

very easily to keep down the few that had got through. The department were doing 40 miles a month and making all the headway they could with the fence.

MR. PHILLIPS: Was the inspector giving satisfaction in every way? He could remember the time when it took 12 months to erect 12 miles of fencing.

THE TREASURER: All the officers, he understood, were giving satisfaction, but he could hardly say, seeing they did not come under his personal supervision. He would be only too glad to inquire and let the hon. member know.

Vote put and passed.

Progress reported, and leave given to sit again.

#### ADJOURNMENT.

The House adjourned at 18 minutes after midnight, until Wednesday afternoon.

### Legislative Council, Wednesday, 10th December, 1902.

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

#### PRAYERS.

#### PAPERS PRESENTED.

By the MINISTER FOR LANDS: 1, Permission to the West Australian Goldfields Firewood Supply, Limited, to construct a Timber Tramway. 2, Correspondence and Papers in connection with the exchange of land with the Occidental Syndicate.

Ordered: To lie on the table.

#### QUESTION—LAND SETTLEMENT, GREAT SOUTHERN RAILWAY.

HON. C. A. PIESSE asked the Minister for Lands: 1, How many Inspectors are engaged classifying lands along the Great Southern Railway. 2, How many officers are engaged inspecting conditional improvements in same locality. 3, Do any officers hold the dual position of Classification and Conditional Improvement Inspectors. 4, If the Government (having in view the arrears of work in classification and inspection of conditional improvements) intends to appoint extra officers. 5, If the importance of keeping classification and improvement conditions up to date is realised by the Lands Department. 6, If it is not possible to furnish applicants with classification reports within a few days of application for land. If not, why not. 7, The names of the officers mentioned in questions 1, 2, and 3. 8, If any of these officers are expected to do work in the districts North of Beverley, or the adjoining districts South of Great Southern Railway.

THE MINISTER FOR LANDS replied: 1, 2, and 3, Three Inspectors are engaged, and their duties combine classifying land and inspection of Conditional Purchase Improvements. 4, Two additional inspectors have lately been appointed. 5, Yes. 6, No; as the Inspectors' districts embrace such a large area, it is impossible, owing to the time taken up in travelling from one part to another. 7, A. B. Fry, W. W. Thompson, and J. A. Hall. 8, Yes; the greater portion of Mr. Fry's district is North of Beverley, and Mr. Thompson's and Mr. Hall's districts embrace the remainder of the country along the Great Southern Line to Albany.

#### QUESTION—RAILWAY PROJECT, PORT HEDLAND.

HON. J. E. RICHARDSON asked the Minister for Lands: 1, If the attention of the Government has been drawn to an article which appeared in the *Morning Herald* of 6th December, by Mr. W. Porritt, with reference to the necessity of a railway from Port Hedland to Marble Bar. 2, If the Government will cause inquiries to be made with a view of ascertaining whether a railway from Port Hedland to Marble Bar, or other centre of that district, is required.

THE MINISTER FOR LANDS replied: 1. Yes. 2. See reply to Hon. Sir Edward Wittenoom on 3rd December, 1902.

#### QUESTION—DIVIDEND DUTIES.

HON. J. M. DREW (for Sir E. H. Wittenoom) asked the Minister for Lands: What would be the loss to the revenue if a tax were levied on dividends only, excluding the question of profits altogether.

THE MINISTER FOR LANDS replied: Mining Companies paid on profits, during the operation of the present Act, £46,000. The concession given in the present Act therefore amounts to a loss of about £13,000 per annum. All trading institutions have paid on profits, so there is no means of giving the information in this respect.

#### MOTION—MANUFACTURES, TO DEVELOP.

HON. G. RANDELL (Metropolitan) moved:—

1. That in the opinion of this House it is desirable that the most favourable consideration should be given by the Government and Legislature to the assistance and development of manufactures in this State. 2. That, with the above object in view, the holding of exhibitions of such manufactures will be one of the most efficient methods of promoting the interest of both manufacturer and consumer, as they present object lessons of great educational and commercial value.

