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

Ayes	...	...	17
Noes	...	...	6
Majority for	...	...	11

Ayes.	Noes.
Hon. T. F. O. Brimage	Hon. J. D. Connolly
Hon. E. M. Clarke	Hon. J. W. Hackett
Hon. C. E. Dempster	Hon. W. T. Loton
Hon. J. M. Drew	Hon. W. Maley
Hon. J. T. Glowrey	Hon. R. D. McKenzie
Hon. W. Kingsmill	Hon. G. Bellingham (*Teller*).
Hon. Z. Lane	
Hon. R. Laurie	
Hon. E. McLarty	
Hon. M. L. Moss	
Hon. W. Oats	
Hon. W. Patrick	
Hon. C. A. Piesse	
Hon. G. Randell	
Hon. R. F. Sholl	
Hon. J. W. Wright	
Hon. F. Connor (*Teller*).	

Question thus passed.

ADJOURNMENT.

The House adjourned at 9·40 o'clock, until the next day.

Legislative Assembly,

Tuesday, 16th October, 1906.

The SPEAKER took the Chair at 4·30 o'clock p.m.

Prayers.

QUESTION—RAILWAY REPAIRS, BUNBURY.

Mr. H. BROWN asked the Minister for Railways: 1, What is the reason for re-sleepering and re-railing the railway line from Roelands Station to Bunbury? 2, What is the approximate cost? 3, When was this portion of the line last resleepered?

The MINISTER FOR RAILWAYS replied: 1, To enable heavier engines to be worked, and thus increase load per train. The stone from Roelands for Bunbury Breakwater will supply traffic to nearly pay the total expense, and the heavy engines now run Collie to Bunbury, and eventually Narrogin to Bunbury, and so avoid breaking up trains at Brunswick. 2, £14,500, and the rails and fastenings taken out have realised in cash £5,196. 3, In 1904-5. The sleepers now taken out are being used for re-sleepering between Waroona and Harvey, where light rails are laid. It would not have been economical to have relored and adzed them for the heavier rail, nor could the work have been done without train delays in any other way.

PAPERS PRESENTED.

By the Minister for Mines: Regulations under Mining Act, Form 59 amended.

QUESTION—PROSPECTORS, HOW ASSISTED.

Mr. HOLMAN, without notice, asked the Minister for Mines: When will the return moved for on the 8th August, to show the losses sustained by the Mines Department in granting assistance to prospectors, and all discoveries made by assisted prospectors, be laid on the table of the House?

The MINISTER FOR MINES replied: I will answer the hon. member to-morrow.

MOTION—GOVERNMENT BUSINESS, PRECEDENCE.

The PREMIER (Hon. N. J. Moore) moved—

That on Wednesday 24th October, and on every second Wednesday thereafter, in addition to Tuesdays and Thursdays, Government business shall take precedence of all Motions and Orders of the Day.

This was the usual motion after members had been given a reasonable opportunity to discuss private business. Up to date we had devoted practically one day in three to this purpose. He had consulted

the acting Leader of the Opposition (Mr. Walker), and in view of the fact that on last Wednesday evening we reached Government business very early, members would probably recognise that every second Wednesday would suffice for the business of private members.

Question put and passed.

BILL—AGRICULTURAL BANK.

RECOMMITTAL.

On motion by the HONORARY MINISTER, Bill recommitted for amendment of Clause 10.

MR. ILLINGWORTH in the Chair, the HONORARY MINISTER in charge of the Bill.

Clause 10—Remuneration to trustees:

THE HONORARY MINISTER (Hon. J. Mitchell): At the request of the House, the clause was recommitted with a view to empowering Parliament to fix as the salary of the managing trustee a sum less than the maximum of £750. He moved—

That the words "or such sum as Parliament may from time to time determine" be added to Subclause 1.

MR. WALKER: Why not let the Government take the responsibility? In view of the possible growth of the bank, £750 might be too low a maximum.

MR. JOHNSON had moved that the Governor-in-Council should have power to increase the salary; but the Minister for Mines thought that might involve a constitutional difficulty, and he (Mr. Johnson) desired that Parliament should have a right to pass a salary higher than £750 if such salary were provided on the Estimates.

MR. WALKER: If £750 were by law made the maximum, how could it be increased on the Estimates? It would require special legislation to do that. It would be better to allow the Governor-in-Council to give the salary, and for Parliament to fix a maximum in the Bill.

THE HONORARY MINISTER: The Government would have been pleased to have fixed a larger maximum than £750, but that could not be done without a special message from the Governor. At present £750 seemed to be a sufficient salary for the position, but it was hoped the bank would assume much larger proportions, and when it did so, a larger maximum could be fixed.

MR. WALKER: By an amending Bill?

THE HONORARY MINISTER: Whilst the present occupant was well worthy of £750, and probably something more, the present manager might not always occupy the position, and there might come a time when it might be desirable to fix a lesser sum than £750. At present £750 was adequate for the position.

MR. STONE: For the time being the sum should be fixed at £750, seeing that there were two assistant trustees to be appointed to assist the present manager.

MR. JOHNSON: It was not clear what was proposed to be done. He desired to avoid the necessity of bringing down an amending Bill, should it be desirable to increase the salary of the managing trustee. Parliament should fix the maximum amount, but it was possible the sum would have to be increased, and to do so an amending Bill would have to be brought forward. Perhaps it would be well to strike out £750 with a view of inserting £1,000, for £750 would not be an adequate salary to retain the services of the manager of the bank perhaps in five years' time. If the maximum were fixed at £1,000, the Government could increase the salary on the Estimates without amending legislation. He would like to know whether Parliament, by placing a sum on the Estimates, could increase the salary without conflicting with the present Bill.

THE ATTORNEY GENERAL: The amendment would leave it open for the Government to bring down a larger salary on the Estimates, and if it were accepted by members the Government would pay the larger sum. The amendment did not seem to be desirable, because the clause fixed a maximum and yet Parliament was able to increase the amount. It would be better to adopt some other course and really fix a maximum; but the Honorary Minister was placed in this position, that he was desirous of having the Bill passed to-day, so that it could go to another place and have that consideration which would insure its becoming law. The Honorary Minister had not the Governor's message

which would be necessary if the amount had to be increased above £750.

THE CHAIRMAN: The only way out of the difficulty would be to strike out the figures altogether, and allow the Government to fix the salary.

MR. WALKER: That might perhaps be the best way out of the difficulty. Members could not increase the burdens on the people, and in any circumstances a special message would be necessary from the Governor to increase the salary at any time. He was not sure whether it would not require an amending Bill to get rid of the maximum fixed in the measure. The amendment gave a discretionary power to the Government within the maximum only. Members wished to make it optional for Parliament to fix the sum from time to time, therefore the figures should be omitted.

THE HONORARY MINISTER asked leave to withdraw the amendment so that the farther consideration of the measure could be postponed until the next sitting, when the figures might be altered from £750 to £1,000.

Amendment by leave withdrawn.

Progress reported, and leave given to sit again.

BILL—MUNICIPAL CORPORATIONS.

IN COMMITTEE.

Resumed from the 4th October; MR. ILLINGWORTH in the Chair, the ATTORNEY GENERAL in charge of the Bill.

Clauses 24 to 44—agreed to.

Clause 45—Duration of office on election extraordinary vacancy:

MR. BOLTON: Provision was made in Clause 42 for the mayor remaining in office until the 30th day of November; but if a councillor were elected to fill an extraordinary vacancy and the retiring councillor had only three months to remain in office, then the newly elected councillor was only elected for three months.

THE ATTORNEY GENERAL: The reason for the distinction was that the mayor was elected annually while councillors was elected once in three years. If a councillor retired after serving two years and nine months and the councillor elected to fill the vacancy was elected for the full term, then the newly elected councillor would serve three years and three months.

Clause put and passed.

Clause 46—agreed to.

Clause 47—Qualification of electors:

MR. JOHNSON: The last paragraph did not make it clear that the occupier should in all cases have preference over the owner. He moved—

That the words "be entitled to," in the last paragraph, be struck out.

This would make it clear that the occupier was to be registered as an elector.

THE ATTORNEY GENERAL: The clause clearly provided that the occupier of rateable land should be entitled to be registered in preference to the owner; but the amendment would give the occupier a right to vote even though he failed to discharge his duties as a ratepayer—for instance, by neglecting to pay rates.

MR. TAYLOR: Were not the rates generally paid by the owner?

THE ATTORNEY GENERAL: That depended on the agreement with the tenant. Subsequently the Bill provided that no one should be enrolled in respect of land on which the rates were for a certain period in arrear. Thus the amendment would contradict another portion of the measure.

MR. FOULKES: The Attorney General forgot that many tenancies of rooms, such as offices, were for short periods; and the clause would disfranchise the owner, while many electors would have no interest in municipal government. However, it was useless trying to strike out the clause, as the Government had the support of the Opposition.

THE ATTORNEY GENERAL: The preceding speaker overlooked Section 52 of the Act of 1900, which contained the same provision. No injustice seemed to have resulted.

MR. FOULKES: The section had wrought great hardship, and was bitterly complained of by many property-owners.

MR. STONE: The clause would be unfair to the owner. The tenant frequently agreed to pay rates; yet in most cases these had to be paid by the land-

lord. Tenants, being irresponsible, often voted for municipal loans, not being obliged to remain in the town to pay the principal and interest. If passed here, the clause would doubtless be rejected elsewhere.

THE ATTORNEY GENERAL: Was this discussion in order, on the general principle of enrolling occupiers in preference to owners?

THE CHAIRMAN: Yes.

Amendment put and negatived; the clause passed.

Clause 48—Joint owners or occupiers:

MR. JOHNSON: The clause seemed designed to give an extra vote to property-owners, though the existing Act provided that such owners might agree as to which of them should vote. The clause should be struck out and the present law retained.

THE ATTORNEY GENERAL: The clause appeared to have the unanimous approval of more than one municipal conference. The last conference adopted Subclause 1, whereby each of any joint owners not exceeding two should have a vote. Joint occupiers could not subdivide the land, and joint owners were frequently unable to do so. The last speaker seemed to think the clause would increase the power of one ratepayer. Frequently that power would be neutralised by the vote of the joint owner.

MR. JOHNSON: Under the existing law such property carried one vote: the clause would give it two. This was unobjectionable in the case of two houses under one assessment; but why should a corporation or a syndicate with unimproved property have two votes?

MR. WALKER: The property was entitled to a vote, but if two joined in owning one block they were each entitled to a vote for that one piece of property. It would thus be possible to swamp an election by subdividing property.

Clause put and passed.

Clause 49—agreed to.

Clause 50—Electoral list:

MR. JOHNSON: It was not desirable to put the responsibility of preparing the electoral list on the shoulders of the town clerk, who was the servant of the council. This important matter should be attended to by the mayor, who was the servant of the people. Of course it would be a mere matter of form, as the mayor would instruct the town clerk to do the work, but the responsibility should be on the shoulders of the mayor, and if an error was made the fault would lie on one who had to seek election. He moved an amendment—

That the words "town clerk" be struck out and "mayor" be inserted in lieu.

THE ATTORNEY GENERAL: The clause was the existing law. It was better to have a permanent officer entrusted with this task, rather than a man elected from year to year. When a mayor was going out of office, he would probably not be anxious whether there existed a roll or not for his successor.

MR. CARSON: Subclause 3 provided that the roll had to be initialled by the mayor. That should be sufficient to meet the wishes of the member for Guildford.

MR. TAYLOR: The view taken by the Attorney General was most intelligent. If it was the duty of the town clerk to see to the preparation of the roll, and if the town clerk neglected to do it he was neglecting his duties as town clerk and his dismissal could be arranged for, but the mayor would not be sufficiently responsible. He knew what a weird crowd of mayors there was in the State.

THE CHAIRMAN: The hon. member should not make that remark.

MR. TAYLOR withdrew, but it did not make the mayors less weird. The efficiency of a municipality to a great extent depended on the ability of the town clerk and not on the mayor. There were hardly two mayors in the State who could compile a roll.

Amendment negatived, the clause passed.

Clause 51—Persons omitted from or dissatisfied with such list may claim to have their names inserted:

MR. LYNCH: Did not this clause clash with Subsection (*b*) of Clause 47 which provided that on the first day of September in any year, owners or occupiers of rateable land should be placed on the municipal list. How did a person stand who did not pay rates to a given time?

THE ATTORNEY GENERAL: There was no clashing between the two clauses. In the first instance the roll was made up

nder the provisions of Clause 47 to the est possible end by the town clerk. It as never claimed that the roll thus pre- ared could be absolutely accurate; so rovision was made under Clause 51 for ny person wishing to obtain an amend- ent to the roll to do so on appeal.

Clause passed.

Clause 52—agreed to.

Clause 53—Council of every munici- ality to hold a court for revision of list:

MR. BOLTON moved an amendment—

That the words "circulating in the dis- rict" be inserted after "newspaper."

Inder the clause, if not amended as sug- ested, the Fremantle council might dvertise the holding of the court in a aper published at Kalgoorlie.

THE ATTORNEY GENERAL: There as no objection to the amendment, but he inclusion of the words had not been ound necessary. A municipality that ublished this notice in a paper that did ot circulate in a district would have a ad time.

Amendment passed; the clause as mended agreed to.

Clauses 54, 55—agreed to.

Clause 56—Revision Court may sum- non witnesses:

MR. BOLTON moved an amendment—

That after "evidence," in line 2, the words on oath" be inserted.

THE ATTORNEY GENERAL: Any tatement made which was not absolutely ccurate might be made the subject of a harge of perjury. The practice in the ast of merely receiving statements had ot worked to such an indifferent end as o justify us in making the alteration roposed. He objected, and probably he Committee as a whole objected, to ranting additional powers in this direc- ion to any body constituted for adminis- ering civic affairs. We might be sure hat if anything had not been suggested y the conference, there was very little lemand for it.

Amendment negatived, the clause assed.

Clauses 57 to 60—agreed to.

Clause 61—Clerk to make out roll:

MR. BOLTON moved an amendment—

That the word "printed," in paragraph (c), e struck out, and "prepared" inserted in lieu.

THE ATTORNEY GENERAL: The suggestion commended itself to him to a certain extent, but the word "prepared" had an indefinite meaning about it. Preparation might mean having the names on a number of pieces of paper and stuck on a file.

MR. BOLTON: The Attorney General should suggest a word that would do instead of "prepared." To his knowledge names were written with pen and ink at North Fremantle. Would that be deemed printing according to this clause?

THE ATTORNEY GENERAL: To meet the hon. member he agreed to insert the words "to be written or"

MR. BOLTON accepted the amendment.

Amendment as altered passed; the clause as amended agreed to.

Clauses 62 to 80—agreed to.

SINGLE OR PLURAL VOTING.

Clause 81—Mayor and councillors, by whom elected:

MR. JOHNSON moved an amendment—

That all the words after "election," in line 3, be struck out, and the words "have one vote" inserted in lieu.

