

Legislative Council,

Wednesday, 18th January, 1911.

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The PRESIDENT took the Chair at 4:30 p.m., and read prayers.

PAPER PRESENTED.

By the Colonial Secretary: Statement of Receipts and Payments of the Trustees of the University Endowment Fund, 1909-1910.

BILL—LEEDERVILLE AND COTTESLOE MUNICIPAL BOUNDARIES ALTERATION.

Assembly's amendments.

Schedule of five amendments made by the Legislative Assembly now considered.

In Committee.

Hon. W. Kingsmill in the Chair.

No. 1. Add the following to stand as Clause 3:—"The land described in the Third Schedule hereto is hereby annexed to and included within the Peppermint Grove Road District, and the boundaries of the said district are hereby altered accordingly."

The COLONIAL SECRETARY: The amendments were not of a very important character. It would be remembered that a portion of the Perth-Fremantle railway running through the municipalities was excluded from the several municipal districts. The Bill originally provided for putting the whole of that railway land into the Cottesloe municipal district. In another place, however, an amendment had been made altering the line of division to the middle of the railway line; that was to say, under this amendment one half the railway would be in the Peppermint Grove

district and the other half in the Cottesloe municipal district. That in effect was the amendment. He moved—

That the amendment be agreed to.

Question passed; the Assembly's amendment agreed to.

No. 2. Add the following to stand as Clause 4:—"The land described in the Fourth Schedule hereto is hereby annexed to and included within the Cottesloe Beach road district, and the boundaries of the said district are hereby altered accordingly."

The COLONIAL SECRETARY: The remarks made with regard to the first amendment would apply to this one also. He moved—

That the amendment be agreed to.

Hon. D. G. GAWLER: It would be remembered that in connection with the construction of an overhead bridge near the State school an arrangement for lighting the bridge had been come to between the local authorities concerned. It was to be hoped the Colonial Secretary would see this arrangement was not prejudicially affected by the putting of one half the line, and consequently of the bridge, in one district and the other half in the other.

Question put and passed; the Assembly's amendment agreed to.

On motion by the COLONIAL SECRETARY, the remaining amendments were agreed to.

Resolutions reported, the report adopted, and a Message accordingly returned to the Legislative Assembly.

BILL—REDISTRIBUTION OF SEATS.

Second Reading—Amendment (six months).

The COLONIAL SECRETARY (Hon. J. D. Connolly) in moving the second reading said: I shall endeavour to make my remarks as brief as possible, although, of course, to give a clear explanation of a Bill of this description will take some little time. It may be argued by some hon. members that it is not necessary to debate the Bill at any length in this House, or that it is

not necessary for me to introduce it at any great length, because it is a Bill essentially dealing with the boundaries of the electorates of another place. Therefore, it may be justly argued by some hon. members that there is no need for a long discussion. I do not say for one moment that by agreeing to this the House waives any of its rights to give the fullest consideration and discussion to any Bill that may come before it. The House will give away none of its rights in that respect. But, it may be argued it would be etiquette on the part of this House not to interfere too much, or we may contend there is no need really to discuss it at any great length, for the reasons I have mentioned.

Hon. J. W. Langsford: The boundaries of the provinces are altered.

The COLONIAL SECRETARY: True; I will come to that later, but this Bill particularly deals with alterations to the districts of another place. The provinces are altered, but, in comparison with the districts, only to a minor extent indeed, while some provinces are not altered at all. I do not think it will be a very hard task for anyone to justify the introduction of this Bill. One has only to look at the different electoral strengths of the electoral districts to be convinced of the existence of anomalies. The Bill does not seek to redistribute on a population basis. I think hon. members will admit that the conditions in Western Australia are such that the time has not yet arrived when a distribution should be made on a purely population basis; but, though the time is not ripe to distribute on a purely population basis, it is no valid reason why existing anomalies should not be adjusted. Take for example the Perth group of constituencies with a voting strength for four seats of 19,300 electors. It would be very difficult to justify the retention of one of these electorates, North Perth, with 8,437 voters, while the adjoining electorate of Perth has an electoral strength of only 2,663. The electoral strengths of the four Perth constituencies are—Perth, 2,663, East Perth, 3,851, North Perth, 8,437, and West Perth, 4,353. Again, it is difficult to support

the present position which gives the capital and suburbs one member for every 4,800 electors, while only 12 miles away, Fremantle has a member for every 2,700 electors. Again, on the Golden Mile where the constituencies are similar in character, being closely populated, there are 5,227 electors in one constituency, while the adjoining constituencies range from 2,000 to 3,500. Again, take Leonora, a mining district with an electoral population of 2,614, against Coolgardie, a similar electorate on the goldfields, with 1,557 voters, or Mount Margaret, the adjoining constituency, with 1,600 voters. Also in the agricultural districts the same anomaly prevails. We have Northam with 4,785 voters, and Williams with 4,180 voters, while the immediately adjoining electorates of York and Toodyay, and some others, have approximately 2,000 voters, less than half. Anomalies like these are of course to be expected through the growth of population; but when they become well established as they are now, there is no justification for allowing them to continue. If Western Australia were a small and evenly populated State, and if we were to distribute on a population basis, it would be a very simple task, but the task we have before us is much more complex. While we do not distribute on a population basis we do not altogether ignore it, but we take into account community of interest rather than a population basis. For instance the far North-West districts of Kimberley, Pilbara, Roebourne, and Gascoyne remain as at present. The Government would have liked to increase Roebourne constituency, but there is no country in the immediate vicinity of Roebourne we could join to it to do so with any satisfaction. The remainder of the State outside the North-West is divided under this Bill into nine classes of constituencies, the metropolitan pure and simple, the metropolitan-suburban, Fremantle, small but thickly populated mining centres, thinly populated mining centres, more thickly populated agricultural districts, thinly populated agricultural districts, the outports, such as Geraldton, Albany, and Bunbury, and

also one timber and one coal mining constituency. The districts with the largest number of votes will be found in the metropolitan area, more particularly in the capital, and in those constituencies close to the seat of Government. The metropolitan consists of the four Perth I have already mentioned. Their electoral strength at present is 19,304—I have already given the individual numbers in each case—and this is to be reduced to 18,000, the 1,304 taken off being added to the metropolitan-suburban electorates. The 18,000 electors remaining in the metropolitan electorates will be divided among the four seats as nearly as possible, and the approximate electoral strengths will be, Perth, 4,500, East Perth, 4,500, North Perth, 4,600, and West Perth, 4,400, or an average of 4,500 for the metropolitan constituencies. To secure this equalisation of voting power it is necessary to make some adjustments in the boundaries of the four constituencies. There will be five metropolitan-suburban districts, the old Balkatta, which will now be known as Leederville, Canning, Claremont, Guildford, and Subiaco. In these constituencies there are at present 20,345 voters divided as follows:—Balkatta (now Leederville), 3,540, Canning 3,064, Claremont 4,331, Guildford 3,963, and Subiaco 5,449. The boundaries as readjusted will give these electorates a voting strength of—Leederville 4,100, Canning 4,200, Claremont 4,250, Guildford 4,500, and Subiaco 4,450. It will be seen, therefore, that the metropolitan-suburban seats are divided almost on an equal quota—I think it is 4,300—which is slightly lower than that in the metropolitan area. In regard to the Fremantle electorates, as I said in my opening remarks, it can scarcely be disputed that, in proportion to the number of electors, Fremantle is over-represented. Its 11,006 voters are divided into four electorates—Fremantle, 2,466, East Fremantle 2,950, North Fremantle 1,721, and South Fremantle 3,868. To give Fremantle constituencies precisely the same quota as is allotted to the metropolitan or metropolitan-suburban constituencies it would be necessary to

divide the whole metropolitan area equally from Midland Junction to Fremantle by the number of seats; but as I have said before, while we have adopted a population basis where possible, it cannot in all cases be strictly adhered to. It is endeavoured throughout the Bill as far as possible to retain the essential character of individual constituencies and in adjusting boundaries not to ignore existing community of interests. However, it is clear that the four Fremantle electorates in close touch with the seat of Government could not reasonably expect to have the representation they have at the present time with one member for 2,700 electors, while in the adjoining constituencies, the metropolitan and suburban districts have a quota of 4,300 and 4,500. Even now, with the three members allotted to Fremantle instead of four as at present, Fremantle will have one member for every 3,800 voters against Perth and suburbs joined together with a quota of about 4,300. So, Fremantle will still under this Bill have a quota of 500 less in each constituency as compared with the adjoining electorates, the metropolitan and metropolitan-suburban. Now, in arriving at this position in regard to Fremantle the Government kept in mind the importance of Fremantle being the first port of the State, and also kept in mind the very probable expansion of the district, but, while for this reason due allowance was made by giving Fremantle a smaller quota than Perth, and while due allowance was made for the probable expansion of Fremantle, still there is every likelihood of Perth and suburbs developing at the same rate, so that the proportion of the quota will be probably maintained. The Golden Mile has the largest quota outside the metropolitan area. As in the metropolitan area, the population in the Golden Mile electorates is closely massed, and the interests of the people are identical. At present Kalgoorlie town and the Golden Mile have five seats representing some 16,988 electors, or an average of 3,400 divided as follows:—Kalgoorlie 3,584, Boulder 3,425, Hannans 5,227, Brown Hill 2,511, and Ivanhoe 2,241.