He said: I feel it is unnecessary for me to say much on this question, as I am satisfied I shall have the sympathy and support of the House in any attempt to develop our industries and provide employment for our young people. Therefore, without debating the question at all, I move the motion standing in my name.

HON. T. F. O. BRIMAGE (South): I congratulate Mr. Randell on his motion. That the Government should do all they can to foster our industries is certainly to the interest of the State. I wish to address myself particularly to the question of the manufacture of mining machinery. Most of us know that we are now importing very much machinery from England and the Eastern States. If effect were given by the Government to this motion, some encouragement might result to

the local manufacturer, whose enterprise would be invaluable to the country; for with a little assistance many large firms would soon come to the front and would establish efficient and profitable foundries and fitting shops.

HON. R. G. BURGESS (East): I have pleasure in supporting the motion, and I do not think this matter should be confined to mining machinery, but should embrace agricultural machinery also, for an enormous amount of farming machinery is used throughout the country at present and the quantity is increasing. If all the money spent on machinery outside the State were kept within its borders, more labour would be employed and it would be a source of wealth to the country. If the Government can under the present Federal laws—and it is doubtful if it can be done—give assistance in the direction indicated in the motion it should be given. Members in another place have often moved in this direction, but nothing has come of it. The high price of labour is one of the drawbacks against carrying out any large industry in this country. As agriculture is increasing and growing the time is drawing nigh for the establishment of manufactories, especially of machinery. Such establishments would be of advantage to the State, and if private people will not undertake the manufacture of machinery, the Government should offer some encouragement by means of subsidies. It is almost incredible to believe there is such an enormous amount of farming machinery as one sees throughout the State, and one constantly sees new machines when travelling about the country. If the money which was spent in the purchase of this machinery was kept in the State a number of men would be employed and large industries would be established.

THE MINISTER FOR LANDS (Hon. A. Jameson): I think I can assure the House that the Government are thoroughly in accord with the expressions of opinion in regard to the assistance and development of manufactures in the State. At the same time it must be borne in mind that this is a Federal question, and no assistance can be given for the development of such industries by way of bonus. I suppose the hon. member refers to bonuses?

HON. G. RANDELL: No; exhibitions.

**THE MINISTER FOR LANDS:** The first portion of the motion refers to assistance and development being given to manufactures in the State, and that seems to indicate that a bonus should be offered.

**HON. G. RANDELL:** No.

**THE MINISTER FOR LANDS:** As far as this State is concerned we can give no assistance to development in the direction of money grants; but as far as exhibitions are concerned, we have already had exhibitions, and there is an exhibition held every two years in connection with the National Show where the agricultural machinery is displayed. The Government are prepared to receive exhibits of every class of machinery and manufactures of all kinds for exhibition, but there is absolutely no hall in the State in which to hold such an exhibition. On the last occasion of the show the Government tried to get the Drill-hall in which to have the exhibition, but the Federal authorities would not approve of it; therefore the Queen's Hall, which is rather a small building, had to be secured. If it is anticipated to hold an exhibition before long, then there is no hall in which it could be held. At present we have no sum on the Estimates for an exhibition for the coming year, but in the following year I hope there will be an exhibition which will include manufactures of every description. Members know that it is part of the policy of the Government to assist in that way, and already a very great deal has been done by exhibitions. There is no State perhaps where so much money has been expended, in proportion to the population, as this one, in holding exhibitions. A large amount of money has been spent in connection with the Paris and Glasgow exhibitions and also local exhibitions. In some directions it has been thought we have been somewhat rash in the amount of money we have expended in this direction. Still I hope great benefit will ensue from what has been done. It is desirable to have exhibitions from time to time, at all events every two years, as far as the National Show is concerned, and I hope at the time of the next National Show we shall have a building suitable for exhibition purposes.

