Premier, that he would introduce a Bill during the session, and on that under standing I withdrew my measure. I am pleased the Bill has reached the Chamber from another place, and I hope that it will practically go through without discussion. It is desirable that such a measure should be passed. It has been postponed too long. Most of the States, as has been mentioned by the Attorney General, have had a law in existence for some 10 or 12 years. I hope members will assist in passing the Bill into law as soon as possible.

Question put and passed.

Bill read a second time.

In Committee, etcetera.

Hon. T. F. Quinlan in the Chair.

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

Read a third time and *passed*.

NOTICE OF MOTION—CONCILIATION AND ARBITRATION ACT AMENDMENT.

The PREMIER, in giving a notice of motion for leave to bring in a Bill to amend the Arbitration Court, said: This amendment refers to the question of making provision for apprentices. The measure meets with the approval of members of both sides of the House, and is brought forward at the request of the members of the Arbitration Court.

House adjourned at 7·47 a.m. (Friday).

Legislative Council,

Friday, 17th December, 1909.

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

PAPER PRESENTED.

By the Colonial Secretary: Report of Chief Protector of Aborigines for the year ending 30th June, 1909.

BILL—COTTESLOE BEACH RATES VALIDATION.

Second Reading.

The COLONIAL SECRETARY (Hon. J. D. Connolly) in moving the second reading said: This is a short Bill brought in to validate a rate for the Cottesloe Beach roads board, because the roads board have been advised that under the provisions of the Roads Act, 1902, it is doubtful whether they can recover their rates. I understand the principal fault is due to the fact that the rate book is not in proper order according to the strict terms of the Act. Several portions of the rate book were not signed within the statutory time by the chairman of the board, and several blocks were insufficiently described. In an action by the Claremont roads board against the Diocesan Trustees for the recovery of rates the roads board was nonsuited because the property was not sufficiently described in the rate book. While the lot numbers were put in, the location numbers were omitted, and the case went against the board on appeal to the higher Court, and the board had to pay costs to the extent of £100. The Cottesloe Beach

roads board was in a somewhat similar position. The new secretary found that the books were in a very neglected state. In a number of cases, instead of repeating the name of the owner in the rate book, where an owner held several blocks, the name was simply put in once and ticks were used, as is the common practice, to indicate that other blocks belonged to the same person. That is not strictly in accordance with the Act, and, therefore, the rate is not valid. There is £850 outstanding from last year, and the board is legally advised that if it sued for these rates its case would be very doubtful. It is in order to validate the rate that we are asked to pass this small Bill. I move—

That the Bill be now read a second time.

Hon. J. F. CULLEN (South-East): Is this a solitary case? The decision that has caused the Cottesloe roads board to seek this cover may really cause similar difficulty in every roads board in the State. The decision of the Court called attention to carelessness in administration of roads board matters, and Cottesloe has taken the matter up, but probably in the case of every other roads board similar informalities have occurred. Would it not have been better to bring down a general validating Bill providing that, notwithstanding the informalities, and so on, the proceedings of the board would be validated? Acts are passed regulating twopenny details and making them essential of the law; then it is found that in a single case these little details have been overlooked and a Bill is brought in for the particular purpose, but later on it is discovered that in 50 other cases the law has been broken in the same way because of these traps that are passed in hasty legislation. Would it not have been better to bring down a general Bill covering all similar informalities in all roads boards, because it will be found that Cottesloe Beach is not singular in this respect? I guarantee there are few roads boards' administrators who have not fallen into exactly the same informalities.

The COLONIAL SECRETARY (in reply): The Hon. member evidently misunderstands the position. It is not the duty of the Government to bring in a Bill every session to validate every action in striking rates by local authorities. Why do we pass an Act making special provision that the rate book should be kept in a certain way if we allow roads boards to keep their books in any way they like and then have their actions validated?

Hon. G. Randell: It would be an invitation to do that.

The COLONIAL SECRETARY: The Government are not sponsors for a roads board rate which may be wrongly struck. Every case that comes up is carefully considered, and if it is a bona fide case action is taken to get the rate validated. The principal reason for this Bill is that I have mentioned, and also the fact that a careless secretary neglected to put the rate book before the chairman at the proper time. The £850 of rates that may be lost are all bona fide. All these cases will receive due consideration from the Government, but no Government would give a general undertaking to validate everything a roads board may do.

Hon. J. F. CULLEN (in explanation): The Minister does not catch my point. I urge that first in passing laws we should not set traps by making little details unduly important. In the second place I urge the probability is that the same need for validation exists with regard to other road districts in light of the recent decision of the Court, and that it would be better to make a general provision that, notwithstanding such informalities, the acts of the boards are valid.

Question put and passed.

Bill read a second time.

In Committee, etcetera.

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

Read a third time and *passed*.

BILL—AGRICULTURAL LANDS PURCHASE.

Second Reading.

Debate resumed from the previous day.

Hon. V. HAMERSLEY (East): I do not desire to make any special remarks with regard to this Bill, but it struck me yesterday, that perhaps we were going to rush it into the Committee stage without one or two members who were not present having the opportunity of speaking on it, and looking carefully into some of the clauses. This is undoubtedly one of the best measures which has ever been put upon the statute books of Western Australia from the fact that an immense amount of good has been done by the Government acquiring various properties in different parts of the State which at one time were large holdings. From the reports of the Surveyor General we have learned that these holdings have been successfully cut up, and they are at present producing large quantities of corn and various other produce. This would certainly never have been the case if they had remained under the one ownership. It was only after these properties were subdivided that their real value was proved. I notice that a large area, something like 19 different estates, containing about 215,000 acres, has been dealt with. Practically the whole of this area has been successfully disposed of and the State stands no risk of losing anything by the transaction, and it certainly has done an enormous amount of good in connection with development. We need have no hesitation whatever in expending the amount which the Government ask us for to enable them to acquire further properties, as they feel justified in doing upon the recommendation of the Lands Purchase Board. I notice it is asked that we should increase the amount of the capital for this purpose from £200,000 to £400,000. In Clause 6 I would like to remind members of the position which has in the past proved something of a stumbling block to the cutting up of one or two of these private estates. It will be noted that the Government upon the recommendation of the Land Purchase Board can acquire property which is situated within 20 miles of a railway. It can readily be understood in many instances that the nearest boundaries of a property may be within 10 or 15 miles of a railway; but one portion of that property may be outside the radius of 20 miles. I have seen several instances in regard to properties of probably 10,000 acres where some 500 acres on one corner have been outside the 20 mile radius and this proved invariably a stumbling block, as it has been impossible for the Government to acquire that 500 acres which would have to be cut off from the block the Government were purchasing. I think this is a matter which might reasonably be considered in Committee so as to overcome what in the past has been a difficulty with regard to acquiring this class of property. In Clause 12, Subclause 3, it is noticed that no person under the age of 16 shall be eligible to select land. It is a question to my mind whether that age is not rather too young to allow persons to acquire re-purchased estates in view of the fact, as we know under the Agricultural Bank Act, a person of that age cannot borrow money with which to improve land so acquired. The old Act gives the age as 18 years, and I think that age is reasonably low. I do not agree with the idea of bringing the age down to 16 years. It seems ridiculous that children should take up these properties which are acquired by the Government, and which are not on all fours with the vacant lands offered by the Government. I think this provision will only be courting a certain amount of failure in connection with repurchased estates. With these few remarks I beg to support the second reading of the Bill.

Hon. G. THROSSELL (East): I heartily agree with this Bill and its object to increase the capital by £200,000. As pointed out by the previous speaker there are some clauses which ought to receive serious consideration. It will be recognised that the object of the Bill is entirely for the acquirement of large estates and their subdivision, so that homes might be provided for the landless. The Bill allows lads of 16 years of age to select from these repurchased estates. We should bear in mind, however, that the object is to break up large estates, but I do not think it is hardly in accordance with the

object of the Bill that we should allow these lads to come along and select. To my mind it is objectionable to have a boy of 16 years of age on the place. While we permit a lad of 16 to take up land, and throw upon him the powers of manhood, when he goes to another department, the Agricultural Bank, he is asked by the manager "How old are you?" Then when he replies that his age is 16 the manager will say to him "Go away until you are 21; I will have nothing to do with you." The lad may then go to another institution, or he may go to the grocer for assistance, but no one will recognise the lad as a desirable person to do business with. Our object in acquiring these estates is to provide homes for the landless and the poorer people, and we allow a boy of 16 to come in and at the same time refuse to give him assistance through the Agricultural Bank. It is quite clear that we must do one of two things; we must either strike out the age of 16 or we must amend the Agricultural Bank Act so as to permit of that lad receiving financial assistance. I am altogether opposed to a boy of 16 under this or the principal Act taking up land. Our object should be to encourage bona fide settlement by heads of families. What is the result of selection of land by boys 16 years of age? These settlers are not at manhood until they reach the age of 21 years; thus five years elapse and we have to allow say another five years before they marry, so that the land is practically locked up by these young bachelors for a period of 10 years. It reflects no credit on those who are responsible for placing such a proposal in the Lands Purchase Bill. I am glad to see that the Minister is given very desirable powers in this measure; one being that he shall clear, fence, drain, and make such other improvements as he may deem necessary. I have in my mind's eye an estate which was acquired in the South-West and which may be worked with advantage by the Minister under such a clause. The South-West has to a certain degree been a neglected part of the State; it possesses rich swamps which are capable of settlement. On the occasion of a visit I resolved that I would adopt some measures to help the small settlers by clearing and draining the land; but in those days we had too much pioneering so to speak to carry out, and besides the then Treasurer was not so free with his money. Here we have an opportunity of disposing of lots of 20 and 30 acres. That land in the South-West is very rich, and a small area is capable of maintaining a family. The cost of clearing and improving, however, is quite beyond the ordinary man, and I am glad to notice that in this Bill the Minister is given the power to clear, drain, and fence, and make other improvements at his own sweet will. Another objectionable part of this Bill is that a man may sell his estate to the Crown, then it is subdivided into suitable areas, and the rich seller with his sons may come along and select areas from it. In the abstract I have no objection to a man acquiring land, but I do not think it was ever contemplated that the Government should buy an estate from a man and then allow that man with all his sons from 16 years of age upwards to come along, purchase what they required, and become settlers upon it once more. That very fact is paradoxical, and it is contrary to the spirit of the Act. Our object is to break up large estates. Here we make it possible first of all to break them up, and then we allow the same family who may be blessed with a large number of boys to come along and take it up again, and by so doing we pay these people for their property, and then we afterwards provide them with money to enable them to improve the land. The Minister appears to be very keen in his desire to get rid of the land without considering the interests of the State. I am strongly opposed to a lad of 16 years of age becoming a settler. Members will recollect that only a few years ago the James Government proposed to introduce legislation which would make it penal for a boy to be found in possession of cigarettes, which might be taken from him after a search. Now we propose to clothe this same boy with the powers

of manhood. He is received in the Lands Department, his application is conceded, but when he goes to Mr. Paterson the manager of the bank he is hunted out as not being eligible. Is not that paradoxical? Do we not require to do one thing or the other; strike out the boy of 16 or make him eligible for banking assistance. I say in all sincerity we should strike out the boy of 16. We owe him nothing, and his place is to assist his father until he reaches manhood. I need not speak further on the Bill, but I trust the points I have mentioned will commend themselves to hon. members. The maximum mentioned in the Bill is 1,000 acres. That is heartily approved of by me. It only emphasises what I have said before, that under the Bill the wise men at the head of the department consider 1,000 acres ample for supporting a family. If they do not consider it ample they have no right to limit the area to 1,000 acres. We allow 1,000 acres as the maximum under this Bill, but under the Land Act we allow a man to take up 3,000 acres on which to sustain his family. It only emphasises the great necessity for care in dealing with our broad acres. I want to point out that the vendor may come along and apply for his 1,000 acres, he has a lad of 16 who can take up 1,000 acres, he has a lad of 18 who can take up another 1,000 acres. They have sold their estate, got their money, and become selectors of their own land, and they have got 20 years' credit and money to assist them. I am not talking without my book, because I put a question to the Minister for Lands to know what he intended, and he said he could see no objection to the vendor selecting, but I see every objection. I know we can be protected by regulations if they do what is right in the department. They can make regulations that no vendor of an estate shall have the right to select land if there is another applicant for the same land. I favour the increased amount in the Bill. The largest number of estates that have been acquired stand to my credit, and they have been a success. I am heartily in favour of the Bill. It has done a great deal of good, but I want to say, take care we do not pull down with one hand and build up with the other. We are going to do that, and before many years pass we shall see that is so. With the repurchased estates there is a maximum of 1,000 acres. That is all right, but under the Land Act we allow a person to take up 3,000 acres as a maximum. In a few years we shall require a special Act to buy the conditional purchase leases back which now we are granting so freely. I am altogether opposed to these lads of 16 taking up land, and I am deadly opposed to a race of bachelors on the land.

Hon. C. A. PIESSE (South-East): The hon. member used to sing an entirely different song a few years ago. I want to say in reference to these lads of 16 that when Honorary Minister I assisted to bring this legislation into force. The need that existed for giving these lads of 16 this privilege was that many persons came here with their sons, and they found that by the time their boys were 18 or 21, all the land within miles of them had been taken up. The age was reduced to 16 to enable these lads to take up the land, and we are always safeguarded by the conditions of improvement. You take the lad of 16 that Mr. Throssell has so much to say against. In four years he is a man. If you gave the choice of bringing out a shipload of lads of 16 as against a ship load of men of 40, I would say bring the ship load of lads of 16. The hon. member went back to the time when Sir Walter James brought forward legislation to make lads stay at home of an evening and not smoke; but the hon. member could have gone back further. He knows when he was a lad what he did; why not put that sort of case before members and show that the lads of 16 can be men. There are boys in my district who are fine specimens, and who are really men. It is far better to see these lads on the land than loafing about the street corners in the City. I want Mr. Hamersley and Mr. Throssell to give me a bedrock instance where lads have taken up land and have failed to carry out their improvements. As to the power

given to the boys, the other day we passed a Bill to amend the Transfer of Land Act and Clause 9 of that Bill says—

> "Every person who for the time being is the holder of a Crown lease shall, for all purposes in connection with transferring, subletting, mortgaging, or otherwise dealing with the lease, have the same capacity as if he were and shall be deemed of full age."

I see that in another place the matter was explained yesterday. It meant that a lad of 16 had all the privileges to mortgage land. We have it there in the Bill which we have passed. In these circumstances there is no need to amend the Bill before us. I think the Bill is a good one. I have looked it through and there seems to me very little to find fault with. Clause 18 will almost help the lads to come in. That clause says—

> "The Agricultural Bank may grant loans in accordance with the Argicultural Bank Act, 1906, to a selector of land under this Act, and the said bank may grant such loans with or without any other security than the interest of the selector in such land."

Is not a boy a selector? I do not know if he will not come in under that clause. I want to say a word for the boys; they are the finest asset we have. It is such a short time between 16 and 20 that surely we can allow a lad to select so long as we see that he carries out his improvements.

