at present in the 14 constituencies. Each member represented 4,711 electors, whilst in the constituencies represented by 36 members the average was 1,547 electors per member. Under the amendment of the member for West Perth (Mr. Moran) the difference would be that the more populous constituencies would have, per member, 3,664 electors, as against the balance of 24 constituencies with 2,060 electors per member. Surely a margin of 1,600 votes between sparsely populated constituencies and thickly populated constituencies ought to be big enough for all practical purposes. At present those members returned by thickly populated districts were greatly handicapped by the strong majority returned by sparsely populated districts. [MEMBER: Three to one.] Almost three to one. If in the Legislative Council we had something like an equitable distribution, there might not be so much need to urge the matter in this Chamber. This Chamber should be the people's house and the representative of no interest whatever, but simply of the manhood and womanhood of this State. He hoped that the amendment of the member for West Perth would be carried, in order

that this House might be brought more into line with the traditions of the Lower Houses in other States of Australia.

MR. ILLINGWORTH : In his opinion members were moving in the wrong direction, and were simply increasing the evil which he deplored very much. Reducing the number of members to 42 would certainly make things very much worse than they were at present. Now we had to face the question of the Lower House we ought to give consideration to the people of this State. We had no right to consider to too great an extent the interests or territory of this State. What people had been crying out about was the anomaly which existed in times when one person represented three or four or five thousand electors, whilst another sat for 150 or 200 electors. If we got 42 members, we should have a worse state of things than existed at present. He hoped that when we came to deal with the redistribution we should be able to make some alteration which would equalise things more on a population basis.

MR. BATH : When the Constitution Bill was originally before the House the number of members fixed for the Assembly was 48, and members representing the agricultural constituencies favoured the addition of two members, making the number 50. The idea of adding the two members was to give the agricultural constituencies two additional representatives. He agreed with the member for Cue (Mr. Illingworth) that the amendment proposed by the member for West Perth (Mr. Moran) would have the effect of making the position worse. As far as the members of this Assembly were concerned, the opposition coming from the agricultural members had been due, not so much to aversion to an equitable redistribution, as to disinclination on their part to have members taken from the agricultural constituencies. If we desired to reduce the membership from 50 to 42, the agricultural members would bitterly oppose any reduction of the members already allowed to the agricultural constituencies, and the only places where there could be a reduction would be the populous constituencies, goldfields and metropolitan areas. The agricultural members and those opposed to the suggested redistribution, who had a majority

in the House, would absolutely oppose any reduction of representation in the agricultural districts.

MR. MORAN : Did it work that way in any of the other Australian States?

MR. BATH : On the other side there might have been inequalities, but not to the same extent as in Western Australia, and they went to work quicker to remedy them than we had done in this State. He had little hope that in the Redistribution of Seats Bill we should be able to make any alteration regarding the Assembly which would deal out more just conditions to the populous centres, whether on the coast or on the goldfields; but at least we could have a try.

MR. NANSON : The argument of the member for Hannans (Mr. Bath) and the member for Cue (Mr. Illingworth) seemed to be that members should not fight this question, because if they did they would, as a matter of course, be beaten. He understood the view they took was that if we reduced the number of members to 42 the position of the new House would be even worse than that existing in the present House with 50 members. That would be certainly a matter for regret, but if we looked to the ultimate victory instead of a very temporary victory he did not know that it would be so. If this Parliament, having been sent here with a mandate for redistribution on something approaching a population basis, flew directly in the face of that mandate and made the new Parliament worse than the present Parliament, we should, he believed, be nearer to effective reform than we had yet been. If we reduced the number to 42 members and had a more conservative and a more reactionary House, it would be as darkness just before the dawn; and if the House dared to flaunt the wishes of the people to that extent, if it dared to make this Chamber more conservative and less representative than at present, dark though the outlook might be at the present time, a very little space would separate us from the dawn when the people in the popular Chamber would get that representation to which they were entitled. He was especially surprised that a member of the Labour party, who were supposed in matters of this kind to more particularly represent popular aspirations, should take refuge in that

cowardly, that craven plea that we were not to strive for the fullest measure of reform merely because it might subject us to a temporary reverse. Anyone who followed the history of public movements, anyone who knew anything about the difficulty and arduous struggle that there had always been where a popular cause had to be won in the face of tremendous odds, must know that if the leaders of the movement had allowed themselves to be turned aside by fear of a temporary check or by fear of an ultimate defeat, no such thing as reform would ever have eventuated. No matter what one was doing, if he went into it with a conviction that he must be beaten he would be beaten. The member for Hannans and his fellow members should reconsider the position.

MR. ILLINGWORTH: It was strange that the member for West Perth, who last year moved that the number of members in this House should be increased to 50 for the very reason that it was desired to do away with some of the enormous electorates, now moved to reduce the number to 42.

MR. MORAN: What was there strange in that? The only object he had last year was to give two more members to the goldfields.

MR. ILLINGWORTH: But if the total number were now to be reduced to 42, the large electorates to which the hon. member was objecting would still remain.