**HON. C. A. PLESSE (South-East):** I did not intend to speak to the motion, but after the reply of the Minister members

should thoroughly discuss this question. I was surprised the Minister did not express approval of the motion. Only in a half-hearted kind of way did he approve of it; yet he plainly told us that nothing can be done for two years unless it is done through the National Agricultural Show. The National Show is a paltry exhibition, because the Government will not give enough money to make the show worthy of its name. If members will look at the inducement which was held out by the Government in connection with the last show, they will see that the amounts given were paltry in the extreme, especially when we take into consideration the benefits likely to be derived. I hope the Government will not continue to cut down the grants in the future. It is time the Government looked at the matter in a broad light, and I hope the expressions of opinion in the House will cause the Government to reconsider this matter and allow manufacturers to do what they desire. I believe the manufacturers wish to have an exhibition at once; they cannot wait two years in these go-ahead times.

**HON. C. E. DEMPSTER:** It means taxation.

**HON. C. A. PLESSE:** There are hundreds of men here who are willing to help in the holding of an exhibition, and who will do their best to show what can be carried out in a small way. I hope the Minister will see his way to recommend an amount being placed on the Estimates to have an exhibition within the next 12 months.

**HON. C. E. DEMPSTER (East):** I certainly sympathise with the Minister in not being able to give a satisfactory reply to the motion, for I see there is necessity to be cautious. We know a large amount of money has already been expended in Western Australia in this direction. On the Coolgardie Exhibition a large amount of money was spent, and large sums have been expended in connection with the Paris and Glasgow exhibitions. I doubt very much if the expenditure is a reproductive one to the country. It is desirable of course to encourage industries—all admit that; but I say that we should proceed cautiously in this direction. I think agricultural societies might be treated more liberally than they have been in

the past, and that they should have better shows in the different districts. Some good may be done in that way, but in other directions very little good has resulted. A bonus was offered in connection with the smelting works which were established at Fremantle; but they have not been an entire success, nor have they shown that it is desirable to spend a great deal of money in offering inducements to new industries.

HON. G. RANDELL (in reply): I think perhaps the House may be a little misled by what Mr. Dempster has said. I have no such ambitious ideas in my mind as the hon. member seems to think. I may mention, the motion I have moved is couched in language to comply with the rules of the House, which limit us moving in the direction of the expenditure of money. I may mention a small sum of money has been applied for to hold another exhibition in Perth such as that held some time ago, and which was such a source of pleasure and benefit to a large number of people in this country, more especially those in the towns. The success of that exhibition has induced those who were responsible for it to hold another exhibition at the earliest possible opportunity. The promoters do not require a great deal of assistance. I believe they have asked for £700 from the Government, but it has not been granted. Therefore I desire, and the Chamber of Manufactures desire, an expression of opinion from members that the manufactures existing here, and others that may come, should receive the recognition and support of the Government. As to granting a bonus, such an idea never entered my head. I am perhaps extreme on the matter of bonuses. I think they should not be given except in very exceptional circumstances. I am justified in holding that idea when we remember the failure in several cases, the gross failure I may say, of offering bonuses to industries. We have a number of industries starting in this country, and they are in a healthy state, and should be encouraged in every possible way by individual assistance and by the Government and Parliament collectively. It is in view of enlisting public sympathy and the sympathy of members of Parliament that I introduced the motion. A large sum of money has been spent

by the Chamber of Manufactures and friends, I believe going into thousands of pounds, in holding exhibitions. There are, I understand, 13,000 or 14,000 persons employed in the manufactories in this State, and that number will grow except in one or two instances where industries have been interfered with by the Federal duty. I do not intend to labour the question. The Minister for Lands in speaking on the question has perhaps not treated it with that whole-heartedness which I expected from the Government. Still I am sure he is quite with us; I hope I know him well enough for that. In looking after the welfare of the industries it is absolutely necessary to find employment for the young people who are growing up, and we should endeavour to train them to habits of industry and give them a skilled education which can only be obtained by being engaged in manufactures. We have technical schools, equipping the young to take their places in those manufactories, and by the holding of exhibitions we shall still farther assist in the direction of benefiting the industries and of fitting the young for their duties in life when they grow older. I hope the motion will be carried.