It is proposed in this Bill to reduce these five seats to four by amalgamating the two smaller constituencies of Brown Hill and Ivanhoe, and taking portions of these districts into others. It is estimated that the electoral strength of the new seats will be—Kalgoorlie, 4,250, Boulder, 4,300, Hannans, 4,200, and Brown Hill-Ivanhoe, 4,250, or an average for the four seats of 4,250. I think it will be justly contended that the thinly and scattered mining constituencies are entitled to a much lower quota than the closely populated, compact constituencies of the Golden Mile. The Murchison and Eastern out-lying goldfields at present have 10 seats outside the five I have mentioned already on the Golden Mile. These ten constituencies contain 20,000 voters, so the quota would be 2,000 for each seat. Leonora contains the largest number of votes with 2,614, and Coolgardie has 1,557. It is proposed to reduce these ten seats by one, that is to reduce them from ten to nine. That will give the nine remaining seats an average quota of 2,250. The electorate that will disappear will be Dundas, a portion being merged into Yilgarn and the rest into Kanowna. While the quota for these scattered mining districts will be 2,250 that of Yilgarn will be 1,900 odd; it is now 2,214. The reason for keeping the Yilgarn quota down is that it has been deemed advisable to allow as much room as possible for expansion, because undoubtedly there will be expansion in Yilgarn caused by the rich discoveries on the Bullfinch goldfield; therefore, the quota has been kept down to 1,900 odd. If possible we should have kept it much lower, but we could not possibly keep it lower than that without dividing the Southern Cross district into two portions, therefore it is impossible to keep it lower than has been done. The purely agricultural districts, exclusive of Northam, number 15 seats, four have been allotted to the south-west portion and the farming districts, two comprising the country served by the Midland railway, Greenough embracing the agricultural and pastoral country around Geraldton; and the remaining seats are divided among

the wheat growing districts served by the Great Southern railway and the Eastern railway. The construction of the spur lines in the country which I have already alluded to served by the Great Southern railway and the Eastern railway have had a great influence in opening up that country and settling the land. The two seats taken from the goldfields and the one from the south-west are given to these wheat areas. One additional seat is allotted to the country already mentioned, served by the Midland railway line, one constituency is included in the agricultural areas, and one given to Northam, which can be considered rather an urban electorate than anything else. In the Great Southern railway divisions and along the Eastern railway the electorates will have an average quota, if Northam is included, of 2,000 voters, but if Northam is excluded, the average quota is 1,950. In the south-western division the average quota is 1,900. In the country extending north of Guildford to the Murchison river along the Midland railway the quota is 1,500. The two constituencies, Murray and Irwin, retain their present number. It would be impossible to divide them in any other way, therefore their quota is slightly less than it was intended, but settlement is going on there which will no doubt in time considerably increase the number of voters. I do not think it is necessary to describe in detail the boundaries of the new electoral districts, it would take some time to do so, and the boundaries can be seen from the six maps which are hung on the walls; and, after all, they are not of great interest to this House, that is, the detailed boundaries of the electorates. So far as the provinces are concerned this redistribution has necessitated some changes, and if members will turn to the First Schedule they will see how the new provinces are made up. The North province is exactly as at present, containing the electoral districts of Gascoyne, Kimberley, Pilbara, and Roebourne; the Central province will contain Cue, Geraldton, Greenough, Irwin, Mt. Magnet, and Murchison, which is nearly the same

as at the present time. The Metropolitan province will contain Perth, East Perth, North Perth, and West Perth; the Metropolitan-Suburban province Canning, Claremont, Guildford, Leederville, and Subiaco; the West province will contain Fremantle, North-East Fremantle, and South Fremantle; the South-West province will contain Bunbury, Collie, Forrest, Murray, Nelson, and Sussex; the South-East province Albany, Katanning, Williams-Narrogin, and the two new districts of Pingelly and Wagin. The East province will consist of Avon, which is a portion of the Northam district, and Beverley, Moore, Northam, Swan, Toodyay, and York; while the South province will consist of Boulder, Coolgardie, Hannans, Kanowna, and Yilgarn; the North-East province will contain Brown Hill-Ivanhoe, Kalgoorlie, Menzies, Mt. Leonora, and Mt. Margaret. It may not convey the whole meaning to members by simply mentioning the districts the provinces are made up of because some of the districts are altered, therefore it possibly may be of interest to members if I read the geographical boundaries of the new provinces. Metropolitan province—this province is increased by adding to it the north-West corner of the Perth municipality at present forming portion of the Balkatta district of the Metropolitan-Suburban province, and is reduced by that portion of the present Metropolitan province situated north-east of the lower end of location Z, and north-west and west of West Guildford-road and Norfolk-street respectively. Metropolitan-Suburban province—this province is increased by part of Swan View and the public utility land near same, at present being portion of the East province. It is also increased by that portion of the present Metropolitan province situated north-east of the lower end of location Z, and north-west and west of West Guildford-road and Norfolk-street respectively. The Metropolitan-Suburban province is decreased by that part of the present province lying south of location 20A, and the B259 commonage, containing, practically speaking, the country between the rifle range in the

west and Gooseberry Hill in the east, and is also decreased by the south-west corner of the present Metropolitan-Suburban province situated to the west of Canning river, containing Applecross, etcetera. West province—this province is increased by that portion of the present Metropolitan-Suburban province situated to the west of the Canning river containing Applecross, etcetera, and by a portion of the present South-West province situated to the north end to the west of Cockburn Sound, location 16, the Peel estate, the southern boundary of the new addition to the province being an east to west line south of Rockingham. East province—this province has been increased by that portion of the Metropolitan-Suburban province lying to the south of Swan location 20A, and the B259 commonage containing, practically speaking, the country between the rifle range in the west and Gooseberry Hill in the east. Also by that portion of the present South province lying east of the East province eastern boundary containing the Yilgarn districts of Yerribillon, Bodallin, etcetera. Also by that portion of the present Central province, containing part of the present Irwin district situated south of and including Moora. The East province has been decreased by a strip of land east of the rabbit proof fence. Also by that portion of the present East province lying south of the southern boundary of the new Beverley district, and north of the present southern boundary of the present East province, containing Hotham and Bannister River districts in the west, and Brookton and Pingelly in the east. South-West province—this province is decreased by that portion of the present province situated north and partly west of Cockburn Sound, location 16 (the Peel estate), and by the northern and eastern portion of the present Collie district. A slight boundary amendment has also excluded a small portion of the present Nelson district from the South-Western province. South-East province—this province has been increased by a portion of the present Collie and Nelson districts. Also by the Hotham and Bannister River districts in the west,

and Brookton and Pingelly in the east of the present southern portion of the East province. Also by a narrow strip of land east of the eastern boundary of the present South-East province. South province—this province is increased by the inclusion of the south-west corner of the present Menzies district, and that portion of the present North-East province being the present Kanowna electorate, exclusive of the Broad Arrow goldfield. The province has been decreased by that portion of the present province containing Yerbillion, Bodallin and surrounding country round the goldfields railway line and a strip of land lying east of the present western boundary of the South province to the south of the railway. The province has also been decreased by the northern and western portions of the Kalgoorlie municipality and that portion of the present Hannans electorate transferred to the new Brown Hill-Ivanhoe district. North-East province—this province has been decreased by the northern portion of the present Mt. Leonora district, the south-west corner of the present Menzies district, and the Kanowna electorate exclusive of the Broad Arrow goldfields. The province has been increased by the addition of the northern and western portions of the present Kalgoorlie municipality, and that portion of the present Hannans electorate transferred to the new Brown Hill-Ivanhoe district. Central province—this province is enlarged by the inclusion of the northern part of the present Mt. Leonora district, and is reduced by that portion of the present Central province containing part of the present Irwin district south of and including Moora. North province—this province remains intact. These are the boundaries of the new provinces. In most cases they are not altered to any great extent, and are only altered so far as the different district boundaries disagree with the original boundaries. However, information as to the boundaries and of the districts and provinces can be obtained if members study the different maps on the walls, which show them as set out. If we take the general provisions of the Bill we will find

the gain and loss so far as the seats are concerned. Summarising the various classes into which the electorates are divided we arrive at the following results:—Four Perth seats averaging 4,500 electors; five metropolitan-suburban seats, averaging 4,300; four urban-mining seats, averaging 4,200; three Fremantle seats, averaging 3,800; two representing coal mining and timber, averaging 2,700; four representing outports and country towns, averaging 2,400; 10 gold mining, excluding the Golden Mile constituencies, averaging 2,150; 12 representing the South-West, Eastern, and Great Southern agricultural districts, averaging 1,950; three seats representing the Midland agricultural and pastoral, with an average of 1,500 voters, and three seats for purely northern pastoral districts with an average of 1,250 voters; these are the districts of Roebourne, Carnarvon, and Kimberley. It will be seen that the quota ranges from 4,500 on the coast, that is the purely metropolitan constituencies, to 1,250 in the far north—Kimberley. If we divide the constituencies into interests we have the following results:—There are 12 metropolitan seats, including those of Fremantle; 15 mining electorates, one timber, in which the representation is of an analogous character to mining, 15 agricultural seats and one country town of Northam; there are three seats representing mercantile and shipping interests of outports, and three seats representing purely pastoral districts. It will be noted that the two great interests of the country, agriculture and mining, are given equal representation under the Bill of 15 seats each. As I have already stated the redistribution has not been taken on a purely population basis, but due regard has been had to population. It may be of interest to note that if we were to redistribute the seats on a purely population basis we would get the following results.

Hon. J. W. Kirwan: Population or electoral population?

The COLONIAL SECRETARY: When I speak of population in connection with this Bill I always mean the electoral population. If the seats were redistri-

buted on a purely population basis the metropolitan, Fremantle, urban, residential suburban districts, which at present have a representation of 13 seats, would have 19 members, whereas this Bill gives them 12. The present five mining electorates on the Kalgoorlie and Boulder fields, and the outside mining districts, and timber at the present time have 18 members; on a population basis they would be entitled to 16, and they get 16 under the present Bill; so that, after all, mining would get on a purely population basis exactly the same representation as we are proposing to give them to-day. The outports, Geraldton, Bunbury, and Albany, and the agricultural and pastoral districts at the present time have 19 members but on a population basis they would only be entitled to 15, whereas under the Bill they will receive 22. If we take it on another basis, which was accepted at the time as fair and equitable, I refer to the Redistribution of Seats Bill of 1903-4, after making due allowance for the increase and the decrease in voting strength, the metropolitan area, including Fremantle, would be entitled to 12 members, exactly the same as it is receiving under this Bill; so that if a redistribution of seats were to take place on the same basis as was adopted in the previous Redistribution of Seats Bill, the metropolitan area and Fremantle would receive exactly the same number of members as this Bill gives them. The Golden Mile on the same basis would lose one member, as is provided in this Bill, whilst the other mining constituencies, on the basis of the previous Act, would be entitled to only eight members as against 11 at present. So that if we were to adopt the basis of 1903-4, the mining constituencies, instead of losing one member, would lose three. The Government are not desirous of making any sweeping changes, and instead of making a reduction of from 11 seats to eight in these goldfields seats, we are content to take away one. The purely agricultural districts, on the other hand, which have at present 13 members would be entitled to

17 on the basis of the previous Act, whereas they are given under this Bill 16 members.