MR. MORAN: But the country could be divided into 42 single electorates.

MR. ILLINGWORTH: The inequality in the representation had been the burden of his own remarks in previous years, and what he said in regard to that inequality had resulted in two redistributions taking place. Now the member for West Perth wanted to reduce the number from 50 to 42. He (Mr. Illingworth) regarded 48 or 50 as an irreducible number for adequately representing this State in the Assembly. The question for members now was that of properly distributing that number of members over the whole State. Supposing the present amendment were carried, the effect would be to make the conditions under which we laboured worse and not better, for the small constituencies would remain and the large constituencies would still have only one member each instead of two. Forty-two

members would give a larger average of people represented than in the case of 50 members. What was wanted was to give more members to those places that needed more representation. The present question, however, had been discussed already and practically settled.

MR. PURKISS: The argument of some members who supported the amendment was that by a temporary inconsistency we could bring about a permanent consistency. If that could be done he would vote for it, because there was no principle of representation in the present Bill. In the last general election all the members pledged themselves to vote for representation on a basis of population, allowing a fair and reasonable percentage in favour of rural districts. The present system, however, was illogical, and as members must soon face the electors we should make up our minds to vote for representation on a logical basis. If we consented to reduce the total number of members to 42 the evil would be intensified, and that would bring about so much complaint from the electors that the evil would work its own cure. Population must be the basis of representation, and having laid that down as a principle we then brought in a ratio of exceptions. The scheme in the present Bill was not founded on any principle of population; consequently if we agreed that population should be a basis of representation, we must vote for that, or there would be such a storm at the next general election that members would never forget it, and that storm would bring an absolute cure.

MR. MORAN: The main fight was for liberalising the Upper House so as to obtain popular government; and he regretted that the member for Cue did not support the present amendment as he might have been expected to do from the character of the speeches he made on the question in years gone by. Why should it be impossible to get an even basis of redistribution with an Assembly of 42 members instead of 50? Of course the member for the Williams (Hon. F. H. Piesse) would not vote for 42, because he had got all he wanted in the recommendations of the select committee. Members who really wanted to have reform should close up the ranks and act together. The country wanted to see a reduction of members, and 42 members

well elected would be better than 422 elected as now. The member for Cue (Mr. Illingworth) suggested that there must be some ratio, according to the population of small constituencies. Irwin was an agricultural constituency with a small population, and had double the representation of some other constituencies.

MR. ILLINGWORTH: If the hon. member would have a good redistribution, one could support the proposal for 42 members.

MR. MORAN: The Chamber would be packed if constituencies were to have representation according to the ratio of the Irwin constituency. He proposed to give three members to the pastoral industry, although there was only a population of 3,084 all told in the pastoral area. He proposed to elect these three members in one constituency. He proposed to give the agricultural areas 12 members, although they were only entitled to eleven and a quarter, and thus make due allowance for the unborn population around Katanning to suit the member for the Williams (Hon. F. H. Piesse). After leaving the North his scheme was arranged on a population basis. He proposed to give 13 members to the metropolitan area and 14 to the whole of the goldfields. This would be an equitable redistribution of seats, and one which every elector in the State who believed in popular government would be very glad to support. There was a slight balance in favour of the goldfields people, but he proposed to be generous to them and to give them one member over the metropolitan area. He would gladly do this on behalf of Perth, for Perth people would be prepared to indorse the idea to show their entire trust in their friends on the goldfields. He would like to see the House elected on this redistribution. It would be a good House. Nobody would suffer. Nobody would hurt the farming industry.

HON. F. H. PIESSE: One only asked for 12 agricultural members now.

MR. MORAN: The hon. member was wrong. The seats now representing agricultural interests were Albany, Beverley, Bunbury — [MR. HAYWARD: Bunbury was a big shipping port]—

Irwin, Murray, Nelson, Northam, Plantagenet, South-West Mining, Sussex, Swan, Toodyay, Williams, Wellington, York, Geraldton, Greenough, and Moore. These made 18 constituencies. He proposed to have 12 as a very fair proportion instead of 18 for the agricultural area. It would be a very fair representation, rather erring on the side of generosity. The present goldfields constituencies were Yilgarn, Coolgardie, Mount Burges, Dundas, Hannans, Kalgoorlie, Kanowna, Menzies, Mount Margaret, Mount Magnet, Cue, and North Murchison, which made 12. He proposed for them 14 out of 42 members instead of 12 out of 50, which would be justice in full measure to the goldfields—in fact a little over. He proposed to give to the metropolitan area 13 members where there were now 12—Perth, East Perth, North Perth, South Perth, West Perth, Subiaco, Claremont, Fremantle, East Fremantle, North Fremantle, South Fremantle, and Guildford. He would give the metropolis 13 out of 42, instead of 12 out of 50. There would thus be a distribution on a population basis, saving and excepting the three members for the North. The factor would be about 2,700. He claimed the support of every man who genuinely believed in population basis for the Lower House. The man who claimed that he (Mr. Moran) had departed from the principle of population basis because of the concession to the North, was his hidden enemy, who would not vote for the proposal even if it went the full distance and made the whole representation of State on a population basis. The member who raised that cry would then raise the cry that he (Mr. Moran) was only giving one member to the North. Some men could not be pleased. They would like to draw a red-herring across the track and magnify some little principle, rather than honestly say that they were in favour of the principle. He had studied the matter calmly and deliberately, and spoke for the majority of the State. A referendum on the Bill would show that the people believed in reducing the number of members. The member for Hannans had tried to get members' salaries increased without consulting the people. That member had now to go back to the people, who were crying out for economy, yet he would propose to