Question put and passed.

Resolution to be transmitted to the Legislative Assembly for concurrence.

#### HEALTH ACT AMENDMENT BILL.

Introduced by the Hon. M. L. Moss, and read a first time.

#### MOTION—NET FISHING IN CLOSED WATERS.

HON. E. McLARTY (South-West) moved:—

That, in the opinion of this House, steps should be taken as early as possible to prevent net fishing in the Serpentine River and other closed waters.

Possibly hon. members were not aware of the grave injury done to the fishing industry by net fishing in the Serpentine river and the neighbouring lakes. Those waters were the most prolific spawning grounds not alone in this State but possibly in the whole of Australasia. The water being shallow, men now engaged in net fishing were disturbing the spawning beds and doing immense harm. Years ago, the fishing season in the

Serpentine River was looked forward to with as much regularity as the harvest season. Hundreds of natives used to congregate on the banks of the river and feast on the finest and fattest mullet to be seen. The settlers for miles around visited the fisheries, and in return for a few pannikins of flour and a few sticks of tobacco obtained as much fish as a strong bullock team could take away. Indeed, the settlers obtained a supply of fish sufficient to last them for 12 months. The natives, after supplying all their own wants and bartering as much as possible to the settlers, used to burn tons of fish on the bank, owing to a superstition that fish thrown back into the water would communicate with other fish in the estuary, and that these would then no longer breed in the river. He might also mention that fish was occasionally used as manure. As things were proceeding now, the probabilities were that fish would soon become scarce. The Government hardly recognised the importance of the matter. Fish, instead of affording a cheap and plentiful food supply to the poorer classes, was difficult to obtain and high in price. The inspector of fisheries some time ago had prosecuted certain fishermen for plying their trade in what were understood to be closed waters; but the point had been raised that the river was private property, and that no restriction applied to it. The Government were understood to have appealed from the decision, and the appeal was to have been heard on the 18th November last. As nothing farther had yet been done, so far as could be gathered, he had been induced to move this motion. If no other means of preventing the destruction of fish were available, the Government might purchase the land along the banks of the river. Recently he himself had seen fishermen drag a net and secure such an enormous haul that, for want of adequate means of conveyance, at least 500 large mullet had been thrown aside to rot. Such scandalous waste ought to be stopped. He hoped the motion would commend itself to members.

HON. J. W. HACKETT (South-West) seconded the motion. This was a national question, not a district question. He hoped that if the motion were carried the Government would consider the whole question of fisheries administration.

Question put and passed.

On farther motion by the Hon. E. McLARTY, resolution transmitted to the Legislative Assembly for concurrence.

#### MOTION—ESPERANCE RAILWAY, TO CONSTRUCT.

Resumed from the 4th December—Debate on motion by Hon. J. D. Connolly, "That the immediate construction of a railway connecting Esperance Bay with the Eastern Goldfields would be of great benefit to the State."

HON. A. G. JENKINS (North-East): I have great pleasure in supporting the motion so ably moved by Mr. Connolly. I am sure every member of the House must congratulate the mover on the temperate and lucid manner in which he laid the facts before the House. In order that there may be no misapprehension in this matter, I intend to submit an amendment practically to the same effect as the motion. I understand the mover will accept the amendment, which will affirm "that it is desirable that a railway connecting Esperance Bay with the Eastern Goldfields should be constructed as early as possible." This subject is, unfortunately, not new. It has been a burning question for many years in this State. As long ago as 1896 Sir John Forrest had a certain communication or conversation with Mr. A. Y. Hassell, in the course of which he assured that gentleman that if a railway were constructed in that part of the State it should start from Esperance. I believe the right hon. gentleman has explained the statement away, but it is in black and white, and Mr. Hassell sticks to his position. Again, Sir John Forrest stated to a deputation from Esperance and Norseman, which waited on him in 1896, that if at any time it were shown to him that the construction of a railway in that part of the State was desirable, he personally would not stand in the way of its being started from Esperance. His words were to that effect: he very properly advocated a policy of decentralisation in his reply to the deputation. As hon. members may be aware, the Governor's Speech of 1898 mentioned a line from Coolgardie to Norseman. Unfortunately, owing to an amendment to the Governor's Speech being carried—which amendment, I regret to say, was seconded by a goldfields