Hon. E. M. CLARKE (South-West): It is not my intention to say very much about the Bill. I think it is a good one in many respects. Having had some little experience of the administration of the original Act I think I can speak with authority. In the first place it is suggested that the Government should improve the land. I have in my mind a property down South that has been improved by the Government to such an extent that a burden is put on it that the settlers cannot pay. I think I am right when I say that they do not pay their instalments; whether they will eventually or not is another question. I throw this out as a hint to the Government; not that I find fault with the Bill, for I hail it with delight; but it is up to the Government with a Bill of this kind to know how it is going to work out. They should know that and not land the public in a dilemma. Two estates have been purchased in my district, and they were absolutely spoilt in improving them and cutting them up. Together they were about as big a failure as any failure that I know of. There is another thing I would like to see in the Bill, and what I would like the Government to guard against, the principle that has been adopted hitherto of buying estates at a very low price and making a commercial affair of them straight away. The hon. Mr. Throssell did this in the first instance; I had a tilt with him over the question. The Act says the price shall not be less than so much; that is, that the land shall be sold at a certain percentage added to the total cost. I would like to see a maximum put on, because we know where land may be purchased at something like 30s. an acre, if that land is put up to auction it may be run up to something like £13 per acre; there may be no buildings on it, and no fencing, only, perhaps, a little bit of cleared homestead. The spirit of the Bill is that these estates shall be repurchased and resold to the applicants, not with the view of making money, but at the lowest possible price that the properties can be sold at. When you talk about repurchased estates and unalienated Crown lands you are not speaking in the same paddock; one is frequently put up at so many pounds and the other is so many shillings. You cannot compare a repurchased estate with original Crown grants. One is sold at 10s. or 15s. per acre and the other may be run up to £3. I would like the Government to abandon the idea of making a lot of money out of these estates. That is not the intention of this or the other House. The idea is that energetic young fellows, and old fellows too, for the matter of that, shall go on the land and make a success of it. The land should be sold to the people at the cheapest possible price consistent with making a success of it. That has not been the practice in the past. The first estate was purchased and a prohibitive price fixed on some of the poorer lands, and, I believe, the Government

had to reduce the price. That is not as it should be. I trust in the administration of the measure the Government will see that they do not treat the case as if it were some individual buying the land as cheaply as he can and selling it as dearly as he can. To a certain extent that is what has been done in the past. With regard to the age of youths able to take up land, so long as the lads of 16 are big and sturdy boys the idea is a good one. It has to be borne in mind, however, that the Agricultural Bank will not advance money to these youths; but by all means let them have something. Certainly they are placed in a dilemma through not being able to go to the Bank. It will come out in this way, that the father applies for the land for two or three of his sons between the ages of 16 and 19. That is all right; but the difficulty of obtaining money will be a real one. While it would be all right to lend a young fellow money on a piece of land he had acquired from the Government, in the first instance, it would not be on all fours with the position where he pays £2 or £3 an acre for the land, a portion of a repurchased estate. If the Government could make it legal for a boy of 16 to get money from the Agricultural Bank, I would have no objection, for these are the men of the future, and they should be encouraged as much as possible to take up land and become good citizens.

Hon. J. F. CULLEN (South-East): Mr. Throssell has become so heterodox on land questions that it would be hopeless to answer him on all his ramifications. If I were to name a New Year's gift for the State it would be shipload of 16 year old farmers. That would be the finest gift the State could have. I know lads of 16 who can beat the average man on the land. The only one who need fear the lad of 16 accustomed to farming would be the Government stroke employee who dared to try and work by his side. Instead of narrowing our law to deprive the 16 year old youth I would be inclined to go in the opposite direction. I would be disposed to let a settler with a family take up land for every child he has, provided he carries out the improvements. That is a safe direction to go and it would be a sound policy to say to the bona fide settler "You can take up land around you sufficient for your family when they grow up provided you are able to carry out the improvements." I differ from Mr. Throssell with regard to the Government improving land in the direction of fencing, draining, clearing, etcetera. I do not object on theory, but because no Government yet anywhere in the world have ever made a success of it. Theoretically, it stands to reason that a practical farmer can make £1 go as far as the Government stroke can make £2. That Government stroke might be under the supervision of a man who perhaps is a good engineer, but is not a practical farmer. As a matter of actual history every time a Government have attempted to leave their own work and enter the lists of practical industry they have been "got at" right and left, and their experiment has proved a failure. That has been the case again and again in the Eastern States, and the experiment has been a failure here at Stirling, at Denmark, and wherever the Government ment have tried it. I am opposed to Clause 10 which gives the Government power to make these improvements, and hope members of this House will express their view, not by rejecting the clause, but by impressing upon the representative of the Government the wisdom of everyone attending to his own line. Let the Government administer the affairs of the State, and the law, but let practical farmers do practical farming. There are three clauses in the Bill which require special attention. Clause 5 provides for a board of five persons to administer the measure. I know there is a board existing now, but I want to urge that it would be wise to avoid making too many boards. When we get four boards we have a coffin, and these boards will bury a lot of money. Multiply boards and one multiplies offices, officers, and cost. Here is a case, where, if the Minister had been wise, he would have realised that there is in existence a board doing similar work, which would be most suitable for the carrying out of the work necessary by the measure. That board consists of the trustees of the Agricultural Bank

and they should take over the duties under this measure. There could not be a better board for the purpose. I urge upon the Minister the advisableness of appointing the trustees of the Agricultural Bank as the repurchase board. This would simplify administration and would save an enormous amount of money. As to the unlimited power given to the Minister under Clause 10 to clear, fence, and otherwise improve, I would advise him to suggest to his colleagues that the clause should be used as little as possible. The members of the Government are Ministers, not farmers. There is not a farmer among the officials of the department. The Government send down the unemployed of the City, many of whom know nothing of farming, give them a standard rate of wage to do work they know nothing about with the result that the land is being loaded up at too prohibitive a price. I could not help being impressed by Mr. Throssell's conjuring up the picture of some fool of a landowner who would sell to the Government and then come in and buy the land back at an inflated price. Was there ever a man made on such fool lines as that. The hon. member almost wants us to put on special constables to keep that man away. The previous owner would simply come in as an ordinary purchaser; and to attempt to differentiate between the purchasers is absurd. The marginal reference in clause 19 needed altering. In that clause it is provided that within 30 days of the meeting of Parliament the Board shall bring up a report of the operations under this Act. Here is another mistake. The Minister always brings up an annual report, and then is the time for the presentation of special reports relating to matters of this kind. If a provision were inserted in the Bill to the effect that the Minister in his annual report could show the operations of the Act, it would be the proper system to adopt. If it is provided that the Minister must report 30 days after the meeting of Parliament, which is a moveable date, he would have to make a report for a broken period, and over different dates from those embraced by the report of the department. The Bill is a good one, but it might have been still better.

Hon. T. F. O. BRIMAGE (North-East): Seeing that we have passed three new spur lines of railway this Bill is totally unnecessary. The granting of money for the purpose of purchasing large estates is not needed. Surely the Government have plenty of land—I have heard they have—and we should encourage settlers to go to the new land opened up by the agricultural railways rather than repurchase estates.

The Colonial Secretary: Do both.

Hon. T. F. O. BRIMAGE: When this measure first came before Parliament it was intended to purchase only the large estates granted to pioneers, and rightly so; but I believe practically all those large estates have been taken up by the Government and there is no reason now for the granting of another £200,000 for the board to purchase more estates. If there is a large estate to be purchased why cannot the Government bring down a special Bill to obtain authority for the transaction? That would be a good method of advertising the estate. At the present time if an estate is purchased one seldom hears anything about it, and as Mr Throssell has said the owner with his children may come down here and pick the eyes out of the estate, and leave the public to get the balance.

The Colonial Secretary: At double the price he got for it.

Hon. T. F. O. BRIMAGE: That is not always the case. I protest against this measure, for I think it is unnecessary. In New Zealand when land was very scarce, and large estates were held, it was found absolutely necessary for the Government to step in and purchase estates for the purpose of closer settlement; but in every instance, I believe special Bills providing for the purchase were brought before the House, and no system was adopted of placing some £200,000 in the hands of the board of five gentlemen for the purchase of estates as they should think fit. In regard to age limit of boys selecting land, I think that the lad of 16 years, working with his parents on a farm, should have the right to select. Considerable attention should be given to what Mr. Throssell has said in regard to the disposing of the land in smaller parcels. We are parting with

out lands wholesale, and by and by measures will be brought before future Parliaments for repurchasing estates which are being built up to-day.

Hon. J. M. DREW (Central): This is one of the most useful measures on the statute-book. The existing Act has led to the bursting up of large estates with the full consent of the owners, and to closer settlement. At the same time it is necessary to sound a note of warning, and express the hope that the Act will be more carefully administered in the future than it has been in the past. The Oakabella estate, in my district, recently purchased by the Government, was owned by Mr. S. R. Elliott, but the blocks were held in 10 different names. A more flagrant instance of dummying has never come under my notice. For this estate £22,000 was paid, or very nearly £1 per acre. A large proportion of the land was either second or third class grazing lease, for which not much more than 1s. per acre was originally paid. With the exception of those around the homestead there were very few improvements upon the estate. This matter of the Oakabella estate should have been given the very fullest investigation before the purchase was made. While the purchase was under consideration I was approached by the Minister for Agriculture, who asked my opinion on the subject. I told him that the estate was worth, perhaps, half the price that was being offered for it. A member of the Lands Purchase Board also approached me, and to this gentleman I gave a similar reply. The general opinion in that district is that the land in the estate is unsuitable for cultivation. In face of all this it has come as a great surprise to the people of the district that the estate was purchased at the figure given for it. Many desired that the estate should be purchased, but at a reasonable figure. With the exception of some 1,100 acres, all the blocks have now been taken up, but the burden will fall very heavily on the unfortunate selectors. The fact that this estate was purchased was due largely to land hunger in the district, contracted by reason of the neglect on the part of the Government to open up Crown lands. The Narra Tarra estate was purchased for £26,133; it comprised 23,758 acres, so it will be seen that over £1 per acre was paid for it. I am acquainted with the estate. About 6,000 acres of it consists of first class land; the rest is grazing lease and poison lease. While I was Minister for Lands this estate, with the exception of a few acres around the homestead, was offered to me, but I refused to submit it to the board at 15s. an acre. Yet the estate has now been purchased for over £1 per acre. On the poison lease 11d. per acre was originally paid, while for the third class land 3s. 9d. per acre and for the second class land 6s. 3d. per acre was paid. For the first class land, of which there is only a small quantity, 9s. 11d. was paid. Notwithstanding this the Government has bought it all up at over £1 per acre. The estate was offered by Mr. S. L. Burgess, but it was held in various names. On both estates there are certain improvements, but these do not in any way warrant the price paid. One estate the people of the district would like to see purchased is that known as the Bowes. It consists of really first class land, some of the best in Western Australia, but although the Government has an option over it nothing further has been done. The price asked is 30s. an acre, and the estate is far better worth 30s. an acre than the other two are worth 10s. per acre. The Land Purchase Act has been a great boon to settlers, but the administration of it will require watching in the future. Men in my district who started as small selectors are becoming big farmers, and they seem to have one object in view, namely, to sell out later on to the Government under the Lands Purchase Act. No doubt that is the feeling in various parts of the State, and many offers of estates have been made to the Government. I agree with Mr. Clarke that the Government should not load up these lands with excessive prices. It is definitely stated in the Act that in addition to the purchase price the Government should only charge against the land the cost of survey, classification,

and administrative expenses; yet in respect to the Mount Erin estate, purchased for £9,000 the Government netted some £30,000, an enormous amount in excess of what the estate cost. This is totally contrary to the spirit of the Act.

Question put and passed.

Bill read a second time.

In Committee.

Clauses 1 to 5—agreed to.

Clause 6—Lands may be surrendered in terms of this Act:

Hon. V. HAMERSLEY: Instances were common in which the board had been considerably hampered by the provision that property should be within 20 miles of a railway, or projected railway. This had been a stumbling block to many transactions.

The Colonial Secretary: Do you know of any instances?

Hon. V. HAMERSLEY: Yes; several instances could be quoted. It was an objection that should be removed.

The COLONIAL SECRETARY: Twenty miles was a distance greater than that recognised as practicable for carting from a railway. If, then, the land was beyond 20 miles from a railway surely it was not suited for closer settlement. After all, the land referred to by the hon. member would be useless for settlement purposes, because it was outside the recognised area of 15 miles. The clause did not only refer to railways, but to proposed railways.

Clause put and passed.

Clause 7 — Lands Purchase Board to report:

Hon. T. F. O. BRIMAGE moved an amendment—

That the following be added to stand as Subclause 3:—"The lands purchase board shall before purchasing lay such report before Parliament."

Parliament should know what the Government were purchasing. This was the only State where a sum of money was placed at the disposal of a board to purchase land. In every State, he understood, special Bills were brought before Parliament for purchasing any large estates. No doubt the lands purchase board consisted of gentlemen who were careful, but Parliament was too much in ignorance of what was going on. We had spent £200,000 in purchasing these estates, but he had never seen an advertisement about it.

Hon. G. THROSSELL: The amendment was unnecessary and unwise. Many estates had been purchased, but so far there had been no abuse, and no dissatisfaction had arisen. The board provided a detailed report for Parliament upon its meeting. That was sufficient protection.

Hon. E. McLARTY: Parliament would not be in as good a position to deal with the matter as a competent board containing business men who inspected the land thoroughly and gave what they considered a fair valuation. No doubt seeking the approval of Parliament would cause delay. It would be impossible for members of Parliament to inspect any land offered, and the opinion of members as to the value of the land would not be worth much.

Hon. S. STUBBS: We had no need to go buying estates when we were advertising all over the world that we had millions of acres for sale. When we had lands awaiting selection there was no need to purchase, at any rate for the next 10 or 15 years; and Parliament should give approval of any purchase before it was effected.

Hon. E. M. CLARKE: It did not matter to the lands purchase board what a seller asked for an estate. The board carefully inspected the land and recommended to the Government what they were prepared to give. Estates had been purchased at less than half the price asked, and, in many cases, the board recommended the Government not to effect purchases.

Hon. T. F. O. BRIMAGE: There was no reason why a report should not be brought before Parliament. In the lands purchase board he had every faith. The members of the board were beyond reproach, and had a great knowledge of agriculture, and they were gentlemen who would do their best for the State, but Parliament was not kept in the fore-

front with a full knowledge of what was going on.

Hon. B. C. O'BRIEN: Referring the matter to Parliament might cause delay, but this was a matter in which we should hasten slowly. We had any amount of good land available, and we were extending railways, boring for water, and clearing Crown lands, so that it would be rarely necessary to make a purchase. When it should happen, Parliament should have the opportunity of knowing the object of the purchase.