Hon. J. W. Kirwan: What was the basis of that Act?

The COLONIAL SECRETARY: I cannot tell what the basis was, but it was a measure passed by both Houses at the time, and was generally accepted as a fair and equitable redistribution. It was placed on a certain basis exactly as this Bill is to-day, so much representation being allowed to one industry and so much to another. I wish these circumstances to be noted, because it has been contended, I understand, that undue preference is given to agriculturists under this Bill. Such is not the case, as under the Act of 1903-4, mining would be entitled to less representation and agriculture more. Since 1905 the voting strength of the goldfields, excluding the Golden Mile, has decreased by 23 per cent., or including the Golden Mile by 19 per cent., whilst in the agricultural districts, on the contrary, the voting strength has increased by 46 per cent. On the goldfields the electoral population has decreased in round figures by 6,000 voters, whilst in the agricultural districts it has increased by 10,000 electors.

Hon. J. W. Kirwan: I cannot find that in this return.

The COLONIAL SECRETARY: I think the return simply gives you the present strength compared with what it will be under the Bill. Let me repeat again that since 1904 the goldfields electoral population has decreased by 6,000 whilst the agricultural population has increased by 10,000. That is the salient outstanding feature so far as the Bill is concerned, namely, that there are 6,000 less voters in the goldfields districts, and in the agricultural districts 10,000 more than in 1904. For the decrease on the goldfields of 6,000 voters they lose two seats, and for the increase of 10,000 voters in the agricultural seats, including the urban district of Northam, they gain three seats. In other words, the redistribution between the goldfields and the agricultural districts fol-

lows as closely as possible the increase and decrease in electoral strength.

Hon. J. W. Kirwan : Where do those figures come from, because they certainly do not coincide with what has been placed before hon. members. / / / /

The COLONIAL SECRETARY : It is not necessary for me to repeat the explanation I have already given. If the hon. member will take the trouble to turn up the figures for 1904, and compare them with 1910, he will get the information he seeks. The only objection that may be taken to this Bill is that it does not sufficiently reflect the increase in voting strength of the metropolitan area. In that portion of the State the voters have increased since 1905 by 8,000, but no increase is given in the number of members. On the strict grounds of representation on a population basis, the capital and suburbs would be entitled to at least one additional member, but, as before mentioned, other considerations than numerical strength have to be taken into account, and as the metropolitan area is closely in touch with the seat and centre of Government, it cannot be contended that the people of this area are entitled to the same representation as those districts far removed from the seat of Government. Of course it will be admitted that it is quite impossible to frame a Bill, which alters boundaries and does away with certain electorates, without raising animosity, but the redistribution has been made not so much on account of a decrease of electors, in any of the electorates, especially the goldfields, where the decrease, after all, is very small, as it is on account of the increase in other portions of the State. When we have large increases, as I have pointed out, in electorates side by side, it becomes a case of reducing on the one hand and adding to on the other, or else it is necessary to increase the number of members of the Assembly, and I do not think that, at the present time, it is desirable that the number of seats should be increased. We have therefore, to redistribute the fifty seats throughout the country. That, of course causes some feeling inasmuch as the

boundaries of one district are considerably altered, and in another case where previously there were five constituencies there will, in future, be only four. What those districts were entitled to in 1904, they received, and when other districts increase they have to have the same proportion of representation now. In proportion to the electors in their districts they have just the same representation as they had in 1904, and they fare better than if the redistribution were taken on a population basis. I do not think that it is necessary for me to say anything further. I have explained the main points of the Bill ; the only portion in regard to which I have not gone into detail is that relating to the boundaries of the Assembly, and I do not think in that connection detail is necessary. I have much pleasure in moving—

That the Bill be now read a second time.

Hon. J. W. KIRWAN (South) : I intend to vote against the second reading of this Bill, because I consider that it is contrary to the best interests of this State. When the Colonial Secretary began his speech he said that it might be argued that as this Bill affected the constituencies in another place there was not very much occasion for a lengthy discussion in this House. I do not suppose that there will be any more lengthy discussion than the importance of the Bill demands, but I certainly cannot agree with those who say that a Bill of this kind does not deserve the very closest attention that this honourable Chamber can give it. In the first place, there is nothing that is of greater importance to the State as a whole, than the way in which the representation of the people is arranged. On the representation of the people in this Chamber and in another place depends what the legislation shall be, and depends also the extent to which the legislation may advance or retard the progress of this State ; therefore I contend that it is of the greatest possible importance that the Bill should be considered, and very carefully considered, in this Chamber. But there is another reason why it should be considered closely by

hon. members. I do not in any way reflect upon another branch of the Legislature when I say that this Bill was passed under circumstances that did not tend to wise legislation. The Bill engendered a certain amount of heat; whether that heat was justified or not I do not wish to say, but whatever was the cause, the circumstances under which this measure was passed in another House were not conducive to wise deliberation, and it remains for this Chamber to give it that calm and full consideration which it did not receive elsewhere. There is yet another reason why this Chamber should give the matter a considerable amount of attention, and it is that as far as the other Chamber is concerned this Bill affected to some extent the political lives of many of the members. It is a personal matter with them to some extent, and I think that those who decide upon a matter of great personal concern to themselves are not so competent to give that matter full and fair consideration, as those whom it does not affect to anything like the same extent. For all those reasons I do not agree with the Colonial Secretary, who stated that it might be argued that this Bill is not worthy of the fullest possible consideration, attention and discussion that we may give it in this Chamber. I say that it is worthy of even more consideration because of the reasons I have just stated. I oppose this Bill because I think it is contrary to certain principles that ought to be the guiding principles of politics in any country, principles of fair play and justice and equity between parties. It is exactly one hundred years since in the State of Massachusetts, a man named Eldridge Gerry introduced a Bill in that State which was specially designed by a readjustment of the boundaries of electorates to give an unfair political advantage to one party over another. Because of the action of Eldridge Gerry, or shall we call it the political crime which was then perpetrated, there has appeared a word in the English dictionary known as "gerrymandering." I think that is no

more serious charge can be brought against any Government, because it outrages every sense of fair play. The dictionary meaning of the word is "A system by which a dominant party of the legislature seek to obtain an unfair advantage over their political opponents through an unjust adjustment of electoral boundaries." I do not deny that a redistribution of seats might have been arranged which would have been a considerable improvement on the distribution at present existing, but supposing the Government had desired that a system should be arranged that would be fair to all parties and would remove from them any of the imputations of unfair and dishonourable practices what would have been the natural and proper course to pursue? What is the course that has been pursued in the Imperial Parliament? What has been the course that has been pursued in the Commonwealth Parliament and in most of the Parliaments of the Australian States? The practice has been to bring a Bill before Parliament, a Bill for the appointment of an independent Board to distribute the seats on a basis that is fair and equitable. In that Bill they laid down certain lines that the Board should follow, for instance, that Bill should mention to what extent the system of equal electorates should have been followed or departed from. They would also give some indication as to their views on the question of community of interests. They would also indicate whether the question of distance from the capital was to be observed, and they should also take into account such matters as facilities of communication and in addition give directions as to the question of density of population, and of course in considering the question of density of population, they would also have to pay some attention to the question of sparsity of population. All these are principles that have guided every redistribution of seats that has been on a fair basis, on a basis that has been just to all parties. On a study of this Bill and it has been a very close study, I cannot find that one of these principles—the principle of equal elec-

torates, consideration as to equity in the matter of electoral basis, the principles of distance from capital, community of interests, of density of population or sparsity of population—I cannot find in this Bill where any one of those principles has been consistently observed. I can give instances where some of those principles have been observed where it has suited a certain party, and I can also give instances where it has been disregarded—where it has suited a certain party. I can mention a number of instances to that effect. Let us just take one, the question of distance from the capital. The constituency that is farthest from the seat of Government in this State is Kimberley. It is a constituency that to my mind of all others is most worthy of consideration. It is in much the same position as the Northern territory is, or was to South Australia, and it is undoubtedly worthy of considerable favouritism in the matter of quota. The idea of distance from the capital in considering matters of this kind is, that those who are in the immediate vicinity of the seat of Government have exceptional opportunities for influencing the progress of legislation. Those who live at the seat of Government meet members every day during the session, and they can see Ministers every day, and if they desire that a deputation should wait upon a Minister it is a mere matter of crossing the street. It does not entail any expenditure of money, but the residents of a place like Kimberley or of other distant parts of this very wide State rarely visit Perth, and when they do, they are comparative strangers. A deputation is a costly matter even where the distance from the capital is only three or four hundred miles. I came down with a deputation this week which consisted of five men, and at the very least the cost of that deputation I should say would be £50; but I have known deputations which have cost over £500. Take the case of a place like Kimberley, what hope have they, forgotten as they are at the extreme end of the State? At Kimberley we find a constituency with 1,600 voters. Com-