member—the Bill was not proceeded with during that session. In 1899 a measure authorising the construction of the railway reached this House, and was defeated by a very small majority. In 1900 the subject again came up in the Legislative Assembly. These facts go to show that the construction of a railway from the Eastern Goldfields to Norseman, at any rate, has been a burning question. Every member who voted for the Norseman line must have had, at all events, some idea that the line would eventually go to Esperance. In the natural order of things, the line could not possibly stop half way between a seaport and what I may term an inland capital. Such a state of things is impossible. Therefore, I think the advocates of the Esperance railway are to-day entitled to the vote of every member who in the past has supported a line from the Eastern Goldfields to Norseman. I have no doubt that the Esperance railway would to-day be an accomplished fact had it not been that an unfortunate dispute arose among the mining community as to whether construction of the line should start from an Eastern Goldfields centre or from Esperance. Some desired that the line should start from Coolgardie, Kalgoorlie, or Boulder, while others held that construction should begin at Esperance and proceed thence to Norseman. Great difference of opinion existed: meetings held in one place advocated one thing, and meetings held in another place advocated something else. I repeat, if the goldfields had been unanimous on the question, the line would to-day have been an accomplished fact. Unfortunately, however, goldfields residents quarrelled among themselves, and in that quarrel the line was lost. Since that date the goldfields have undoubtedly been firmly united in their endeavour to obtain the construction of the line. It is not as though one section of the goldfields favoured the line and another section opposed it. Meeting after meeting has been held, league after league has been formed, deputation after deputation has been appointed, and petition after petition has been sent; but, so far, petitions, deputations, leagues, and meetings have borne no fruit. Have any of the arguments which have from time to time been adduced been met

by counter arguments? I venture to assert they have not; that although piles of figures have appeared in print and have at various times been laid before the Premiers of this country, those Premiers have never in reply endeavoured to show the people agitating for this line that the figures were wrong or the reasonings not justified. That is practically the present position. The goldfields have ever since 1894-5 been asking for this line. Parliament has for some reason or other decided that they shall not get it. Members must surely look at a question of such national importance without regard to parochial interests. It is not as if the people on the goldfields were not interested in and bound up with the welfare of this State. I think the day has long gone by when the coastal people looked on the goldfields residents as practically nomads wandering about without homes, kith, or kin. Now conditions are altered. People on the fields have interests there; they have acquired homes and other property. Large and important industries have sprung up, and there is no doubt that the fields are now in a prosperous condition for which seven or eight years ago even the most sincere well-wishers of this State could not have hoped. Naturally it will be asked whether those people who have spent such large sums of money on the fields, and who have acquired interests there, are not entitled to some consideration. It will be asked whether the large interests which have been acquired at Esperance, and the large sums of money spent there in public buildings, in piers for the shipping, and in other works, and whether the large sums spent at Norseman also, do not give the residents of those places a claim to consideration, inasmuch as they, seeing so much public money spent, thought themselves justified in spending their own money. Surely they were entitled to some consideration from the successive Governments which have occupied office. That to my mind is the one factor in the case. Do the interests which have been acquired by those goldfields residents at Norseman and at Esperance deserve consideration? If it be known that they do not deserve consideration, then by all means vote against this motion; but if members think they do, then vote for the motion, or vote for it in such a form