The time had arrived when we should reduce the number of votes given to property owners in our municipalities. We had candidates standing for Parliament who always opposed plural voting, but when it came to municipal matters these same gentlemen urged that property owners should have as high as four votes. He could not imagine any argument in favour of a continuation of this system. In England and Scotland, where the parliamentary franchise was not so liberal as in Australia, the municipal franchise was more liberal. In Scotland lodgers had the right to exercise the franchise in municipal elections. Where we trusted the people we got better results. Let us compare the results of municipal government in Australia with those in the old country, and we should find the old country left us far behind. A Bill of this description was introduced by the Daglish Government, in which they provided for one ratepayer one vote, but eventually they had to compromise, and they reduced the votes that could be given by 50 per cent. He, however,

was not satisfied with that, and in his opinion the time had arrived when we should give to one elector one vote. We did not extend the franchise by this amendment, but only reduced the number of votes. He was distinctly disappointed that the democrat from Kalgoorlie had brought in a Bill providing for four votes to be given by one person. Public-houses at Kalgoorlie, all having four votes, could absolutely govern municipal life there, and not only did that apply to Kalgoorlie, but to a large extent in different parts of Western Australia. Apart from all that, as a general principle it was absolutely wrong to give one individual four votes. He believed the Attorney General would accept the amendment.

THE ATTORNEY GENERAL: Never yet had the principle advocated by the hon. member commended itself to any conference of municipal councils.

MR. JOHNSON: Because those conferences were elected on that franchise.

THE ATTORNEY GENERAL: Would the hon. member force us to the conclusion that all those elected to attend these conferences had such narrow minds that they were incapable of realising what was best to provide for municipal government? This clause had been altered from what it was on its first introduction. It had been altered to exactly meet the views of the last municipal conference. The Government had included the whole of the amendments suggested by that conference. A municipal council was a body that ought to be wholly removed from politics, and should be merely a body of business men.

MR. TAYLOR: It was generally the first stepping-stone to Parliament.

THE ATTORNEY GENERAL: Presumably if any man showed himself capable as a business man, he had certain deserts which would lead him to Parliament. To compare the municipal with the parliamentary franchise was unfair; for councillors were not elected because of their political opinions. The principle of one-ratepayer-one-vote had never been endorsed by a municipal conference, though the conference, mainly composed of common-sense business men, voiced the opinions of the ratepayers, apart from the individual interests of the delegates. The amendment could not be accepted. The time was not ripe for the change which should not be forced on those interested.

MR. LYNCH: Why should the finding of the municipal conference be deemed conclusive? Five years ago the conference pronounced on municipal rating but until last year the Government disregarded the recommendation. Why not follow the lead of countries that had discarded plural voting in municipalities? Was the result detrimental? The single vote obtained in New Zealand, South Australia, and the old country, as well as in Sydney under the Act of 1902, in which city even lodgers had a municipal vote. In view of the stand taken at the conference by the representatives of Boulder, the Attorney General's conservatism was surprising. The single vote had proved highly beneficial elsewhere.

MR. TROY supported the amendment. One-ratepayer-one-vote should be the rule in all local bodies. No wonder the municipal conference did not ask for the amendment, for the delegates were elected on the existing franchise.

MR. COLLIER: The Attorney General seemed to be arguing against his conscience. He said councillors ought to be business men. Would the passing of the amendment lead to other than business men being elected? The argument that the time was not ripe was used to block every attempt at progress. Certainly the conference delegates favoured the existing franchise; for many of them would not be re-elected if the amendment were passed.

MR. TAYLOR supported the amendment. A plebiscite of the Kalgoorlie ratepayers would show a large majority in favour of the single vote. The conference delegates did not represent the aspirations of the people as a whole, who were strongly opposed to plural voting. Naturally all persons elected by a plural vote were tenacious of the principle. Conservatism died hard in some places, and in other places never died. If a plebiscite vote of the whole of the State were taken, this pernicious system of plural voting would be abolished once and for all. He was surprised at the Attorney General championing a provision of this description, because he had always boasted of his democratic principles. It was right the people should be trusted

ut this provision did not mean trusting he people, but keeping municipal government in the hands of the few. Various municipalities were coming repeatedly to he Government for assistance to carry n their affairs, although the Attorney leneral said that the councillors were ppointed because of their business capaity. He (Mr. Taylor) had received etters from municipal councils in all arts of his electorate, protesting against he attitude of the Government in regard o municipal subsidies. Every member ad similar letters. We had only to look o the various municipalities in the State nd watch their business capacity to see hat it was worth. Look at the municiality of Perth and its business capacity n the interests of the ratepayers; it as in the interests of private enterprise ather than of that of the ratepayers; and hat was why the ratepayers of Perth ere suffering to-day, because the counillors had started to give away the right f running the trams in the city.

Mr. Horan: Did not Parliament comit the same blunder?

Mr. TAYLOR: No one could expect nything else from the Parliament at that ime. It was particularly a one-man arliament at the time the concession as granted. Even the Parliament of hat day had the wonderful business apacity that the municipalities of to-day ere said to possess, yet with all the usiness capacity the people had to uffer. Rights were given away to syndiates to run huge concerns. The rates n Perth would not be so high to-day if he municipality owned the tramway ystem. How many mayors and counillors, with their business capacity, ould the Attorney General select to run is private business. It was necessary hat Parliament should remove plural oting. The time would come when we hould have to vote on this question, not nly in regard to municipal matters but or other questions. Property had too uch voting power, hence the deplorable tate we were in and the necessity to tax ur people so much, and the desire on he part of the people for more liberal egislation. He was surprised at the ction of the Attorney General, who had ttended conferences being elected on a roperty vote. We had it from the ember for Guildford that the municipality of Guildford was controlled by the Licensed Victuallers' Association. The Committee should assert itself for once, and do away with plural voting. He had within his memory the democratic utterances of the Minister for Works when standing for Parliament in the first instance, and no one could then have suggested that the member would support this clause. If the member had said so he would have been mutilated, metaphorically. He (Mr. Taylor) had thought that on this question the Opposition could have remained silent, for we had in the Government so many members with municipal experience, and we had councillors galore supporting the Government; still members in Opposition had to raise their voices against this proposal. This Bill had been drawn up more in keeping with conservative principles than anything else. Any attempt to alter the municipal laws was difficult, and the Opposition would not be doing their duty to the people of the State if they did not oppose the clause now that the opportunity presented itself. Those members who supported the clause should give their reasons.

Mr. Johnson: The *Morning Herald* had bluffed them.

Mr. TAYLOR regretted that the *Morning Herald* should have such power; but the lash of the Press was severe, and was responsible for a good deal of the legislation of this character on the statute-book. The Leederville Council deserved to be complimented on their attitude on the question of electric lighting.

The CHAIRMAN: The question before the Committee was that the words proposed to be struck out be struck out.

Mr. TAYLOR was replying to an interjection; and was he not justified in showing how the system of voting provided in the clause unduly benefited wealthy people?

The CHAIRMAN: The hon. member was entitled to do that in a second-reading speech, but not in Committee.

Mr. TAYLOR: If the amendment for single voting were agreed to, the municipal councils would be composed of members enjoying the confidence of the ratepayers, and would not be representing only property as at present. Even in Perth, in the near future an expenditure of something

like £400,000 might be necessary to buy out the gas and electric light concessions; and as the money would have to be raised by loan, was it not necessary that the principle of one man one vote should be in operation when questions such as those came before the ratepayers? Only the previous evening a councillor in Perth asked the mayor whether the council had any control over the tramways, and the mayor admitted that it had no control. A change was needed by having intelligence rather than property represented in councils, so that such mistakes might be prevented.

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

MR. TAYLOR (continuing): The evils of the present system of voting were known. We had seen in municipalities in older centres the whole of the rights of the ratepayers handed over to private concerns, and that could only be done by the existing atrocious system of voting. In Perth we had handed over the lighting of the city and the carrying of our citizens in trams to private people.

THE CHAIRMAN: The hon. member was out of order. The hon. member had a motion on the Notice Paper about the tramway system, which he must not anticipate.

MR. TAYLOR: There were other tramways in the State. One could set out the whole facts of the Kalgoorlie and Boulder system.

THE CHAIRMAN: The hon. member must not anticipate his own motion.

MR. TAYLOR: Then it was unfortunate that there was something on the Notice Paper to prevent him dealing with this matter which was of so much importance. At any rate the Perth council were now considering the question of lighting the city. The Gas Company asked £400,000 for their concession handed over to them by the business capacity of the council of Perth. It was scandalous. He would be in order in pointing out the profits the gas company had made and their system of preferential shares enhancing their wealth and perhaps in some degree evading the dividend tax. He would have an opportunity of dealing with this later in the session. Members on the Government side talked of closing the session at th end of November, but the probability wa that Opposition members would still b heard speaking in March. He (Mr Taylor) had more than one vote in municipality. He was brutally com pelled by the Act to use his plural vote in order to counteract others who use their plural votes. If he were a con servative he certainly would not lik to have these plural votes wrenche from him; but he was not a conserva tive and he was prepared to give ther up. Power should not be given to compe any man to use plural votes. We shoul have the principle of one ratepayer on vote. No man should have power t command three or four votes because o his property. It was unfair. He ha been twitted as one of those who "ha not a feather to fly with."

THE CHAIRMAN: That did no affect the question.

MR. TAYLOR: This question of vote was the crux of the Bill.

THE CHAIRMAN: The hon. membe should have dealt with it on the secon reading.

MR. TAYLOR: This was not a second reading speech. Because he had no spoken on the second-reading, did it deba him from giving arguments for the dele tion of portion of a clause? It wa known that second-reading speeches di not go for anything; to be candid the were only for *Hansard*. It was in Com mittee we did the work; we passed n legislation on second-reading debates, bu did the work in Committee, and he was Committee worker. He had less second reading speeches to his record than an member. He was not one who spoke o second readings to the gallery or *Hansard* He recorded his ideas as the clauses cam forward in Committee, when he could se how they worked and when he hear Ministers' explanations

THE CHAIRMAN: Other members coul not speak until the hon. member wa seated.

MR. TAYLOR had been arguing for democratic amendment, but he realise the hopelessness of the democracy in thi country.

THE PREMIER: Why not get u again?

MR. TAYLOR: Illness had prevente him from standing up on many occasion

Until three hours since, he had been practically in bed from Thursday evening till Tuesday. He had been twitted by the Minister for Mines, who was pleased that he was lying ill and unable to defend the workers in regard to the Mines Regulation Bill. Whenever he was able to raise his voice, it would be raised on anything he thought unfair to the interests of the people. Whether a matter directly affected trades unions or industrial workers, if it affected the great majority of the people he was there to support them. The present Premier had pointed out in the past the atrociousness of a Bill that was far more democratic than this; and he hoped to hear the hon. gentleman say that this clause crept in without his knowledge, through pressure of business he had as Premier and Minister for Lands.

MR. JOHNSON called attention to the state of the House.

Bells rung and quorum formed.

[8 o'clock.]

MR. TAYLOR: The Attorney General was absent for nearly half an hour.

THE ATTORNEY GENERAL: For ten minutes.

MR. TAYLOR: While the interests of ratepayers were at stake the Attorney General left the House, depending on his brutal majority to pass the clause. Government supporters were even now trooping out to legislate in the Corridors or in the Refreshment Room.

THE CHAIRMAN: The hon. member must stick to the question.

MR. TAYLOR: The question was whether the amendment should pass. What private employer would pay his men to sit in a refreshment room enjoying iced drinks?

THE CHAIRMAN: Iced drinks had nothing to do with the amendment. The hon. member was out of order, and would have to be ruled out of order if he persisted.

MR. TAYLOR had been misunderstood. Iced drinks were too freely partaken of in the Corridor.

THE CHAIRMAN: The hon. member knew well he was wasting time in tedious repetition.

MR. TAYLOR: When in October 1904 a similar Bill was introduced by the Labour Government, the member for Perth (Mr. H. Brown) moved to strike out the words providing for single voting and to secure for each elector votes proportionate to the value of the land which he held as owner or occupier, the maximum of votes being four. Ultimately by a compromise a maximum of two votes was adopted. Let us see whether members opposite could give a reason for a man having four votes.

MR. FOULKES: According to *Hansard* of the 10th November 1904, the Labour Government, of which the last speaker was a Minister, supported plural voting; and Mr. Daglish, then Premier, said he had adopted a proposal for two votes, which seemed to be a fair amendment of the existing law, while at a mayoral election a man might have as many as four votes.

MR. TAYLOR: That was a compromise.

MR. FOULKES: No matter.

MR. WALKER: Where was the hon. member (Mr. Daglish) now?

MR. FOULKES: On the same side of the House as the member for Mount Margaret, who now complained of the silence of Government members, though he had remained silent when the leader of his party supported plural voting.

MR. TAYLOR: The subject was threshed out in October 1904, and two votes were agreed to as a compromise. The original Bill provided for the single vote.

MR. FOULKES: The clause was supported by the whole of the Labour party without a division. Certainly in October the Labour Party brought down a Bill providing that there should be one vote; but in the next month the Leader of the Government, supported by the member for Mount Morgaret, agreed to a provision for four votes.

MR. DAGLISH: There was not the slightest objection to the member for Claremont making a number of wild statements, for the member had a reputation for doing so; but he (Mr. Daglish) had a strong objection to the member for Claremont coupling his name with any of those statements. The member ought to be fair if possible, and surely when he had the clear facts before him in *Hansard* it would be possible even for the member

to be fair. Had the member quoted his remarks on the page he had referred to, he would have known that the quotation was absolutely misleading. The history of the clause the member had been dealing with, in the last Parliament, was that the Government brought down a certain proposal which was defeated. The existing law was that in the election for mayor any ratepayer might have as many as four votes. The member for Toodyay submitted an amendment reducing the number of votes that any ratepayer could exercise from four to two. He (Mr. Daglish), as Leader of the Government, proposed to accept that amendment, as the Government had been defeated on the larger question. He was prepared to take half a loaf rather than none at all, and the remarks on the clause clearly showed that the amendment was accepted solely as a measure of reform. The member for Claremont implied that he (Mr. Daglish) was in favour of the proposition, well knowing at the time that he (Mr. Foulkes) was misrepresenting, inasmuch as the remarks clearly showed that he did not approve of the proposal, but accepted it as a measure of reform better than the existing law, and the best he could get from the House at the time. Members knew perfectly well that compromises at times were not only justifiable, but absolutely essential; and it was absurd when a member had agreed to a compromise to take him as being in opposition to a proposal which he had previously introduced. He still held the opinion he had formerly given utterance to. As far as possible we wanted at municipal as well as at parliamentary elections an expression of the intelligence of the ratepayers. As far as his judgment went a man's acquisition of property did not show intelligence. Mere power to acquire did not in itself indicate an increased power of judgment. If that were so some of the greatest men of the British nation would never have been qualified to vote at all; and some of the greatest men in Australia would not have been qualified to vote at municipal elections. Were we aiming at the representation of bricks and mortar, land and sand, or the representation of the intelligence of the ratepayers of any municipality? He was prepared at all times to cast his vote in favour of the representation of intelligence.