increase the charge on the country by £100 for every member in both Houses. It would be more convincing if the hon. member said that he believed in paying 42 members a good salary if they were elected by the people. There was nothing to fear from popular government. Many men who opposed the proposal had no more stake in the country than he had himself. Their bulwark would still remain in the Upper Chamber, but they would not allow the popular voice to be heard in either House. Australia was crying out for economy. Forty-two members in the Lower House and 21 in the Upper House would be sufficient; but if the numbers were retained at 50 and 30, members should not go to the country and coolly and deliberately ask for increase to their salaries. Forty-two good men, elected by big constituencies, would do a great deal better work than 50 men elected as at present. When members asked for an increase to the payment of members without redistribution and a reduction in numbers, they asked that men should practically be paid £1 per head for those they represented. At least there were men getting £1 per head for the whole roll of their constituencies. We must not altogether get rid of the element that this country was expecting a reduction in the number of members of the two Houses, but over this was the question of redistribution, and until we had a proper Redistribution of Seats Bill let us not ask for an increase of payment of members. He regretted they had not the able advocacy of the member for Cue (Mr. Illingworth) in fighting this battle, which he was perfectly satisfied was the battle of the future.

MR. BATH: The member for West Perth (Mr. Moran), in his efforts to have the number of members of the Assembly reduced to 42, seemed to desire to pose as the only apostle of redistribution of seats in this House. He (Mr. Bath) was just as enthusiastic in his advocacy of redistribution of seats as was the hon. member, and it was only because he thought the hon. member was going a very roundabout way or the wrong way to accomplish that object that he ventured to differ from him on this occasion. If he thought that a more equitable redistribution of seats could be obtained

by reducing the number of members to 42, he would vote for that reduction.

MR. MORAN: Let the hon. member try it.

MR. BATH: If the member for West Perth desired to run his head against a brick wall, he (Mr. Bath) had no wish to do such a thing. We knew the temper of this House, and members had an opportunity of fighting for a redistribution. When the matter of redistribution came before us we would have a better chance of securing concessions than we had of gaining by a reduction of the number of members to 42. The economy which might be accomplished by a slight reduction of payment would be more than nullified by increased expenditure in other directions, the House being less representative than the present House. He was not in favour of reducing the number below 48, first because he knew that if we did reduce it to any lower number, in the cutting out of seats we should have a worse deal than at present, and secondly because he thought in the present condition of Western Australia 48 members were not too many, seeing the wide area we had to cover. He was not content with the redistribution as we had it in the Bill, and we should have an opportunity when the Bill came before us to fight for a more equitable representation. Since he had been in the State, eight years, he had always fought for more equitable distribution. Whilst on the goldfields he took as active a part as any man there in favour of that reform, and on one occasion about five or six years ago he was elected secretary of the Electoral Reform Convention.

MR. JOHNSON: On the hustings he voiced his opinion that it was not desirable to reduce the number of members in this House, but to-night he was prepared to vote for this amendment because he believed that leaving the membership as at present constituted, adopting what the House had already voted upon, the distribution of that 50 was not fair and adequate, but was totally unfair to the populous centres. He was prepared to fight this question for representation as nearly on a population basis as possible, and even if the Committee went against them, as he supposed they would, having already voted in favour of the House consisting of 50, those who held his view

would be in a position to fight again. He hoped members desirous of seeing representation on a population basis would stick together and fight this out step by step until they were practically forced to submit, and when they submitted they would force those members who voted against them into such a position that they would have no ground to stand upon, because the whole of the members who stood at the last general election were compelled to voice their views on the question of redistribution of seats, and the big majority of them expressed the opinion that it should be on a population basis. Members had gone back on their pledges, and would have to account for it at the next general election.

THE MINISTER FOR WORKS: The House had already decided that the number of members of the Assembly should be 50, and he hoped they would not go back on their decision. The member for West Perth (Mr. Moran) tried to get the Committee to agree to 42, because he was convinced that there was a great outcry throughout the country for a reduction of the number of members for both Houses.

MR. MORAN: A great outcry for a redistribution.

THE MINISTER FOR WORKS: And the hon. member said for a reduction of the number of members.

MR. MORAN: No.