The COLONIAL SECRETARY: That would be delaying matters unnecessarily. The estates were bought and bought to resell. The lands purchase board was not likely to pay too high a price because they knew the land would not be taken up if the price was too high. Members of Parliament were not supposed to be expert in regard to the value of agricultural land, but the hon. member need not fear, Parliament would be fully informed, as there was a clause in the Bill providing that the lands purchase Board should submit reports to Parliament, with their reasons for recommending purchases. Many times the board had recommended that a purchase should be effected at half the price demanded. It was true there was no need for purchasing these estates at present, but, still, the machinery was necessary. It was often good business to purchase a large estate lying adjacent to a railway, and to settle on that estate 30 or 40 families. It would mean a considerable advantage to the traffic on the railway, and there was no loss through this land purchased. The land was always sold again at the price paid for it.

Amendment put and negatived.

Clause put and passed.

Clauses 7 to 9—agreed to.

Clause 10—Minister may improve lands purchased under this Act:

Hon. E. M. CLARKE: If the Minister would take his advice he would strike out the words "clear" and "fence," It would be all right to drain the properties, but not to clear and fence them.

Hon. J. F. CULLEN: The Minister should make a note of the fact that the House was practically unanimous in the view that the less the Government dabbled in practical farming the better. Clearing could be better done by the practical farmer.

The COLONIAL SECRETARY: The Government were of the same opinion but at the same time it was necessary to have machinery of this description in the Bill.

Hon. G. THROSSELL: It would be a mistake to amend the clause. Having in view what he had said about the South-West it was important that these words should be allowed to remain.

Hon. J. F. CULLEN: In order to test the feeling of the Committee he would move an amendment—

That in line 2 the words "clear" and "fence" be struck out.

To strike out all these words would be an instruction to the Government that the House was against the Government undertaking clearing and fencing.

Hon. T. H. WILDING: There was no one more opposed to the Government doing this kind of work than he; and he knew of instances in the past where the Government had paid three times the value of the work for clearing and fencing. In the South-West, however, where the timber was so heavy we wanted some means of cutting the timber down all over the ground. He would like to see a sum of money devoted for this purpose. Having visited this part of the State recently he was quite puzzled as to the best way in which this country could be cleared. He asked Professor Lowrie who was with him, and that gentleman found it difficult to realise which would be the best way. He thought, however, that we might get a traction engine on the ground and after pulling down the trees swing them into heaps and burn them.

Hon. G. THROSSELL: There could be no objection whatever to the clause as it was printed. We had given the same power in the principal Act, and it would be paradoxical now if we struck out the words referred to. To ask a man to clear land such as that which members had in view would be to create a system of slavery. For the sake of

consistency members should pass the clause as it was printed.

Hon. C. A. PIESSE: The clause would only apply to small areas. We had a second Tasmania in the South-West portion of the State, and the Government should certainly have the power to clear 5-acre patches for orchardists. We should then be doing very good work.

Hon. J. F. CULLEN asked leave to withdraw the amendment.

Amendment by leave withdrawn.

Clause put and passed.

Clause 11—agreed to.

Clause 12—Price and conditions on which land is to be sold:

Hon. G. THROSSELL moved an amendment—

That in line 1 of Subclause 3 the word "sixteen" be struck out, and the words "twenty-one" be inserted in lieu.

His desire was to increase the age of an eligible selector from 16 to 21 years. The amendment, if carried, would bring the subclause into line with the Act which provided that assistance should be given by the Agricultural Bank to selectors over the age of 21 years.

The COLONIAL SECRETARY: The Committee had already debated the question of the second reading. As the clause was printed it was brought into line with the existing Land Act.

Hon. V. HAMERSLEY: The alteration of the age would receive his support. There was no one who wished to see the State purchase land at about, say, £5 an acre and hand it over to lads of 16. It might be all very well in the case of bush land which was not worth more than 3s. 6d. an acre.

Amendment put and negatived.

Clause put and passed.

(Sitting suspended from 6.15 to 7.30 p.m.)

Clauses 13, 14, 15—agreed to.

Clause 16—Appropriation and receipts:

Hon. W. PATRICK: Would the Minister explain Subclause (*a*).

The COLONIAL SECRETARY: There did not appear to be any special meaning attached to the subclause.

Hon. W. PATRICK was under the impression that the subclause meant that in the event of an estate being repurchased the Government might add the Crown land adjoining the estate to the estate and treat it as repurchased land.

The COLONIAL SECRETARY: This subclause provided for unalienated Crown lands being included, which was necessary to square up the ground.

Hon. W. PATRICK: It was a very wrong principle. This took place in connection with the Oakabella estate. A portion of Crown land was added and treated as repurchased land and charged as repurchased land.

The COLONIAL SECRETARY: The hon. member was right. The subclause gave power to take unalienated Crown land as if it were repurchased land, but the proviso was inserted so that Crown lands might be added to square up the ground. It was not intended to take in a large area of unalienated Crown land and treat it as repurchased land.

Hon. J. F. CULLEN: The Crown might own land adjoining a purchased estate and some of the land might be alienated with the repurchased land. The object of the clause was to provide, where that happened, as far as possible that the repayments should be kept separate. That part belonging to the estate should go to the trustees and the portion not belonging to the estate should go into the Consolidated Revenue.

Hon. W. PATRICK: That was not the point. What he wanted to know was why the Government should charge for Crown land as if it was repurchased land.

Hon. J. M. DREW agreed with the remarks of Mr. Cullen. In the past it had been the practice where an estate had been repurchased if there was a patsoral lease, the proceeds of the sale of the lease had gone to the repurchased estate. This was not right. This subclause remedied what had been objected to all along.

Hon. W. PATRICK: The land he had in his mind's eye belonged to the Crown absolutely. It was not portion of a pastoral lease. It was taken up as a conditional purchase and abandoned. and the Government took charge of it and sold it as repurchased land.

Hon. R. W. PENNEFATHER: If the explanation given by the Minister was correct, that this subclause only applied to cases where it was necessary to square up land, still there was no limitation. Mr. Patrick objected to power being given in the clause, but no limitation was placed on the quantity of land that should be included in a repurchased estate.

Hon. W. PATRICK: In the future, whatever might be the destination of the money, the price charged should be no more than that charged for ordinary Crown land. The price should not be increased because it adjoined a repurchased estate.

The COLONIAL SECRETARY: This provision was not intended to apply to large areas of land, but only to small small areas required to square up the boundaries of the estate.

Hon. W. PATRICK: The price charged for a particular block of land was, in the case he knew, of several times what would have been charged for ordinary Crown land. Because there was vacant land adjoining the repurchased estate it should not be sold as portion of the repurchased estate.

Clause passed.

Clauses 17, 18—agreed to.

Clause 19—Report to be presented to Parliament:

Hon. J. F. CULLEN: This clause provided that a report should be submitted within 30 days of the meeting of Parliament, which might be any time in the year. This was to be a report not simply of the land resumed, but of all the transactions in the land, the sale, and everything about them, and it should come before members in the annual report of the Minister for Lands. Unless the Minister had any objection to offer which might seem valid to the Committee, he would move that lines 1, 2 and 3 be struck out and the words "the Minister in his annual report to Parliament shall show" be inserted.

The Colonial Secretary: The Minister did not make an annual report.

Hon. J. F. CULLEN: Then let it be in the report of the Under Secretary. It would perhaps be better to alter the wording of the amendment to the following:—"That the annual departmental report to Parliament shall show."

The COLONIAL SECRETARY: The member would not gain his purpose even if the amendment were carried. The report of the Under Secretary for Lands was not presented within 30 days of the meeting of Parliament, whereas the clause set out that the report with regard to repurchased estates should be presented within 30 days of Parliament's meeting. The date of the calling together of members did not vary more than a month, but there was no definite time for the presentation of the departmental report.

Hon. J. F. CULLEN: It would be impossible, if the clause were passed as printed, for the board to make up the report to a recent date and present it within 30 days of the meeting of Parliament, seeing that no one knew within a month or two when Parliament would meet. The report would have to be a complex one involving a great deal of work, and it should be made up to the 30th June in each year and included in the departmental report.

The COLONIAL SECRETARY: The report of the Under Secretary for Lands for last year gave details as to the transactions of the board to the end of June. The member, therefore, had what he wished, and by the clause he would, in addition, get a report within 30 days of the meeting of Parliament.

Hon. J. F. CULLEN: It was not sufficient that the annual report of the department should give the information. If it were sufficient there would be no necessity for the clause.

Hon. C. A. PIESSE: If the amendment were pressed more harm would be done than good. All that was asked was a report as to the working of the estates which had been purchased. The report would be presented early in the session, and members would be given an opportunity to discuss the working of the board.

Hon. J. M. DREW: The amendment should be withdrawn. Every information should be supplied to members with regard to the transactions of the board. The information could be obtained by

the department in five minutes if their books were properly kept. It was right that the reports of the board showing the reasons inducing them to purchase certain estates should be presented to members.

Amendment put and negatived; the clause passed.

Clause 20—agreed to.

Schedules, Title—agreed to.

Bill reported without amendment; the report adopted.

Read a third time, and *passed*.

BILL—AGRICULTURAL BANK ACT AMENDMENT.

Assembly's Message.

Resumed from the previous day.

The CHAIRMAN: The question before the Committee is, "That the further amendment of the Legislative Assembly on the amendment of the Legislative Council be agreed to."

Hon. J. D. McKENZIE: It had been a great mistake on the part of hon. members to agree to the subclause with which the amendment dealt. In his opinion there was no justification whatever for giving to the bank power to advance money for the purchase of machinery. The position now was that if the amendment of another place were rejected there would be a great danger of the Bill being lost altogether. The loss of the Bill would inflict great hardship on a large number of settlers. The Bill authorised additional capital for the bank, and in view of this he was prepared on this occasion to sacrifice principle rather than to inflict the hardship which would be entailed by the loss of this extra capital. That the Minister should constitute a board to say what wages should be paid to the men engaged in the industry was a bad principle, but for the reason stated he would support the amendment of another place.

The COLONIAL SECRETARY: Hon. members had talked a great deal about the principle at stake, but was there any great principle at stake at all? When there was a principle to be fought for he would be just as active and willin to fight for it as would any other member, but in this instance he did not see that there was anything at stake at all.

Hon. G. Randell: You will find that out.

The COLONIAL SECRETARY: It was just as well that when we fought it should be for something worth fighting for. The position was that a proviso had been put in directing that the "ruling rate of wage" should be paid in lieu of the "prescribed wage" as inserted by the Assembly. In another place this "ruling rate of wage" had been struck out and "wages approved by the Minister" inserted. The reason for this had been that where there was no Arbitration Court award in force there would be no ruling wage. If such an award were in force, of course, the Minister would abide by it. Surely hon. members would not reject the Bill and leave the bank without the necessary increase of capital.

Hon. M. L. MOSS: The Colonial Secretary was the only member of the House who denied that there was a question of principle at stake. Mr. Cullen, Mr. McKenzie, and Mr. Drew would vote for the Colonial Secretary, but each of them had made strong speeches against the principle contained in the amendment. The Colonial Secretary had said that when there was an award in existence the Minister would abide by it. But all evidence went to show that Ministers did not abide by the Arbitration Court's awards, but gave something in excess of them. He did not want the rate of wage to be decided on political influence. Ministers, as far as possible, should take a neutral part in industrial disputes. Here we had a deliberate instruction inserted in the Bill that wages were to be increased or decreased according to the amount of political influence brought to bear on the Minister.

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

Ayes	12
Noes	12
A tie	0

AYES.

Hon. J. D. Connolly	Hon. E. McLarty
Hon. J. F. Cullen	Hon. B. C. O'Brien
Hon. J. M. Drew	Hon. W. Patrick
Hon. J. W. Hackett	Hon. G. Throssell
Hon. A. G. Jenkins	Hon. R. D. McKenzie
Hon. J. W. Kirwan	(*Teller*).
Hon. J. W. Langsford	

NOES.

Hon. T. F. O. Brimage	Hon. M. L. Moss
Hon. E. M. Clarke	Hon. R. W. Pennefather
Hon. F. Connor	Hon. C. A. Piesse
Hon. J. T. Glowrey	Hon. G. Randell
Hon. V. Hamersley	Hon. T. H. Wilding
Hon. S. J. Haynes	(*Teller*).
Hon. R. Laurie	

The CHAIRMAN: To permit of further consideration I give my casting vote with the noes.

Question thus negatived; the Assembly's further amendment not agreed to.

Resolution reported, the report adopted; and a Message accordingly returned to the Assembly.

BILL—CONSTITUTION ACT AMENDMENT.

Second Reading.

Debate resumed from the 15th December.

Hon. M. L. MOSS (West): In common with other hon. members I desire to record my protest at the late period at which this most important Bill has been introduced, at a time, too, when the Standing Orders are suspended. I protest, also, against the attempt made by the leader of the House to prevent an adjournment in order to have the matter fully discussed.

The Colonial Secretary: What was your object in moving the adjournment?

Hon. M. L. MOSS: To provide reasonable time for hon. members to get information on the subject.

The Colonial Secretary: There were 27 members in the House when you moved the adjournment.