MR. FOULKES had read an extract of the member for Subiaco's speech on a proposal submitted by the member for Toodyay. There was some disagreement in the Labour ranks at the time. The member for North Fremantle had refused to accept the amendment which the Government had adopted. The member for North Fremantle was not at all satisfied with the Government for allowing the original clause to be struck out without a murmur.

THE PREMIER: The member for Subiaco had fairly stated the case as it occurred at the time. During the whole of this debate the member for Mount Margaret had taunted members on the Government side for neglecting to express their views on such an important question. He (The Premier) had searched *Hansard* and he could not find where the member for Mount Margaret had once spoken when the Bill was brought forward by the Labour Government. These democrats we heard so much about had been cheating tenants out of a vote. The Bill before the House provided that tenants should have the vote, not the landlords. What was the genesis of a municipal council? People gathered together to benefit their surroundings; they contributed to a common fund to secure improved conditions. The money they subscribed out of their own pockets was dealt with by what was really a committee. He (the Premier) contended that ratepayers to a very great extent were like shareholders in a company, and were entitled to proportionate representation.

MR. HOLMAN: Shareholders did not get Government subsidies.

THE PREMIER: Municipal councils might not in time get a Government subsidy. These municipalities expended their own money, and members should recollect it was not the landlord who had the vote; it was the occupier; but the landlord paid the rates. The clause contained merely the principle which was the law at present; and there was not much need for argument against the continuance of a principle already embodied in the law. During the debate on this question in 1904, he quoted a return showing the proportion

of plural votes in a particular municipality containing rateable property to the value of a little over £18,000. Of the voters on that roll, 46 persons had four votes in respect of property having an annual rateable value of £4,750, or an average of £40 per vote; 32 persons had three votes each, the annual rateable value of the property represented being £1,960, average £20; 125 persons had two votes each, the annual value being £4,555, and the average £18 per vote; while there were 361 ratepayers with one vote, the total annual value of the property represented being £4,363, or an average of £12 per vote. Thus the small ratepayer had little to complain of in regard to voting power. A person having property in five different wards of a minimum value of £30, and paying rates to the amount of 3s. 9d. a year, had the right to vote for a mayor and for a councillor in each of the five wards; thus the small ratepayer whose property might happen to be distributed through the several wards of a municipality had a right to vote for the mayor and for a councillor in each ward in which the voter had property; whereas the large property owner whose interests might be in one ward had a right to vote only for mayor and for a councillor in the particular ward. The present law was equitable, and there had been no agitation from ratepayers for its alteration. This being a matter in which all municipal ratepayers were directly affected, it was reasonable to suppose that were a change desired the question would have been brought before the municipal conferences. This had not been done; therefore hon. members were justified in supposing that no change was desired by these concerned.

Mr. GORDON moved "That the Committee do now divide."

The CHAIRMAN: There was no such question.

Mr. GORDON moved "That the question be now put."

Several Members: A member was waiting to speak.

Mr. WALKER (who had risen to speak) said some members who had not been in the Chamber all the evening, and had done their best to exhaust the Chamber, now wished to close the discussion. It would be a disgrace to pass this clause or to withdraw the amendment without the fullest consideration of the principle involved. No subject in Australia had had more importance attached to it than the principle involved in the amendment. It had changed the whole face of Australian politics in State and in Commonwealth affairs. The principle had received consideration in those Conferences which shaped for us the Federal Constitution based upon one man one vote; and he would like to know, seeing that the principle held good in Commonwealth affairs, why it should not apply to municipal elections. What specific importance, what deeper interests, were involved in municipal affairs than appertained to the affairs of the State or the affairs of the Commonwealth? If our greatest statesmen were safe under the principle of one man one vote, would it be the deathblow to mayors of municipalities to apply the principle to elections? If it was safe as applied to representatives sitting in this Chamber, how could it be a danger if applied to municipal representatives in Kalgoorlie, or Perth, or Fremantle? Had not the principle worked well in those greater instances, and if so why not introduce the principle in the municipal elections? Had not the same spirit of change come over municipalities that had come over the Governments of the world. Take the London County Council, take the great municipality of Glasgow — Birmingham: these great municipal bodies were now not only proposing to supply education to children free of cost to the parents, but also to feed poor children during the education period. There was a larger scope in municipal affairs now than in the past, for it was no longer the mere matter of road-making or a particular quality of gas for illumination that these large bodies were now dealing with, but larger questions. It was not property that had enlarged the scope of our municipal efforts, for in fact property had always stood in the way of progress. The British House of Commons was once ruled by property at a time when the franchise in England came from the privileged class, and was not extended to what were called the lower orders. The

Attorney General, in dealing with this Bill, would still have the mayors elected by property, by fenced-in land. This side of the House (Opposition) would be recreant to its platform if it allowed that system to continue and be re-enacted in the present Corporations Bill. We did not want to give power to a class, as the Bill proposed. The Attorney General, who had been fortunate in accumulating property, could by his four votes as a property owner out-vote three other men every time on the election of a mayor, and this system gave power to property-owners to out-vote human beings who happened to be ratepayers of the less fortunate class. This undue power resulting from mere luck in having more property than other men should not be exercised to exclude the votes of others by keeping exclusively to property-owners such benefits as were obtainable under the municipal system. Who were the men in the Kalgoorlie municipal council, for instance, who had voted to keep back or to kill any scheme of progress? They were the property-owners, as in the case of the proposed municipal markets at Kalgoorlie. It was the case everywhere that the people who owned property gave over to private companies what the people should hold themselves and reap the benefit of. It was an argument used by the Premier that as this power of plural voting was in the old Act it could do no harm; but it was for the very reason that it was old and worn-out and unfit for this democratic age that the provision should be amended, and should no longer be allowed to stand in the way of progress. The clause created inequality because it gave power to sovereigns to crush brains, and prevented us from imitating the great example set even by conservative England, where the sons of dukes sat side by side with the toilers. The State was, since the passing of Federation, nothing but a huge municipality; and if a State could exist with one man one vote, surely pettifogging municipalities, in comparison, could get along with one man one vote. Property would not give a man the sense to vote. This belief in the principle of plural voting only remained in dark and out-of-the-way corners where people saw no farther than their own area and could not see how the world had expanded, where people rested on what had been, instead of helping forward what must be by the evolution of progress.

THE ATTORNEY GENERAL: If the member for Kanowna had been speaking in defence of the one man one vote principle in the exercise of political privileges, one could sympathise with him; but we were debating what applied only to ratepayers, and a ratepayer was defined in the clauses of the Bill already passed as the occupier or owner of rateable land. The hon. member contended that there should be no private ownership of property. Therefore he was absolutely opposed to the existence of ratepayers, and instead of being eloquent on this clause, to carry out his intent the hon. member should have opposed the second reading, because, being opposed to the private ownership of land, he did not wish to have ratepayers. Then one could have met the hon. member on grounds that might be debated; but were we debating socialism or anti-socialism on a question like this? The member for Guildford had no intent of raising such a question as to whether the Committee was in favour of or against the private ownership of land. Whatever our opinions on socialism might be, we had agreed to deal with this Bill as a Bill for the governing of municipalities, and municipalities consisted of ratepayers. [Interjections.] As Minister in charge of the Bill, he could say that there was no desire to limit or burk discussion. The member for Mt. Margaret was under a grave misapprehension. The hon. member pointed out that every ratepayer should have an equal vote in determining the question of raising loans; but in the Bill brought down by the Labour Government, though it was advocated that there should be the principle of one man one vote in the election of councillors, there was a distinct provision enabling owners of property to have a preferential and larger vote in the matter of loans. [MR. LYNCH: As well as lessees of five-years standing.] Another member referred to the action of the Boulder Council. The only record he had of actions of any council in the State was furnished in the agenda paper of the last municipal con-

ference, and the action taken by the Boulder Council was to the effect that the first subclause should be amended to provide that the election of mayors should be not by the ratepayers but by the council; in other words, that the mayor should be a chairman. On other occasions the conferences had seen fit to disagree with that proposition.

Mr. Scaddan: The ratepayers of Boulder would be against that proposition.

Mr. Lynch: On a previous occasion the Boulder council approved of an amendment such as the member for Guildford had moved.

[9 o'clock.]

The Attorney General: This was the record of the last conference. It was no use going back beyond the last conference. It appeared that certain members were being led away by a comparison between our political system and the system under which municipal bodies were conducted, and they concluded that it was a false system to allow one man to have more votes than another, entirely forgetting that the qualification for the political system was merely a man's individualism, and that in the other case it was property, as we had recognised in our legislation. We had passed clause after clause, every one of which placed on record the qualification that one had to be either an occupier or owner of property. Some members were pledged to a political platform of no private ownership in property. If we had to go as far as that, this Bill instead of being a measure for governing municipalities would lead us to matters wholly foreign. It would lead us to a discussion as to whether socialism should be tolerated or stamped out or opposed. He was not prepared to open a discussion of so wide a character. If we found that the only reasons given were given under the mistaken notion of the conditions being the same in political life and municipal life, those reasons were not sufficient to warrant us to make a change. What had been done in this Bill had been done in accordance with the unchallenged sentiments of the municipalities. Unless it could be shown that the present system led to injustice we should not be asked to change it, without seeing whether it was going to work for evil or good.

Mr. Bolton: How was it possible to get any complaint against such a clause as this from a municipal conference until we could allow at least one election on the franchise of one ratepayer one vote? Immediately an election took place throughout Western Australia on that system, a different set of councillors and mayors would be elected. What would happen then at the next ensuing conference? If such a clause as this were in existence there would be a unanimous cry for a reduction of the four-vote system. Delegates at present sent to a municipal conference were chosen from municipal councils elected under the pernicious four-vote system. And was it likely that as delegates they would voice opinions against the system, even if they held those opinions themselves or the municipalities held them, when at the next election they would be elected or rejected by that vote? He believed in one ratepayer one vote, though he personally was entitled to more than one vote both for a councillor and a mayor, but he would forego all that if he could get the principle of one ratepayer one vote for councillor or mayor introduced into this Bill. This session he had seen no unfair opposition. It was regrettable that members on the Government side did not see that members on the Opposition side were putting up a fair straight out fight for a principle. There was a great principle involved in this clause, and when they set out to try and get that principle embodied in the Bill they should not be thought captious critics. There should never have been a message, "stick to your Bill as you have it and do not give a point," because that was like a red rag to a bull, and made people fight harder perhaps for the principle than they intended at the start.

Mr Gordon moved—

That the Committee do now divide.

Mr. Johnson: Could the question be put when the hon. member (Mr. Bolton) was on his feet?

The Chairman: The hon. member was not seen by him to be up.

Mr. Bolton: The seat had not been resumed by him.

THE CHAIRMAN: The hon. member (Mr. Gordon) misunderstood him before. He (the Chairman) did not object to his moving that the Committee should now divide, but to his moving it when the member for Kanowna (Mr Walker) was on his feet. The same principle held good. The first member who caught his eye was the member for Canning.

MR. BOLTON: When the hon. member rose he (Mr Bolton) had not resumed his seat.

MR. TROY rose to speak.

MR. GORDON moved "That the Committee do now divide."

Question (that the Committee do now divide) put, and a division taken with the following result:—

Ayes	...	...	12
Noes	...	...	17
Majority against		...	5

AYES.	NOES.
Mr. Brebber	Mr. Bolton
Mr. Brown	Mr. Collier
Mr. Butcher	Mr. Daglish
Mr. Eddy	Mr. Davies
Mr. Foulkes	Mr. Heitmann
Mr. Gordon	Mr. Holman
Mr. Hayward	Mr. Hudson
Mr. McLarty	Mr. Johnson
Mr. Male	Mr. Keenan
Mr. N. J. Moore	Mr. Lynch
Mr. S. F. Moore	Mr. Scaddan
Mr. Layman (*Teller*).	Mr. Taylor
	Mr. Underwood
	Mr. Veryard
	Mr. Walker
	Mr. Ware
	Mr. Troy (*Teller*).

Motion thus negatived; the discussion continued.

MR. TROY regretted the attempt at obstruction, not by the Government but by one member who seemed fit for nothing else. The Government objected to the amendment because they believed the people unable to exercise the franchise. Though we had manhood suffrage for the Commonwealth Parliament and this Assembly, the people were considered incompetent to elect representatives in bodies which discussed purely local matters. The misgovernment of our towns was due to the restricted franchise. The city of Perth was no credit to the State. Hay Street was the worst in Australia. If the people had a voice in the election of our councillors, our streets would be widened and the city made a healthier place to live in. Consider some of the backyards, not big enough for a pair of roosters to fight in. The member for Claremont (Mr. Foulkes) always argued that because something did not obtain in Great Britain, it should not obtain here. The late Mr. Seddon, when introducing a Municipal Franchise Reform Bill in the New Zealand Parliament, showed that the basis of representation in the London County Council was a single vote, no person voting in more than one ward or parish, the claim to vote being founded either on householding or on paying £10 a year for unfurnished lodgings. The mother country was miles ahead of Western Australia. The Attorney General, with his experience in the Kalgoorlie Council, might have used his own judgment in this matter, without being influenced by his colleagues.

THE CHAIRMAN: The question was to strike out certain words.

MR. TROY: If the people had a right to govern, the existence of the miserable little houses he had described would be impossible. The Perth tramways were not giving satisfaction.

THE CHAIRMAN: The hon. member must not anticipate debate.

[MR. DAGLISH took the Chair.]

MR. TROY: If the people of the city hae an opportunity of voting on private *versus* municipal trams, Perth would like Fremantle have a municipal system. The lighting of Perth was also a monopoly so strong that it could not be disturbed. When municipal affairs were controlled by property-owners there could be nothing but logrolling. As civilisation advanced franchises became wider. The majority of people in this State were as well qualified to vote for municipal councils as for members of the Legislative Assembly. The fundamental principle of good government was government by the people. Were it not for the fact that the people were qualified and sufficiently intelligent to govern themselves, we would not have had Responsible Government in the State, nor would we have had the success in our political undertakings that we have had up to the present time. It was due to the fact that many persons at the last elections did not possess a vote that we had a majority on the Government side endeavouring to pass this iniquitous measure. We were not afraid

to trust the people; but the Government on the one-vote principle were afraid to trust the people. The Commonwealth Government submitted all great questions to a referendum of the people. In this State we were miles behind the mother country, which in imperial matters was most unprogressive and conservative. The election of a member to the London County Council was on the vote of the ratepayers, and every lodger had a vote. We asked the Government to take one progressive step, and give each tenant a vote.

[9·30 o'clock.]

MR. COLLIER called attention to the state of the House.

Bells rung, and quorum formed.

MR. TROY (continuing): Mr. Richard Seddon, when discussing a measure of this nature, pointed out that the fundamental principle of good government was to allow the people to govern themselves, and unless we allowed the people to govern themselves we could not have sound or progressive Government. The people of the towns where there was municipal government should govern themselves. The Government should widen the franchise, to enable people to get better men to look after the affairs of the towns and the cities. Were we to believe that because a man possessed a bit of property he had more brains than the unfortunate person who did not possess a block of land? A man with £200 might invest his money in a block of land, while another man with £200 might invest his money on the goldfields, doing more good to the State. There was no fairness in the principle embodied in the Bill, and he would oppose it all he could. In the out-back mining districts, one found the poorest men the brainiest men. A person who had money frequently got it dishonestly. Who had been responsible for all the scandals in Australia, but the propertied men? Who had been responsible for the land scandals in New South Wales, but the propertied men?