pare that with the many constituencies close to Perth. Compare it with the constituency in the Midland, the constituency which has just been created with only 1,400 electors. Is there any possible argument to justify the quota of 1,600 for Kimberley, and only 1,400 for the Midland? Take the case of the Roebourne electorate. Roebourne is nearer to Kimberley, and yet Roebourne has only 700 voters. I say if Roebourne is entitled to one member, the Kimberleys should certainly be entitled to two. Take another instance. The Colonial Secretary, favours the principle of distance from the capital. He gave the quota for the Metropolitan area as 4,500. Compare that with the Golden Mile. I think a fairer comparison or a juster comparison would be to take the constituencies of the Metropolitan and the Metropolitan-Suburban areas and the Fremantle area and group them together. They are constituencies all centring around the seat of Government. They are all fairly compact constituencies. I have totalled the number of the electors in those districts and have checked the figures myself, and I find that the quota for the Metropolitan area, the Metropolitan-Suburban area, and the Fremantle area is 4,250, exactly the same as the quota for the Golden Mile, nearly 400 miles away. Can anyone contend that the principle of distance from the seat of Government has been observed in that respect? I could go on and quote numbers of other instances, and I only ask hon. members to study the matter carefully for themselves, and they will find many instances where the principle of distance from the seat of Government is totally disregarded except where it suits the Government. Take another example. The Government say that the question of density of population and of course that means sparsity of population is taken into account. Let me take another constituency in another part of the State: I refer to the Dundas constituency which stretches away to Eucla. That constituency has 1,800 electors on the roll. It is very vast in extent as may be observed from the map and only

within the last few months has been proved to possess not only minerals but agricultural possibilities, and 200,000 acres of land have been taken up there for settlement. And what has this fair-minded Government done? It has abolished that constituency and created this new Midland constituency; the 1,800 electors receive no consideration in comparison with the prospective population in the Midland districts. I ask members who view this question free from party consideration, is that fair; is it just; will it add to the reputation of the public life of the State? These are questions I would ask this House to carefully consider before they vote on this motion. But there are still more disagreeable features connected with the Bill than even those I have mentioned. The Government, as I have said, did not appoint any independent board to adjust the boundaries of the electorates. They devised this scheme in the secrecy of Cabinet meeting. And I would ask hon. members to remember that no man is free from bias, conscious or unconscious. I do not think any man in the House could honestly say he could decide matters affecting himself entirely free from bias. Now framing this scheme under such circumstances the Government could hardly be expected to have done other than to lean somewhat towards themselves. No matter how upright men may be, whenever they have to decide questions concerning themselves how can they be expected to take into consideration the interests of the other party? I say the circumstances under which the Bill was framed are in themselves clear evidence that it must lean towards one party. I think when it was announced the Government were framing this Bill everyone expected it would lean towards the Government party; but no one anticipated that it would have gone to the distressful lengths it has done. Put the result in a nutshell, and what do we find? We find if we consider the Bill from the point of view of the provinces—and after all, that is, perhaps, the way we look at it in this Chamber—

we find that in the West province, that is the province containing the Fre-mantle seats, one seat has been eliminated. That seat is an Opposition seat. What happens in the case of the next province, the South-West? One seat has been eliminated, Wellington. We all know the reasons why Wellington was eliminated. The elimination of Wellington makes Bunbury an absolutely safe seat. Both Bunbury and Murray are now safe to the Government. That is what happened in the case of the South-West; the elimination of what is a Government seat, and by that elimination they make two seats safe to the Government. What do we find in the South-East province? Two constituencies added, constituencies which the Government have no reason to think should be other than Government seats. In the East province also, two seats have been added, and there is no reason to suppose that they will be anything but Government seats. In the South province one seat has been eliminated, a seat that always has been an Opposition seat. In the North-East province one seat that has always been and would continue to be an Opposition seat, has been abolished. It is a peculiar fact that in the case of the Eastern gold-fields at the last elections there were only two seats won by Government supporters. One of these seats has already been lost to the Government; a member of the Government could no longer associate with the members of the Cabinet, and so he left the Government under circumstances that were a revelation as to Government methods.

Hon. M. L. Moss: Which member is that?

Hon. J. W. KIRWAN: The hon. member, I think, although he has been away for the greater portion of the year, can hardly be so ignorant of politics as not to know that the late Attorney General, Mr. Keenan, resigned from the Government under circumstances that were sufficiently suprising.

Hon. M. L. Moss: I only wanted to give the hon. member an opportunity of telling us what the revelation was.

Hon. Sir E. H. Wittenoom: We are all anxious to hear that.

Hon. J. W. KIRWAN: I do not know that it is necessary for me to go beyond the subject matter we are discussing. I merely say the circumstances under which that hon. member resigned, circumstances which he set out in a very long letter published in the newspapers, were a startling revelation to those who had hitherto supported the Government. As one who lives in that constituency I say there is not one chance in 10,000 that that seat would be won by a Government supporter. In respect to the other seat which was won by a member of the Government, namely, the Minister for Mines, I think I can safely say the handwriting has been long on the wall so far as that hon. member and his association with the goldfields are concerned. It is a singular thing that the elimination of two seats from the Eastern Goldfields will just make up for the loss created by those two other seats having in the meantime changed over to the other side of the House. Now the result altogether will be a gain on the face of it of some five or more seats for the Government. On the face of it anyone who looks closely at this Bill will easily see the intention of the framers. The only system I can find in the Bill from beginning to end is a system designed to support one party at the expense of the other. I furthermore claim that either the distribution of seats in connection with the Legislative Assembly is wrong, or else the distribution of seats in connection with the Legislative Council is wrong—that they are not correct in the matter of proportion as between one House and the other. Let us take the province so faithfully represented by the loyal members for Fremantle. There are three members in this House who ever advocate the claims of Fremantle; but there are only three members in another Chamber to assist those members in their work. Take the East province; there are three members in this Chamber and seven in the other. Can that position be defended by the Government? If the Fremantle distribution be right,

if Fremantle is entitled to have only three members in the other House, and if the East province is entitled to have seven members in that House, then, I say the representation in this House for the East province is not sufficient. The North province has four members in the Legislative Assembly, the Central province has six members, the Metropolitan province four members, the Metropolitan-Suburban province five members, the West province three members, the South-West province six members, the South-East province five members, the East province seven members, the South province five members, and the North-East province five members. Notice the disproportion between the representation of the provinces in this House and in another place. It is so great that surely it calls for some explanation from the Government. Surely something is wrong, either the representation in this House, or the proposed representation in the other. But the most serious objection to the Bill is its differentiation between industries. I know there are certain evil-minded individuals who, in order to serve their own party purposes, have persistently endeavoured to represent the goldfields as hostile to the interests of agriculture. To serve their purpose those persons have tried to divide the two great industries, the interests of which are common, and endeavoured to set them in antagonism one to the other.

Hon. J. F. Cullen: Who are they?

Hon. J. W. KIRWAN: If the hon. member had read some of the speeches delivered in the agricultural districts he would know. I think I could quote a statement made by the Colonial Secretary at an agricultural show, in which he said that although he was a goldfields member he had always supported the interests of agriculture.

Hon. J. F. Cullen: Why should he not say it?

Hon. J. W. KIRWAN: If the hon. member read some of the country papers he would find that an endeavour has been made for party purposes to represent the interests of the goldfields as opposed to those of agriculture.

I say it is a deliberate falsehood for anybody to try to represent a goldfield member as opposed to the interests of agriculture. Evidence overwhelming can be produced to the contrary, while no evidence at all can be produced in support of such a statement. I have never known any mining member in the House oppose any agricultural railway Bill, or anything devised for the advancement of agriculture. I have never known any mining representative who has not assisted in every way to further the interests of agriculture. Sometimes in this House since I have been a member Bills have come forward to extend the grants of the Agricultural Bank. I know there are some agricultural members in the House who have doubted the wisdom of extending the facilities for loans from the Agricultural Bank, but I do not know of any goldfields member who has ever taken that stand. I defy any member of the House to quote any speech that has been delivered by a goldfields representative; I defy any man to quote anything that has appeared in the goldfields Press or to in any way show where the goldfields community have not advocated in every way the interests of agriculture. Not so long ago the Minister for Lands went to the goldfields and delivered lectures in constituencies hostile to the present Government. Whenever he talked politics he was certainly subjected to a great many interruptions; but whenever he talked land, whenever he told them what was being done by the agricultural community, and whenever he pointed out the advantages of settling on the land, he was listened to with rapt attention and cheered to the echo. If any member of this House cares to go to the goldfields at any time to advocate settlement on the land and the advantages of farming he will find probably as sympathetic a hearing on these goldfields as he would find anywhere else.

Hon. M. L. Moss: It is quite a mutual thing. You have done a good deal for agriculture, and we have done a good deal for mining.

Hon. J. W. KIRWAN: I am not referring to the hon. member, because

I do not know, but I say there has been an attempt to misrepresent the true position of the goldfields in the matter of agriculture.

Hon. M. L. Moss: I think you are making altogether too much of that.

Hon. J. W. KIRWAN: It has been done over and over again, and this Bill seems to imply we cannot trust mining members to act fairly towards the interests of the farmers, because the quota is so much lower in the agricultural districts than it is for the scattered mining districts. Now, in regard to the question of distance from the capital, most of these agricultural districts are comparatively near as compared with the mining districts, but we find that the quota for the agricultural districts is 1,850 and the quota for the Golden Mile, which is essentially a gold mining community, is 4,250, and for even the scattered goldfields, scattered all over the vast extent of this broad State, it is 2,400. That is a clear instance of endeavouring to give special facilities to a certain class of the community which certain individuals for their own purpose, have been seeking to set in antagonism to the goldfields in order to make them vote in the way they have hitherto voted. There is no possible justification for such differentiation between industries. It practically implies that mining has not done as much for this State as agriculture; that agriculture is far more worthy of attention than mining, and that the vote of one man in the agricultural districts is equal to the votes of more than two men in the mining districts. The men who have gone out into the back country, the pioneers who have opened up this country, who have run the risks of all the dangers of an arid interior, and whose discoveries have resulted in the building up of prosperous and thriving towns, men who have gone out and discovered gold when the population of the State was but forty thousand, surely they are worthy of more consideration than that. And in justification for what has been done it has been said that mining is a declining industry. I refuse to accept that statement. It has been said over

and over again. We have not merely mining fields here and mining fields there, but we have an auriferous continent where valuable discoveries will be made for generations to come. Practically it implies that the population of these districts is going to decline. It is not fair treatment, it is not just treatment. It shows that my contention is correct, that the Government have not paid that consideration to all portions of the State which the State generally deserves. I would like to refer to another aspect of this question. I would ask the House whether it is wise to foment feeling between the different parts of the community.