THE MINISTER FOR WORKS: The hon. member might not have intended to say it, but he did say it, and the hon. member wished his remarks to be recorded in *Hansard* for future reference. He (the Minister for Works) quite agreed with him that it was desirable they should be. If the future student of *Hansard*, instead of consulting *Hansard* for 1903, should by some mistake take the *Hansard* of November, 1902, such a very little while ago, that student would find the member for West Perth saying this:—

It was his intention to move that the number be 50, a number which he had advocated during his election campaign, and neither in his populous electorate nor throughout the country had he heard any general expression of opinion in favour of a reduction of Assembly members. If there were too small Houses, cliquism had a chance of becoming rampant;—

And so on. That was the member for West Perth in November, 1902, when he

had just come back from his election. Since that time the hon. member had been travelling outside the State. The hon. member had only returned within the last few days, and he (the Minister) was not aware—and he said it with all respect—that the hon. member had consulted his electors as to whether they wished him to change his opinions, the opinions upon which he conducted his campaign and won his seat.

MR. MORAN: Would not the hon. gentleman read his own Premier's remarks, too?

THE MINISTER FOR WORKS: The hon. member advocated, during his election campaign, that the number should be 50, and he was returned to this House; therefore one might take it that it was the wish of the majority of his constituents that the number should be 50.

MR. MORAN: said he was still in touch with his electors.

THE MINISTER FOR WORKS: That was not doubted by him for a moment. He submitted, with all respect, that we had every reason to believe the hon. member when he said he was convinced it was the feeling of the electors that the number should be 50; and his electors must have changed their minds very suddenly and have taken the earliest possible opportunity of advising the hon. member of that change, seeing that he had been such a very short time back amongst them. However, he had no doubt the hon. member would be able to satisfactorily explain his change of front.

MR. MORAN: How often had the hon. gentleman changed his front?

THE MINISTER FOR WORKS: The member for West Perth never changed his in one respect, at all events.

MR. MORAN: A good front was always shown at the poll.

THE MINISTER FOR WORKS: The records of *Hansard* were interesting reading as to the opinions of hon. members; and looking over this record he (the Minister) was inclined to agree more with the member for West Perth of 1902 than with the member for West Perth of 1903. It must be admitted there was a demand for a redistribution of seats, and this could be effected without any great reduction in the total number of members. This House, however, had decided against a reduction,

and he hoped it would stand to that decision.

MR. MORAN: It was noticeable during the evening that certain satellites on the Government side of the House were hunting up extracts; but it was a pity they did not look up the speeches of the Premier. The consistency of the Minister for Works in accusing him or any member of changing his opinion was magnificent indeed, for one could not imagine such a charge coming from a more appropriate source! If it were true that he (Mr. Moran) had travelled and had come back with more modern ideas, the more joy to him; and if with these ideas he was more in touch with modern thought, all the better for him. If the Minister for Works preferred the opinions of the member in 1902 rather than the opinions of the member in 1903, that was characteristic of the present Government, for no doubt they preferred everything which was old rather than that which was modern. The only thing they did not prefer was the member for Boulder of last year when he was outside the Ministry, as compared with the member for Boulder this year inside the Ministry. The explanation was that the member for Boulder this year was more in touch with the Government than the member for Boulder last year. He (Mr. Moran) was following the present trend of thought all over Australia; and he said again that the principal battle was over equal redistribution, and not so much on the question of a particular number of members. Last year he moved that two additional members should be added to the 48 proposed by the Government, and he carried that number. He did so for the same reason that he had gladly supported an increase of members of the Legislative Council from 27 to 30 when he found that he could not get his own way, because in 30 members he saw that the people of Perth and the goldfields would get more representation, so he chose the lesser evil. Therefore he had voted last year as he was voting this year on the question. If we could show the people that we were economising by reducing the number from 50 to 42, it would be desirable to do so at a time when economy was needed. If the other Chamber were to send this Bill back and refuse to carry out the requests of

this House, he hoped the Premier would go at once to the country. He had faced the electors of Kalgoorlie in the old days; for though he might have gone to another part of the State and been easily elected, he went to Kalgoorlie and faced them there. In the coming elections he wanted the cry to be: those who were in favour of trusting the people, and those who were against. He recommended the Minister for Works to look back over his own past career; for he (Mr. Moran) considered it a lightning change from the trusty counsels of one party to the confidence of the other party in five minutes. Perhaps the hon. member who was now a Minister did not consider that a sudden change. Of course one need not blame the hon. member; we must change our opinions sometime, and if some members took only five minutes, others might require twelve months.

MR. NANSON: If the Minister had been careful before attacking the member for West Perth for having slightly altered his point of view, he might have remembered that the Premier and the member for Boulder had both changed their opinions on this question, and, unlike the member for West Perth, had not yet explained to the House their reasons for changing. The only explanation which appeared was the fact staring us in the face that certain country members had brought pressure to bear on the Government, and the Government had not sufficient backbone to stand their ground. Let us look at the speech which the member for Boulder delivered in this House on the question last year when he was not a member of the Government. He said (page 1880):—

I am one of those who is an advocate of adult suffrage, and I suppose that even this Chamber will admit that this principle is now beyond discussion in Australia; then if this House stands to the principle of one adult one vote, this House must condemn a Bill which, professedly recognising that fundamental principle, practically abrogates it.