Hon. M. L. MOSS: The fact that there were 27 members in the House when the adjournment was moved is not the point. The point is that reasonable time should have been afforded to hon. members to discuss the question, and no attempt should have been made to drive the Bill to a division on the very day on which it was received from another place. This Bill is to be one of a series of Acts which, if passed, will result ultimately in the abolition of this Chamber. That proposition is not denied by those people who are clamouring for this amendment of the Constitution. It must be remembered that when Responsible Government was granted in Western Australia the bicameral system in the Legislature was laid down in the original Constitution Act; and when the original Constitution Act was amended in 1889 there was still preserved this bi-cameral system; and indeed I venture to say that the system is absolutely necessary for the good Government of this country. The Legislative Assembly is controlled at all times by a party vote. We have a Government in to-day, and it may hold the position of His Majesty's Opposition to-morrow. We have had, in this State, and are likely to have again, the Government of the country controlled by a third party keeping one or other of the dominant sections of the political community in office by three, or four, or five votes. We know that in those circumstances the legislation is generally effected as a result of a compromise. In fact, the legislation that comes to-day from another place, it must be admitted by every member in the House, is distinctly on party lines; nearly every vote taken in another place is taken on distinctly party lines. This is particularly the case with such measures as form part of the Government policy from time to time. No member of another place can give his opinion or vote in accordance with what he thinks proper; if he is a member of the Government party he is pledged to record his vote loyally to carry out the Government policy. We know the state of demoralisation the Legislative Assembly gets into during the session immediately preceding a general election, when hon. members are talking largely to their constituents and when they know they have to toe the line and seek renewal of the confidence previously reposed in them. Our branch of the legislature, however, is actuated by no such motives, because a

general election has no such effect upon this Chamber, and such measures as are sent to us from another place are viewed entirely from different considerations to those which weigh in the Legislative Assembly. I have always regarded the Legislative Council as the safety valve of our Constitution. It has been strongly contended by those who think this House should cease to exist that because the principle of one-house legislatures exists in connection with the Canadian provinces it is a reason why, since Federation, our State legislatures should also be one-house legislatures. Let me point out briefly the chief constitutional differences between Canada and Australia. In Australia the Federal legislature has only those powers which are expressly conferred on it, whereas in Canada it is the provincial legislatures which are limited to the exercise of powers specifically delegated to them, the residue being left to the Dominion Parliament. The constituent parts of the Canadian Federation are "Provinces." Whatever their status was before 1867 they were not self-governing colonies afterwards. On the other hand the six States, of which the Commonwealth of Australia is composed, are, and remain self-governing colonies; while at the same time combining in a federation to form a larger whole. "Each Australian State retains its colonial governor, who continues to be appointed by and responsible to the Crown, whereas in Canada the provincial lieutenant-governors are appointed and dismissed by and liable as regards their assent to provincial legislation to be overruled by Governor-General-in-Council." I quote this from Jenkyns' *British Rule and Jurisdiction beyond the Sea*. All measures passed by the provincial legislatures in Canada are subject to the veto of the Governor-General-in-Council—that means the Governor-General and the Privy Council of Canada, a body of about 25 men that really acts as a second Chamber with regard to legislation enacted by the provincial legislatures. Let me emphasise this point, that while in Canada the federation is the sovereign body, the provincial legislatures merely possessing certain delegated rights of legislation from the central body, quite the converse is the case in Australia. Australian States remain sovereign States, and the federation merely takes from the sovereign States 39 delegated matters referred to in Section 51 of the Commonwealth Constitution Act. The point I make in this regard is this—that were the State legislatures to be reduced to single-chamber legislatures, legislation would be the dictum of the one House absolutely without any veto against it whatever—absolutely untrammelled. Let me give an illustration of what I am driving at. Take the question of the payment of members. The honorarium at present in this State is £200 a year. With a single-chamber legislature there would be nothing to prevent the dominant party from voting a salary of £500 or £600 a year, and there need not be that unanimity between the contending influences that existed in the Federal Parliament. This and other laws could be passed without the slightest obstacle or veto. The only veto would be that of the Imperial Government, and that is only exercised in cases of the greatest emergency, when something unconstitutional is done.

Hon. J. W. Kirwan: What about public opinion?

Hon. M. L. MOSS: Has not public opinion condemned in season and out of season the action of the Federal Parliament in voting a salary of £600 a year, but still the members are drawing it.

Hon. J. W. Kirwan: There has been no election since then to test public opinion.

Hon. M. L. MOSS: Public opinion is of small concern when these things can be done with impunity for years. Let me take another illustration. We have triennial Parliaments, but supposing a highly conservative body get control of a legislature of one chamber and passed an Act making Parliament last for seven or 10 years. With a considerable amount of money to be paid for payment of members, and with Parliament sitting for ten years, in the circumstances public opinion would be of very little concern. We must take an extravagant case to show exactly where this class of

legislation is going to land us. In the Canadian provincial legislatures we have the veto of the Governor-General-in-Council, and that is a body nearly as numerically strong as this Chamber. So the arguments adduced in reference to Canada when they are inquired into do not hold water for a moment. Are the qualifications for a voter for this House liberal? Certainly they are exceedingly liberal when we know that in the Dominion of New Zealand a large number of the members of its Upper House are nominated for life, and that it is only recently the law has been altered by which a number of them are nominated only for a period of seven years. Again, in Queensland and New South Wales, the members of the Legislative Council are also nominated for life. South Australia, which is in the forefront in regard to liberal measures of all kinds, has the qualification of the clear annual value of £17. Our present qualification is an exceedingly liberal one—exceedingly liberal when we bear in mind that, until the population of the State became 60,000, this was a nominee Chamber, and that thereafter there were great obstacles to a person's obtaining the right to become a candidate for the House. In 1899, when the Constitution Act was amended, we found the qualification was made—owning freehold property of a clear value of £100 sterling, a householder occupying a dwelling of the clear annual value of £25, a person holding leasehold estate of a clear annual value of £25, or a person holding a Government lease paying £10 per annum. I venture to say it is a very small estate for any person to be possessed of to become entitled to be a voter for this House. I think it would be a great calamity if these qualifications were reduced, and we got the Legislative Council and the Legislative Assembly elected on the one franchise. If there is one disappointemnt in connection with Federation it is the fact that the Senate is so much a counterpart of the Lower House. The Senate, which was created with the object of protecting the State rights, is more advanced in its ideas by far than the House of Representatives. I believe there would be little need for a second Chamber to exist if these qualifications were so lowered that one House became the counterpart of the other. Is there any real demand in the country for the reform that is sought? We are told that there is a mandate from the people; but there is no such mandate for legislation of this kind. Mr. Drew says that there is an agitation in the country, and that something dreadful will happen if the Bill is rejected. I think I am making a correct statement when I say that there has not been throughout the length and breadth of the country one public meeting asking for the reform contained in this Bill.

Hon. J. W. Hackett: Because they expect it.

Hon. M. L. MOSS: I represent an important province in this State. My colleague, Captain Laurie, and I at the last elections addressed probably 20 meetings, large public meetings in Fremantle, which contains a very large percentage of strong adherents of the Labour party, and on the platform we condemned any interference with the present qualification. I did not wait until I was asked a question at these meetings. I made a very emphatic pronouncement in regard to it, and it is because of that pronouncement I am here to carry out the pledge I gave on a number of platforms. Captain Laurie had for an opponent a gentleman who favoured the reduction, and whose main plank was the abolition of the Chamber. I had a similar opponent. Captain Laurie was returned by the largest majority with which any member has been sent to this House; and though tremendous odds were arrayed against me, I was sent here with a very respectable majority. I would be wanting in my duty to my constituents if I did not, to the best of my ability, endeavour to prevent this Bill becoming law; and when Dr. Hackett says that people expect it, I speak for the people I represent, and affirm that it is not required in the West Province.

Hon. J. W. Hackett: I am talking of the Assembly elections, and not of the Council elections.

Hon. M. L. MOSS: Our House is modelled, as close as we can make it under existing circumstances, upon the mother of Parliaments; ours is a House of review equal to the House of Lords in the old country; and no Bill for the reform of the House of Lords can originate in the House of Commons. Although I maintain that this Bill should not have originated in another place, it is perfectly lawful that it should have done so in the sense that they are within the four corners of the Constitution Act; but it is somewhat an unheard of thing that this House, returned by a different class of constituents, sent here under no slight pretext, but as an important part of the Constitution of the country, should be told by representatives of the other branch of the Legislature how we should reform our House. In my opinion that is not a logical condition of affairs at all, and it is a condition of affairs, so far as regards the Upper House in the United Kingdom, that would not be tolerated because of its unconstitutional character. There has never been a public meeting which has asked for this reform. We have had public meetings asking for adult suffrage, asking for payment of members and for triennial Parliaments, but there has never been a public meeting asking for this reform. The fact of the matter is that outside the few politicians who always want a parrot cry and something to pull down, there has been no demand for it. There are certain politicians—I am mentioning no names, for the last thing I want to do is to cast a slur or an aspersion on any member of this Chamber, who think it a popular thing to advocate the reduction of Legislative Council franchise, and their efforts are made in this direction in the belief that they can get some popularity out of their attitude in the matter. To show that these politicians do not get any popularity out of such a thing, I need only mention that in a province like the West, whose representatives have spoken fearlessly and have supported the continuation of the qualification as it exists, have reason to congratulate themselves for having spoken candidly and openly on the question.

Hon. J. F. Cullen: The other fellow cannot get at you: the disfranchised person.

Hon. M. L. MOSS: I do not understand what the hon. member means by the disfranchised person. I know that there was an excellent roll at the time of my election, and it may be said to the credit of the gentleman who is in charge of the Electoral Department, that both the Assembly and the Council rolls have never in the history of the country been in a better condition than they were at the time of my election. I want the House to be judged by results. I would ask hon. members particularly those who have been sitting in the House for the past five or six years, what has been the condition of the legislation which has reached this Chamber from another place. Have we been able to put it through the crucible and say that it has been perfectly drafted and that there have been no ambiguities, and that we have not required to make amendments? That has not been the position of affairs. We have had Bills with over one hundred amendments accepted by another place. The reason is not far to seek. That legislation has been agreed to and it has been on distinctly party lines, particularly if a Bill has been of much moment, involving great political considerations. A Bill has never been introduced with the idea of ascertaining whether it was workable or not. A number of Bills have been practically redrafted by this Chamber and have gone back to another place, and another place has been obliged to admit that the amendments to the extent I have mentioned have been made in the public interest. This has happened not only once but session after session. This has been the experience of many members for years past. It is said that the Legislative Council does no work. I am prepared to admit that we have never taken up the time of a whole sitting discussing points of order, nor have we taken up the greater part of a sitting in questioning a ruling of the

President or the Chairman of Committees. We have never occupied public time in moving adjournments of the House to the obstruction of other business, and we have not indulged in stonewalling tactics which have kept us here until 8 o'clock in the morning. We certainly do not sit the hours of another place, but if the quantum of work got through is to be measured by the number of hours hon. members sit in another place, well, of course their services to the country would be immeasurably greater than ours. We get solidly to work and measures are considered without regard to party lines and with the desire to serve the best interests of the country. This House still appeals to me as a very necessary adjunct to the legislative machinery of the country. It is necessary, in my opinion, as a break, and it is more necessary still as a House of review. We are told that the worker gets no show from this House, and that no reform at all is possible while the Legislative Council exists. Knowing something of every hon. member sitting here, I know that many of them are pretty considerable workers to-day, and that most of them have known what hard work is at one time or another. At any rate, I think the character of the legislation discloses clearly that not only is the worker getting a show but he is getting the greatest amount of consideration and sympathy from this Chamber, and that this has always existed for the working man of the community. I am told sometimes that I am exceedingly conservative. I can afford to listen to such things, but I can turn to pages of *Hansard* since 1895 and show that not only have I voted for the reforms I shall presently mention, but I have, to the best of my ability, and at all times advocated them, because, in my opinion, they were in the best interests of the country. It is one thing to be in Parliament trying to bring about those reforms, but it is a different thing to say you are prepared to drag this, that, and the other down for the purpose of getting a little additional popularity outside which would, in my opinion, in the end do a vast deal of harm to the country. Let me show where this House has been of great value what these reforms are which have been asked frequently what measures the Legislative Council have rejected and what burning question remains outstanding to-day which the majority of the people have asked for. It is an easy matter to deal with generalities, for deceivers deal in these, and say that this House has rejected every reform. I want to know what these reforms are which have been rejected. There is not one that can be mentioned. You may depend upon it that outside this House those who condemn this Chamber would readily submit various instances if they existed. Was it with or without the full concurrence of this Chamber that the Conciliation and Arbitration Act was passed for the settlement of industrial disputes? Likewise I can refer to the Workers' Compensation Act and Employers' Liability Act, and let me tell this House and the country what else this Chamber agreed to do. There existed in Western Australia in 1894 the common law with regard to the liability of a master towards his servant for injuries sustained in the course of employment, and there existed the doctrine of common employment which was a scandalous doctrine and which remained the law of England for so long and which was also part of the law of this country. In 1894 —and in 1894 mark you the qualification of the Legislative Council was not nearly as liberal as it is to-day—the Empoyers' Liability Act was passed and that Act gave a remedy to an injured servant against his master in a number of instances which I do not intend to delay the House by reciting more than to say that it modified that scandalous doctrine of common employment and made the master responsible for defects in work and ways machinery and made him answerable for negligence arising from the orders of his superintendent. That was a necessary and proper amendment of the law. It largely increased the obligation which rested upon the employer of labour, but it was a proper amendment of the law and this House did not hesitate to give its sanction to

it. Under the Workers' Compensation Act which was passed in 1902, as hon. members know, a worker who is injured in the course of his employment, even when there may have been no negligence on the part of the master is entitled to compensation. Did this House hesitate to give its assent to that measure? There is nothing to boast about in having granted this reform; it was a simple act of justice that men in employment were entitled to. In view of these instances is it fair to say that reforms have been blocked by the Legislative Council? Here are two instances where the House cheerfully assented to measures of reform. There is an Act in force known as the Conspiracy and Protection of Property Act. If there is any truth in the argument that this House blocks reform one might have expected that the Legislative Council would have objected to a measure of that description, because it is a measure in respect of which, unless it was on the statute book, when an industrial dispute takes place certain things may be done by men for which they would be otherwise criminally responsible. There is also the question of legalising trades unions in this State. In 1902 the Legislative Council gave its assent with the Legislative Assembly to the passage of that measure, enabling the unions to be registered and to be recognised as proper bodies corporate in the State. All these things were necessary and that is why this House in its wisdom agreed to them. What I am trying to do is to silence those who have said that this House has tried to block reform. Take also the question of distress for rent. This House is supposed to represent property. One would have thought that if we were blocking reform we would have kept in force the law relating to distress for rent in all its severity. Has that been the case? The law has been modified and modified in what way? There sat in the last Parliament Mr. A. J. Wilson, who represented the Forrest electorate, and he introduced a measure the object of which was to modify the severity of the law. This Chamber accepted that Bill and even went to the extent of broadening it. Coming to the death duties, imposed in 1895—long before the liberal qualification granted by the 1899 Act—increased in 1903 and again during the present session of Parliament. This is a measure which an hon. member of another place classed as daylight robbery. We are told in another place that the members there represent that portion of the community who are not blessed with as much of this worlds goods as some gentlemen on these benches. Yet did we hesitate when that measure came before this Chamber to pass it? Then there is the Early Closing Act, which I need not dwell on. Coming to the question of electoral reform. When I came to Western Australia our electoral laws were in a scandalous condition and it was with the utmost difficulty that a person could get on the roll. If a person was living on one side of the street and he moved to the other side he was immediately disqualified. That condition of affairs did not improve for many years afterwards. Just see what we have now. Our electoral laws are nearly perfect. Adult suffrage is granted, and with it one man one vote, payment of members and triennial Parliaments. All these are matters which were assented to by this House. At the time the Constitution Act was granted to Western Australia the Parliament was one of four years duration. There was a clamour for triennial Parliaments, which existed in every other part of Australia. It was only what might have been reasonably expected with the large influx of people from the Eastern States, that they should have triennial Parliaments and the Legislative Council agreed to it. Further instances are the Factories Act, the Truck Act, and the Act granting a Lien for Workmen's Wages. That is a fairly considerable list. A list of reform, it we date it from the time of Responsible Government, under 20 years, that has not been brought about in some of the other States in the 60 years, or 70 years, in which they have had Responsible Government. It is a programme of reform that the people of Western Australia have asked for, and

it has been carried out in accordance with the ideas and wishes of the people. That shows that the Legislative Council has marched well in step with public opinion, and contradicts the assertion that the Council has been a barrier to reform as alleged, and indicates that we thoroughly well judge the pulse of the people. I do not know if I am to be followed by a gentleman in favour of reducing the franchise, but I beg of him to tell me what reform the people of Western Australia have asked for which has been denied to them by the Council. One other measure—take the question of the imposition of the land and income tax. Originally this House threw out that land tax. I took a prominent part in doing that, and I contended then that if additional taxation were required in the country, it was a fairer thing to put the tax on land and incomes than on land alone. Ultimately a land and income tax was enacted. Look at the exemptions in that Bill. There is an exemption of incomes of £200 a year. Now, take the larger number of workers employed on the Golden Mile. Generally speaking, I believe the wage is 13s. 4d. per shift, £4 a week, practically £200 a year. The thousands of men employed on the Golden Mile are apparently free from income tax. So it is in regard, practically, to every workman in the State. Allowing the deductions for children, rent, and life insurance, a man in receipt of £5 a week in this State pays no income tax. One would have thought if the majority of the members of the Legislative Council were opposed to the workers the burden of taxation would have been placed on them and that we would have insisted on no exemptions. I was in favour of no exemptions all along, but I had to knuckle under in that regard because the majority of members in the House thought it fairer to give the exemption. I need not refer to the exemption as to land and conditional purchases which are too well known. This emphasises the position I take up that the House has been no barrier to reform as it has been said. Here are instances in which the electors of those gentlemen, sitting in another place, have been special objects mapped out for undue—well I will not say undue—but for very favourable consideration at the hands of this House. The hon. member (Mr. Drew) says that there was only one member in the House who could be got to represent the Government in the Labour party. But this is not the case now, for I know there is my friend Mr. Drew, and there is my friend Mr. O'Brien; and I do not think I would be doing much injustice to Mr. Kirwan, if I say any of them would make a most admirable Minister also for this party. It has been asked, "Is property the only test of intelligence?" to which I emphatically answer "No." I think the best qualification we could have is an educational test, but I do not know that that would be altogether practicable.