as to give the fields some hope of the early construction of this line, or of its advisableness being considered. When the last motion in favour of the railway was moved in another place the mover asked that an expert commission should be appointed to investigate the desirableness of the line. Could anything suggest itself to hon. members as a fairer means of settling this difficulty? Surely one would think that any Ministry who had the welfare of the country at heart, would to such a question have answered "Yes." But we know that the motion was defeated. When so little consideration is given to people who make such a reasonable request, can we wonder if at times those people become somewhat bitter, and speak harshly? We cannot blame them; because to their minds and to the minds of a good many of us they have received exceptionally bad treatment; and when the most reasonable proposal that could have been put forward was met not by argument but by a simple straight-out vote by which it was negatived, can people wonder that the goldfields residents do at times feel very strongly on the subject? That is my main reason for addressing myself to the question; but I shall also refer briefly to the questions submitted to the House by Mr. Connolly when he first made his motion. These were as follow: "Would the line, if constructed, open up pastoral and auriferous country? Would it help to develop that country? Would it render the opposition line unpayable, and would it injure the interests of Perth and Fremantle? Was there a good and efficient harbour at Esperance; and would it be advisable in the circumstances to obtain a loan to construct the railway?" Many hon. members have been on the goldfields, and know that the line if constructed will run through Norseman, Widgemooltha, Dundas, and Parker's Range districts. [HON. R. G. BURGESS: How far?] I say it would only help to develop the gold mines at these places. The hon. member had better allow me to proceed in my own way, else I have a 32-page pamphlet which I can read to him. The line would assist the mines at present being developed on the Hampton Plains Estate, and at Paynesville and Ravens-thorpe. From the reports of Mr. White, a Government inspector of lands, and

from gentlemen in this House who are far more conversant with that phase of the question than the goldfields representatives, it appears that there are large areas of agricultural and pastoral land only awaiting railway communication to be properly developed. We know there is a good and sufficient rainfall, and that crops obtained there are on the average as good as if not better than the crops in the rest of the State. Given good land, a good rainfall, good mines; surely those interests are entitled to at least some consideration. There is another problem which must in the course of a year or two become literally a burning subject on the fields—the question of fuel supply for the mines. I believe it is estimated that there is at least a 20-years supply of firewood on any route which may be taken from the Eastern Goldfields to Esperance. The supply of firewood outside that area is very small indeed. The Kurrawang syndicate have for some time past been supplying the principal mines in Kalgoorlie; but the area of the syndicate is practically exhausted, because they have been going over and cutting out the ground they have already cut over; and we know what that means. Last year we authorised the Minister to issue permits to companies or to persons to cut firewood and to build private trams. Such enterprises can provide only a brief respite as regards the supply of firewood; and is it not better, if we can possibly throw into the hands of this State all the immense revenue which would accrue from the carting of firewood, that we should do so rather than throw it into the hands of private people? Hon. members will say, what about developing our own Collie coalfields? Well, it would not be possible, even if there were a direct route from Collie to the goldfields, to enable the Collie coal to compete with the firewood. I believe the direct route from Collie is from 380 to 400 miles, and the line from Coolgardie to Esperance would be only 220 miles, and most of the firewood need not be carted over a distance anything like the length of that line. The next question I propose to discuss is, would the railway render the present line unpayable, and would it injure the interests of Perth and Fremantle? Those who have lived on the fields know well the difficulty ex-

perienced, even when the line went only as far as Menzies, in obtaining a regular and constant supply of goods. We know it was at times absolutely impossible for the Railway Department to cope with the difficulty, and there were then continuous blocks causing great loss to the people and to the country in respect of claims against the department for damage done to goods, perishable goods especially, through non-delivery at the proper time on the fields. [HON. R. G. BURGESS: Mismanagement.] Not only mismanagement. We know the department have not even now enough rolling-stock in the State to meet the increased demand. The Eastern Goldfields line has been extended nearly as far as Malcolm; it will I hope soon be extended to Laverton. Every mile farther north we carry that line, and every mile farther east—it must go to Morgans—means the opening up of fresh gold mines, fresh employment for labour, and consequently an increased demand for foodstuffs and for all the necessities of life which, for the supply of the goldfields, must be carried over our railways.