He was speaking of the Bill introduced last session; yet he was now a member of the Government which, instead of maintaining the Bill as it was, had allowed it to be made more conservative in its present form than it was when introduced last year. Again the hon. member, when referring in that speech to members of the Ministry, said that on

the Federation question they advocated "the Bill to the people," and he asked "Will the Government pin their faith in submitting that rag to the people?" These being the hon. member's opinions last year, what were his opinions this year? He (Mr. Nanson) supported the Bill of last year because he admitted then that it was the best compromise members were likely to get, although in the course of that speech he deplored that there was not to be a larger reduction of members. Therefore, there could be no taunt of inconsistency in his case, though it was not so terrible a taunt. The attitude of the Government was not so much a change of mind, but one of never giving sufficient reason for change. If the Government were convinced by arguments brought forward in the House they should admit it; but they were unable to admit it. The member for Boulder, last session, also said that he had a constitution of his own which was even more drastic than the present proposal of the member for West Perth, for he proposed that the Assembly should be reduced to 36 members and the Council to 24. Yet the member for the Boulder was not found with those voting to reduce the numbers of the Upper House to 24, and he was yet to be found supporting the proposal for reducing the Lower House members to 42. This was a more conservative proposal than that which he made last session when he condemned the Bill in terms most disrespectful as coming from one who was just about to join the Government. The member for Hannans (Mr. Bath) was absolutely sincere in dealing with the matter, but he was arguing from faulty premises. His last argument was merely an argument of despair, that the sponge might just as well be thrown up at once if there was anything in the Bill except redistribution upon a population basis. The member for Hannans claimed that the country members would preponderate in a House of 42 members, and that, when a general election took place, it would be hopeless to get that majority representing country districts to recede from the position taken up this session. If this were true of 42, it would be equally true of a House of 50 members, and the logical conclusion would be that it would be useless to agitate for anything. He (Mr.

Nanson) thought better of country members and country constituencies. He had never hesitated in his own constituency to speak freely his views on this question; and he had yet to learn that when matters were put before country electors they were so hostile, as it was claimed, to representation on a population basis, always allowing that there must be some margin for country districts. It was a pity that members whose sympathies were in line on "population basis" did not come together on the amendment of the member for West Perth.

THE MINISTER FOR LANDS: They did not come together last session.

MR. NANSON: That was no reason why they should not come together this session. The member for Boulder last session went on one course, and then on another this session, so that it was now open to him to adopt a middle course. Last session he (Mr. Nanson) was prepared to accept 48 members, because he could not get a reduction. It was not too late for the Government now to reconsider their attitude, and support the Bill as originally introduced, and they would then find a stronger majority from both sides of the House, composed of those members thoroughly in sympathy with more popular representation, than was likely to be found for the Bill as modified this session.

MR. TAYLOR: The electorates represented by the Labour party comprised 31,944 electors, all on the goldfields except Subiaco, which had a roll of 4,454 electors, according to the Federal census. There were twelve other electorates, none of which had 1,000 electors on the roll. The House could not reasonably give any more votes to these twelve, while if the amendment were carried these twelve would have to be represented by a considerably less number, and the smaller electorates would be those which would be reorganised, and would probably be represented by three or four members. One failed to see how small electorates, one of which contained 160 electors and others 200, and 500, and so on, could be retained, and more representation given to the larger electorates as proposed by the member for Cue. It would be a distinct advantage to the goldfields to accept the amendment of the member for

West Perth, and he intended to vote for it. There were obstacles to be removed, and he believed in removing them where it was possible to do so. Some obstacles would be removed by the amendment. If the amendment were carried, but defeated at a later stage, it could not be helped. All that could be done was to fight, and it was his intention to do so when the time came. He would help to carry the amendment, and when other opposition arose he would help those members who would fight opposition to the fairer and more equitable redistribution of seats provided by cutting up the State among 42 members.

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

Ayes	...	...	...	9
Noes	...	...	...	25

Majority against ... 16

AYES.	NOES.
Mr. Connor	Mr. Bath
Mr. Daglish	Mr. Burgess
Mr. Jeddell	Mr. Butcher
Mr. Moran	Mr. Diamond
Mr. Johnson	Mr. Ewing
Mr. Nanson	Mr. Foulkes
Mr. Purkiss	Mr. Gardiner
Mr. Taylor	Mr. Gordon
Mr. Ferguson (Teller).	Mr. Gregory
	Mr. Hayward
	Mr. Higham
	Mr. Hopkins
	Mr. Illingworth
	Mr. Jacoby
	Mr. James
	Mr. Phillips
	Mr. Piesse
	Mr. Pigott
	Mr. Quinlan
	Mr. Rason
	Mr. Reid
	Sir J. G. Lee Steere
	Mr. Stone
	Mr. Wallace
	Mr. O'Connor (Teller).