Hon. J. W. Hackett: Competitive.

Hon. M. L. MOSS: I do not say competitive. The details can be gone into by Dr. Hackett when he is about to insert his next leader in the *West Australian* on this question. The *West Australian* is a very powerful organ in the State, and for which I have the highest regard for it, but it has thought fit recently to say what this House should do. I do not agree with the expressions of opinion in those two leaders; and I decline to take my instructions from the leaders of the *West Australian*. In time perhaps I may see fit to regard all that appears in the leading articles of the *West Australian* as the truth, the whole truth, and nothing but the truth, but that time has not yet arrived.

Hon. J. W. Hackett: You have not answered the leaders.

Hon. M. L. MOSS: In order to give Dr. Hackett an excellent opportunity of addressing this Chamber I will move an amendment at the close of my speech, and then I shall have an opportunity of replying to him at the close of his speech. We cannot shut our eyes to the fact that the Labour party—a strong party that sits in Opposition in another place—are returned there, the members of which sign a pledge to carry out certain reforms; and in the platform of the Labour party the first plank is

the reduction of the franchise of the Upper House with the view to its ultimate abolition. Hon. members in another place in their pronouncements on public platforms make no secret of the fact that this is what they are out for. They are out to reduce the franchise for this House to £15, to £10, to £5, to household suffrage, to adult suffrage, and then, goodbye. That is their policy, and I am doing no injustice to the party when I say their plank is a reduction of the franchise with the view to the ultimate abolition of this Chamber.

Hon. J. W. Hackett: That is not logical.

Hon. M. L. MOSS: Let me tell the hon. member this. Senator Pearce regards this Chamber as such a block to reform—which I have proved to be an unfounded statement—that he goes so far—and he is a prominent Labour senator—he goes so far as to say that he would alter the Federal Constitution to amend this place out of existence. He has set out for that purpose, and he has been a Federal Minister and occupies a high position in the Labour party.

Hon. W. Patrick: I believe he wrote a letter to the *West Australian* advocating that.

Hon. M. L. MOSS: The only point I am establishing is this; the Labour party are out to abolish this House. I do not complain at that being part of their policy; these gentlemen, members of the Labour party, believe that is the proper thing to do, to abolish the Upper Chamber. I equally believe it is a necessary brake; it is necessary as a House of reform, as a safety-valve for the good Government of the country. These gentlemen—I give them all the credit they are entitled to for the sincerity of their opinions, I make no aspersions about them, it is a fair fight on fair lines, we know exactly what gool they are aiming at, and my idea is to prevent them getting near it, if possible.

Hon. J. W. Langsford: The Liberal League advocated a reduction.

Hon. M. L. MOSS: Who is the Liberal League?

Hon. J. W. Langsford: I am not answering that question.

Hon. M. L. MOSS: I do not care if a hundred leagues advocate it. I am not an advocate for any league, but what I legitimately believe and what I am telling the House is, the first plank of the platform of the Labour party is that if they have an opportunity they will reform this House out of existence. I do no injustice when I refer to the speeches of the leaders of that party, and I have said how far Senator Pearce will go to get his way if he controls a sufficient majority in the Commonwealth Parliament, and the Government by their policy are assisting that party—we know the result they have in view.

Hon. J. W. Hackett: That is the question. These are very poor arguments.

Hon. M. L. MOSS: I cannot help it if the speech is a poor one. I am doing my best, and if my case is so bad, and my arguments so threadbare, the hon. member will have an opportunity of saying so. I am trying to do the best I can with what, no doubt, the hon. member considers a bad case but what I consider a remarkably good one. The qualification for electors to this House is a legal or equitable freehold estate in possession situate in the electoral province of the clear value of one hundred pounds sterling. What does it mean—the owner of property, which over and above encumbrances, amounts to £100. What does the Bill say? Strike out the words, "clear value of £100" and insert "value of £50." It may be of the value of £50, mortgaged for £50, and the owner has no interest in it. Under the Bill as it stands, in order to get on the roll for a freehold qualification the person must have an interest of £50 in land. The alternative, in view of that, is to wipe it out entirely. That is the plain English of it. Now we come to the next qualification—"Is a householder within the province occupying any dwelling house of the clear annual value of twenty-five pounds sterling." That is to be cut down to £15, lower than in South Australia. It is not so much the £15 as it is the danger of what is to follow, and I say there is no cry for it by the public at large. There is a

certain clamour at the hands of a certain brand of politician, and is his advocacy going to stop at £15? You cannot think of that when the first plank of the platform of that political party says reduction with a view to ultimate abolition. There will be no temporising, but they will keep on pegging away until they reform this House out of existence. We have been returned here by different constitutencies. I say nothing at all to any member who has been before his constitutency and has said openly that he is going to vote for a decrease, but any member who has not been before his constituency on this question, and those like Captain Laurie and myself, who have made public pronouncements in favour of keeping the qualification as it is, would be guilty of a gross breach of duty if we voted for a Bill of this kind. We are not the masters of the situation to that extent that we can barter away not our rights, but the rights of the constitutents, who have sent us here on that particular qualification. Our Constitution Act is hedged around so that there shall be an absolute majority to agree to any amendment before it can pass into law. I have unanswerably shown, as far as the House is concerned, that the reasons given for the advocacy by the supporters of this reform are not correct. This House has done excellent work for the State, that goes without saying. Even my friend, Dr. Hackett, who is very ardent in his advocacy for a reduction of the franchise, will admit that this House has done yeoman service as a part of the machinery of this State. And every other member who has sat here for some time must know exactly what has transpired. I believe it is in the best interests of this country that this House should be kept strong. It is not going to be kept strong if this franchise is reduced, and reduced until the House becomes a counterpart of another place. When one looks dispassionately at the question, compares it with the conditions of Canada, and when one knows perfectly well that, living as we do, under the system of party Government, when the whole business is controlled in another place from party motives, one is in a position to realise what a disaster is likely to come over the country if only one Chamber constituted the whole of the machinery of Government in this State. We had an experience where a Government was kept in power by an independent party of three or four, and it strikes me that in such conditions, or in conditions that one party, whether highly conservative or ultra-liberal, is returned to govern the country there is nothing to prevent it from running riot with the whole of the statute book, and with the country generally. Such a time is, in my opinion, fast approaching. Reduce the franchise to £15 and cut out other qualifications and we are on the road to a one Chamber legislature. That would be fraught with great injury and, probably, with great disaster to the State, and so far as I can prevent it by my vote and influence, I shall do so. I beg to move an amendment—

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

Hon. R. LAURIE (West): I second the amendment.

Hon. A. G. JENKINS (Metropolitan): This matter has been before the House so frequently, if not in debate at least in discussion when a Bill has been before another place, that it is hard to find any new arguments to influence a vote either one way or the other. The speech we have heard from Mr. Moss would be a very good argument if the question of the abolition of the Chamber were the subject matter of the debate. My friend confined all his remarks to a justification of the existence of the Chamber, and as to whether we should pass liberal measures, or whether we have in the past voted to aid all classes of the community to the best of our ability. That, however, is not the question before the House now. When it does come forward, if it ever does, the speech my friend has made would be weighed most carefully by members. The question now is whether the time has arrived for members to consider that this House can be brought, perhaps, more into touch

with public feeling, more into touch with the spirit of progress that is at the present time so pronounced throughout the whole of Australia. In one argument my friend says that this House has every cause to congratulate itself on the measures it has passed, and that it is the most liberal Upper House in Australia, but with the very next breath to fortify his arguments, he says, "We are seeking to reduce our franchise below the franchise in existence in South Australia." Anyhow it appears we are not sufficiently liberal to bring ourselves more into touch with the general body of the electors. This is essentially a House to represent the man who has some property, some stake or interest in the State. The best way to bring the House into touch with the property holders of the State it to make as many of them as we consistently can responsible for returning members to the Council. Mr. Moss has stated that during the course of his election he advocated a £25 franchise, and that the contention was receivde well everywhere; also that both he and Captain Laurie were returned by large majorities. Less than two years ago I stood before the electors of the most populous province in the State and advocated a £15 franchise. I was returned by just as large a majority as my friend Mr. Moss was. That only shows how public opinion varies. What the Fremantle electors may think a very good thing, apparently the electors in the Metropolitan Province thought was a thing that might be remedied when the occasion arose. The main question is as to the £15 value. Why I support that is because I think the future strength of this House lies in bringing it, if possible, closer in touch with the general body of property holders. It is all very well for my friend to sneer at public opinion, for that, after all, is a very valuable asset in the community, whereas at the time a wrong may be done, in the future public opinion will set it right. Let this House be brought into line with public opinion. To my mind public opinion is strongly in favour of this reform.

Hon. G. Randell: What reason have you for saying that?

Hon. A. G. JENKINS: The best reason is the contest I fought myself.

Hon. G. Randell: The question did not enter into consideration in that contest one iota.

Hon. A. G. JENKINS: When one addresses a public meeting of electors, notwithstanding that there may be many persons there who have not a vote, still, there are a large number who have, and when one finds the sentiments one expresses meet with a good deal of applause by a very great majority in the room, one is justified—especially after addressing 40 or 50 meetings—in believing that they represent public opinion. Mr. Moss said that in the natural order of progression, if we reduce to £15 we will next have a reduction to £10, then to £5, then household suffrage, then adult suffrage, and finally the elimination of this Chamber. This House has been in existence for 16 years under the present qualification. If it takes 16 years to reduce the qualification by £10 the hon. member's grandchildren will about see the termination of this House. Mr. Moss prophesied that this House will disappear; if it does it will be in about 80 years, so he need not worry.

Hon. G. Randell: How long have the Upper Houses in New South Wales and Queensland been in existence?

Hon. A. G. JENKINS: In Victoria the qualification has been reduced but in New South Wales the Upper House is nominative. Whenever there has been an elective House in Australia the franchise has been reduced, except in this State. That shows the strength of the feeling in the other States. The strength of the feeling here is that the franchise should be reduced. I cannot vote on the Bill to-night as I gave a pair to Mr. Sommers to last over to night. My name, therefore, will not be recorded on the division list but were I in a House where pairs are recorded it would be seen that I had voted in favour of the Bill.

Hon. R. W. PENNEFATHER (North): I propose to say but few words on this very important discussion. Let

me begin by saying a few words of eulogy of the speech Mr. Moss has delivered this evening. He has carefully considered the matter. He has traced the history of the federation of Canada and compared it with that of Australia and has shown in a lucid manner the vast difference that exists between the Confederation of the Canadian States and the Federation of Australia. He pointed out that in Canada the Federal Legislature had dominant or sovereign powers and that the States of Canada possess only such powers as are conceded to them by the Dominion. The contrary has taken place in Australia. Out of the sovereign States of Australia was carved the Federation which has no greater powers than those given by the Constitution Act. The States gave those powers to the Federal Parliament and the remaining powers not alienated from the Sovereign States remain unimpaired and will not be parted with at least in our time. That brings us to the consideration of the question upon which this issue is based. This State was granted Responsible Government and two Houses of Legislature were appointed, the Legislative Assembly and Legislative Council. Franchises were prescribed for both Chambers, qualifications also. The title of this Chamber to a co-ordinate power, except as regards money Bills, is as clear, as solid and constitutional as that of the other Chamber. But this House is asked, in deference to a question put by a few members in another place who wish of course to make themselves the cynosure of neighbouring eyes, by saying that they are the patriots of the country, to give the "down trodden humanity" not represented here, a representation they never possessed before. I am sure that, so far as the feelings of every member of this Chamber are concerned, we have as great feeling of humanity and are actuated by the same sympathetic feelings as those that prevail in any other Chamber or place, and as is shown by the history of its past legislation, this House has, during its existence, shown practical sympathy with that suffering class which unfortunately exists in every community. The main object of the Legislature should be to raise and better the condition of that portion of the community always regarded as the class that bears an unequal burden and which should be relieved on every possible occasion. When I look around this Chamber, I ask myself the question whether we are denied the same common feelings that humanity possesses. What object have we in grinding down and doing an injustice to another class of people? But we are here to protect the rights of those who sent us here, and I think it is the duty of every member of this Chamber to act up to that principle.

Hon. J. W. Hackett: Hear, hear!

Hon. R. W. PENNEFATHER: I am glad to hear Dr. Hackett cheer that remark, because I look upon a certain paper, that ultra-Radical paper known as the *West Australian*, as leading the banner in support of this agitation. In season and out of season this ultra-Radical paper has been attacking this Chamber in this respect.

Hon. J. W. Hackett: In what respect?

Hon. R. W. PENNEFATHER: In the respect that we should take off some of our armour and mail which protects us from the slings and arrows of our enemies. I do not think the Chamber is likely to act on that advice. I was glad to hear during the speech made by Mr. Moss that he had carefully gone into the most liberal measures passed in this Chamber. In this respect I cannot help recalling to mind the first Arbitration and Conciliation Bill. I had the honour to introduce that in another place in the year 1900, and my friend, Mr. Randell, was the hon. gentleman who piloted it through this Chamber, and with great pleasure, too. Yet we had the pleasure, in another place the other evening, of hearing our conduct reviewed in striking language and our House discussed with the most perfect freedom. One gentleman asserted that there never had been a democratic measure of any importance passed by this Chamber. In the same breath he said that this Chamber was not a Chamber of review, but passed a lot of measures, principally railway Bills and Estimates, in the closing hours of the session with scant consideration. Was that our fault? Were we to blame for that? Then he went on to say that this

Chamber was a clog upon legislation. In one breath he declared that this Chamber allowed a lot of things to go through without consideration and in the next that we were a clog upon legislation.