THE CHAIRMAN (Mr. Daglish): The hon. member must confine himself to the question whether in the election of mayor, the ratepayer should have one vote or more. That was the question before the Committee, and the discussion must be centred in that.

MR. TROY: In commercial businesses, people were becoming so dishonest that they could not be trusted to engage in municipal affairs; and the government in all countries was falling into the hands of men elected on adult suffrage. If we widened the franchise we should get better municipal councillors with more sympathy for the poor, who in certain Perth tenements were huddled together like fowls.

MR. TAYLOR: The member for Claremont (Mr. Foulkes) had misrepresented him and the Labour Government, whose Municipalities Bill originally provided for one ratepayer one vote; but that Government, with a majority of only two and a few Independents, was obliged to compromise in Committee, and on the question of qualification of electors was defeated on a catch vote. The Labour Government never favoured the plural vote; and he (Mr. Taylor), being then a Minister, was silent because he was not in charge of the Bill. The Attorney General said there was no outcry for a change in the municipal franchise. Oppositionists represented almost as many electors as the Government. The Attorney General said the municipal conference reflected the opinions of the ratepayers. Did not Parliament reflect the opinions of the electors? True, they were not represented by the Government, as was clear from a petition signed by the electors of Greenbushes on the school fees question. It was not safe to allow any Government to exist unless Parliament was in session.

THE DEPUTY CHAIRMAN (Mr. Daglish): The hon. member must not pursue that argument.

MR. TAYLOR: As this clause had been discussed for only about 3½ hours, it was preposterous to talk of wasting time on an issue of such magnitude.

THE PREMIER: It had been threshed out every year.

MR. TAYLOR: And would be threshed out until this atrocious legislation was wiped off the statute-book. Whether members wasted time was for their electors to say. His electors never accused him of wasting time, but were well satisfied.

[10 o'clock.]

MR. JOHNSON: The same objections that were urged against the abolition of plural voting in political elections were now urged against the abolition of plural voting in municipal elections. In the United Kingdom there was a most liberal franchise in connection with local bodies, and municipal life was far superior to what it was in Australia, proving that by trusting the people better results were obtained. Members did not urge this amendment to advertise themselves, as had been suggested, but did so in order to improve local government. It was to be regretted the Government had not accepted the amendment, and it was very regrettable that the Attorney General should have been the one to introduce such a clause. It was contended that the municipalities had not asked for the liberalisation proposed by the amendment; but it was not the man elected to the council who desired the liberalisation, it was only the defeated candidate of municipal honours who would ask for an amendment of this description. The man elected on the plural voting system was the man who went to the municipal conferences; and seeing that he was so successful under the system of plural voting, that man desired to retain it. That was a fact that must be borne in mind when the argument was advanced that the conference had not asked for the liberalisation. Another argument advanced was in regard to business men on councils. Business men were not the most competent to look after municipal matters. Generally speaking, the business man gave the tail-end of the day and the worst part of his brains to public life, and the best part of them to his business. It was not a duty to the business man; it was more as a means of recreation that he took part in municipal government. It was a pity members of the House who had had experience in municipal life and who had in some cases occupied the mayoral position should have remained silent during this discussion.

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

Ayes	...	...	15
Noes	...	...	22
Majority against	...		7

AYES.	NOES.
Mr. Collier	Mr. Brebber
Mr. Heitmann	Mr. Brown
Mr. Holman	Mr. Butcher
Mr. Horan	Mr. Carson
Mr. Hudson	Mr. Davies
Mr. Johnson	Mr. Eddy
Mr. Lynch	Mr. Foulkes
Mr. Scaddan	Mr. Gordon
Mr. Taylor	Mr. Gregory
Mr. Troy	Mr. Hayward
Mr. Underwood	Mr. Illingworth
Mr. Walker	Mr. Keenan
Mr. Ware	Mr. McLarty
Mr. A. J. Wilson	Mr. Male
Mr. Bolton (*Teller*).	Mr. Mitchell
	Mr. Monger
	Mr. N. J. Moore
	Mr. S. F. Moore
	Mr. Price
	Mr. Stone
	Mr. Veryard
	Mr. Layman (*Teller*).

Amendment thus negatived.

MR. LYNCH moved an amendment that all the words after "land" in the clause be struck out, and the following inserted in lieu:—

> Annual ratable value not exceeding £50, one vote; exceeding £50, two votes. Unimproved capital value not exceeding £500, one vote; exceeding £500, two votes.

The object of the amendment was to liberalise the voting power. There was no reason why this moderate proposal should not be accepted. He claimed the vote of the member for East Perth, who last session declared himself in favour of a similar proposal to that now submitted. This was a fair, moderate and reasonable proposition. There was no reason why the maximum voting power should be four, 15, 20, or any number of votes. It was by gradual steps they had got to the system in other countries where the proposal had been successful.

THE ATTORNEY GENERAL: The clause was more liberalised than the proposal in the Bill as originally introduced. The suggestion of the hon. member was retrogressive compared with the proposal now before the Committee. In the original Bill voting power was based on a scale as follows: £25 or the unimproved capital value of £500, one vote; over £25 and not exceeding £50, or unimproved capital value over £500 and not exceeding £1,000, two votes; £50 and not exceeding £75, or unimproved capital value of over £1,000 and not exceeding £1,500, three votes; over £75 with a corresponding unimproved capital value of over £1,500, four votes. In compliance with the request of a resolution passed

by the municipal conference on a motion submitted by the delegates from the goldfields municipalities, the Government approved of the capital unimproved value being reduced from £500 to £50 and not exceeding £100, two votes; and had reduced the unimproved capital value from £1,000 to £100 and not exceeding £150 for three votes, and the £1,500 unimproved capital value had been reduced to over £150 for four votes. The Government gave the municipal conference all that had been asked for.

Amendment negatived; the clause passed.

Clauses 82 to 146—agreed to.

Clause 147—Collector of rates to pay over moneys and make returns:

Mr. BOLTON moved an amendment—

That the words "to the town clerk or" be inserted before the word "treasurer" [and consequential amendments.]

The treasurer of a municipality was generally not a paid official, but he just held the office without really doing the duty, and the money passed through the hands of the town clerk. By inserting the words "to the town clerk or" before "treasurer" the paying over of the money would be accounted for. That was a reasonable provision.

The ATTORNEY GENERAL: The position taken by the hon. member was legally correct, that where the treasurer was an honorary officer he would only be liable to be called on to account at the time it was usual for him to render accounts; even if there might be reason to fear he had misappropriated funds, there would be difficulty in interfering with him as an honorary officer. The words "acting in such capacity" would cover the case where the town clerk acted as treasurer; and with these words in the clause a town clerk acting as treasurer would be liable to account. The words suggested were not necessary.

Mr. BOLTON: Where an honorary treasurer was appointed, it was not legal, according to this measure, to pay money over to the town clerk, although that was done in nearly every case in a municipality. The city of Perth was almost the only municipality where the treasurer was paid. Although a town clerk received the money and gave receipts, such procedure was not legal.

Mr. TAYLOR: Had there been any difficulty in the past?

Mr. Bolton: The town clerk had received the money instead of the treasurer.

Mr. TAYLOR: The town clerk presumably was responsible for the major portion of the business of the council.

Mr. Bolton: We did not give him power in this measure to receive any money.

Mr. TAYLOR: According to the Attorney General, the town clerk had power now to receive money.

The Attorney General: If the council appointed him.

Mr. TAYLOR: So far as one could see, there was no necessity for the amendment.

[10·30 o'clock.]

Mr. STONE: It was necessary the town clerk should be allowed to collect moneys; and there should always be a fidelity bond.

The ATTORNEY GENERAL: Clause 145, which was new, provided that any officer entrusted with the custody or control of moneys by virtue of his office must give a sufficient fidelity bond. This would apply to even an honorary treasurer.

Amendment by leave withdrawn; the clause passed.

Clauses 148 to 152—agreed to.

Clause 153—General and special meetings of ratepayers:

Mr. JOHNSON: Subclause (1), paragraph 2, provided that the meeting held in November should take place before the day of the annual election. It should be held before the day of nomination. The annual meeting often determined whether there should be opposition to the election of the mayor, and the mayor should have an opportunity of explaining matters to the ratepayers at that meeting. He moved an amendment—

That the words "the annual election" be struck out, and "nomination" inserted in lieu.

The ATTORNEY GENERAL: The Bill as originally printed provided for a meeting eight days before the election; but the conference pointed out that, particularly in large municipalities which engaged in trading, the councils were not then able to present accounts to the ratepayers. On two or three occasions

Boulder had that experience. The amendment would put municipalities in an even worse position.

MR. JOHNSON: Why was it impossible to present the accounts?

THE ATTORNEY GENERAL: The financial year closed on the 31st October, and the elections must be held as soon as possible afterwards. By the amendment the annual meeting would have to be adjourned, and the elections held in the dark, the ratepayers being unable to judge of the work of councillors.

MR. JOHNSON: Why were we wedded to the 31st October? Close the financial year earlier. There was no reason for rushing the elections.

MR. TAYLOR: The financial year closed on the 31st October, and the elections followed in November; so after the 31st October councils had no power to undertake new works or to incur fresh expense. If we altered the date of the financial year, we must alter the date of annual elections. We could not close the financial year a month before the date of the elections. We had to give the new mayor and councillors the opportunity as soon as possible to negotiate new expenditure, and the balance-sheet could not be presented to the ratepayers until the close of the financial year, so that if we accepted the amendment there would be no advantage.

MR. H. BROWN: The clause could be passed as it stood. It would only affect Perth, Kalgoorlie, and Boulder. During his three-years term as mayor of Perth the municipal accounts were not rendered in time for submission to the annual meeting of ratepayers, and the balance-sheet was not presented until after the election of the mayor.

Amendment negatived, the clause passed.

Clauses 154 to 160—agreed to.

Clause 161—Notice of extraordinary business:

MR. COLLIER: It would be advisable to fix a time limit. Under the clause it would be possible to give half an hour's notice of a meeting.

MR. H. BROWN: Each council passed by-laws to provide for that.

Clause passed.

Clauses 162 to 175—agreed to.

Clause 176—Purposes for which by-laws may be made:

On motion by MR. H. BROWN, Subclause 16 was amended by striking out "formation" before "of smoke," and inserting in lieu "emission."

MR. JOHNSON: Subclause 41 dealt with barbed wire and iron spikes on premises. Did this apply to walls and fences?

THE ATTORNEY GENERAL: The intent of the clause was to enable a municipal council to prohibit the placing of spikes and barbed wires whether on a a wall or fence, or on building or structure which abutted on the street, but the member wanted the word "premises" defined. The clause covered any class of structure.

MR. JOHNSON: Did premises cover a fence?

THE ATTORNEY GENERAL: Yes. A municipal council would be entitled to make by-laws in reference to spikes or barbed wires on a fence.

MR. BOLTON: Paragraph (*h*) of Subclause 42 gave power to compel the removal of bent, dangerous, or unsightly poles. The word "obstruct" should be inserted after "may" in line four. A case came before one of the Fremantle municipal councils in which the Federal Government refused to remove a pole which was not bent, dangerous, or unsightly, but which obstructed the making of a street.

THE ATTORNEY GENERAL: No person *primâ facie* had a right to occupy any portion of a street, but if a municipality agreed to allow any person to occupy any portion of a street, unless the pole was bent, dangerous, or unsightly it could not be removed.

MR. BOLTON: The Telegraph Department had a pole in a position which prevented a municipality from making a street, and the Telephone Department would not remove the pole, and kept the municipality waiting for eight months before doing so. The municipality should have the power to demand the removal of a pole.

THE ATTORNEY GENERAL: The Telephone Department had a perfect title.

MR. BOLTON: If the word "obstruct" were inserted in the clause, the municipality could make the Telephone Department remove the pole.

Mr. BREBBER: There was a telegraph pole in the centre of Wellington Street belonging to the Federal Department. The municipality of Perth could not compel the removal of that pole, although it was an obstruction to the street.

Mr. BOLTON moved an amendment—

That the word "obstruct" be inserted after 'may," in line 4 of paragraph 8.

The ATTORNEY GENERAL: The Committee should consider this matter. The Federal Government had the right to put up poles for the purpose of the telephone service in any portion of a street where it was thought necessary, but the pole must be erected with the least possible obstruction to the use of a street. While we were members of the Federal Union we were bound by the Post and Telegraphs Act, under which the Federal Government had the right to put up these poles. We should not go to the absurdity of collision with the Federal Government over a matter like this.

Amendment negatived.

[11 o'clock.]

PUBLIC MEETINGS IN STREETS.

Mr. JOHNSON: Paragraph (*j*) of Subclause 42 gave municipalities the right to make bylaws in reference to the holding of public meetings in streets. We were not all financially strong enough to take public halls in which to address meetings, and on the goldfields an audience could not be obtained if a meeting was held in a public hall. Owing to the excessive heat it was necessary that meetings should be held in the open air; consequently there had been serious difficulties in Kalgoorlie on this question. It was undesirable we should give this power to municipalities.

The Premier: They possessed it now.

Mr. JOHNSON: Yes; but he objected because they had used it to the detriment of the general public. On one occasion in Kalgoorlie when a public meeting was attended by some 10,000 people, the mayor, a nominee of the Licensed Victuallers' Association, took exception to the meeting and sent the police to remove the speakers. However they addressed the people from a verandah.

The Attorney General: Did they ask for sanction on that occasion?

Mr. JOHNSON: Whether they went cap-in-hand or not he did not know. The question was whether the people had a right to use the public street. People never obstructed the streets, because they went into a quiet place to hold a meeting. Autocratic mayors, those gentlemen elected on the four-vote principle, who had not the people behind them and were always opposed to the people, had the power to prevent the public from using the thoroughfares. He moved an amendment—

That paragraph (*j*) be struck out.

The ATTORNEY GENERAL: It was to be regretted the hon. member had not been just in criticising the action of a certain individual not in the House; for he did not tell the Committee that on the occasion referred to no request for permission had been made. If the hon. member could tell us of a single instance where a request had been made in the most formal manner and had been refused, he (the Minister) would say there was some ground for the amendment; but he ventured to assert that on no occasion in any municipality in the State had a request, when made by responsible parties, been refused. We vested the control of streets in municipalities, and gave them the right to control the traffic in such a way that every person would have a right to use the streets; and it was necessary if we wished that to obtain, to give them power to prohibit or regulate the playing of music or singing or addressing of public meetings in streets, ways, and public places. The hon. member might feel somewhat hurt at the action taken on one occasion when a public meeting was held, the promoters of which had not taken the trouble, not to go cap-in-hand, but to notify the town clerk that the meeting was going to be held at such and such a place, and to take the responsibility and obtain formal leave for the purpose. If such steps were not taken, meetings might be held for purposes which were not legitimate, such as advertising quack remedies, or inducing people to take part in some illegal practice, gaming, or something of that nature, or many other purposes.