HON. M. L. MOSS: The farther north the line goes, the farther away from Esperance.

HON. A. G. JENKINS: My answer to that is, the farther north it goes, the farther we have to carry the goods from Fremantle; and in all human probability that railway as it is extended northward will not be able to carry the required traffic, at any rate to an extent compatible with the general welfare of the people. An hon. member says, "Duplicate the line." Is it not better to build a line from Esperance, which is so urgently needed, than to duplicate the railway from Fremantle, at a cost probably double that of the Esperance line? Are we to duplicate the line from Fremantle, or give the goldfields people the exit from and entrance to their natural port, at a distance of 220 miles? Some people say they have acquired interests at Fremantle, have spent millions on the harbour and large sums on other works. That perhaps may have been a good reason in the old days, when there was only a limited population, and when the desire was to build up the main port of the State, and to establish a large harbour at Fremantle; but does anyone believe that the construction of the line

to Esperance will decrease in any appreciable degree the interests which have accrued at Fremantle, or decrease the value of property there? I venture to assert far from that being so, it would rather tend to increase the value of property, for it will be the means of giving communication to Esperance, and people will make it their business to go to Fremantle as well, while ships will go to Fremantle in greater numbers than they do now. We have heard the remark that all roads lead to Rome, and it seems to me that all roads lead to Perth and Fremantle. That seems to be the policy; but we should not encourage a policy like that. We should try to give to every port its natural trade. We should endeavour to give those who have settled at the ports and who have acquired interests there, in expectation that at some future day they would have communication with the interior of the country, a railway. The question arises, is there a harbour at Esperance? I do not think there can be any doubt on that question. I have seen Commander Combe's chart, and that gentleman's report is good enough for me. He was specially sent to make a report on the harbour, an absolutely independent report, and surely that gentleman's opinion is at least entitled to more consideration than the report of a gentleman who had not nearly the same credentials and who subsequently made a report which I am afraid is not as unbiassed as that made by Commander Combe. Sir John Forrest, who I think also has shown that he knows this State from end to end, in a celebrated speech which he made after an inspection of Esperance harbour, said that so far as the harbour itself was concerned, there was not the slightest doubt in his opinion that it was absolutely safe and secure.

HON. M. L. MOSS: The Admiralty report does not say that.

HON. A. G. JENKINS: We have always been led to consider that Commander Combe's report was the correct one. His chart shows sufficient water for steamers of larger dimensions than have ever entered that port. There is a good harbour, with good pastoral and good agricultural country: all these various interests deserve some consideration. There is only one other question which arises. If a railway is decided upon,



would the line be justified? It will always be my contention, and I think it a reasonable one, that if we can borrow money for reproductive works, we are justified in going to the London market to borrow that money. If we can show that a work will pay the sinking fund and the interest, we are justified in going to the London investor and asking him to lend us the money to carry out that work. That the line will pay there can be no doubt, for as a rule we do not find private people anxious to construct a line unless they can make a good thing out of it. The Government from time to time have not only received offers, but have received requests to give offers, from gentlemen of undoubted integrity and undoubted wealth. They have asked the Government to give a concession to construct the line, and on what terms were they prepared to give it? When people who are always ready to protect their own interest are prepared to construct this line, when they do not ask for any land grant but only want the running rights over the line for a certain time, and then are prepared to hand it over to the Government free of charge, there must be something in the argument that the line would pay if constructed. I do not want to weary the House; any farther argument put forward at the present time would be unnecessary. I only say that if members refer to a most excellent report by the chamber of mines of Kalgoorlie on the subject they will derive some benefit. That chamber formed a sub-committee, and took evidence, and on that evidence they submitted a report. They examined the evidence carefully, and showed that this line would if constructed not only not unduly interfere with the line existing between Perth and Fremantle and the goldfields, but that it would pay. What arguments have we in reply? We are not met by arguments; but we are met with a sort of stand-and-deliver policy—they will not have the line at all. I ask the House to consider the rights of Esperance in the matter, to consider the rights of Norseman, and the people on the fields. They have been asking for the line for a long time, and it is not an idle request which is made to-day and gone to-morrow. Members know that for years past there has been a persistent agitation, sometimes small, some-

times great, but always there, for the line. Where there is smoke there must be some fire.