Hon. J. F. Cullen: Is not the hon. member doing it?

Hon. J. W. KIRWAN: No, the hon. member is not doing it; the hon. member has never done it. The goldfields at times have had to fight and fight strenuously for what they believe to be justice. They have fought against one section of the community, a section of the community which, if I know anything of the feeling, they will continue to fight, and those they fight against are enemies to the agricultural industry as well as to the mining industry. Those who are seeking to establish in this country a policy of centralisation, are the people the goldfields have always fought against, and whom the people of the goldfields will continue to fight in the same way. I claim that they are enemies of both agriculture and mining, the two industries which ought to work together, because their interests are common. The goldfields provide the market for the agricultural community and if ever there was a community of interest between two industries, it is between the mining industry and the agricultural industry. But the aspect of the question I wish to refer to is—I ask those who wish this Bill to become law is it wise to create a feeling in this State that will leave a bitter after-taste of injustice as regards a very large section of the community? I do not wish to utter anything that will take the nature of a threat or even a warning, but I would remind members of the House that in a very few months

there will be two referenda on extending the powers of the Commonwealth Parliament, and these referenda will probably be but the forerunners of other referenda. Now if this bitter feeling of injustice exist amongst any one section of the community, the merits of these referenda will not receive the attention they deserve. I remember the battle for Federation in this State, how there was a refusal on the part of the Parliament to even submit the Commonwealth Bill to the votes of the people. What was the result of the bitterness of feeling that was thus engendered? It was this, that probably Federation did not receive that careful attention from all sections of the people it should have received. The people did not act unitedly in the matter, in the way they would have done if an attempt had not been made to block the Commonwealth Bill going to the people. The result was that certain terms and conditions, which, if we had been a united people, we would have been able to have exacted from the other States, were not demanded. There was no demand made for the Transcontinental Railway, although an eminent statesman told me that if a demand had been made prior to Federation there was not the slightest doubt that it would have been granted. I say that the feeling that was engendered at that time was such that, irrespective of how the people regarded Federation, they were anxious to get away from the dominance of those who they considered treated them unfairly. I do not want a similar feeling to be excited in this State. When the referenda do come forward I sincerely trust that they will be considered on their merits and not as a matter of expressing bitterness of feeling in return for actions people consider deliberately unjust. I was speaking to one man, a friend of mine, yesterday, and he asked me what I thought of the Redistribution of Seats Bill. I asked him what he thought of it, and he said "I am in favour of the Redistribution of Seats Bill because it will down the Labour party." I am not a member of the Labour party and never was. I won my seat in the House in spite of the efforts of the Labour

party to keep me out. Probably tomorrow if I had to fight for any seat on the goldfields the Labour party would oppose me. They have opposed me on many occasions, and I have no reason to suppose that they should not oppose me in the future. But whatever my personal attitude in regard to the Labour party is, I certainly think that every party ought to receive fair play. There is an old Scotch saying that "fair play is bonny play," but this Bill is neither fair play nor bonny play; it is an attempt to prolong the political lives of a dominant majority, the present majority, who know that on the present distribution of seats or on a fair distribution of seats they have not got the ghost of a chance of returning to power after the next general elections; it is an attempt on their part to retain themselves on the Treasury bench. I would ask members of the House to carefully consider whether this Bill is fair and honest and equitable to all parties. I ask members not to be led astray by any argument that may be brought forward by men who are able but are noted for their cunning and their craft. Let members exercise their own judgment in the matter of what is honourable and just. I was speaking to another gentleman who took a different view, and there are many people who take this view of the Bill. He was a man who had always been an opponent of the Labour party. I asked him what he thought of the Redistribution of Seats Bill, and he told me he had never voted for Labour in his life but that on this occasion he intended to vote for Labour and he trusted that the battle cry at the next election would be not between the Government and the Opposition or between Labour or Liberal, but between honest government and dishonest government. It is deplorable that honourable and upright men throughout the State who rise superior to party considerations are taking that view of the matter. It is indeed deeply to be regretted. The Government at the coming elections may perhaps, or may not, obtain some temporary advantage as the result of this measure, but it

will be only a temporary advantage, and an advantage from which they will not ultimately gain. Already the feeling concerning this Bill is more bitter than any public feeling I have ever known throughout a large section of this State.

Hon. Sir E. H. WITTENOOM: Where has it been shown?

Hon. J. W. KIRWAN: Upon the Eastern Goldfields. I venture to say that 98 per cent. of the people are dead against the Bill. I can give instances, which perhaps I had better not, to prove what I have said. I believe that ultimately the Government will find that in politics as well as in everything else the rule holds good that honesty is the best policy. I move an amendment—

That "now" be struck out and "this day six months" added to the motion.

Hon. B. C. O'BRIEN (Central): I second the amendment.

Sitting suspended from 6.15 to 7.30 p.m.

Hon. Sir E. H. WITTENOOM (North): The Bill before the House is, I think everyone will admit, an exceedingly important one, and I feel sure it will meet with fair consideration at the hands of every member of the House. Whilst I think we all admit that the end and aim of our legislation in Western Australia is to give the fullest representation we possibly can to every individual in the country, every member I am sure will agree with me that we should not allow that altogether to outweigh some of the interests of which the country is so fully made up. This country is so divided that the various industries in different localities often clash, it is therefore under difficulties that any system of redistribution of seats is carried out so that no one can take objection to it. We find most of the industries in the past have had fair representation; the Labour party have had good representation; the agricultural and the mining industries have received fair consideration, but to show members how unfairly, and with the best ideas, Bills of this kind can operate, I

should like to point out how disgracefully the interests of the pastoralists have been overlooked. Every reflecting member in the House will agree with me when I say the pastoral industry is one of the most important industries, if not the most important in Western Australia, and when they reflect on the output of wool and the large production of meat, and the way in which the wild leases and bush have been brought under subjection, when they consider these things they will agree there should be some representation to the pastoralists in the Parliament of the country. We hear of the representation of small numbers of people in the House and we have heard of other representation, but what do we find in regard to the pastoral industry? It is represented in the Parliament of Western Australia by three members, one in the Legislative Assembly and two in the Legislative Council. I bring forward this to instance how difficult it is to legislate in regard to any redistribution of seats to do justice to all the different industries of Western Australia. Here is one, I think admittedly one of the best here, it has helped to subdue the country and it has always been the link between the explorer and the farmer. I say the pastoralist has been the link between the explorer who went out and found the country in the first instance, and the farmer who dispossesses him of it. The pastoralist has done much for this country in sinking wells, and in fencing the land, and in bringing it into prominence, yet this industry has little or no representation in the Parliament of the country. I instance this to show how difficult it is to get a redistribution of seats or a distribution of seats at all, so that all interests in the country shall be fairly represented. I listened with the greatest interest this afternoon to the excellent speech which the Colonial Secretary made in introducing this Bill, I heard all his arguments and they carried conviction to my mind to a very great extent; but when I heard the member who followed him I listened and I expected to hear some objection or faults or errors in connection with the scheme. The speech of the member. I am sorry

to say, was a lamentable failure. It carried no conviction to my mind that the Government had made any mistake; it showed, and I am sorry to have to say so, it showed such an amount of bias on the part of the hon. member. It showed an imputation of motives against the Government which should be unworthy of any member of this House to make. It showed the hostile spirit of the goldfields against the coast, which I had hoped had evaporated long ago, and I was sorry to have to listen to it. I put down one remark which the hon. member made. He said the goldfields had to fight for their rights and for everything they have got. It is a fortunate thing that I happened to be in the House when a statement of that kind was made because I was a member of a Government for four years, from 1894 to 1898, when I think the Eastern Goldfields were absolutely the white-haired boy of the Government. There was not a single thing they wanted which they did not get, not only from tanks along the route, not only the sending of water up in the trains, not only the sinking of bores to 3,000 feet, and not even to the water scheme, everything they asked for they got.

Hon. J. W. Kirwan: Were you not spending the goldfields' money for these requirements?

Hon. Sir E. H. WITTENOOM: I was not Treasurer at the time and I cannot say.

Hon. J. W. Kirwan: Money was coming from the goldfields.

Hon. Sir E. H. WITTENOOM: Everything was done and I listened to the most extraordinary statement which I have heard in my life, that these people had to fight for everything they got.

Hon. J. W. Langsford: You must have spoilt them.