MR. HOLMAN: These references to public meetings did not appear in the Bill as originally introduced, and why should they now be brought forward? He did not know of any complaint having been made to show that meetings should not be allowed in the streets. If people considered it necessary to hold a meeting he did not think they should have to obtain permission from a mayor, although it might be advisable to give a mayor power to prohibit the playing of music or singing. We had had mayors in Western Australia at times who used their positions not always in the right direction. Therefore, he protested against their having this power.

THE ATTORNEY GENERAL: Could the hon. member give an illustration?

MR. HOLMAN: Not at the present time; but when the Attorney General introduced the Bill he did not consider it necessary to have this provision, and he (Mr. Holman) did not see that the Attorney General had advanced any reason why it should be now introduced.

MR. TAYLOR: Political feeling in Western Australia in the last few years had been running high, and an undue advantage should not be given to one party over another in regard to the right to hold public meetings. The mayor was invariably on the side of those who had money and controlled machinery whereby they could prohibit a person representing political views opposed to their own from holding a meeting. An opponent of wealth would not be allowed to speak in such a town. At the last general election, the ex-member for West Perth (Mr. Moran) could not obtain a hall, and had to address meetings in the streets. If his opponent, then mayor of Perth, had been armed with such a clause, what chance would Mr. Moran have had? This power had been abused in Kalgoorlie. A political meeting ought not to be at the mercy of any mayor. In a small town with only one hall, the mayor could engage the hall and then prohibit all meetings of the opposing candidate. That would happen in every electorate. To give such power to a man like the present mayor of Kalgoorlie, who was a public laughing-stock, would be absurd. He (Mr. Taylor) had addressed a meeting of four or five thousand people in Hannan Street, Kalgoorlie, and the traffic was not unduly obstructed. If i were, the police could move on the crowd

THE PREMIER: The hon. membe should not wish to strike out the whol of the clause. There should be no con cern about giving this power to th mayor, because no man elected to th position of mayor would be anxious t exercise it unduly. Mayors were only to pleased to take the chair at a publi meeting, and many speakers desired t hold their meetings in the open air. I was also provided that no procession coul be held without the authority of th mayor. That power would not be abused

Amendment by leave withdrawn.

MR. TAYLOR moved an amendment—

That the words "or addressing public meet ings" be struck out.

Would the Attorney General give assur ance that the amendment would b accepted.

THE ATTORNEY GENERAL: No.

MR. TAYLOR: Then there was neces sity to urge the striking out of the word because of occasions when party feelin might be running high. In goldfields dis tricts most of the people resided outsid municipal boundaries, and power shoul not be given to the mayor to prohibi these people hearing the views of speaker in the streets.

[11·30 o'clock.]

MR. HOLMAN could not see wher authority was given in the present Act t the mayor to prevent the holding o public meetings in the street. The pro posal was put in the Bill as a means t prevent these meetings being held. I the public in any municipality desired t stand in the street and be addressed b a public man they should be allowed t do so. The Attorney General migh have been induced to bring forward thi proposal because of the meetings held i the streets of Kalgoorlie in opposition t the Police Offences Bill. This claus placed power in the hands of mayors o municipalities which they should not hold Why should the public of Western Aus tralia be prohibited from hearing ad dresses by public men who could no afford to hire halls?

THE ATTORNEY GENERAL: Had the ever been refused?

Mr. HOLMAN: Then why the necessity for this provision? He would oppose this provision as long as he was able. Suppose a person desired to hold a public meeting at Bunbury, and all the halls there were engaged, the mayor could prevent the person addressing a meeting in a public thoroughfare, and the person would be prevented from giving public utterance probably to some important matter. The Attorney General had said that this provision was already a law of the land, but it was impossible to find it in the present Act. Already this year we had an instance where the police had been pressed into the service of the Government to induce the public to use their votes in a certain direction.

The CHAIRMAN (Mr. Daglish): That had nothing to do with the question.

Mr. HOLMAN: If we allowed the clause to pass, we should place great power in the hands of mayors and against public interest. Why should any public man be compelled to go to a mayor to ask permission to speak in the street? Unless it were shown that this provision was absolutely necessary he would oppose it. A mayor might not be a representative of the people in a municipality, and might act contrary to their wishes. We were giving away the liberties of the public men of Western Australia, and perhaps of the women, when we gave these persons the power to say whether a public meeting should be held in a public street or not.

Mr. WARE drew attention to the state of the House.

Bells rung and quorum formed.

The ATTORNEY GENERAL: The words "or singing or addressing public meetings" had been inserted by the Parliamentary Draftsman, and until the Bill came under his notice in the revised form he was not aware of the insertion of those words or any other words inserted in any subclause, and which owed their origin to suggestions by the municipal conference and to suggestions outside those by municipalities which had communicated with the Parliamentary Draftsman.

Mr. Taylor: Were these words inserted at the wish of the conference?

The ATTORNEY GENERAL: The papers to trace that could not be found by him. They must have been inserted through some independent municipality. The question was whether it was wise or proper to grant control of the streets to any body or any number of persons, corporations or otherwise. If members were prepared to say it was not, they differed from almost the main principle of the Bill. The member for Mount Margaret mentioned that he addressed meetings in the public streets. Doubtless those meetings were most orderly. But supposing he had an opponent and both he and his opponent decided to address a meeting at the same place and at the same time, should there not be some person to say which should have the right to be there? For if the two were at that spot there would be almost certainly disagreement between the parties supporting them.

Mr. Taylor: That contingency had arisen, and the candidates arranged that one should speak an hour earlier than the other.

The ATTORNEY GENERAL: No doubt it could be arranged in that way, but was it not wise to give a municipal council power to say one party should be there from eight to nine, and the other from nine to ten?

Mr. Scaddan: In one case it was a matter of regulating and in another a matter of prohibiting.

The ATTORNEY GENERAL: In such a circumstance as that referred to a party would be prohibited for a certain time.

Mr. Scaddan: Then let the Minister strike out "prohibiting" and have the word "regulating."

The ATTORNEY GENERAL: It would mean the same. The words were "prohibiting or regulating." When the words were coupled like that one was taken as explaining the other. If the amendment were to strike out the words "prohibiting or," he would meet the hon. member.

Mr. HOLMAN: The Attorney General stubbornly opposed the amendment, though he could give no reason for the insertion of "prohibiting." Disorderly conduct in a street could be penalised by the existing law.

MR. WALKER hoped progress would be reported.

THE ATTORNEY GENERAL: Finish this division of the Bill.

MR. WALKER: The original paragraph read "Prohibiting or regulating the playing of music." How did the words "addressing public meetings" come to be inserted? The Attorney General fought for their retention, yet could not explain their origin.

THE ATTORNEY GENERAL: The municipality must have control of the streets.

MR. WALKER: Was not the original clause sufficient? Why should the mayor's permission be needed for addressing a public meeting? In Sydney he (Mr. Walker) had repeatedly called public meetings at the Queen's Statue, King Street, without anyone's permission. Was the permission of the Lord Mayor of London needed for meetings at Hyde Park and Trafalgar Square? It seemed as if this new provision were the work of the present mayor of Kalgoorlie, who, having blundered by trying to stop a meeting, now wished to make sure of his power. Was this State to take the lead in stopping public meetings? The safest method of preventing dangerous excitement was to leave the public to themselves. The interference of policemen or a stupid mayor caused disgraceful riots and disturbances. The Attorney General said mayors would never refuse permission. If so, what need to ask permission? In a country place here he (Mr. Walker) wished to hold a meeting at night, and the mayor was out of town. What would be done in such a case?

ALL-NIGHT SITTING.

[12 o'clock.]

MR. WALKER (continuing): Instead of preserving the peace of the community, the provision was more likely to create riots and cause authority to be flouted. This holding of meetings only by permission had caused riots in England. There were ignorant mayors who liked to parade the authority that was vested in them. Were mayors to be given the power to decide what class of meetings should be held in the streets? The only time public meetings would be of value would be when the mayor put them down. We should not place in the hands of the mayor the power to refuse the right of a public meeting to discuss his own actions. Public meetings were safety-valves, yet we gave to an iron-bound cranium the power to stop what might be of the utmost value. We were going back to the days of Ireland again, all through the draftsman's mistake to have meetings guarded by policemen, with informers dogging the tracks of public speakers to give them up to the authorities, and with soldiery at the disposal of the mayor to disperse meetings when he chose. What kind of a draftsman had we? It was satirical on the draftsman's part to compel the Attorney General to defend the methods of Ireland up in Kalgoorlie, yet the Attorney General would not go back on the draftsman, and kept us here until midnight when more than graveyards yawned. The Attorney General should report progress and members would be prepared to proceed at some future date with the deliberate discussion of the Bill. But the Opposition would not allow an arrogant ignorant mayor the right to say whether public meetings should be held or not.

THE MINISTER FOR WORKS: If the amendment were withdrawn, the words "prohibit or" might be struck out and then the subclause would be confined to regulating public meetings. There might be necessity on occasions to regulate public meetings, but we should not have any arbitrary prohibition of them. That could be arrived at by the suggestion he made.

MR. LYNCH: No matter what happened, we could always fall back on our common sense as to what was practicable. A public meeting might be an inconvenience to the people in Hay Street, Perth, and it would be to the interests of the public safety for the Commissioner of Police to interfere in such a case. A situation might arise when it would be the duty of any public officer to interfere when public safety was endangered. If this right to prevent public meetings was restricted to crowded thoroughfares the case would be met. When it was necessary to ensure public safety there were ample opportunities to provide meeting-places for those who desired to address the public. We could accept the suggestion of the Minister for Works, and then restrict the power of the mayor in allowing meetings to be

held in main thoroughfares. It was necessary that some authority should be exercised, therefore we might strike out the word "prohibit" and confine the authority to be be employed to regulating the addressing of public meetings in main thoroughfares.

Mr. HOLMAN: The argument of the member for Leonora might suit one or two places, but what would take place in such localities as Cue or Kalgoorlie or Day Dawn? If this power existed at the present time, why did not the Attorney General point it out to the Committee?

The Attorney General: The power existed under the by-laws of municipalities.

Mr. HOLMAN: In Kalgoorlie the mayor had refused permission for the holding of a public meeting, and had tried to disperse a public meeting, taking upon himself power that he did not possess. To overcome mistakes which had been made in the past the Attorney General was a willing agent to place more power in the hands of persons who had acted wrongly in the past. Would the Attorney General show where the right to address public meetings in the streets had been abused? Meetings were always held in convenient spots where there would be no danger to the public. We had been told that this provision was inserted by the Parliamentary Draftsman. Were we to take the policy of the Parliamentary Draftsman, and was that a reason why this provision should be inserted in the Bill? To give the Attorney General an opportunity of consulting the Parliamentary Draftsman, he moved that progress be reported.

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

Ayes	...	...	13
Noes	...	...	16
Majority against	...		3

Ayes.	Noes.
Mr. Collier	Mr. Barnett
Mr. Heitmann	Mr. Brebber
Mr. Holman	Mr. Brown
Mr. Horan	Mr. Carson
Mr. Hudson	Mr. Cowcher
Mr. Johnson	Mr. Eddy
Mr. Lynch	Mr. Gordon
Mr. Scaddan	Mr. Gregory
Mr. Taylor	Mr. Hayward
Mr. Veryard	Mr. Keenan
Mr. Walker	Mr. Male
Mr. Ware	Mr. Mitchell
Mr. Underwood (*Teller*).	Mr. N. J. Moore
	Mr. Price
	Mr. Stone
	Mr. Hardwick (*Teller*).

Motion (progress) thus negatived.

Mr. HOLMON: The Attorney General had failed to give information required.

The ATTORNEY GENERAL: The question was whether we should allow or appoint any person to have control of the streets. If we answered that in the affirmative another consideration was, who were the proper persons to give that control to? And a statutory body was essentially the body to give such authority to.

Mr. Taylor: Why was it not in the Bill as originally introduced?

The ATTORNEY GENERAL: The power was contained in a by-law before, and if it was right there it was still more right to have it in the form inserted in the Bill. In regard to the Parliamentary Draftsman his instructions were to insert in the Bill the suggestions made by the municipal conference and such other suggestions as had been made by municipalities and which were in accord with the other provisions of the Bill. Once he (the Attorney General) had occasion to prohibit a meeting in the street. There was to be a public meeting as well as a procession. The power then exercised prevented disorder from arising in the municipality.

Mr. Scaddan: There was an election approaching.

The ATTORNEY GENERAL: It was long before an election could have been contemplated. He would have been quite prepared to meet the suggestion of the member for Ivanhoe, because there was no intention to make this power prohibitory; but apparently the views of the member for Ivanhoe were very different from those held by others who sat on the same benches. Again, the member for Leonora held views equally different. Oppositionists were not in agreement as to the paragraph. He hoped they would come to their senses.

[12·30 o'clock.]

Mr. WALKER: The Attorney General had cited the case of a procession to which some people would object. The hon. member, when mayor of Kalgoorlie had power to prohibit such processions; but why this special provision by the draftsman to stifle free speech? If that

could be done without in Sydney, why pass it here?

THE ATTORNEY GENERAL: Could the hon. member hold a meeting in George Street, Sydney?

MR. WALKER: Would anyone go to a crowded thoroughfare to address a public meeting? Leave that to the common sense of the public. Were public meetings held in Ludgate Hill, London? By the paragraph a mayor could prevent a meeting anywhere in the municipality; for a "public place" was any place to which the public had access. Elsewhere the authorities had gained experience, and did not try to stop public meetings. The draftsman seemed to have been instructed to select suitable recommendations of the municipal conference, and the measure could be described only as a hash. If the paragraph passed, Mrs. Tracey must ask the mayor's permission to hold her Sunday meetings. The time might come when the Attorney General would have to appeal to the public on the Perth Esplanade. Ministers of the Crown had been obliged to address meetings in the Sydney Domain. Interference with traffic could be prevented, but we should not insult the common sense of the community by allowing public meetings to be stopped by jumped-up Jim Crows elected as mayors.

MR. TAYLOR: Charlie Tucker, for instance.

MR. WALKER would not submit to the mayor of Perth—a man developed, cultivated, and nursed in a narrow school—whether it would be right to address the public on a certain subject. Before he would allow one fetter being placed on free speech he would keep the Attorney General out of bed for many hours longer.

MR. TAYLOR could understand the objection of the Attorney General to reporting progress if this were part of the Government policy, but it was not: it was the policy of the Parliamentary Draftsman, or perhaps the policy of the mayor of Kalgoorlie who had stopped a federal Labour member speaking in the street at Kalgoorlie. It was a standing disgrace to keep members yawning in the Refreshment Room, so that any arrogant individual would have the power to say that thousands of citizens in Kalgoorlie must not march in procession.

THE CHAIRMAN: There was nothing in the paragraph dealing with processions.