The PRESIDENT: I must draw the hon. member's attention to Standing Order 393:—"No member shall allude to any debate of the current session in the Assembly, or to any measure impending therein."

Hon. R. W. PENNEFATHER: I was not referring to the other House; I have not mentioned the name of the other House. But it is quite pleasant to hear these remarks made outside the Chamber, wherever we hear them. Because now we know that it is by misrepresentation of real facts that popular opinion is endeavoured to be inflamed, and that is what I, and other members here who like fair fighting, protest against. When we hear misrepresentations confidently made it is only human in us to administer a rebuke. There was one observation made by Mr. Cullen during the progress of the debate which I took a note of. He used all the arguments possible to marshal in favour of opposing this amendment, but he felt that owing to the expediency of the measure he was bound to support it. Expediency is a word of ill omen. It will not justify the committal of a breach of an important principle. The hon. gentleman suggested also that this Chamber might be magnanimous; that although badly treated by some other place, although others had spoken harshly, still, hon. members should treat that with magnanimity and grant this concession. I was thinking at the same time, as a parallel to the suggestion made by the hon. member, that in one of Shakespeare's plays, Julius Caesar, containing one of the most perfect pieces of dialogue in our language—in that celebrated quarrel scene between Brutus and Cassius, Cassius having lost his temper and exploded, succumbs to his better feelings, opens his breast, and presents his dagger to Brutus with an invitation that he should take his life. Brutus was a noble Roman; Cassius knew his nature well. If Brutus had happened to be of a different nature from that which Cassius thought, and had taken Cassius at his word, the dialogue would never have existed and the lovely effect would have been lost. We are asked to expose our bosoms and we are asked to present a dagger, the dagger of annihilation, into the hands of another place, and to await the tragic event which may occur. It is proposed that that noble generosity of temperament which Brutus exhibited should also be displayed on this occasion. But I am of opinion that the Romans of modern times are vastly different from the Romans of ancient periods, and I would be very much disinclined to run the risk of taking off any armour as regards the Chamber in order to give persons so inclined an opportunity of effecting their desires. If you, Mr. President, were asked by a poor sundowner, a broken-down beggar for a little charity, a little assistance, and you felt generously disposed towards him, but before you could act the stranger said: "Bear in mind, I am waiting an opportunity of taking your life"—in such circumstances would you feel inclined to be beneficent towards him? If this Chamber is asked to grant a reduction of its franchise to certain people who openly declare that their object is the abolition of the Chamber, I think it would be madness on the part of the Chamber to entertain the proposal for one moment. It seems that some hon. members in a spirit of self immolation are prepared to trust the other fellow. But the more I see of life the less trust do I put in the other fellow. By agreeing to the Bill this Chamber will, I think, be taking a step that may not immediately bring us to the end but will help very largely to bring about the undoing of this Chamber. And if anything takes place to sap the stability of this Chamber, then the whole community will be affected, the development of the country will be retarded, and the general prosperity of the State imperilled.

Hon. J. F. CULLEN (on amendment): I think the hon. member's closing illustration a very unhappy one. Does he mean to call the man who is paying £15 a year.

as against the person who is paying £25, a broken down beggar? Are we in this House to be begged to give of our charity the franchise to hundreds and thousands of men and women whose only offence is that they have a little less of the world's goods than have we? It is not that they have less interest in the country, but that they have not been able to accumulate quite as much as we. Because of this are they beggars and we the disdainful benefactors who are making humiliating conditions before we give the rights they are asking for? I am afraid the hon. member was equally unhappy in his reference to Cassius and Brutus. Mr. Moss, although he did not say it in so many words, represented himself as Cassius standing up and saying "I am against reduction; now who will challenge me?" But not only did he take care that there was no dagger, but that there was no Brutus to wield it. To whom was the appeal made? To the men and women who already have the franchise? It may have seemed very brave to Mr. Moss and to Captain Laurie to challenge all and sundry, but it struck me as being very like a border chieftan who, taking his bodyguard into a bullet-proof chamber, said, "Now, throw off our armour and let everything collapse." Mr. Moss did not seem to grasp the irony of the position. Who was to challenge him when he said he was against reduction? Is it likely that the people who already hold the privilege will quarrel with him? I want to say to Mr. Moss and the House that the whole of the last general election for the Legislative Assembly was fought upon this as one of its main issues. Is it likely a candidate for the Legislative Council could raise it? Would it be possible practically for him to place that issue before the country? The candidate for the Legislative Council appeals to electors of a definite constituency. He has nothing to do with those who have not the vote. His whole test is by those who have the vote. It is different with the candidates for the Assembly; they have to deal with all questions of public policy, the welfare of the country as a whole. The Premier in his policy speech laid down this as one of the leading planks—the question of the liberalising of the Legislative Council franchise; and not only was it recognised throughout the country as a main issue, but practically every candidate was asked how he would vote upon it, and the country expressed itself with almost unanimity in the only way the country could express itself at the elections for the Legislative Assembly. There can be no question about the general demand for the liberalising of the franchise. There can be no question about it, the majority of the country are against the amendment now before the Chamber, and is it a manly thing for those who hold the privilege to say, "The door is shut; it rests with us to open it; and because it is shut and the key is inside, we will keep it shut"? There are hundreds and thousands outside who have just as real an interest in the welfare of the country, and just as genuine a stake in the well-being of the State as we have, but they are outside, and because we are inside with the key we will leave them outside, and will stay inside, and expect those who have votes for the Council to stand by and say we are upholding the dignity and honour of the House by refusing admission to those who have an equal right to come and share with us! The hon. member spoke of throwing away. How can we throw away what belongs to other people? Here, I say, are thousands of people holding the same interests in the country only with perhaps a smaller scale of wealth. Is wealth to be the test? I have already urged that the test is not property, not class; the test is an indication of interest in the well-being of the country; and we have taken it that the man or woman who acquires some interest in the country has shown a sufficient desire for its welfare to be entrusted with a vote for the Legislative Council. Now, are we going to give colour to the charge that we believe in a property qualification or a class qualification? I say thousands who pay a few shillings a week less rent than we do are still rent-payers like us, but we will not admit them to share in the privileges we possess. I hope the House will take a broad and manly view of the position,

and that members will not vote with Mr. Moss.

Hon. B. C. O'BRIEN (Central): I rise to oppose the amendment. The Bill before us is insignificant in appearance, but it is far-reaching in its effect. Needless to say, whatever I have to say to-night will be discounted, to a certain extent, because I happen to be one—I suppose I can claim to be the only one in the Chamber who has been elected on a pledge to, if possible, abolish the House. Mr. Moss smiles; but the fact remains that I faced a rather conservative province, and fought my way to the House, and one of the planks of my platform was the abolition of this Chamber. I shall endeavour to justify my action to-night. I vote for this measure with the ultimate object, in face of my pledge to my constituents, of abolishing the Chamber. Whether that change will be brought about, and how long it will take to bring it about are other matters, but that is the pledge in which I was returned to the House, and if I am permitted I shall give just a few reasons why I think the abolition of the House should be brought about. With the creation of our great national Parliament the functions of the State parliaments have been considerably decreased. Ground has been taken from beneath them by the fact that the greater departments, such as Customs, Defence, Posts and Telegraphs, Light, and the development of the Northern Territory, have been taken away from the control of the State Parliaments, thus reducing their duties to a minimum. That is my reason for wishing for the ultimate abolition of this Chamber; but as I am the only one here to advocate it, consequently it may take some considerable time to bring it about. I think we might hold with regard to the proposed reduction of the franchise, as has been wisely said by a number of members, that it will popularise this Chamber by increasing the number of electors for the Chamber. I suppose the reduction asked for would nearly double the number of electors on the Council rolls. It does not follow that because I favour a reduction in the franchise and would, if I had my way, abolish the Chamber——

Hon. C. A. Piesse: As a member of this House, is not the hon. member out of order in using such expressions—that he means to destroy the House?

The PRESIDENT: The hon. member is quite in order. On the second reading members may speak to principles.

Hon. B. C. O'BRIEN: It does not follow that this House is going out of existence. It does not appeal to me that this reduction in the franchise will bring that about as members seem to fear. I believe that by roping in a greater number of electors we will really make the House more popular. Thousands of persons will go on our rolls with the altered conditions. It is a peculiar fact, and one that cannot be denied, that the moment you give some little authority to an individual and place him in a position of a little power that individual alters his views. The householder who by the altered conditions would be placed on the Council rolls would become to a degree somewhat conservative, and would take an interest in the election of members to this House. So that does not mean that the reduction would lead to the ultimate abolition of the House, though for my part I would not mind if it did. Sixteen years ago a mate and I found our way to Cue. In those days it was difficult to get there. There was only a coach once a month. We were both in humble circumstances, but after some little time by various honest methods we progressed very well. Eventually I sought a seat in the Legislative Council, and my friend at one of my meetings questioned the right of a person with a small qualification to have a choice in the selection of a candidate for the Upper House. I pointed out to him how we had since our arrival to Cue become reasonably wealthy, and I turned the question back on him and asked him if at the time he arrived in Cue with his swag on his back he considered himself not capable or sufficiently intelligent in that humble sphere of life to record a vote for a member of the Upper House. My friend remained dumb. I maintain even adult suffrage

is a sufficient qualification to return members to this House, but we are only asked now to give a reasonable reduction in the franchise. It is not asking too much, and I hope the time will come when members will see fit to grant it. I cannot boast of having been returned by a large majority like Mr. Moss or Mr. Laurie, but at any rate I thought it was a great achievement when I only got in by one vote after I was so frank and honest with my electors as to what I should do in the House. It is a conservative province, very conservative in many parts, but it endorsed my candidature, and I am here to-day on my pledges. I hope the House will give fair and reasonable consideration to the measure before us. It is of great importance, and I believe if it is passed it will result in roping in thousands of electors who at the present time are clamouring for a vote in this House, and it will popularise the Chamber rather than otherwise.

Hon. C. A. Piesse: The hon. member has not given any reasons yet.

Hon. B. C. O'BRIEN: I think it will have the effect of roping in many thousands, and will, in fact, popularise this Chamber instead of doing otherwise. We have at the present time a national Parliament, which has taken away from the States many of the functions which they have hitherto possessed. We might increase the powers and functions of our smaller governing bodies, such as municipal councils and roads boards, and I believe this will come some day. Some hon members claim that the Federal Parliament is encroaching too much on State rights. I maintain that the Federal Parliament must and will encroach a good deal more on the States than they are doing at the present time, and if Federation is going to be a success that must come about.

Hon. W. Kingsmill: Unification.

Hon. B. C. O'BRIEN: I do not advocate Unification; besides that does not mean Unification.

Hon. W. PATRICK (Central): I have been associated with my colleague, Mr. O'Brien, for many years, and I must say that I was rather astonished when he said that he was in favour of the abolition of this House. There is a certain amount of comfort in the statement he made, but it does not follow because Mr. O'Brien is in favour of the abolition of this House that that will come about. I think the leader of the House, in introducing this measure, stated it was a small one. There are a great many small things in the world, but they are of great importance. I think the main question before the House is the reduction of the franchise — whether the present franchise of this House is liberal or illiberal. I can recall the words my colleague, Mr. Drew, uttered some four or five years ago, when he was contesting the Central Province. He stated then that the franchise for the Legislative Council in Western Australia was the most liberal in Australia, nay, the most liberal in the world. The only alteration that has taken place during these years is the reduction of the franchise in the neighbouring State of South Australia. For some 17 or 20 years there was a warfare between the Legislative Council and the House of Assembly in that State, and finally the franchise was reduced to £17. Now £17 in South Australia is quite as valuable from a purchasing point of view, and from a house rating point of view, as £25 is in this State to-day. I think Mr. Jenkins stated that the franchise in Victoria was £15; that is perfectly correct. The qualification of an elector to return a Legislative councillor is £15 in that State, but the qualification of the Legislative Councillor is a clear revenue of £50 per annum, from property owned by him, or a capital of £1,000. I maintain that as in the State of Western Australia any respectable citizen of 30 years of age, standing in his boots or in his clothes, can offer his services for any province, there is no comparison whatever between the liberality of the one franchise and the other. Mr. Moss, in his able speech, made many points which I intended to refer to, but I think I may safely say that the franchise in other parts of Australia is much less liberal than the franchise of Western Australia. Queensland and New South Wales both have

nominee Chambers. In Tasmania the qualification is £10, clear income from property, or leasehold property of £30. I maintain our franchise is quite as liberal, considering the value of money, as in the neighbouring State of South Australia; and there is no comparison between the liberality of our franchise and that of the other States or, I might say, Australasia, because as Mr. Moss pointed out, the franchise in the Dominion of New Zealand, well—there is no franchise at all there. The Legislative Council there have since 1891 been nominated for a period of seven years. Before that time they were nominated for life. When dealing with a great question such as this, as to whether we should pass a Bill, which will virtually be a revolution in the Legislature, we are justified in looking outside of Australia and examining the Constitutions of other parts of the world. Mr. Moss referred to Canada, and gave a fair description of the difference between the Canadian Constitution and the Constitution of the Commonwealth of Australia. It is true, as he stated, there are no States in the Dominion of Canada, they are simply provinces with large municipal powers. The whole of the provincial legislation is subject there to the veto of the central Government. There was one matter which Mr. Moss did not touch upon in his long and able speech, and it was one phase in the Constitution of Canada that I would like to draw the attention of the House to. All the legislation of the provinces is subject to the veto of the central Government, and, as a matter of fact, in a great many instances that veto has been exercised. How is the Dominion of Canada situated? There is a House of Commons on a broad and popular basis; there is a Senate nominated by the Crown for life. The Government of the Dominion of Canada is controlled by the Dominion Parliament and the Senators are nominated by the Crown for life. With reference to the only other British State in North America, the oldest State in the British Empire, the Colony of Newfoundland, in there the senators are nominated for life. I think, in dealing with such a great question as this, we are perfectly justified in going to the outside world for comparisons. I would like to mention the terms on which the senators are appointed by some of the most advanced and prosperous and most highly educated peoples in Northern Europe. In Belgium the senators are appointed for eight years, partly directly and partly indirectly. Voters must be 30 years of age. If they are 35 years of age and have a legitimate family, they are entitled to two votes. If they have a certain amount of property they have three votes. In the elections in 1907 and 1908, 1,377,297 electors recorded their votes; of these 739,000 had but one vote; 360,000, two votes; and 277,000, three votes. There, too, they have an educational franchise, which is exercised by professional men with a university degree while officers of the army and navy, and others, are entitled to vote altogether apart from the general franchise. In addition to this, the senators must be 40 years of age; they must pay 1,200 francs in direct taxes and own movable property in Belgium, yielding an income of 12,000 francs. In Sweden members must be 35 years of age, they must possess property worth £2,777, or an annual income of €166. In the State of Denmark the Senate is partly elected and partly nominated, and the voters must be 30 years of age. I think if the time should come when the franchise of this House is altered, there ought to be a redistribution of seats so that there may be a community of interests in the different provinces. Personally, I think this great State could be managed just as well with fewer members in both Houses than at present. I would advocate that the number be 30 in another place and 20 in this House; but so long as the present condition of things exists I oppose the reduction of the franchise for this House. I may say the conditions throughout the whole of the State have been very largely altered since Federation. As you know, before Federation all the States, and the State of West-

ern Australia among the others, had the right to impose duties of customs and excise. In other words, this Parliament had the right to impose taxation on the whole of the people of the State. That power has been handed to the Commonwealth Government. The only power of taxation possessed by this Parliament is direct taxation. Now, as has been pointed out by other speakers, from direct taxation in this State, the people are entirely free. There is an exemption of £200 per annum on incomes, and a considerable exemption on land as well. The people who pay the direct taxes which this Parliament has the power to impose are the electors of the Legislative Council of this State, and we remember the old dictum that there should be no taxation without representation. I think I heard a voice not a hundred miles from this Chamber the other night referring to the revolt of the American Colonies; this was because there should be no taxation without representation, neither should there be representation without taxation. I may say this question is a bigger one and of much greater moment than the reduction of the franchise in Western Australia at the present time. To anyone who has been watching the trend of debate in the Federal Parliament during the last two or three months, especially the debate on the Constitution Alteration Finance Bill, that is to say, the Bill which deals with the agreement between the Premiers of the States and the Prime Minister of the Commonwealth, it is evident that the debate on the part of the Opposition in both Houses has been purely on party lines and in the direction of Unification. In both Houses the debate reached a state of tumult and turmoil, and a most frantic effort was made in both Chambers before the final vote took place to prevent this agreement —such a splendid agreement so far as Western Australia is concerned—being passed, with the avowed object of crippling the finances of the States so that they might be compelled to go down on their knees and beg of the Federal Parliament for assistance—that we should hand over our rights and assets, and become an appendage of the Commonwealth.