Hon. Sir E. H. WITTENOOM: I think we must, and now they want to take the little trade they can give us to Adelaide; still, that has nothing to do with the Bill. I am sorry that the member to my mind did not convince me in any one particular that the Government were wrong in the Bill which they have submitted to the House. I expect he will

say something in reply and probably will then convince me. I have a mind which is open to conviction and I happen to know for a fact that the goldfields have been the spoilt child of the Government of Western Australia, certainly all the years I was a member of the Government. All this money was expended on the water scheme and the North was left absolutely without a railway, and it was only recently, since the present Government came into power, that the North got a railway—the only Government who have recognised the requirements of the North and have been able to secure a little money to spend in that part of the country that is worthy of it. This is a Bill that deals exclusively with the constituencies of the Legislative Assembly and surely we might leave it to them. We should think that they had sense to settle the matter among themselves as to how they would like to have their constituencies made up, therefore, under these circumstances, if they carried the Bill containing the constituencies and carried it by a majority, I think it is hardly right for this House to interfere, not that I say we have no right to interfere, but it would not be wise, and it would not be politic to interfere with them in fixing their constituencies as they think fit. Apparently from the opposition displayed over this Bill, whether rightly or wrongly, there is a good deal of dissatisfaction with regard to the constituencies, therefore, under these circumstances, it would be as well to look into the measure a little further. When we come to look into a Bill like this and read all the points of it, we naturally ask, on what grounds are the objections to this Bill made? We have a Bill with five or six clauses and a large schedule. There was not a single amendment to the schedule, and all will agree with me that the schedule is the most important part of the Bill. If the schedule is so unfair and so unjust as the hon. member who spoke last said it was, surely some amendment would have been moved to it, surely some attempt would have been made to readjust matters in the way they wanted

them, but what do we find, not a single amendment was made to it. What has this House to do but to take it for granted that the members were satisfied with it. We all know that the duties of this House principally are to see that Bills are not rushed through and are not improperly considered and even if they are rushed through that they meet with the approval of the public. I do not think the worst enemy of the Bill can think that it was ill-considered. I think it had the greatest consideration, so much so that such an amount of heat was engendered into the debate that some of the scenes were absolutely disgraceful. We cannot help that, but the Bill appears to have been absolutely and fully considered.

Hon. W. Kingsmill: It shows signs of it.

Hon. Sir E. H. WITTENOOM: It shows signs of being thoroughly considered.

Hon. J. W. Kirwan: Especially the way in which it passed through the other Chamber.

The PRESIDENT: I wish to read Standing Order 393—

No member shall allude to any debate in the current session in the Assembly.

Hon. E. H. WITTENOOM: I thank you, Mr. President, for having reminded me of that. It is so long since I have had any debates in this House that I had forgotten it. I was only saying that this Bill was passed in another place with a substantial majority. If there had been a narrow majority it would have been a different matter altogether; but it was passed not only with a substantial majority of the sitting members, but with an absolute majority of the members of the House, and therefore this House must give it consideration as being the wish and desire of those people who have to make up their own constituencies. This Bill was passed in that House with a majority of something like six or more, and we all agree that majority rule is the principle of Parliament. Indeed I know that it is a plank in the platform of a very influential party in this country, although

somebody said to me the other day that it was generally considered by that party in the same way as awards of the Arbitration Court—it depended which way it operated. However, majority rule is the principle we act on in Parliament, and as a substantial majority carried this Bill in another place, and as the Bill concerns that chamber entirely, it seems to me that it would be out of place for us to interfere with the expressed wish of the majority in another place. I do not intend to take up the time of the House any further, except to say that I do not think that any Redistribution of Seats Bill that any Government ever introduced would give universal satisfaction. However, I believe that we have an honest effort on the part of the Government to do justice to all sections of the country, and the only people who, to my mind, have been overlooked are the unfortunate pastoralists. They have very little representation in this House, and only one representative in another place, and if anybody has a right to grumble it is not the goldfields, and it is not the labour party, but it is the unfortunate pastoralists who do so much to bring the country into subjection, to develop it and make it fit for the selector. Of course, I am not prepared to say that there are not many of us who would not have liked some different principles imported into the Bill, such as proportional representation or something of that kind. Perhaps the time is not ripe for that, but we may look forward to the next Government that has to introduce a Redistribution of Seats Bill bringing in something of that sort, when perhaps we shall be more educated up to it. I say again that the Government have tried to introduce a Bill fair to all classes of the country except the unfortunate pastoralists. The pastoralists have no champions like the goldfields to speak for them, and they have to put up with the treatment meted out to them. In conclusion, although I cannot issue threats like the last hon. member who spoke, nor can I advise great caution, I would ask hon. members to give this Bill the most favourable consideration they possibly can. I think

that it is a good Bill for all classes of the country, and that it will give fair representation to every section except the unfortunate pastoralists.

Hon. J. F. CULLEN (South-West): I agree with Sir Edward Wittenoom that the pastoralists are a very important body, and I will go further and say that they are a very well able to look after themselves. Moreover, they are a section who are being strengthened more and more as the country develops, for there is growing up an army of mixed farmers, who will prove perhaps as important wool-growers and lamb-raisers as our present pastoralists. I agree with the Colonial Secretary that this Bill is primarily a question for another House. It mainly concerns another place, and only incidentally touches our constituencies; but, at the same time, both as a House of Legislature and as a number of electors, we are deeply interested in the Bill, and whilst it is not a measure for long set speeches it is one on which we ought to express, in the shortest possible way, our views. The hon. Mr. Kirwan spoke in a dead calm with what I may call black cloud effects. So deadly was the earnestness of his speech that I fully expected thunder and lightning, or at all events some light. But how did that speech end? In a most amusing disclaimer of any connection with one of the parties in another House. Why should an hon. member of this House, where we have no parties, a House which should be guarded against partisan feeling—why should it be necessary for an hon. member to disclaim any connection with one of the parties of another House?

Hon. J. W. Kirwan: There are two members here who are direct representatives of that party.

Hon. J. F. CULLEN: I am afraid that is not the whole explanation. The adequate explanation is that the hon. member was conscious that he had made an anti-Government speech—not a speech against this Bill so much as against the Government who have framed the Bill; and I am afraid that is the secret of the black cloud effects, and the dead calm of that speech. The hon. member has

allowed himself to drift into a very unhappy frame of mind "ag'in the Government."

Hon. J. W. Kirwan : At any rate I am not a mere tool of any party.

Hon. J. F. CULLEN : If the hon. member's opposition were based on the Bill itself, then I say that the case is not proven. He suggested that another course might have been taken, and that a Royal Commission might have been appointed to draft the Bill. Perhaps that would have been a better course, but I would ask him if the best commission in the world were appointed to draft a Redistribution Bill, does he believe that the result would give general satisfaction ? Does he believe that any constituency affected would not have its criticism, or that any member, whose seat was affected, would not give the Bill his deadly opposition ? I make bold to say that if a commission of angels drew up a Bill there would be hon. members of some legislatures—I do not say the hon. member—who would lift their wings to try and find some black feathers under them. No Redistribution Bill would ever meet with general satisfaction, and so this House must not be unduly disturbed by the fact that this Bill has called up a good deal of opposition. Personally, as an elector of Katanning, I would like to see a different arrangement of the boundaries there. I regret exceedingly that some of our best electors have been taken out of Katanning and put into a neighbouring constituency, but I recognise that it is impossible to get all round satisfaction ; so I have urged my neighbours there not to take the matter too seriously. So far as I am concerned, they remain my constituents still, so long as I have a seat in this House. I am not going to follow the hon. member in his partisan speech, but I am just going out of his own mouth to point him a rebuke which I hope he will take to heart. He admitted that a redistribution of seats was necessary ; upon that point the whole country is agreed. Very well, redistribution being necessary, some scheme must be drawn up. He goes further ; he admits that the

Government laid down sound unimpeachable principles on which redistribution was to be made. Then he went on to say that whenever it suited the Government they disregarded the principles altogether, and that he would give us one illustration. What was that illustration ? It was that Kimberley in comparison with some other places was entitled to two seats.

Hon. J. W. Kirwan : I said if other places were entitled to one, Kimberley was entitled to two.

Hon. J. F. CULLEN : The whole argument centred itself in two seats for Kimberley. Suppose these framers of this Bill had given two seats to Kimberley, what would the hon. member have said ? Gerrymandering ! He would have implied, as he did to-night—for which he ought to have been checked—dishonourable conduct.

Hon. J. W. Kirwan : I rise to a point of order. I would like to point out—

The PRESIDENT : What is the point of order ?

Hon. J. W. Kirwan : The point of order is that the speech is a reflection on you as President. The hon. member said that there was a certain portion of my speech for which I ought to have been checked, and was not. Is the hon. member quite in order in making that reflection ?

Hon. J. F. CULLEN : I was really reflecting on myself. The moment the hon. member used the words I noted a point of order, and was on the point of rising to take it, when I thought that after all it might import into the debate an unnecessary element.

The PRESIDENT : The hon. Mr. Kirwan has asked me a question on a point of order as to whether the hon. Mr. Cullen is right in imputing motives. I did not understand that the hon. member was imputing motives, but if he was doing so, I ask him to withdraw that imputation.

Hon. J. F. CULLEN : So far from imputing motives I was rather drawing attention to a portion of the hon. member's speech, which implied wrong motives on the part of the Government. It was he who implied a wrong motive.

He put it this way—it was a very ingenious thing to say—because it implied what he did not say openly, namely that if the Government had done certain things they would not have been open to the charge of dishonourable conduct. That implied that they had done other things which left them open to criticism. However, that is past and gone, and I missed the proper time to draw attention to it. Suppose the framers of this Bill had given two seats to Kimberley, what would the hon. member have said? He would have said that Kimberley is a place that has sent in an Honorary Minister, and giving two seats to Kimberley would mean the doubling of Government support from Kimberley. Would he not have said that; would he not have jumped at the chance of saying it? Yet he asks us to take him seriously when he takes Kimberley only as an illustration of the Government's breach of principles in framing this Bill. I hope the hon. member will take that rebuke to heart and remember it. He made a very virtuous appeal to hon. members not to raise the question of agricultural districts against mining districts. I wish to-night deliberately to state that the only member who has ever, in my hearing at all events, suggested the possibility of a conflict between these two great interests has been the hon. member himself. There is an old proverb which says, "he who excuses when there is no need accuses." He who professes to deprecate something that has not been, is suggesting that the thing should be. The hon. member has given cause for other speakers to take up that question of agricultural and mining interests. As a representative of agricultural districts I want to say that never in that district and I have been living there for nearly five years, have I heard a suggestion of conflict between these two great interests. When the hon. member was pressed by myself for an instance, he quoted the Colonial Secretary as having said that though he represented the goldfields he took a deep interest in agriculture. What a thing for a Minister to say! There is

no conflict between these two great interests, and I hope the hon. member will in future beware of suggesting any such thing. First came the great mining industry as the foundation of this State's progress; and in the natural course came agriculture. There is no conflict between the two; they are working harmoniously, but there is this fact, that because of wise administration on the part of the Government and the broad and liberal views of Parliament, agriculture is growing so rapidly that its old representation is now utterly inadequate. Will anyone say that the present representation of the agricultural districts is inadequate? It is relatively inadequate when the representation of the other districts is borne in mind? The Government have, to the best of their ability, framed a Redistribution of Seats Bill, doing justice as far as possible to the growing agricultural industry. In five years from this date all sections of the community will recognise that agriculture must have still further representation. The advance is by leaps and bounds, thanks to the enlightened policy of railway building and of encouragement from the Agricultural Bank to the settlers of the State. I hope that this House will show its interest in this question by voting intelligently upon it and I am satisfied that the decision will be that the Assembly Bill, as far as we can judge, was the best that could be framed on the data available. I hope this House will endorse it.