MR. TAYLOR: The Attorney General had made use of processions as an argument. The Attorney General, as mayor of Kalgoorlie, had thought it unwise to allow thousands of people to march in procession. The idea was only bred and born in the country the hon. gentleman came from. Those people next year marched in the neighbouring municipality with no disorder. People would not call public meetings in noisy thoroughfares but could hold public meetings in the main thoroughfares of every place of importance in the State except Perth. He was surprised at the attitude of the member for Leonora. When members were standing for election, they thought moderation was wise, but he would tell the member his moderation would not help him much. There was no thoroughfare in Kalgoorlie where the traffic could be impeded by the holding of a public meeting. It was to be hoped the Attorney General would climb down from the stubborn attitude he had taken up. Fancy a Government coming down with a policy framed by the Parliamentary Draftsman! First of all we had the Government Bill; then we had the Bill adopted by the municipal conference; and now we had the Parliamentary Draftsman's Bill, the Government having practically abandoned their measure. The Attorney General had told us that he had no idea where the clause came from. Should the Attorney General shelter himself behind a civil servant? Any principles he (Mr. Taylor) advocated he was responsible for, and he would not think of sheltering himself behind the Parliamentary Draftsman or the municipal conferences. The attitude taken up by the Government was disgraceful. No reason had been given for the insertion of this provision. The main street of Cue was where all public meetings were held. The member who represented West Perth to-day on many occasions had addressed meetings in the main street of Cue. The member for West Perth owed his seat in the House to addressing public meetings in that locality, around the old well. If a mayor

held strong feelings in regard to the Government of the day he might refuse permission to a person to hold a meeting in a public street. If there was any principle involved he could understand the stubbornness of the Government and their servile support, but the argument advanced by the Attorney General in reference to the procession at Kalgoorlie was no argument in favour of the provision.

[1 o'clock a.m.]

MR. TAYLOR (continuing): If people broke the law, they should be punished irrespective of what section they belonged to. He had no brief for either section. Those who quarrelled in other countries ought to stop there and not come to Western Australia. This new country should not harbour these old feuds. We were going to give power in this Bill to people of that type. Our public life was beginning to be perforated with that feeling, and unless a person belonged to one or other of these sections in various centres he had no hope of getting into Parliament. There were parts yet in Western Australia where people had sufficient intelligence not to be ruled in that particular. There was no necessity for a clause of this kind. If we were to go to a vote of the people there would be 85 per cent. against the proposal. It was appalling for a Minister of the Crown to shelter himself behind the Parliamentary Draftsman. It was about time the legislation of this country was brought down by responsible Ministers and not by delegates to conferences or the Parliamentary Draftsman. Had this proposal about public meetings crept in at the instigation of Mr. Cummings, the representative of the brewers and licensed victuallers in Kalgoorlie? He (Mr. Taylor) would not allow it to be in by-laws. It was known how, if a mayor and council had this power, they could use it to the detriment of a person who wanted to speak in public, and a mayor could not be reached until his term of office ran out. That being so we should not give them this power.

MR. TROY called attention to the state of the House.

Bells rung and quorum formed.

MR. TAYLOR: Election abuses were now the subjects of suits in the Supreme Court and the High Court. Men who would jeopardise their liberty by breaking the law would soon use such a power as would be given by the paragraph. The Premier, as mayor of Bunbury, might be entrusted with such power; but all mayors were not like the Premier.

MR. HOLMAN: The subclause was far-reaching, for a public place was defined as every place in a municipality which the public were allowed to use, even if it were private property. The Attorney General boasted that he, when mayor of Kalgoorlie, prevented a public meeting, because he knew it would be disorderly. What would hinder any mayor from asserting that an intended meeting would cause disorder? Then the conveners of the meeting must pay exorbitant fees for a hall, or go outside the municipality. An aggregate of half a dozen persons could form a public meeting, and if they met when prohibited to do so they could be arrested. If this provision was forced through Committee it would be the bounden duty of members to see that the Bill was lost. It was inserted in the Bill because during the last few months, through the action of the present Government, it had been necessary to hold public meetings in various parts of the State. Had this clause been in existence the Government could have taken steps to prevent those meetings being held. There was, for instance, the meeting held in Kalgoorlie to protest against the Police Offences Bill. The power might have been exercised in the case of meetings held at Fremantle during the last election.

[1·30 a.m.]

MR. TROY called attention to the state of the House.

Bells rung and quorum formed.

MR. HOLMAN (continuing): If men were clothed with a certain amount of authority they were apt to use that authority without due regard to the responsibilities of their position. Members on the Government side did not listen to arguments, but when the division bells were rung they filed in and voted blindly. This was another method

of using the gag to prevent public expression on important matters. In regard to the meetings held in opposition to the Police Offences Bill, if this provision had been law when those meetings were held, probably the mayors would have been influenced by the Attorney General to prevent the holding of those meetings.

[MR. ILLINGWORTH resumed the Chair.]

THE CHAIRMAN: The hon. member was repeating himself frequently.

MR. HOLMAN was dealing with a different phase of the question.

THE CHAIRMAN: The hon. member had referred to the regulations several times.

MR. HOLMAN: If there had been a municipality at Greenbushes, the mayor could have prevented the holding of a meeting in the streets in opposition to the education regulations, for there was no public hall in Greenbushes, and the people would have been driven into the bush.

THE CHAIRMAN: The hon. member was wasting time, and would have to be dealt with.

MR. HOLMAN would be sorry to waste time. He was endeavouring to induce members of the Committee to change their views and vote for the amendment, therefore he maintained he was quite within his right in using any legitimate argument. But if the Chairman ruled he was out of order he was bound to conform to the rules of the House. He entered an emphatic protest against not being allowed to use legitimate arguments against what he believed to be wrong. The federal elections were coming on, and the people in Western Australia would be holding meetings for the purpose of listening to federal candidates. Supposing some of the senators from other parts of Australia desired to visit Western Australia and give their reasons why they had opposed the building of the Transcontinental Railway, no public hall in Western Australia would accommodate the people who would gather together to listen to such views, therefore the speakers would be forced into the public thoroughfares. A mayor could issue an ultimatum, if he so desired, saying that those people could not hold a meeting. In that case those people could not come here to give vent to their views without danger of being dragged to the police court. We had at present a most important question before the people of Western Australia. We had had a proposal carried in this Chamber to practically adopt a referendum to secede from the Commonwealth, and the same matter had been dealt with in another place to-night and the motion carried. In all probability public meetings would be held in every municipality in Western Australia. What position would a public man be in if he went to a place like Cue and had not the means to engage a hall and desired to hold a meeting in the public street? He might be a secessionist or a federalist, and the mayor might be of an opposite opinion. What position would that man be in if the mayor issued an ultimatum ordering the police to prevent him from holding a meeting in a thoroughfare of the municipality? This would give the mayor absolute power. If this provision were allowed to pass, in all probability it would cause more disturbances and disorderly proceedings than would ever take place if we allowed a public man to address a public meeting in any place in which he desired to speak. It might be said that we knew the mayors we had at the present time; but there was nothing to prevent a change of mayors next month. Not only members of the Senate, but members of the House of Representatives would be addressing electors; and if one of those representatives had to engage a hall instead of addressing a public meeting in the street it would place him in a very awkward position. Not one tittle of argument, fact, or evidence had been brought forward to show the necessity for these words to be in the measure. None objected to municipalities controlling streets. The Premier favoured the compromise. Why did he not assert his authority and force the Attorney General to give way? The paragraph would enable the mayor of Kalgoorlie to prevent the Premier from delivering his policy speech at an open-air meeting in that town; or if the Premier persisted, he could be dragged to the police court, and fined 1s. and costs; though possibly no magistrate would convict.

THE CHAIRMAN: The hon. member was wasting time, and if he persisted he must resume his seat.

MR. HOLMAN bowed to the Chairman's ruling, but expressed deep regret at being so unfairly dealt with.

MR. WALKER: Would the Attorney General report progress, or pass the paragraph without the objectionable words?

THE ATTORNEY GENERAL would report progress after dealing with this and the next clause. For four hours we had discussed the paragraph. He had offered to agree to the suggestion of the member for Ivanhoe (MR. Scaddan), or to that of the member for Leonora (Mr. Lynch), who admitted the desirableness of giving power to prevent meetings in main streets. Both these offers were met with unqualified hostility by some Oppositionists. Having twice tendered the olive branch, it was not for him to do more, when the majority of members held that the control of streets should vest in the council.

[2 o'clock a.m.]

MR. WALKER: The Attorney General had scarcely stated the case fairly. Members were not desirous of preventing the proper authorities having control of the streets, but there was decided objection to allowing a measure to pass which might curtail the public right of meeting. All were of opinion that it was wrong to place in a statute of the State what amounted to a censure on public speaking. If the Attorney General could suggest any means of retiring with honour from his strong opposition to the amendment put forward, members of the Opposition would meet him. The Attorney General should recognise that an error in drafting could be withdrawn without loss of dignity. Full power was given in other clauses to govern the traffic and regulate the streets, so the power given in this subclause was not necessary. Was the Attorney General determined?

THE ATTORNEY GENERAL renewed the offer made when the member for Leonora was speaking. We had spent a large part of the night in the Chamber, but it seemed that one's good nature was continually made a subject or being trespassed on, and now he felt that it was almost useless making suggestions. When a Bill was printed, full responsibility was taken by the Minister for the Bill as printed. It was useless members saying that the Government claimed this was a draftsman's error. It was no error. Having seen these words in the Bill and having seen their full purport, he had accepted the full responsibility for them. It was proper to have some person controlling the streets, and it was far preferable to have the power clearly expressed than to have it given under some general power. Members did not realise that in London any police officer could clear the streets. Here that power was exercised by the municipal council, but members cracked up places where policemen had the power.

MR. WALKER: That was not fair; the hon. member was not quoting fairly.

THE ATTORNEY GENERAL: If the hon. member knew anything of London he would know that the ordinary policeman could take him by the scruff of the neck and throw him out of the square; but here if the municipality granted an application to hold a public meeting in the street, the policeman had no longer that power. He (the Attorney General) was sickened by the manner in which the Bill had been debated, and particularly the subclause. With the exception of one or two, all members of the Opposition consented to the principle that we must give the control of the streets to some one, namely the council. The members for Ivanhoe and Leonora were genuine, and had accepted his suggestion; but as several Opposition members would not accept the suggestion, no more could be done.

MR. WALKER: The speech we had heard was evidence of the want of tact on the part of the Government, and it created the opposition and hostility against the Attorney General. The sneering way in which he had spoken was unworthy of a Minister of the Crown. What he (Mr. Walker) had said about London was true. There was no law such as that contained in the Bill compelling people to ask the mayor or councillors or any other authority for permission to hold meetings in Trafalgar Square or Hyde Park. A meeting could be held in Trafalgar Square without going to the

mayor or to the council, or without asking the police.

THE ATTORNEY GENERAL: If a meeting was held in any place, say Trafalgar Square, that meeting was absolutely at the mercy of the policemen; but if formal leave was obtained, then the person holding that meeting was entirely beyond the power of any policeman. This rule was unique, for it gave the town council the right to govern the streets, and a person who obtained permission for the holding of a meeting in the street was protected beyond police interference. When formal leave was granted it was notified to the police so that they might make no attempt at interference.

MR. WALKER: The Attorney General could not deny what he (Mr. Walker) had said. In fact the Minister admitted that his (Mr. Walker's) contention was correct. But the Attorney General said that everyone in London was at the mercy of the police. So was everyone here. If the Attorney General stood at the corner of Hay and Barrack Streets any hour of the day a little longer than he ought to, an emissary of the police would soon order him to move on, and if he refused to move on the policeman would seize him by the scruff of the neck and make him go. There was no need to ask the police or the mayor or anyone else for permission to hold public meetings in the street, neither would the police interfere, rather would they protect the speakers. If the clause was opposed, meetings could be held and the police would not interfere; but as soon as anyone incited a breach of the peace, or did any unlawful thing, the police would interfere. As long as anyone did nothing unlawful the police would not interfere. Why was there all this talk as if the police could interfere when a man was holding a lawful meeting? Every member on the Opposition side believed in the streets being under proper control, but they could be properly controlled without the portion of the clause referred to. Were not the streets of Sydney properly controlled? Yet people could advertise public meetings to be held in the street without asking anybody. In Sydney he (Mr. Walker) had advertised public meetings, and the police had come to him and said, "If you hold that meeting you will take the consequences." They had threatened him before the meeting took place because it was thought something would happen; but he (Mr. Walker) knew his rights, and he defied the police who were anxious to interfere too far. He had held meetings in spite of the warnings of the police. The police could not in Sydney interfere if a person was keeping within the bounds of the law. There had not been the slightest difference on this (Opposition) side of the House in regard to this question. The member for Ivanhoe proposed that the council should be allowed to regulate public meetings, but that there should be no power to prohibit public meetings.

MR. SCADDAN: Also to strike out "and public places."

MR. WALKER: Presumably the hon. member had scarcely seen that one could not regulate without having power to prohibit; because part of the regulation might consist of stopping.

MR. SCADDAN: Let there be by-laws regulating, but not making regulations.

MR. WALKER: The hon. member was absolutely at one with other members, as was also the member for Leonora. The member for Leonora would have explained that he would not give the power to anybody to prevent a public meeting in any place where there was plenty of room and where there would be no danger to traffic. Full power to regulate that traffic was contained in the rest of the subclause. The members referred to had been anxious to meet the Government and see if they could not get a way out of the apparent difficulty, but they would object to give to a mayor the power that this portion of the clause would give. This clause gave power to mayors to exercise their prejudice according to the colour of the cloth they wore, and to stop the exhibition of a particular phase of opinion. The public would never allow that. Members hesitated to let a stop be placed upon thought or free utterance.

[2·30 o'clock a.m.]

[MR. DAGLISH took the Chair.]

MR. TAYLOR: The Attorney General had said the Opposition desired to empower the police rather than the mayor to prohibit public meetin s. Not

so, though the police were as trustworthy as some mayors. One man who had acted as mayor of two South Australian cities was now standing his trial. The Government proposed that such men should decide whether public meetings were to be held. The printed report of the municipal conference did not record any suggestion for this paragraph; so it was probably inserted by the draftsman, at the request of some wayback mayor. A reasonable suggestion that would preserve freedom of speech would be accepted. The Opposition were generous to the predecessors of this Government.

THE CHAIRMAN (Mr. Daglish): The hon. member was getting away from the subject.

MR. TAYLOR: The point was whether, in view of the fact that the Opposition were deceived in their trust of the previous Government, they could now trust mayors to exercise this power. He would not sit in silence to allow a provision to pass giving to an ignorant mayor the power to say whether there should be freedom of speech or not. Government supporters, when they came in at the sound of the division bell, looked like haunted and hunted devils.

THE CHAIRMAN: The hon. member must withdraw that expression so far as it related to members of the House.

MR. TAYLOR withdrew it, but some could see what others might not see.

THE CHAIRMAN: The hon. member must make an absolute withdrawal, and should not repeat by inference or indirect statement what the Chairman required him to withdraw.

MR. TAYLOR withdrew unreservedly. He had no desire to make observations offensive in any way. These words were not in the Bill as originally brought down, but they had now been surreptitiously placed in the Bill, probably at the instance of some mayor. The member for Ivanhoe should inform members what he had suggested, that the Attorney General was so anxious to accept.