Hon. B. C. O'Brien: We are the Commonwealth; we created it and made it.

Hon. W. PATRICK: I confess I am not the Commonwealth, but I am a citizen of the Commonwealth, I am a citizen of Western Australia, and as a citizen of Western Australia I can say the same as Mr. O'Brien, I assisted to hand over certain powers to the Commonwealth, but I never intended to give away the sovereign rights of the State of Western Australia. It was a Federal compact we entered into, not a compact by which we were to be unified and swallowed up. I do not want to try the patience of members of the House too much, but to show the trend of debate in the Federal Parliament, I should like to read one or two sentences uttered by some of the leaders in the Opposition.

The PRESIDENT: Will the quotations be in consonance with the amendment?

Hon. W. PATRICK: I am to understand that I am at liberty to deal with the general question?

The PRESIDENT: Yes.

Hon. W. PATRICK: Anything I may say I have no hesitation in saying has reference to, and has a great amount of bearing on, the result of the division which will be taken to-night. I say the whole trend of debate in the Federal Parliament has been towards Unification. One of the chief arguments used throughout the whole of that debate has been that the Legislative Councils in the different States are the lion in the path of what is called democratic reform. As I said, I will read one or two sentences. If you, Mr. President, think I am not in order I will put the same words in my own language, but I would like to use the actual words uttered by some of the leaders in the Opposition in the Federal Parliament. Mr. Fisher, in debating the question of the agreement between the Premiers of the States and the Prime Minister, said, "The Constitution of the Commonwealth is undemocratic." Now, the Constitution of the Commonwealth of Australia has no equal on the globe so far as its liberalism and democracy is concerned. He said the Constitution of the Com-

monwealth is undemocratic. Why? "If," he said, "three small States, say Tasmania, Western Australia, and South Australia, should decide against the referendum proposal, the Constitution is not sound on that point." Mr. Hughes, who is one of the ablest and one of the most brainy men in Australia to-day, and one of the leaders of the Labour party, said on the 10th September, debating the same question, "Our Constitution is one which hampers democracy at every turn, is opposed to the basic principle of democracy. It sets at naught rule by majority." Mr. Frank Foster on the 24th September said—"Under it"—that is the agreement between the States—"we are to be tied down to the payment of 25s. per head of the population to the States for all time. In my opinion"—that is Mr. Frank Foster's opinion—"it would preserve the existing status of the States; and it would assist the State Governments to stand on their dignity and give them an excuse to refuse to hand over to the Commonwealth authority functions which that authority should exercise." That is to say, other functions than those we have granted to the Commonwealth Government. Mr. Hughes, on the occasion I have referred to, said, "We have now an opportunity of refusing the ratification of the agreement, the agreement which is more in the interests of Western Australia than of the other States, an agreement which certainly will never be repeated if not ratified by the people of Australia." Mr. Hughes said, "We have now the opportunity, for which we have long been sighing, to break free from the constitutional fetters, and acquire control of our revenue." "Our revenue," mark you. The revenue of the States of Australia, which hitherto we received at the rate of three-fourths, he had the audacity to call "our revenue." That was the tone throughout the whole of the debate. I think we should take warning, especially by the conduct of the Senate. As you know, the franchise there is on the same basis as that of the House of Representatives, and the result is that it is a purely party House. Every debate is decided on party lines, and unfortunately for Western Australia, we are represented by gentlemen who consider in the interests of the party that they should desert the interests of Western Australia for which they are paid handsomely, and which they appear to forget when they are standing there as representatives of the State rights of Western Australia. I may say all these people appear to forget—Mr. O'Brien did not forget it—that the States created the Commonwealth, not the Commonwealth the States. We should remember when that agreement came before the Senate, every one of our six representatives voted against the agreement. We should remember that, we should never forget the humiliation and the shame—I repeat it, the humiliation and the shame—that the protection of the rights of Western Australia had to depend on the senators from the other States of the Commonwealth. I may say I cannot understand anyone contending that the franchise of this House is not a liberal one. I think comparing it with other parts of Australia, and with other parts of the world, it is exceedingly liberal and democratic. This we should not forget, if we take this move we cannot go back. Whatever step we take in the reduction of the franchise is irrevocable, and judging from the attitude of the Opposition in the Federal Parliament we know what to expect if an Opposition was created in this House. We know what to expect and what the result would be. As far as I am concerned I shall give no assistance, and I know the great bulk of my electors would object to me giving assistance to the reduction of the franchise of this House. A few nights ago I listened to criticism on some of the legislation which never took place in this House, the obstructive legislation we are charged with. I was astonished to find mention of two very small measures which passed in this House and which were described as atrocities we had committed in the shape of legislation. It will be remembered that we passed a small measure introduced by

Sir Edward Wittenoom to rectify the monstrous injustice that had been perpetrated by a number of men who certainly were not honest and tried, some successfully, to mulct a company in hundreds of pounds which had already been paid them. The other Bill was one in which we were charged with having refused holidays to a number of working men. These two cases show how difficult it is to trump up charges against this Chamber. With regard to the holiday question, I remember the small measure well. A Bill came from another place for the purpose of getting a monthly holiday for bread carters. It appears that application was made to the master bakers of Perth and Fremantle to give a holiday to the carters who delivered bread on the fourth Wednesday of the month. The big master bakers applied to the Legislature to make this compulsory. When the Bill came to this Chamber it was pointed out by Mr. Laurie that if the delivery was prevented on the fourth Wednesday of each month, it might interfere with the shipping, and would be a hardship on many members of the community. We altered the Bill to this effect that while no master baker was allowed to employ anyone to deliver bread on the fourth Wednesday, any baker could himself deliver it. In many places I hear that this franchise of ours prevents ruling by a majority. I should like to ask members where the majority rules in any country; in any walk of life? It is a well-known fact that in any small community one or two men dominate the position; whether it be in a church congress, a trades' council, or a caucus meeting of members of the Labour party, or even a great public meeting advocating some public purpose. In each of these cases one or two men dominate the position. The rule of the majority is a phantasy, a phantom created by those who wish an argument when none is possible. I am opposed to this reduction of the franchise, and I would appeal to every member carefully to weigh his vote before he commits this State to this great revolution in our representative system. I can speak now with the possibility that I may never address this House after this session on a great public question, and speaking as one who has to go before his constituents next year, one conscious of the grave responsibility of going before the people, I say in all sincerity that if this Bill is passed it will be a calamity to the people of Western Australia.

Amendment (six months) put and a division taken with the following result:—

Ayes	.. .. ..	10
Noes	.. .. ..	15
Majority against	..	5

AYES.

Hon. E. M. Clarke	Hon. W. Patrick
Hon. V. Hamersley	Hon. R. W. Pennefather
Hon. S. J. Haynes	Hon. G. Randell
Hon. W. Kingsmill	Hon. T. H. Wilding (*Teller*).
Hon. R. Laurie	
Hon. M. L. Moss	

NOES.

Hon. T. F. O. Brimage	Hon. H. D. McKenzie
Hon. J. D. Connolly	Hon. E. McLarty
Hon. F. Connor	Hon. B. C. O'Brien
Hon. J. M. Drew	Hon. C. A. Piesse
Hon. J. T. Glowrey	Hon. S. Stubbs
Hon. J. W. Hackett	Hon. G. Throssell
Hon. J. W. Kirwan	Hon. J. F. Cullen (*Teller*).
Hon. J. W. Langsford	

Amendment thus negatived.

Hon. M. L. MOSS (West): Mr. President, I object to your decision as there is not an absolute majority in favour of the motion.

The PRESIDENT: I have not put that question.

The COLONIAL SECRETARY: The question just voted on is that the Bill be read this day six months.

The PRESIDENT: The main question has not yet been put, and the question of an absolute majority does not arise in connection with this division. The question is, "That the Bill be now read a second time."

Hon. F. CONNOR (North): I suppose any member who has not spoken on the question has a right to speak now?

The PRESIDENT: Yes.

Hon. F. CONNOR: I am in the most unfortunate position I have ever occupied in my political life, or in any other respect. I have been for 17 years in Parliamentary life and have supported every democratic measure, not so much by my voice as by my vote, here and in another place. I believed the people had the right to speak; I believed it was necessary they should have all power, and I voted so and voted so just now; but the time comes when it is possible to cry stop, and that is the position I am in now. I am not going to make a political speech.

The PRESIDENT: The member must speak to the motion, "That the Bill be now read a second time."

Hon. F. CONNOR: I am giving the reasons why I shall vote against the second reading. Judging by my actions in the past in politics it might be thought I should vote for this Bill, but I am going to vote against it. I am going to take that action not because I am not a democrat or that I do not believe that the people can be trusted, but because I believe we have gone too far in giving powers, not to the people but to the so-called representatives of the people of the State. That is pretty clear. I want to put this position clearly. I have voted conscientiously with the Labour Party in another place for years, and did so when some of their own members ratted on them, and anyone who goes through the division lists of the past twelve years can see how I voted. I voted conscientiously and believing I was right, but the time has now come to cry halt. When it comes to a position that a man who has supported democratic measures is confronted with a small Bill like the one we had to-night, a Bill which was all right so long as it suited certain people, but is now going back 200 years—for it provides that a Minister shall be able to veto what a Court appointed by the people say is right—then it is time to stop. I am not going to labour the question for we are soon to have a division on the second reading of the Bill. In the State of New South Wales the members of the Legislative Council are not elected, they do not have to go before their constituents, but they are appointed by the Government in power. So, too, in Queensland, a greater State at present than we are, a State with greater potentialities than ours. In both these States the Legislative Councils are nominee bodies, while here we allow the people to elect and to vote on a franchise which is, I think, very liberal, a franchise which means that a man in the North of the State, who pays a rental equal to 10s. a week, is given a vote to elect a member for the Legislative Council. I think that is sufficiently liberal; I think it is all that is required. So far as I am concerned, if it were to come to a question of adult suffrage as against £25 qualification, I would vote for the adult suffrage, sooner than trim and split on this question. When speaking here the other night, I said that the powers of the House are being not only threatened by the people of another place, but by the very Minister who represents the Government in this House, for he practically told us that if we dared to throw out a small amendment—which we had a right to do, and which we have since done—that the Bill would be lost. That was a Bill we all wanted to see passed; that Bill has not passed. Now we are coming down to bedrock. If another place throws out that Bill because we did not agree to the amendment, let them take the responsibility. We are here rightly, because we have been sent here. I was not a great upholder of this House when first I came into it. I used to call it "The old men's home," but I have since found that it is of considerable use to the country, for there is a certain amount to be got out of the knowledge of men who have gone through the mill in other places. However, I merely rose to enter my protest against the feeling that has been introduced for political reasons—the feeling of dictation in this Chamber. Having tried to explain my position and give my reasons, after having voted for 17 years in favour of legislation such as this, I want to explain that in my opinion we have gone far enough, and that being so I shall vote against the Bill.

The COLONIAL SECRETARY (in reply): I do not intend to reply to the arguments used, because I do not think it would make any difference. It is my belief that every member has made up his mind as to which way he will vote. At the same time I wish to say that I do not think the arguments used would justify hon. members in voting against the Bill. One argument I refer to is that of the late hour at which the Bill has been brought down. I only want to say these few words in justice to the Government, that although technically the Bill has been brought down at a late hour, yet it had been before the people for the last six or seven years. Although it is late in the session we have a full House and, therefore, the measure gets the same consideration as if it had been brought down at any other time. From the arguments used one would imagine that a motion was before the House to abolish the House. No member of this Chamber stands more for this Chamber than I do myself, and I would be the last to do anything to in any way endanger the House; but I totally disagree with any expression of opinion given in that direction. I do honestly believe that hon. members will not tend to keep the House as it is by refusing to pass this Bill. I think the passing of the motion will do more to strengthen the House than will its rejection. Mention has been made of nominee Houses in New South Wales and Queensland, as if that were any argument why we should not reduce the franchise of this House. The opponents of the Legislative Council in Queensland and in New South Wales are doing their best to maintain those nominee Houses. I was in Queensland not long ago, and a leading member of the Labour party remarked to me, "We do not wish this to be an elective Chamber." I expressed surprise at his making this statement, when he candidly told me that if it were to become elective it would be there for all time; that while it was a nominee House there were good grounds for asking for its abolition.

Hon. R. W. Pennefather: How could they abolish it without the consent of the Chamber?

The COLONIAL SECRETARY: How have Kings gone off their thrones without their consent?

Hon. W. Kingsmill: Is this preaching revolution?

The COLONIAL SECRETARY: No. I am not speaking in a light vein at all. I simply wish to say that hon. members seem to think that by opposing this Bill they are standing in the best interests of the House. I say decidedly, they are not. We all know the position, and it is useless for me to delay the House any further.

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

Ayes	14
Noes	11
Majority for ..	3

AYES.