Amendment thus negatived.

Consequent on the amendment agreed to in Clause 7 (30 members for the Legislative Council), Clause 58 was amended by striking out "two hundred" and inserting "eight hundred," and the Schedule by striking out "seventy-one members of Parliament, £14,200," and inserting "seventy-four members of Parliament, £14,800."

Bill reported with farther amendments.

AUDIT BILL.

COUNCIL'S SUGGESTED AMENDMENTS.

SPEAKER'S RULING ON PROCEDURE.

Message received from the Legislative Council, returning the Audit Bill with a

farther suggestion of amendments to be made by the Assembly.

THE SPEAKER: I would like to make a few remarks, because I think it is very irregular and contrary to parliamentary procedure for a Bill to be sent back here a second time asking us to make amendments. It is decidedly contrary to our Standing Orders. Still, there are certain words in the amending Constitution Act which make it rather doubtful to my mind as to what ruling I should give. It says in this section that the Legislative Council may, at any stage, send back a Bill with a message asking us to make amendments in the Bill. What is the meaning of those words "at any stage?" In my opinion the section does not permit them to send back a Bill a second time asking us to make amendments, because it is contrary to our Standing Orders; and the proper course to pursue would be for the Governor to send this Bill back and ask us to make these amendments, if it is considered necessary that these amendments should be made in the Bill. I think myself it is out of order, and I have no hesitation in saying it is contrary to our Standing Orders that a Bill should be sent back a second time for amendments to be made. Members must see that there would be no finality to legislation if Bills could be sent back more than once, asking for amendments to be made in them.

MR. ILLINGWORTH: Their amendment we ourselves agreed to.

THE SPEAKER: This Bill has already been sent back asking us to make an amendment. We made that amendment, and sent the Bill again to the Legislative Council informing them that we made the amendment; but now the Bill is sent back again asking us to make farther amendments in it, and I know that according to our Standing Orders this is unparliamentary. I do not know whether these suggestions are proposed by the Government. I rather fancy they are. [The PREMIER assented.] I would recommend the Government to do what our Standing Orders provide for, and that is if the Bill does want amending after it has been sent back by the Legislative Council, the Governor should send a message and ask us to make amendments. As I say, the only doubt is as to

what meaning has to be attached to those words "at any stage." I myself do not think they enable amendments to be made contrary to our Standing Orders; therefore I think it is irregular that these amendments should be sent down to us. But of course a message will have to be sent to the Council. Probably the intention of this House can be made known to-morrow.

On motion by the PREMIER, ordered that the message be considered the next day.

LUNACY BILL

Received from the Legislative Council, and, on motion by the PREMIER, read a first time.

[MR. HARPER took the Chair.]

MINING BILL.

SECOND READING.

Resumed from 10th September.

MR. C. J. MORAN (West Perth): I will occupy the time a few moments, as I believe the member for Dundas will shortly be here to speak on the Bill at some length. I still retain the same interest in the gold-mining industry which I used to have in the days when I represented it in this Chamber. I frankly assert that I listened with the deepest interest and closest attention to the speech made by the Minister for Mines (Hon. H. Gregory) in explaining this great measure, and I compliment him upon his honest and earnest endeavour to deliver a speech in keeping with the magnitude of the subject. I was pleased to notice that he had given considerable attention to this great question, and that he placed before the House a short historical sketch and comparison between the laws here and those of the other States, which was of great advantage to this House. The Minister is not an orator, yet on this occasion he delivered a speech that could be listened to with interest and also with profit. I want to assure him and the Government that on this great Mining Bill, as far as in me lies, independently altogether of party, I shall give the Minister every possible assistance to pass that measure into law. I do not pledge myself to vote for every clause and condition in it, but, on the whole, I am

bound to admit that the Minister has made an honest endeavour to hold the scales of justice evenly between what he has chosen to call capital and labour, but what I would rather call the leaseholder and the man working for him; and generally I admit that the Minister is entitled to credit for his administration of the department, for the close attention he gives to it, for the honesty of purpose which evidently actuates him in administering that department, and for his earnest desire at the present time to keep in touch with the great developments in all parts of the State. As this Bill goes through Committee there will be much discussion on the matter I have no doubt. I want to assure the Minister that if I am in the Chamber—and generally speaking I am always here—it will be my endeavour to meet him fairly and honestly in discussion of these various clauses, and assist him in every possible way to pass the measure into law. Largely, and I may almost say entirely, I view with favour his scheme of consolidating the legislation in this State. I know it will be difficult to get the Bill through Committee, because it will rake up old matter that has been fought over and over again. Still, it is probably better to have the legislation of the State consolidated. I would appeal to him to afterwards put that legislation, the different parts of it, into pamphlet form, for it will be impossible for miners to carry that big Bill about. One would find it more advantageous to have in pamphlet form portions dealing with alluvial matters, portions dealing with leases, and other portions, so that a man may carry such portion as he requires in his pocket. A prospector will want to carry them about with him wherever he goes.