[MR. ILLINGWORTH resumed the Chair.]

MR. HOLMAN: The Attorney General said that already municipalities had power to regulate by by-laws the holding of public meetings in streets. Why had the Attorney General unintentionally misled the Committee, because the power given in the existing Act was not so far-reaching as the power proposed to be given in this Bill? The mere passing of this clause did not absolutely prohibit the holding of meetings in the street, but it provided that a municipality might pass by-laws prohibiting the holding of meetings in the street. If this provision was contained in the present law, why endeavour to insert the objectionable words in the clause. The Attorney General was misleading members, for he said this clause would do away with the making of by-laws and rules in reference to this matter. And he farther pointed out that the Bill gave more scope than the present Act did. If it were possible for the mayor of Kalgoorlie at the present time to prevent the holding of a meeting in the streets, was not that sufficient power to give mayors at the present time? Owing to certain things taking place the Attorney General had seen fit to include this provision in the Bill. The Attorney General favoured the suggestion of the member for Ivanhoe, but if the member for Ivanhoe considered for one moment his suggestion, he would see that it would not work out as well as he thought. If municipalities had power at the present time to prevent disorderly meetings being held, why was there any necessity to introduce this provision at all? It had been held by the law courts that Hay Street, Perth, was not a street within the meaning of the Act. This was decided when a charge of loitering was brought against a person. Although Hay Street was not a street within the meaning of the Act, the police had ample authority to prevent loitering in that street, and now the police had received instructions, instead of entering a charge for loitering, to enter one of disorderly conduct. If this action was taken as revenge on the part of the Attorney General, then it was time the people of Western Australia protested against it. It was enough to put into the hands of mayors the power to prevent public meetings at which one would do anything that would lead to a disturbance or the creation of disorderly conduct. Ample powers were already given to the municipalities.

[3 o'clock a.m.]

MR. SCADDAN: The difficulty might be got over if the member for Mount Margaret withdrew his amendment so that other words might be struck out. We should not give powers to mayors and municipalities to prevent public speaking. Under this clause as it now stood, by-laws could be framed by municipalities which would prevent public speaking even in parks. We could give power to regulate the playing of music in any street or way, but should not give power to prohibit public meetings in streets or public places. He hoped the Attorney General would accept an amendment in the direction of striking out the words "prohibiting or" in the first portion of the subclause, and also the words "and public places" in the latter part. That would afford ample scope to regulate the addressing of public meetings in public streets and ways, and that was all he thought the Attorney General desired, judging from his argument.

MR. TAYLOR: Members on this side recognised that defeat would be certain and that they would not be able to carry the amendment. He wished to be loyal to the good supporters who had helped him. He was not prepared at this stage to withdraw his amendment unless he knew that its withdrawal was acquiesced in by members on this side, who were as earnest that freedom of speech should not be curbed in any way as he himself was. The proper course to adopt was to let the amendment be defeated, and allow the onus to rest on the Government. If members who supported him were anxious to compromise, he would not stand in their way; but if they wanted to fight to a finish, he was ready.

MR. LYNCH: Omit the words "prohibiting or" at the beginning of the paragraph, and add "in any main thoroughfare where trams or other heavy vehicles are passing." This would prevent meetings in places which such traffic might render dangerous to the public. The member for Mt. Margaret was in error in supposing that he (Mr. Lynch) wished to curb freedom of speech.

MR. WALKER was loth to compromise, but would accept the paragraph if it were made to read, "regulating the playing of music, or singing, or public meetings in congested thoroughfares."

MR. HOLMAN: There was but one congested thoroughfare in the whole State.

MR. WALKER: Then the paragraph would apply to that one only. Would the Attorney General accept that suggestion?

THE ATTORNEY GENERAL: No. He had never made that offer. The power to regulate the addressing of public meetings in public places must be retained. We had an instance of flowerbeds in a public garden ruthlessly destroyed by one meeting. Power should be retained to regulate the space to be occupied by a public meeting in a public place.

[MR. DAGLISH took the Chair.]

MR. WALKER: Would the Attorney General accept an amendment, so that the subclause would read—

> To prohibit or regulate the playing of music or singing in streets, ways, and public places, and to regulate public meetings in congested thoroughfares?

THE ATTORNEY GENERAL: It was necessary to retain the power to regulate public meetings in public places. The power already existed, but only under a general authority. It was better to have a specific authority.

MR. SCADDAN: Could not the paragraph be divided into two?

THE ATTORNEY GENERAL: The only question was the inclusion of public places, and parks used for public enjoyment were public places. Any mayor who prohibited a public meeting at a place such as opposite the A.M.A. hall in Kalgoorlie would not remain long in office. There were parts of Hannan Street, Kalgoorlie, that were by common consent not used for public meetings; those parts were the business parts of the street, and power should be given to prohibit holding meetings in those parts of the street.

MR. SCADDAN: We could divide the paragraph into two, one dealing with the playing of music or singing, and the other dealing with public meetings, to read "regulating the holding of public meetings in streets, ways and public places."

THE ATTORNEY GENERAL accepted the suggestion. As long as anything could be urged in favour of an

amendment he was prepared to consider it.

MR. WALKER: The suggestion was practically identical with the subclause. Apparently there was no spirit of compromise shown by the Government, so the Government should take the responsibility of placing on the statute-book their opinion that the mayor should have the power to stop a public meeting whenever he liked. He asked the member not to withdraw.

[3.30 o'clock a.m.]

MR. TAYLOR was anxious to meet the wishes of the Committee after the matter had been debated so long. In the early portion of the evening the Attorney General was anxious to accept the suggestion of the member for Ivanhoe, and when members on the Opposition were anxious to compromise, then the Attorney General wished to divide the clause into two portions. No matter how anxious he had been to meet the wishes of the Attorney General, he was of opinion that the responsibility now should rest on the shoulders of the Government, and the Opposition should maintain their stand. He was prepared to fight the matter longer, and go to a division at the risk of awaking the Government supporters. He would address a public meeting in the Attorney General's constituency in the near future in spite of the mayor of the town of Kalgoorlie. He would tell the electors of Kalgoorlie that the mayor of Kalgoorlie could not put this provision in the Bill against him, and no force would stop him. He had been fighting for freedom of speech all his life. He had been gagged, barred, and imprisoned because he had spoken to the public, and any man who had gone through that ordeal would not allow any tyrannical person to take what we possessed from us. To allow a brewery boss to say what we should do was damnable in the extreme. Should we have a Government in power at the beck and call of a brewer? He (Mr. Taylor) would not be curbed by anybody on this matter. He had been in the fight for the freedom of the people when some members in the House were at school. He knew to what extremes persons in authority would go to prevent men speaking. Artillery had been brought out against him. He had spoken, when looking over bars of cold steel which had been brought against him. They had never gagged him, but they had imprisoned him, the dogs, and they would be willing to do it again. The only chance they had. A question of this description should raise the indignation of any honourable man when we found these Irish tyrannical laws that crushed a noble nation, and reduced it from nine million souls to four million souls, attempted to be brought into force here. It was damnable in the extreme that persons should have power to say who should address the people. This clause could be brought into force to prevent federal labour candidates addressing the electors at the forthcoming campaign. Was there to be another chance of a split up? The Labour party had been tripped before, and was this an attempt to trip them again? There were only two members of the Government and two supporters now in the House, while other members were away sleeping or drinking, but who were prepared to vote to take away the liberty of speech. Was he not justified in the action he was taking while such a procedure was adopted? He knew that he would be misrepresented in the capitalistic Press. There was no certainty that he would not address the Attorney General's electors in a fortnight if his health would allow him. He was more than sorry that the Attorney General would not accept a fair compromise. It would show how the wily lawyer would lead one on to believe he was prepared to meet him, and when one showed signs of stepping towards him he had a pit ready for that person to fall into. The members for Ivanhoe and Leonora had both pointed out the compromise they were prepared to offer, and he (Mr. Taylor) was willing to accept it; but when the Attorney General found that the Opposition side of the House was prepared to meet him, he said "No," and snapped and snarled like only dingos could.

THE ATTORNEY GENERAL: The hon. member should not misstate what the member for Ivanhoe had done, or the extent to which that member and himself (Attorney General) would come to

an agreement. The member for Ivanhoe threw out a suggestion, and he accepted it.

MR. TAYLOR: The member for Ivanhoe repeated a suggestion he had made in the early part of the debate, but the Attorney General did not accept it. The Attorney General instanced the member for Mount Leonora. Something was said about congested thoroughfares. As soon as he (Mr. Taylor) was willing to meet the majority of the members on the Opposition side by withdrawing his amendment, the Attorney General wanted to put into two clauses what was now contained in one. The effect of the alteration would be that instead of the word "prohibiting" appearing, the subclause would provide for the regulating of public meetings.

MR. HOLMAN called attention to the state of the House.

Bells rung and quorum formed.

MR. TAYLOR: The Minister for Mines smiled. The hon. gentleman knew that if this power had been in the hands of the mayor of Menzies at the last election the Labour man would not have had an opportunity of speaking. The member for Coolgardie had an opportunity of saying that freedom of speech should not be objected to. No farther compromise would be offered. The unfortunate civil servant who drafted this paragraph ought to be brought before this House to justify himself. The Attorney General would in future have a warm time in getting Bills through the House. He (Mr. Taylor) was accused of repetition, but repetition was necessary to secure the attention of Government supporters who from time to time returned momentarily to the Chamber.

MR. HOLMAN moved that progress be reported.

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

Ayes	12
Noes	16
Majority against ...	4

Ayes.	Noes.
Mr. Heitmann	Mr. Barnett
Mr. Holman	Mr. Brebber
Mr. Hudson	Mr. Brown
Mr. Johnson	Mr. Carson
Mr. Lynch	Mr. Cowcher
Mr. Scaddan	Mr. Eddy
Mr. Taylor	Mr. Gordon
Mr. Troy	Mr. Gregory
Mr. Underwood	Mr. Hardwick
Mr. Walker	Mr. Hayward
Mr. Ware	Mr. Keenan
Mr. Collier (*Teller*).	Mr. Male
	Mr. Mitchell
	Mr. N. J. Moore
	Mr. Price
	Mr. Layman (*Teller*)

Motion thus negatived.

[4 o'clock a.m.]

[MR. ILLINGWORTH resumed the Chair.]

MR. HOLMAN: It was inadvisable to rush such an important matter through Committee. Government supporters did not listen to the debate, but spent the time sleeping in the Committee Rooms, or smoking and drinking in the Corridors. It was useless to debate the matter at much greater length. We could leave it to the people of the State to teach the Government not to interfere with the right of speech in public places, as the public had taught the Government not to interfere with the education system. It would be better for members to be present in the Chamber fighting for freedom of speech, than playing bridge outside at a shilling a hundred, or drinking. The electors if they knew what their representatives were now doing would make short shrift of them.

THE CHAIRMAN: The hon. member must keep to the question. What hon. members were doing outside the House was not in question.

MR. HOLMAN claimed he was right in criticising the action of members who should be doing their duty in this Chamber, and as a representative of the people he had a right to show the public how members carried out their duties. Every effort had been made on the Opposition side to compromise and to protect the interests of the people. Why should we prevent the people of a municipality from listening to public speakers in any place within the municipality? At Cottesloe there was no mayor, but at Claremont a public man would have to ask permission to speak in the streets of that town because it was a municipality. If we carried

this provision, then probably the time would not be far distant when mayors would have the right to say whether a person should walk along the street or not. He was opposed in every possible way to the stifling of public opinion on the public platform. As we had discussed the matter for almost 12 hours, the time had come to report progress, and as there was a desire on the part of members to go away, he moved "That progress be reported."

THE CHAIRMAN: The hon. member could not move the same motion a second time following.

MR. TAYLOR moved that progress be reported.

Question put and a division called for, but MR. TAYLOR withdrew the call.

THE PREMIER: Wind it up.

MR. TAYLOR: The Premier had no desire that public speech should be gagged, but he did not wish to desert his colleague. If the Premier had been in charge of the Bill, he would have seen the necessity of accepting the amendment or, if not the amendment, the compromise offered by the Committee and decided upon by the Attorney General, who had not kept his promise, but had committed a breach of all parliamentary etiquette. He (Mr. Taylor) would tell the country how the measure was passed. No mayor at present in office or who would be in office in Western Australia after November next would prevent him from speakin; in public.

[4·30 o'clock a.m.]

Question (to strike out words) put, and a division taken.

MR. TROY had paired with Mr. Monger.

THE CHAIRMAN: The hon. member could leave.

(Mr. Troy left the Chamber.)

Division resulted as follows:—

Ayes	.. ..	11
Noes	.. ..	17
Majority against	..	6

Ayes.	Noes.
Mr. Daglish	Mr. Barnett
Mr. Holman	Mr. Brebber
Mr. Hudson	Mr. Brown
Mr. Johnson	Mr. Carson
Mr. Lynch	Mr. Coucher
Mr. Scaddan	Mr. Eddy
Mr. Taylor	Mr. Gregory
Mr. Underwood	Mr. Hayward
Mr. Walker	Mr. Keenan
Mr. Ware	Mr. Layman
Mr. Collier (*Teller*).	Mr. Male
	Mr. Mitchell
	Mr. N. J. Moore
	Mr. Price
	Mr. Stone
	Mr. A. J. Wilson
	Mr. Hardwick (*Teller*).

Amendment thus negatived.

[MR. DAGLISH took the Chair.]

MR. HOLMAN moved an amendment—

That the words "provided such meetings are not political, municipal, or other meetings concerning the public good" be added to the paragraph.

Had the people been gagged by the paragraph as printed, there could not have been that public outcry which prevented the Attorney General from forcing through his Police Offences Bill, nor those public meetings which compelled the backdown in the case of the Treasurer's attempt to impose school fees.

MR. H. BROWN: Was the hon. member in order?

THE CHAIRMAN: Yes; so far

MR. HOLMAN: Some members desired to prevent people having free speech. The member for Perth was among those who absolutely crippled the city by letting contracts for the construction of sewers.

[Interjection by Mr. H. BROWN.]

MR. COLLIER: Was the member for Perth in order in stating that the words used by the member for Murchison were an absolute lie?

THE CHAIRMAN (Mr. Daglish): Such remark was not heard, but if it were made it was entirely out of order. All interjections were out of order, and should as far as possible be avoided. It would be much better if members speaking would not make speeches in reply to interjections.

MR. HOLMAN: The maladministration of municipal matters in Perth showed how dangerous it was to place this power in the hands of municipalities. While they were able to prevent public meetings

they were able to put stones in the streets for the obstruction of vehicular traffic.

MR. H. BROWN: Had that any reference to the clause?

THE CHAIRMAN: The hon. member was distinctly out of order. A new amendment having been made, he would insist on ruling out of order discussion following entirely the same lines as had been followed. Full latitude had been allowed, but members could not now be permitted to traverse the same ground as before. The question was not giving power to mayors under this clause, but giving power to municipalities to make by-laws. Discussion must be confined to that.

MR. HOLMAN: It was idle to place in the hands of councils the power to prohibit public meetings on political questions, or on matters of public good.