Hon. T. F. O. Brimage	Hon. E. McLarty
Hon. J. D. Connolly	Hon. B. C. O'Brien
Hon. J. F. Cullen	Hon. F. H. Piesse
Hon. J. M. Drew	Hon. S. Stubbs
Hon. J. T. Glowrey	Hon. G. Throssell
Hon. J. W. Hackett	Hon. R. D. McKenzie
Hon. J. W. Kirwan	(*Teller*).
Hon. J. W. Langsford	

NOES.

Hon. E. M. Clarke	Hon. M. L. Moss
Hon. F. Connor	Hon. W. Patrick
Hon. V. Hamersley	Hon. R. W. Pennefather
Hon. S. J. Haynes	Hon. G. Randell
Hon. W. Kingsmill	Hon. T. H. Wilding
Hon. R. Laurie	(*Teller*).

The PRESIDENT: Inasmuch as Section 73 of the Constitution Act of 1889 requires the second reading to be passed by an absolute majority, this Bill will have to be laid aside.

Bill thus defeated.

BILL—SETTLED LAND ACT AMENDMENT.

Second Reading.

The COLONIAL SECRETARY (Hon. J. D. Connolly) in moving the second reading said: This is a small amendment to the Settled Land Act of 1892. It is a small Bill, but it makes some very important alterations. Under the Set-

tled Land Act of 1892, Section 35, where a tenant for life desires that capital money arising under the Act should be applied towards payment for improvements authorised by the Act, he may submit to the trustees of the settlement, or to the Court, a scheme for the execution of the improvements, to be approved by the trustees or the Court. It was held in 1887 that in order that the Court may sanction expenditure of capital money in payment of the cost of improvements, the scheme must be submitted by the tenant for life to the trustees before the works are commenced, and that where a tenant for life executes work at his own expense, without first submitting a scheme, the Court has no power to authorise repayment of the cost of capital money. It refers to where a tenant has a life interest only in property and where he executes improvements. Unless he receives the approval of the Court then he has to pay for these improvements. In other words, they cannot be charged to the capital cost. He can certainly go to the Court and ask permission to carry out these improvements, but if he fails to do that, as was the case in the instance cited, he loses them. This Bill will enable the trustees or the Court to make their approval retrospective, so to speak. The Imperial Settled Land Act of 1890 by Section 15 made an alteration in the law to meet such a case as that I have referred to, and under the law as amended in England, the Court has now jurisdiction to sanction the application of capital moneys in repaying a tenant for life expenses of improvements on the settled estate, which have been executed and paid for by him without first submitting a scheme. There are simply two clauses in the Bill. Clause 2 is a copy of Section 15 of the Imperial statute. Clause 3 adopts the provisions of Section 11 of the Imperial Settled Land Act, 1890, and enables the tenant for life to raise money by mortgage on the fee simple to discharge encumbrances of the settled land. This power, however, as expressed in the clause, is to be exercised subject to the provisions of Part V. of the principal Act. That is to say, if there is a mortgage on a property in which a person has simply a life interest, this will give the person power to remortgage the property to any person so as to discharge the mortgage to the existing mortgagee. It is just a small Bill to give certain relief to life tenants in land, and brings the Settled Land Act of this State into line with the Imperial Statute to the same effect. I move—

That the Bill be now read a second time.

Question—put and passed.

Bill read a second time.

The COLONIAL SECRETARY moved—

That the President do now leave the Chair for the purpose of considering the Bill in Committee.

Hon. M. L. MOSS: It was now ten minutes to 11. The Minister might give members some idea as to whether it was necessary to sit at this late hour to go through new business. Was it intended to close the session to-morrow? If not, he protested against sitting at this late hour to take new business.

The COLONIAL SECRETARY: The Bill was only a formal one. Other measures which had just come down from the Assembly were a small amendment to the Roads Act, which was noncontentious; a small amendment to a Bill we had already passed, the Transfer of Land Act Amendment Bill; and a slight amendment to the Leonora Tramways Act. He proposed to introduce the Bills, and if hon. members desired to pass them they could do so; if not, the debates could be adjourned until to-morrow. In half an hour he would probably know whether we were likely to prorogue to-morrow; if so, we could arrange to meet and deal with the Estimates.

Question passed.

In Committee, etcetera.

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

Read a third time and *passed.*

BILL—ROADS ACT AMENDMENT.

Received from the Legislative Assembly, and read a first time.

Second Reading.

The COLONIAL SECRETARY (Hon. J. D. Connolly) in moving the second reading said: This small amendment of the Roads Act consists of eight clauses. The Bill has been brought down at the request of the roads boards. Though it is a late stage in the session, I think it is a non-contentious measure; but if members desire it, the debate may be adjourned. The first point is in regard to vesting certain private jetties. Boundaries of road districts are always described as running along the right or left bank of a river, or along low-water mark in the case of abutting on the ocean: but there are a number of private jetties built in road districts which these boards desire to take control over. The clause will enable the jetties to come under the control of the boards. Clause 3 is provided in order that roads boards may have the right to rate firewood companies holding land under permit. At the present time these companies pay a rental of £2 a mile per year; in some cases it runs to £10 a mile. In a ruling given in a recent case on the Eastern Goldfields it was held that the boards can only rate on the amount of rent paid to the Government; that is, the rent paid on the permit to lay down the lines. This clause now provides for the valuing of these lines. The annual value is assessed at 5 per cent. on the capital value, and the rate is struck on the annual value.

Hon. M. L. Moss: Can you tell us what is invested in some of these companies?

The COLONIAL SECRETARY: I believe £30,000 and £40,000. This will only apply to wood lines on the goldfields, because the jarrah timber lines are already rated under an assessment of something like £600 a mile, 5 per cent. of which would be £30 a mile. That would be the annual value. It is estimated some of the big firewood companies on the goldfields will pay, perhaps, a couple of hundred pounds per annum. I understand that the boards see the reasonableness of the proposal. Clause 4 had been included at the request of several boards which were desirous of supporting public hospitals in the district. Clause 5 had been inserted at the request of the Melville Board who in order to study the convenience of the residents of Appleeross and Canning found it necessary to subsidise a ferry service, otherwise the residents would not have any means of reaching the City. With regard to Clause 6 this would meet the requirements of several boards who found it absolutely necessary in the interests of the district to provide against fire. The provisions contained in Clause 8 were made in order not to disfranchise voters for the non-payment of rates. The existing Act provided that no person should vote at an election unless he had paid all rates on or before the 30th November prior to an election. The provision would also have the effect of bringing in a lot of rates just prior to any election that otherwise it would probably be difficult to collect under the old section. I move—

That the Bill be now read a second time.

Hon. G. RANDELL (Metropolitan): I desire to say, while I do not intend to offer any opposition to the Bill, that the proposed arrangement regarding the payment of rates at the last moment entitling a ratepayer to vote at an election is most unfair to those people who pay at the earliest opportunity. With regard to the proposal to permit roads boards to subside local hospitals I think that principal is bad.

Question put and passed.

Bill read a second time.

BILL—TRANSFER OF LAND ACT.

Assembly's Amendments.

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

In Committee.

No. 1—Clause 4, Subclause 2: Add new paragraph:—"and (d) in applications by the mortgagees the written consent of the lessee."

The COLONIAL SECRETARY: There could be no objection to that. It provided that the consent of both parties should be obtained. He moved—

That the amendment made by the Legislative Assembly be agreed to.

Question passed; the Assembly's amendment agreed to.

No. 2—Clause 9: Add the following words:—"(2.) The provisions of this section shall be deemed to have applied to all holdings under the Land Act, 1898, from the 1st day of January, 1899. (3.) The terms and conditions of any such transfer, sublease, mortgage, or other dealing may be renewed and altered upon application in Chambers to a Judge of the Supreme Court."

The COLONIAL SECRETARY: A minor at the present time was allowed to select land. He may enter into a mortgage and the amendment would provide that the mortgage should be valid in spite of the fact that it was made by a minor. It was deemed advisable also to make the amendment retrospective as from the date of the enactment of the Land Act. He moved—

That the amendment of the Legislative Assembly be agreed to.

Question passed; the Assembly's amendment agreed to.

No. 3—Clause 11: Strike out the clause.

The COLONIAL SECRETARY: The clause proposed to repeal Sec. 39 of the principal Act. The amendment would mean that the section would stand. He moved—

That the amendment made by the Legislative Assembly be agreed to.

Question passed; the Assembly's amendment agreed to.

No. 4—Clause 15 struck out.

The COLONIAL SECRETARY: The clause provided for the use of paper or parchment and exception was taken by another place to the use of paper. The associated banks also objected to the use of paper. He moved—

That the amendment made by the Legislative Assembly be agreed to.

Question passed; the Assembly's amendment agreed to.

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

BILL—LEONORA TRAMWAYS.

Received from the Legislative Assembly and read a first time.

Second Reading.

The COLONIAL SECRETARY (Hon. J. D. Connolly) in moving the second reading said: I might explain for the information of members who do not possess a knowledge of the part of the State this Bill applies to, that there is a municipal tramway system connecting Leonora with Gwalia. A Provisional Order was passed in 1902 and the object of the Bill is to amend that Order for the following reasons:—

When the tramway was first built it was a horse tram of 2ft. 3in. gauge. It has since been electrified, and is now a 3ft. 6in. tramway with an overhead trolley. The original provisional order of 1902 only authorised the construction of the work within the municipality. In 1904 the tramway was extended for some 14 chains into the North Coolgardie roads board district at the Gwalia end. That is one of the reasons why the amendment is necessary. In 1908 when the tramway was constructed—that is last year—some 45 chains further at the Gwalia end were constructed extending the line outside the municipal boundary. The route now taken traverses Crown lands and mining leases, and it is necessary to have a special lease. The Tramway Act of 1885 only provides for the construction of tramways along public highways, whereas this tramway crosses Crown lands and mining leases. In regard to the mining leases the tramway crosses, permission has been obtained from the mine owners for the tramway to cross them, and permission has been obtained from the roads board concerned—the North Coolgardie roads board.

Hon. G. Randell: Has the local authority approved?

The COLONIAL SECRETARY: I have already stated that the local autho-

rity—the North Coolgardie roads board—have consented to the tramway passing through their territory, and the mining company over whose leases the tramway passes have also consented. The tramway provisional order is similar to that for Victoria Park and Fremantle. There has been no objection—but when I say there has been no objection, there certainly was some objection from the Gwalia progress association, because the tramway crosses the residential area footpath, but the land in question has since been included in the Leonora municipality. In that particular case I know it is so, because I was at Leonora at the time. There is no ground for complaint by the progress association, and apart from that consent has been given by all the bodies concerned. Although the Bill re-enacts the full provisional order, it is necessary to bring this Bill in because the gauge has been altered, the trams have been electrified, and they have been extended outside the municipalities and across Crown lands and mining leases, in addition to going along the highways. It is purely a formal measure introduced in the interests and at the request of the municipal council of Leonora. I move—

That the Bill be now read a second time.

Question put and passed.

Bill read a second time.

In Committee, etcetera.

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

Read a third time and *passed.*

BILL — INDUSTRIAL CONCILIATION AND ARBITRATION ACT AMENDMENT.

All stages.

Received from the Legislative Assembly and read a first time.

Second Reading.

The COLONIAL SECRETARY (Hon. J. D. Connolly) in moving the second reading said: This sounds rather a formidable measure to bring in in the last few days of the session, and if members desire to have the debate adjourned until the next sitting, I shall offer no objection, but the object of the Bill is simply that it seeks to amend Section 2 of the principal Act by adding certain powers. Section 2 deals with what industrial matters mean. If members refer to Section 65 they will see there the powers of the court. Briefly, the court until recently thought they had certain powers. These are set forth in the Bill. They regulate the work of apprentices. There was an excellent award given by the Arbitration Court some time ago in regard to the tailoring industry in the metropolitan district. It provided that apprentices should be properly taught their trade. It is a very regrettable state of affairs at the present time that there is no legislation in force whereby a boy or girl who is nominally an apprentice is compelled by the master to have her or his trade taught. This was included in the award to which I have referred, but an appeal having been made against that award, it was found that the award was *ultra vires* to the Act and could not stand. The amendment is brought in at the request of the president and members of the Arbitration Court. They saw the necessity for an amendment of this kind. The Bill provides that the court may have the power in giving their award to state as to the persons who may take or become apprentices; the number of apprentices that may be taken by any one employer; the mode of binding apprentices; the terms and conditions of apprenticeship; the registration of apprentices; the examination of apprentices; the rights, duties, and liabilities of the parties to any agreement of apprenticeship; the assigning or turning over of apprentices; and the dissolution of apprenticeships. Mr. Haynes informs me that he sees no objection to the Bill, and personally, I think, it is a good measure and fills a want. It can be passed now, or if members desire, adjourned until some future date. I beg to move—

That the Bill be now read a second time.

Question put and passed.
Bill read a second time.

In Committee, etcetera.

Bill passed through Committee without debate, reported without amendment, and the report adopted.
Read a third time and *passed*.

ADJOURNMENT — DATE OF PROROGATION.

The COLONIAL SECRETARY: It would be well to remind members that the House would meet again on Monday at 4.30 o'clock, p.m. In all probability Parliament would be prorogued on Tuesday.

House adjourned at 11.40 p.m.

Legislative Assembly,

Friday, 17th December, 1909.

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

QUESTION—RAILWAYS, SPECIAL TRAINS.

Mr. SWAN (for Mr. Horan) asked the Minister for Railways: 1, Under what circumstances was the amount of £330 10s. 1d., as shown on page 221 of Auditor General's report for 1909 on account of special trains, written off as irrecoverable? 2, To whom were these services rendered?

The MINISTER FOR RAILWAYS replied: In connection with the military encampment held at Tammin at Easter, 1909, under special arrangement with the Defence Department, a lump sum contract was made for all railway transport service. Debits were raised in the ordinary manner and the amount specified, being the difference between the lump sum and the actual debits, namely, £214 6s. 7d., was written off. The lump sum was all the money the Defence Department had for this purpose. The charge of £69 6s. in connection with the visit of a Parliamentary party was for a special train from Katanning to Beverley, and half cost of special train (£47 17s. 6d.) run from Perth to Kalgoorlie in connection with the visit of the Premier of New South Wales and other distinguished visitors. The cost of these services was at first debited, but it was decided subsequently that no charge should be made.

QUESTION—RAILWAY FOOTBRIDGE, WILLIAM STREET.

Mr. JACOBY (for Mr. Brown) asked the Minister for Railways: In view of the Railway Department having removed the footbridge over the railway at William-street, Perth, without the consent, and greatly to the inconvenience, of the public, whereby the public were deprived of direct means of crossing the railway, do the Government intend to restore the overhead footbridge or to construct a subway?

The MINISTER FOR RAILWAYS replied: It is not the intention of the Government to construct a footbridge or subway at William-street.

QUESTION — RAILWAY STATION, FREMANTLE, VEHICULAR TRAFFIC.

Mr. ANGWIN asked the Minister for Railways: 1, Is the Minister aware that preferential treatment is granted to a