Hon. J. M. DREW (Central): I move—

That the debate be adjourned.

Motion put and negatived.

Hon. D. C. GAWLER (Metropolitan-Suburban): I had not intended at first to speak on this question, but owing to the direction the debate has taken I feel that all members here ought to express an opinion on the question. I am unable to agree with Mr. Kirwan's speech, and neither do I think that the element of party should be introduced into this matter; I think it should be kept out of this House. I can, however, agree with the hon. member on one point, and that is, I think it is a great pity that this question was

ever made a party question. My own idea is that owing to the nature of the question it is distinctly one that should not be debated between parties. I think it is perfectly clear that the result of what happened in another place shows that a question of this sort cannot be debated in a proper spirit under those circumstances. There is no doubt about it that the question of this kind means, as already suggested in the House, that every member gerrymanders, as the term is, for his own seat, and I think that state of affairs is to be deprecated. It might be said, what other course do you propose? I say we could follow the scheme laid down in the Commonwealth Act, and that when certain principles were laid down it should not be difficult to find one, or even more than one man in Western Australia who could bring about a proper scheme of redistribution, which would be acceptable to the whole community. I think that is not a difficult matter. In saying this I do not want to suggest that I blame the Government for the course they have taken, because I think they had no other course open to them. They were following established precedent: they consulted their own expert advisers and in my opinion, they have devised a scheme which, as shown, is not capable of amendment. It is absolutely impossible to please everyone in a case like this, and there is always bound to be someone to find fault. Of course, there are certain principles that have been followed by the Government in this scheme; one is community of interests, and another is contiguity of boundaries, and another population, and still another, distance from the seat of Government. The scheme laid before the House seems to me to follow out very fairly all those principles, and I think, to a large extent, when considering the difference in quota in agricultural districts and elsewhere, the distance from the seat of Government has been, to a large extent, overlooked. It has been suggested that the lowest quota in the agricultural districts, namely, 1,400, is too low altogether, and it has also been suggested by Mr. Kirwan that there is a vast distinction between

that quota and the quotas in some of the outlying mining districts of 2,100. I would suggest to Mr. Kirwan that he has overlooked this fact among others, that outside mining districts have decreased by 6,000 votes, whereas the agricultural districts have increased by 10,000. That is an element which, if taken into consideration, more than explains the difference in the quotas I have mentioned. Then, again, there is quite a patent point, and that is, that the agricultural districts are immensely scattered. There is want of cohesion in these districts, no facilities for organisation, and in addition there is distance from the seat of Government. With regard to the point raised by Mr. Kirwan, who suggested that party considerations on the part of the Government were responsible for bringing in this Bill, I would put before the House a few figures for the consideration of members. It has been suggested, and the figures have not been denied, that the Metropolitan district has increased by 8,000 since the last redistribution, that the agricultural districts have increased by 10,000, and that the mining districts have decreased by 6,000. The present representation of the Government in the Metropolitan-Suburban district is in proportion of eight to five and if we make the same proportion to the increase of 8,000 in these districts, it works out that the Government would get three and the Labour party two. In taking the same method for the agricultural districts the present representation of the two parties is as 13 to 1, that is, the Government should get four and one-fifth seats and the Opposition the fraction, one-fifth. Taking the decrease in the mining districts the Opposition would lose three seats. The net result would be that the Government would gain $7\frac{1}{5}$ while Labour would gain one-fifth. If these figures are correct it seems to me that under the present Bill the Government have not got all they are entitled to on party considerations. I deprecate bringing in considerations of this sort, but as my hon. friend has done so I put these figures before the House to show he has taken a wrong

view on the party question. I fully agree with the suggestion thrown out elsewhere, that one of the remedies for a complicated question of this kind is proportional representation. The difficulty of finding these quotas would be very much reduced, because where constituencies are grouped there are fewer quotas to find, and under such a system interests are represented in proportion with their importance to the State. Therefore I am strongly in favour of proportional representation. Of course it is of no use saying that now, because there is no time, nor is there opportunity of introducing such a system; but I hope that system will be introduced before many more sessions have gone past. I only wish to say this further, that the measure has come up to this House without amendment. This measure undoubtedly affects the seats of members of another place, if those members wished to amend this Bill surely they would have done it. As they have not done so is it for this House to do it? I submit it is not. I heartily support the measure. It may not be perfect, but I defy anybody to bring forward a Bill of this description which would be acceptable to everybody.

Hon. J. M. Drew: I beg to move the adjournment of the debate.

The PRESIDENT: The hon. member is not within his rights: 15 minutes must elapse.

Amendment (six months) put and negatived.

The PRESIDENT: The question is that the Bill be now read a second time. I see there is an absolute majority of members present.

On motion by Hon. B. C. O'Brien debate adjourned.

BILLS (6)—FIRST READING.

1. Bumbury Municipal Electric Lighting (Hon. M. L. Moss in charge).
2. Katanning-Nampup Railway.
3. Quairading-Nunajin Railway.
4. Dumbleyung-Wagin Railway.
5. Tambellup-Ongerup Railway.
6. Wickepin-Merredin Railway.

Received from the Legislative Assembly.

BILL—HEALTH.

In Committee.

Resumed from the previous day.

Clause 177—Advisory Committee:

Hon. J. F. CULLEN: Presumably this advisory committee would advise on all questions coming under this particular division of the measure. The committee was to consist of the Commissioner, the Government analyst, the bacteriologist, and two other persons conversant with trade requirements. It was doubtful whether this was the best possible constitution for such a committee. If the two other persons should prove to be level-headed, common-sense men, possibly they would be able to prevent the giving of purely theoretical decisions. The committee would have to decide questions of patent medicines and of the advertising of such patent medicines. These would be very serious matters, and the clause was worthy of grave consideration.

The COLONIAL SECRETARY: In South Australia a similar advisory committee consisted of the Government analyst and the bacteriologist, together with a wholesale druggist and a wholesale grocer: so that, included in the committee were two business men, one connected with drugs and the other with foods. This was about as perfect a committee as could be devised. If it was the intention of the Government to follow the South Australian system in having professional men and business men, the latter, perhaps, acting as a restraining influence upon the professional men, as the hon. member desired.

Hon. J. F. CULLEN: In the future the milk and butter industry would be considerably advanced, and he would like to see that industry protected by having someone on the board who understood milk and butter.

Clause put and passed.

Clause 178—Registered analysts:

On motion by the COLONIAL SECRETARY the words "Division of this" were inserted before "Act" in line 2 of Subclause 2, and the clause as amended was agreed to.

Clause 179—Mixture of food, etcetera, with injurious ingredients and selling the same:

Hon. E. M. CLARKE: Under this clause the person who sold milk purchased in all good faith from a dairyman was liable. The saddle should be put on the right horse. The guilty person, who might be the dairyman, should be punished. The inspector might pounce down upon the milk on the railway station. No vendor had any means of ascertaining the character of the article he purchased, yet he was liable.

Hon. M. L. MOSS: He might mix it with water in his shop.

Hon. E. M. CLARKE: If the vendor did not do this he would not be afraid of the inspector, but he was responsible for the action of the man from whom he purchased. The proper course would be to pay casual visits to the railway station.

The COLONIAL SECRETARY: No amendment would be necessary to carry out the suggestion, it was purely a matter for administration. If any suspicion arose there was nothing to prevent the inspector pouncing upon the milk at the railway station.

Clause put and passed.

Clause 180—Mixing or selling food or drugs to increase bulk:

On motion by the COLONIAL SECRETARY paragraph (b) was struck out and the clause as amended was agreed to.

Clause 181—Sale of food and drugs not of nature, substance, and quality demanded:

On motion by the COLONIAL SECRETARY the words "or the next succeeding" were inserted before "section" in line 1 of Subclause 3, and the clause as amended was agreed to.

Clause 182—Labelled description:

The COLONIAL SECRETARY moved an amendment—

That in line 5 of Subclause 1 the word "part" be struck out and "fact" inserted in lieu.

Hon. M. L. MOSS: The clause did not seem to read well.

The COLONIAL SECRETARY: It was an amendment suggested by the Parliamentary Draftsman. It seemed peculiar; he would withdraw it.

Amendment withdrawn.

The COLONIAL SECRETARY moved a further amendment—

That in Subclause 2 the words "be deemed an offence under the last preceding section of this Act" be struck out and "render the offender liable to a penalty not exceeding £20 and for a subsequent offence to a penalty not exceeding £50" inserted in lieu.

Amendment passed.

Hon. M. L. MOSS: The clause would not read well unless the word "fact" were inserted instead of "part."

The CHAIRMAN: It was impossible to move an amendment in that direction now.

The COLONIAL SECRETARY: I will recommit for that.

Clause as amended put and passed.

Clause 183—Frozen or chilled meat to be labelled:

Hon. M. L. MOSS: Provision was necessary so that a label must be retained on the outside.

Clause passed.

Clause 184—Employment of infected persons prohibited:

The COLONIAL SECRETARY moved an amendment—

That the following be added to Subclause 2:—"and every person who refuses to submit to such examination on being required by such officer so to do shall be guilty of an offence against this division."