MR. H. BROWN: The hon. member should admit that he was stonewalling, and be done with it.

MR. HOLMAN: It was quite evident the sleep the hon. member had enjoyed had done him a lot of good. There was no desire to stonewall or to delay the business, but he desired to see that all measures passed were for the public good. It should not be necessary to ask permission to hold a meeting in a public place on a political question. This was of great importance in view of the coming Federal campaign, and in view of the question of seceding from the Commonwealth, probably being referred to the people at an early date.

THE ATTORNEY GENERAL: The amendment could only be taken as being a vicious one for the purpose of prolonging discussion. We had discussed this matter to the widest possible limit, and members were not likely to change their opinions If the words were accepted it would be the same as drawing a pencil through the subclause, for the words were of the widest possible significance. Every meeting would come within their purview.

MR. TAYLOR: A public gathering for public purposes should be exempt from this provision. A meeting for municipal purposes should also be exempt. He had endeavoured to protect the utterances of public men and public matters That had been his argument all the evening. Where party feeling ran high it should not come within the municipal by-laws to say whether a meeting should be held or not.

Amendment put and negatived.

MR. HOLMAN: How far-reaching would Paragraph (*k*) be? It prohibited or regulated any advertising through streets, ways, and public places, and the throwing or discharging of handbills or other printed matter therein, or in or upon any private premises. This might prevent the delivery of newspapers, for the subclause gave power to prohibit the throwing of printed matter into a person's yard. He did not think any municipality should have such power. There might be members of a municipal council who would try to prevent persons competing with them in business, advertising in this manner.

THE ATTORNEY GENERAL: One of the greatest curses in any municipality was the waste-paper curse which arose from handbills being distributed indiscriminately by would-be advertisers, and it would be a pity if the municipality had not power to control the distribution of handbills, for they were thrown into empty places and distributed by the wind until they became a nuisance. There need be no fear of legitimate advertising being interfered with, or the delivery of newspapers being affected. This provision did not refer to what people were willing recipients of, but what they wished to avoid. From the experience every member of the House must have had in his own person at some time or other of this particular trouble, he felt sure the clause would commend itself to the Committee.

[5 o'clock a.m.]

MR. TAYLOR: There was nothing more objectionable to the city than that class of printed matter known as handbills for advertising purposes; but would the Attorney General consider that the *Morning Herald* newspaper would come within the scope of the subclause? Had such a provision existed, would that respectable journal have been prosecuted

within the last two or three months. because of the throwing the paper over into yards and gardens for a month gratis?

The ATTORNEY GENERAL: No by-law framed under this subclause could possibly refer to any newspaper, respectable or not.

Clause as amended put and passed.

OTHER CLAUSES.

Clause 177—agreed to.

Clause 178—Licenses:

Mr. HOLMAN: Would the cart license granted in one municipality pass current in another? Carriers complained that they could not ply for hire in neighbouring municipalities without being licensed in each.

The ATTORNEY GENERAL: By paragraph (*c*) of Subclause 1 the carter need not take out a license for a district within three miles from the nearest limit of the municipal district in which he was licensed; and by paragraph (*f*) a hawker could sell fish within ten miles from such limit.

Mr. WALKER: Why not report progress?

The Attorney General: Not till we concluded this division of the Bill.

Mr. TAYLOR: The clause would regulate every sort of conveyance within municipalities, including the hawkers' carts which brought fruit within the reach of the poorer classes. Would the Attorney General recommit the clause, if members desired its farther discussion? Many respectable citizens in Perth and suburbs depended for their fruit on hawkers' carts. Of course it was a hardship for persons paying rent to compete with these hawkers who paid no rent, but councils were usually constituted of business people and they would no doubt restrict persons of the hawking class.

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

Bells rung and quorum formed.

Mr. TAYLOR: This was such a long clause that he would like time to digest it.

The ATTORNEY GENERAL: With the exception of the proviso in Subclause (*f*), this clause had been before the House since the beginning of the session, and members had had ample opportunity to consider it. At the end there were a few regulations with regard to merry-go-rounds and shooting galleries, suggested by the municipal conference, but these were the only additions to the existing legislation; and as no amendment had been put on the Notice Paper, he did not deem it necessary to postpone the farther consideration of the clause. If the hon. member could point out at a later date any need for recommital the wish of the hon. member could be met.

Mr. WALKER: This clause had created a great deal of dissatisfaction. The way these by-laws had been put into use was disgraceful, and alteration was necessary. For instance the man who successfully sued the Perth Council for damages sustained through a cab accident had been refused a license to drive a cab.

Mr. H. Brown: Because Dr. Haynes had said that the man would not be fit to drive a cab for two years to come.

Mr. WALKER: Nature had been kinder to the man, and the man had gone to the council with the certificates of Dr. Officer and Dr. Teague to ask for a license.

Mr. H. Brown: The man got damages on Dr. Haynes's opinion.

Mr. WALKER: Therefore the council desired to be revenged. In regard to hawkers' licenses, it was the policy of the city council to knock the small man out of the field in favour of the big shopowners. There were many unemployed in the city and in Fremantle who could be earning a livelihood if granted hawkers' licenses. He trusted the Attorney General would permit the recommittal of the clause to deal with amendments he (Mr. Walker) would prepare.

[5·30 o'clock a.m.]

The ATTORNEY GENERAL: If any member could show a case for recommittal he was willing to give the matter every consideration, but a member must prove his case. In regard to the refusal of a cab license, if a municipality improperly refused a license an applicant had a remedy. As to hawkers' licenses, the member for Mount Margaret said that shopkeepers were unfairly treated, which was opposed to what the member for Kanowna said. There should

be some freedom left to a council. There must be a strong case made out before reconsidering a clause.

MR. WALKER: A council should not have discretionary power to refuse a license to a cabman when there was nothing against that cabman's character, but when the action was taken out of a spirit of revenge.

MR. H. BROWN: In regard to a particular cabman mentioned, the man met with an accident in St George's Terrace. He went into court and claimed damages, and obtained £300 or £400 from the Perth Corporation. A councillor, who was also a doctor, examined this man and swore that he would be absolutely unfit to follow his occupation for the next two years.

MR. WALKER: Who was that?

MR. H. BROWN: Dr Haynes.

MR. WALKER: He was mistaken.

MR. H. BROWN: The man Sainsbury was awarded £300 or £400 damages. Subsequently he applied for a license to ply for hire in Perth. Dr Haynes, as the medical offier who had given evidence in the court, at the council meeting objected to the granting of a license to Sainsbury, as he said the man was unfitted to drive a vehicle for the next two years; therefore the mayor and councillors were quite within their rights in prohibiting the man driving for at least 12 months when we had the testimony of a medical man that he was unfit for the work.

MR. WALKER: Dr. Teague and Dr. Officer had given certificates that the man was fit to drive, but because Dr. Haynes said that the man would be unfit to work for two years a license was refused. This man was now fit to work according to the testimony of two doctors.

MR. H. BROWN: On the testimony of Dr. Haynes the man got damages.

MR. WALKER: There should be a provision to compel moral fitness and physical fitness being proved. Because a man obtained £400 damages from the Perth council, this body would not grant him a chance of gaining a livelihood.

MR. H. BROWN: Surely the argument was against the tenets of the Labour party. This cabman was awarded damages to keep him for two years, but after receiving the honorarium the cabman asked for a license to ply for hire. The Labour members objected to a man having two occupations.

MR. WALKER: We did not know whether this man was permanently injured or not. This was the humanity exhibited by the member for Perth, that because this man was injured and got £400—which must last him for two years, and he must pay doctors' fees—he was to submit to enforced idleness, in consequence of the doctor having given an opinion that for two years he would be unfit for work. For that they would debar this man from earning a living. [MR. BROWN: That was not done by him.] The hon. member was defending it. Would the Attorney General promise to recommit this clause if the Committee now passed it?

THE ATTORNEY GENERAL: The mere incident mentioned by the hon member was not sufficient to justify a recommittal. If the hon. member could show him any other reason of a more forcible character, he would be only too ready to meet the hon. member in a fair way. He could not agree to unconditionally recommit the clause.

MR. HUDSON: In order to raise revenue—and we were desirous also of having a white Australia—licenses should be issued to hawkers, most of whom were Asiatics, who were going round the country selling jewellery and other articles. These men were a menace to the community, and they ought to be stopped. A good deal of money would be reaped by the State by making these men pay licenses.

THE CHAIRMAN (Mr. Daglish): This clause related to hawkers in municipalities.

MR. HUDSON: Whether the license was issued by a municipality or by the State did not affect the question, so long as revenue was obtained and the influence of these foreign hawkers was frustrated.

MR. TAYLOR: Government members after being absent all night now came in refreshed, and treated the subject with levity.

MR. HORAN: Who had been absent all night?

MR. TAYLOR: One had only to look at the hon. member to learn where he had been. The hon. member had drowned his faculties in beer.

THE CHAIRMAN: The hon. member must not reflect on another member.

MR. TAYLOR would not endure the idiotic grins of a man who had primed himself with liquor. If we passed the clause we could not discuss reasons for its recommittal; but if the Attorney General would give an opportunity of proving to him privately that the clause should be recommitted, that would suffice. He (Mr. Taylor) was not a bell-sheep, to be led by anyone.

MR. A. J. WILSON: The hon. member was bellowing now.

MR. TAYLOR had not sold himself to any combine, nor prostituted himself to a Government for a sum of money.

THE CHAIRMAN (Mr. Daglish): Members must avoid these interjections, which provoked disorder.

MR. TAYLOR: If progress were reported, and the Attorney General subsequently denied the necessity for recommitting the clause, what would be the use of recommittal, in view of the Government majority who voted automatically without giving reasons?

THE CHAIRMAN: Any member had a right, either at the report stage or after notice given, on the third reading to move for recommittal, and to give reasons.

MR. WALKER would avail himself of an opportunity on the third reading, and on recommittal would move that it be obligatory on a municipality to grant a cab-driver's license to a man of good fame, physically capable of driving. A similar amendment would be made as to hawking.

MR. A. J. WILSON protested against members who had been wasting the time of the House all night asking that progress be reported. Other members had been kept in the precints of the House, but were not necessarily obliged to listen to the inane bellowings of the member for Mt. Margaret (Mr. Taylor).

MR. HOLMAN: We did not want to be dictated to by an ignorant "rip."

MR. TAYLOR: Nor by a man who had sold himself to the Government.

[6 o'clock a.m.]

THE CHAIRMAN (Mr. Daglish): Members must bow to the ruling of the Chair. The expression of the member for Forrest was certainly offensive and should be withdrawn; also the remarks made by the members for Murchison and Mount Margaret were likewise offensive and must be withdrawn.

MR. TAYLOR: What remarks?

THE CHAIRMAN: The remarks interjected by the hon. members.

MR. TAYLOR and MR. HOLMAN withdrew their remarks.

THE CHAIRMAN: The member for Forrest must withdraw the offensive reference to "inane bellowing."

MR. A. J. WILSON withdrew. It was not necessary for members to occupy seats in the Chamber in order to hear all that the member for Mount Margaret said. The hon. member spoke so loudly and vehemently that it was possible to hear him—[MEMBER: At Yarloop]—yes. It was unfair to ask members to remain all night, and then agree to report progress, on what?

MR. HUDSON: Who kept the hon. member?

MR. UNDERWOOD: Was it the Combine kept the hon. member?

MR. A. J. WILSON: The hon. member knew that the Combine did not need to keep him. Unlike the member for Pilbarra, he (Mr. Wilson) could keep himself. It was absolutely unfair that members should be detained until this unearthly hour. It was time we showed some result in the shape of work done.

MR. HUDSON: Was the hon. member debating the clause?

THE CHAIRMAN: The hon. member certainly had had a fair amount of latitude already.

MR. A. J. WILSON regretted if he was unduly pressing on the time of the House, but the Leader of the Opposition and the member for Mount Margaret had urged nothing but "report progress." We should get on with the business, and should have some more creditable record to show for the all-night sitting then reporting progress on Clause 179, as the Attorney General suggested. There was no material alteration to existing legislation in this clause, and it was a poor excuse to attempt to put forward amendments. One could not help but think that there was some method in the madness of hon. members to delay this matter so that they could get relays of members to occupy the time of the House.

MR. WALKER congratulated the Government on the defence put forward

by the member for Forrest; rather he pitied the Government.

Clause put and passed.

Clause 179—agreed to.

THE ATTORNEY GENERAL moved that progress be reported and leave asked to sit again.

MR. H. BROWN: This was the greatest instance of supineness the Government had shown.

THE PREMIER: The hon. member would be supine if he had sat in the Chamber all night.

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

Ayes	...	...	17
Noes	...	...	6
Majority for	...	...	11

AYES.	NOES.
Mr. Barnett	Mr. Brown
Mr. Carson	Mr. Eddy
Mr. Cowcher	Mr. Male
Mr. Gregory	Mr. Stone
Mr. Hardwick	Mr. A. J. Wilson
Mr. Hayward	Mr. Brebber (*Teller*).
Mr. Holman	
Mr. Horan	
Mr. Hudson	
Mr. Keenan	
Mr. N. J. Moore	
Mr. Price	
Mr. Taylor	
Mr. Troy	
Mr. Underwood	
Mr. Walker	
Mr. Layman (*Teller*).	

Motion thus passed.

Progress reported, and leave given to sit again.

ADJOURNMENT.

THE PREMIER, in moving the adjournment of the House, said the Attorney General had given an assurance that when Clause 179 was reached progress would be reported. As Ministers had to be at their offices practically before 9 o'clock in the morning, the Attorney General was justified in carrying out his stipulation.

The House adjourned at eleven minutes past 6 a.m. (Wednesday), until the afternoon.

Legislative Council,

Wednesday, 17th October, 1906.

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

PRAYERS.

BILL—BREAD ACT AMENDMENT.

MONTHLY HOLIDAY FOR CARTERS.

SECOND READING.

HON. J. W. LANGSFORD (Metropolitan-Suburban) in moving the second reading said: This Bill provides a monthly holiday for bread carters in the metropolitan area. There are several questions which will naturally occur to hon. members, as to why it is necessary for us to legalise a monthly holiday for the bread carters, whether it is not a matter that we should leave to the Arbitration Court, and why we propose to confine the holiday to a radius of 14 miles from the Perth post office. These questions I hope to be able to answer as I proceed. This measure was formerly introduced in the Legislative Assembly by one of the Labour members. When that Bill came before this House, the second reading was postponed for six months; therefore I am now carrying out the wishes of hon. members in bringing the measure before them again, the six months having expired, so that we may proceed with the second reading of the Bill. On this occasion the Bill was introduced in the Assembly by Mr. Veryard, the member for Balkatta. We may therefore say that in the other House there was almost unanimity in regard to the measure. Although the Bill will not lead to the eloquence which the motion before the House yesterday called for, if in their wisdom members think the provision which is contemplated just to the bread carters and fair to the public, I hope the second reading will be passed. [HON. J. W. WRIGHT: Put in milk carters also.] I am told that bread carters are the only workers who do not have a holiday. Butchers and storekeepers, grocers and