THE MINISTER FOR MINES: I hardly think that would be an advantage. The alluvialist often has the opportunity of taking up a lease.

MR. MORAN: Then a short guide might be useful for carrying about. I take the opportunity of drawing attention to the fact that I intend to move in the present session that some justice be done to the first and best original prospector of gold in this country, Mr. Graves. The duty of doing this is a legacy left to me as member for West Perth by the late Mr. George Leake, who had the matter

in hand and almost ready to bring before the House. When the Minister for Mines was depicting the trials and tribulations of the early prospectors, his mind must have reverted back to the time when the first party of prospectors in this country found the first goldfield at what was known as Yilgarn, which led to the pegging out of a goldfield at Southern Cross, and that was the stepping-stone for carrying the Eastern Railway into that country; and again it was from Southern Cross that Sir John Forrest extended the line to Bayley's Find and the Coolgardie Goldfield. The opening out of that mining country was due largely to the man whose mining knowledge and experience, coming as he did from Victoria, were of great benefit to this country, and ought to be recognised. In conclusion, I have pleasure in intimating my intention to assist the Minister in Committee in getting this Bill passed into legislation.

MR. F. ILLINGWORTH (Cue): I simply echo what the member for West Perth has said in regard to the Bill. I am glad to see the Government have issued the speech of the Minister for Mines in pamphlet form, and I hope a large number of copies will be sent to London and distributed there. We owe a debt of gratitude to the Minister for Mines for the careful way in which he presented the case of the mining industry in moving the second reading of the Bill, and in placing before us the opinions that have been expressed in regard to the mining industry. The Bill is a comprehensive measure, and is an attempt to set our mining law on a sound footing. Some alterations will be required in Committee; but that is to be expected in a Bill of this magnitude. I have pleasure in supporting the main spirit of the Bill, and I congratulate the Minister on the able way in which he presented it to the House.

MR. F. WALLACE (Mt. Magnet): I wish particularly to make a few remarks on certain clauses to which I have given careful attention and with which I am not altogether in accord, and I will refer to them now so that the Minister may clearly understand me, and in Committee he can explain them. It is my intention to support the second reading; and as I desire to have a thorough grasp of

the measure when it passes through the House I wish to get all the information possible. I may say the Minister has given me a lot of information on clauses which I have brought under his notice privately at other times; but to-day I have listed a number of clauses, and amongst them are some to which I had not drawn his attention before. One great difficulty under which members labour when a measure like this is brought before them is that the measure is practically controlled by regulations, and in the absence of those regulations one can hardly form a correct interpretation of the clauses; consequently more trouble is given to the Minister when in Committee on the Bill in explaining clauses than would be necessary if members knew the regulations that were to apply. Perhaps if some system could be introduced whereby members could know the set of regulations that were to control a Bill, its passage through the House would be facilitated. Clause 12 is a new feature, and one that gives me a great deal of satisfaction. It deals with a reward for the discovery of payable gold, and it limits the area to a radius of 20 miles from any known working. In the past we have had nothing so liberal as that, and it is one feature of the Bill that hon. members ought to hail with delight, because we have a lot of unprospected country close at hand. There has always been a desire on the part of prospectors to go away back in parts where they believe a prospector has not been before; so that by this clause encouragement will be given to prospect nearer home, and by that means parties may unearth a lot of treasure which has been so far hidden, instances of which we have had recently in and around Southern Cross, a place opened in the early days of gold-mining in this State, and which, like many others, was fairly well deserted for fields lying more distant. That clause will be supported by every member and by every man following the occupation of gold-mining. Clause 17 refers to applications for licenses, and I would like a little explanation. It says that "A mining license or any number of mining licenses may be granted to any person applying for the same upon payment of a sum of five shillings for each license." Am I to infer that a man holding an

alluvial claim cannot hold an interest in a lease without obtaining another mining license?

THE MINISTER FOR MINES: He may hold a mining license for the purpose of obtaining the lease.

MR. WALLACE: The clause says a mining license or any number of mining licenses may be granted. I take it that if this referred to a business license it would specify that.

THE MINISTER FOR MINES: There are no business licenses under the Bill. He would have to take out a fresh mining license in order to take up a business area. See Clause 114.

MR. WALLACE: I have that clause marked, and I wish to point out several anomalies; but I understood the member for Kanowna to say that a miner would require to hold a license for every mine or claim that he held. If that is the intention of the clause, I shall be found voting against it in Committee. Clause 26 (privileges conferred by mining license) bears out to a great extent what I have been saying on Clause 17. This clause provides that the holder of a mining license shall be entitled (1) to take possession of a mine and occupy Crown land for mining purposes; (2) to take possession and occupy Crown land as an authorised holding; and so on. Therefore I think the interpretation of Clause 17 is as I have stated. If an alluvial miner holding an alluvial claim employs a wages man and also takes up a lease, is it necessary for him to have a license for the alluvial claim and for the lease also?

THE MINISTER FOR MINES: It is not necessary for any person to hold a mining license for the purpose of taking up a lease.