Amendment passed; the clause as amended agreed to.

Clauses 185, 186—agreed to.

Clause 187—Sale of patent medicines may be prohibited:

The COLONIAL SECRETARY moved an amendment—

That in line 1 between "time" and "prohibit" the words "on the advice of the advisory committee" be inserted.

Amendment passed.

Hon. J. F. CULLEN: A consequential amendment was needed in line 3; the word "Commissioner" should be struck out and "committee" inserted in lieu.

Hon. M. L. MOSS: The clause might be made to read that in the opinion of the commissioner "acting on such advice as aforesaid." This would prevent the

commissioner taking the advice of the committee or commissioner and then acting on his own opinion afterwards.

The COLONIAL SECRETARY: It would be better to strike out "Commissioner" and insert "committee." He moved a further amendment—

That in line 3 the word "Commissioner" be struck out and "committee" inserted in lieu.

Amendment passed; the clause as amended agreed to.

Clause 188—Publication of false statements concerning medicines, etcetera:

Hon. M. L. MOSS: Newspapers published in Perth could ascertain from the committee or the commissioner what proprietary medicines had been approved of by them or otherwise, but newspapers in the outlying portions of the State had no facilities for obtaining such information and were to be punished for publishing advertisements.

Hon. J. F. CULLEN: What was the meaning of the word "defendant" in the second line where it said, "Every person who publishes or causes to be published any statement which is intended by the defendant or any other person to promote the sale of any articles as a medicine"?

Hon. D. G. GAWLER: There must be a case before there was a defendant.

Hon. J. F. CULLEN: In Subclause 3 the term "defendant" was again referred to. The language of the clause was absurd.

On motion by the COLONIAL SECRETARY further consideration of the clause was postponed.

Clause 189—Sample of food or drug may be obtained for analysis:

Hon. D. G. GAWLER: Under the clause a medical officer, inspector, or other officer might procure a sample of food or drug and submit it to an analyst. Did this not clash with Clause 162, which provided that an inspector could go to a dairy and take a sample of milk and submit the sample to an expert authority without giving samples to the dairyman or person concerned? The Colonial Secretary might make a note and see if the two clauses did clash; if so an amendment would have to be made.

On motion by the COLONIAL SECRETARY the clause was amended by adding in line 1 the word "or" before "inspector" and the word "any" before "other," and by striking out the word "Act" in line 10 and inserting the word "division" in lieu.

Clause as amended agreed to.

Clause 190—agreed to.

Clause 191—Powers of inspector, etc.:

On motion by the COLONIAL SECRETARY the clause was amended by adding in line 1 the word "or" before "inspector" and the word "any" before "other," and the clause as amended was agreed to.

Clause 192—*British Pharmacopoeia* to be standard:

Hon. J. F. CULLEN: There was no objection to the clause setting up a standard so long as it was recognised that it was purely a presumptive standard which the law would compel everybody to keep; but great injustice would be done to many people if prosecutions took place as if anything sold below that standard was fraudulent. Many of the convictions for the adulteration of milk were absolutely unjustifiable. The standard fixed was 3 per cent., but lots of the milk sold in the Old Country was only 2.75 per cent., and a lot of natural milk had far less than 3 per cent. of butter fat. He admitted the right of the legislature to make a law that milk should not be sold below 3 per cent., but to brand the seller as one who had watered his milk was to create a crime and to improperly prosecute him.

Hon. M. L. Moss: Have you ever seen the certificates of analysts showing that samples contained so much of added water?

Hon. J. F. CULLEN: That was where the analyst went beyond his knowledge. The practical dairyman knew that if two samples were taken from the one cow at the same milking one sample would have double the butter fat of the other.

Hon. W. Patrick: That is only the stripping.

Hon. J. F. CULLEN: The right of the legislature to say that the sale of milk below that percentage was illegal could not be disputed, but to say on analysis

that the milk had been fraudulently watered was another matter. He urged upon the Minister to see that the protection of the consumers was placed on a sound basis.

Hon. M. L. MOSS: What do you suggest?

Hon. J. F. CULLEN: There was no objection to fixing the standard at, say, three per cent., and saying that milk below that standard should not be sold, but the offence should be for selling milk under standard and not for fraudulently adulterating it. He urged the Government not to set up a presumptive standard and make criminals of men who might innocently be selling milk under standard.

Hon. M. L. MOSS: The clause set up a standard, and persons selling food and drugs must sell them up to the *British Pharmacopoeia* standard where no other standard was fixed. It had been stated that the standard set up by the *British Pharmacopoeia* was altogether impracticable and unworkable for this State. It had also been stated that at a conference held in Sydney, at which there were representatives from all the States, there had been a discussion as to the establishment of a standard for the Commonwealth. He was told that if the *British Pharmacopoeia* became the standard in this State and chemists were obliged to supply drugs up to that standard, the price which would have to be placed on these commodities would be altogether prohibitive. For instance, spirits of salts, oil of vitriol, soft soap, blue ointment, and many other chemical commodities, had a recognised commercial quality as supplied by the ordinary chemist, but if the standard of the *British Pharmacopoeia* were set up, the consumers would have to pay a price quite out of proportion to that which they had to pay at the present time. It was quite possible for a standard to be set up by regulations, but until these regulations were made any person who sold commodities below the standard of the *British Pharmacopoeia* would be liable to be prosecuted. The *British Pharmacopoeia* demanded that in medicinal preparations Spanish sherry should be used. The custom in Australia

had been to allow sound Australian wines, but in England, where wine was not produced, Spanish sherry had been fixed as an arbitrary rule.

The Colonial Secretary: It is intended to set up a standard for the Commonwealth.

Hon. M. L. MOSS: Until that standard was published any individual could launch a prosecution against vendors of any of these commodities. Were we not legislating at too high a standard altogether in respect to this matter?

The Colonial Secretary: I do not think we are.

Hon. M. L. MOSS: We were not if we were able to get the standard of all these commodities prepared and be ready with the *Gazette* notice to gazette the standards immediately the Act came into operation. Did the Minister assure the Committee that all these standards were fixed, that the drafts of these regulations had been duly prepared? If so he would have nothing more to say. If the Minister could not give that assurance, he (Mr. Moss) could not conscientiously vote for the clause because in his opinion a great injustice would be perpetrated to those people selling commodities which were perfectly good.

Hon. W. PATRICK: With regard to milk, which he thought was far more important than any item in the *British Pharmacopoeia*, it was quite right that there should be a drinking standard and there should be no excuse for any dealer in milk selling it below that standard. Anyone could buy a Babcock tester by which an analysis of the milk could be made as far as the butter fat was concerned.

The COLONIAL SECRETARY: There need be no fear in passing this clause for the reason suggested by Mr. Moss. It was a big matter to standardise all foods and drugs and it might happen that a considerable time would elapse, and at any rate it was provided that the Act would not be proclaimed for six months. At the conference which took place in Sydney recently it was agreed that there should be a uniform standard for the Commonwealth. Queensland and South Australia had already prepared the stand-

ard. While it might inflict some hardship in some cases there would be an advisory board to go into the matter and the druggists and the grocers would each have a representative on that board. He moved an amendment—

That the following stand as Sub-clauses 2 and 3:—

"(2.) Any purchaser of any food or drug for which a standard exists shall, in the absence of proof to the contrary, be deemed to have demanded the standard quality of such food or drug."

"(3.) A food or drug for which a standard exists shall for the purposes of this Act be deemed to be pure if it is in conformity with such standard."

Amendment passed.

On motion by the Colonial Secretary the further consideration of the clause as amended was postponed.

Clause 193—No defence that food or drug was sold as received:

The COLONIAL SECRETARY moved an amendment—

That Subclause (1) be struck out and the following inserted in lieu:—"In any prosecution under this Act for the sale of any food or drug it shall, subject to the provisions hereinafter contained, be a good defence if the defendant proves that he purchased the article sold by him in reliance on a written warranty or other written statement as to the nature of the article purchased, and that if the article had truly conformed to such warranty or statement, the sale of the article by the defendant would not have constituted the defence charged against him." Provided that no such warranty or statement shall be any defence—(a) If given or made by a person not resident in the State, unless the defendant proves that he had taken reasonable steps to ascertain the truth regarding the matters set forth therein, and in fact believed the allegations therein to be true. (b) If it is proved that the defendant knew or had reason to suspect that the article sold did not conform thereto. (c) Unless the defendant has given the prosecutor or his solicitor or agent reasonable notice that he will rely on such defence.

(2.) When the defendant is a servant

or agent of the person who purchased the article under such a warranty or statement, he shall be entitled to the benefit of this section in the same manner and to the same extent as his employer or principal would have been if he had been defendant, unless it is proved that the servant or agent knew or had reason to suspect that the article did not conform to the said warranty or statement.

Amendment passed; the clause as amended agreed to.

Clauses 194, 195—agreed to.

Clause 196—Importation of adulterated foods, etcetera:

The COLONIAL SECRETARY moved an amendment—

That in line 3 the word "or" be inserted before "inspector."

Amendment passed.

The COLONIAL SECRETARY moved a further amendment—

That in line 3 the word "any" be inserted before "other."

Amendment passed: the clause as amended agreed to.

Clauses 197 to 199—agreed to.

Clause 200—Regulations:

The COLONIAL SECRETARY moved an amendment—

That after "Governor" in line 1 the words "on the advice of the advisory committee" be inserted.

Amendment passed; the clause as amended agreed to.

Clause 201—agreed to.

Clause 202—Order for notification of a conviction in premises where offence committed:

Hon. J. F. CULLEN: This was going back 100 years to the time when people were branded with a hot iron after conviction. It was out of all keeping with modern ideas. It was grandmotherly legislation of a very offensive kind. He would vote against the clause.

Clause put and negatived.

Progress reported.

House adjourned at 9.35 p.m.