MR. WALLACE: I quite follow that. Will the Minister read Clause 114 with Clauses 40 and 288? It will be seen that Clause 40 sets forth that "No person shall commence any proceedings in the Warden's Court or counter claim (a) to recover possession of any claim or authorised holding or any share or interest therein, or (b) to recover damages for or to restrain the occupation of or encroachment upon any such claim or authorised holding or any part thereof . . . unless such person is the holder of a mining license." It thus appears that a

man having a case in a Warden's Court in connection with any claim cannot appear in the court unless he holds a mining license. Clause 288, relating to penalty for unauthorised mining, says "Any person not being the holder of a mining license found to be (a) engaged in mining on any Crown land, or (b) in the unauthorised occupation of Crown land within a goldfield or mineral field, shall be liable," and so on. I fail to see that he can be in other than unauthorised occupation if he has no license. There should be no distinction. Clause 40 provides that a man desiring to take a case into court in connection with an alluvial claim is bound to have a miner's license. Why should not the holder of a lease be compelled also to hold a miner's license to allow him to go into court? It is nothing new. We have it in the old Act. If the Minister will make a note of this point I will be very pleased. In Clause 32 provision is made for exemption from labour conditions:—

A warden may, subject to the regulations, wholly or partially exempt any land held under a mining license from the prescribed conditions of labour, occupation, or use, for any period not exceeding six months.

In Clause 92 there is something a little contradictory, and it is on these matters I desire to be clear, because it is just as important that I who travel through the goldfields should be able to explain a new Bill to the people as the Minister to explain it to me. Clause 92 says:—

Every application for exemption shall be made to the warden or other officer authorised by the Minister, in open court, and shall be referred to the Minister with the notes of evidence and the warden or other officer's recommendation, provided that exemption for a period not exceeding one month may be granted without reference to the Minister.

In Clause 92 the warden has no power to grant exemption for a longer period than one month, but by Clause 32 he may grant exemption for six months.

THE MINISTER FOR MINES: One clause deals with leases and the other with claims.

MR. WALLACE: Clause 114 says:—

It shall not be necessary for an applicant for or holder of a lease to be the holder of a mining license.

My contention arises again on Clause 32, while by Clause 40 a leaseholder cannot

go into court without a license. This will apply to him; so it appears contradictory. Even in the existing Act there are points that mining registrars, whose business is to administer the Act, cannot interpret to the public. In Clause 93 provision is made for exemption on both mining leases and claims.

THE MINISTER FOR MINES: It does not apply to claims.

MR. WALLACE: It deals with the working miner and companies. A working miner is allowed four months' exemption if he has done eight consecutive months *bona fide* work. To that I take no objection, but I raise objection to Subclause 3, which states:—

Six months' exemption shall be granted in respect of any lease or group of amalgamated leases, on proof to the satisfaction of the Minister that for every 24 acres held, the lessee has expended in mining or machinery at least £1,500, independently of the proceeds of any gold or mineral derived from the mine; and twelve months' exemption shall, in a like manner, be granted when the sum expended exceeds £3,000 for every 24 acres held.

Twelve months' exemption is too much to give to any property-holder at one time. We have always had an outcry against exemption in this State, and particularly against exemptions given to companies. It was only to-day that I received a letter pointing out that a property at Gullewa in my own district has not been worked for a couple of years. There is the case of a little township depending on the mine. The people have had to desert the place for 12 or 18 months, and I learn to-day that this mine, I thought to be abandoned, was only under exemption. It shows the effect these periods of exemption have on these little camps. I intend to offer some opposition to this term of 12 months, because I think, in the first place, the exemption is too long at one period; and I do not think this House will favourably support any longer term at one time than six months. Moreover the terms of the clause read "if the sum exceeds £3,000 for every 24 acres held." Supposing a property comprises 48 acres, would that company be entitled to 12 months for each 24 acres? Perhaps the Minister will suggest some amendment that will meet the case I raise, that 12 months' exemption is too much unless under

certain conditions. The Minister in his opening speech made reference to tributes. Perhaps we could safeguard exemption by enforcing some terms of tribute. There is a proviso here. To me it does not seem to meet the case, but I have no doubt the Minister will explain it. The point I wish to object to is the long term of exemption at one stretch. I deal with Clause 114 to a great extent; but I want to refer now to Clause 115, which refers to mining on private property. For some years past great agitation has gone on in this State for the throwing open of private properties to mining, and some time ago the present Minister for Mines introduced a Bill giving authority to miners —

COUNT-OUT.

MR. TAYLOR: I desire to draw attention to the state of the House, as a protest against this Bill being discussed in such a small House.

Bells rung, and a quorum not being formed,

THE DEPUTY SPEAKER left the Chair, the sitting thus terminating at a quarter to 11 o'clock.

Legislative Council,

Wednesday, 16th September, 1903.

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

PRAYERS.

PAPERS PRESENTED

By the **COLONIAL SECRETARY:** Report of Inspector of Fisheries, 1902. First annual Report on Trade Unions. Annual