HON. R. G. BURGESS: What started the agitation?

HON. A. G. JENKINS: I think the justice of the claim started the agitation, and it will always remain a sore subject on the goldfields until the line is granted, or it is absolutely proved to us beyond dispute that the line will not pay, or until the proposal has received that proper consideration from both Houses which I venture to assert it has not yet received. Members by passing the motion can show the people on the fields that we are prepared to give the line favourable consideration, and to argue the *pros* and *cons* when the proposal does come forward. Those who are clamouring for the line have the interests of the State just as much at heart as those residing on the coast, and they can show that we who live in this State can, at any rate, work together unitedly for the future good and welfare of the State. In passing a motion such as this we shall show that the Legislative Council, at any rate, are prepared at all times to consider and discuss in a proper manner any motion put forward with the avowed object of assisting the welfare of the goldfields. I have much pleasure in moving as an amendment—that all the words after “That” be struck out, and the following inserted in lieu:

[That] in the opinion of this House, it is desirable that a railway connecting Esperance Bay with the goldfields should be constructed as early as possible.

HON. J. D. CONNOLLY: I am prepared to accept that amendment.

Amendment put and passed.

HON. C. SOMMERS (North-East): I have much pleasure in supporting the motion, and I desire to say that the proposal to construct a line has my entire sympathy. Some two and a-half years ago, when contesting a seat for this House, the question was a burning one with the people on the goldfields; not amongst one portion, but the agitation extended from Southern Cross to Kalgoorlie and Esperance, and right away to Mount Margaret. From that time the agitation has continued. Mr. Connolly and Mr. Jenkins have pointed out that numerous deputations have waited on the authorities asking for a definite promise

that the line would be constructed. At one time in another place a Bill to construct this railway was lost by one vote.

HON. M. L. MOSS: Not this line, but a line from Coolgardie to Norseman.

HON. C. SOMMERS: It has been pointed out by Mr. Jenkins that the proposal was the same, because no line would ever stop half way between the goldfields and Esperance. After all this agitation we find a sum of money on the Estimates for making a survey, and a survey party has been sent out. The surveyors are taking plenty of time over the survey. Questions have been put as to when it is likely that the survey will be completed, and we are told about the end of 1903. It seems impossible over such easy country as that to take such a long time in completing the survey. We have asked could the Government facilitate the survey and push it forward by putting on farther parties of men, but the reply received is that there is no necessity, evidently showing the intention of the Government is to shelve this matter. Why go on with a survey if the Government do not intend ultimately to construct the line? The survey will cost between £8,000 and £10,000, and if the Government do not intend to go on with the line, the money is being wasted. It has been pointed out that the railway to the fields is being extended in a northerly direction. The line has been extended to Menzies, and then to Leonora, and now there is a Bill before another place to take the line on to Laverton. The line must go farther. These extensions have been justified by the increased trade and output of the fields. The traffic beyond Kalgoorlie must increase, and no one can dispute that. If the present rate of progress is continued in the near future the line must be duplicated. The question then arises, are we justified in withholding from the goldfields railway communication with their nearest port? Why should people who are willing to spend their capital in developing the greatest industry of the State be deprived of having access to their natural port? From a health point of view the line is desirable. The Government are desirous of seeing the people healthy and strong; but this cannot be if the people are debarred by expense from getting down to the coast. If the line to Esperance were constructed

people could visit Esperance Bay for the benefit of health. As showing that the people are unanimous in their desire for this railway, I only have to point out that I had the honour of presenting a petition this session signed by all the leading societies and associations on the fields; the leading men, the mayors of the different towns and the councillors.

HON. M. L. MOSS: They want the money spent in their districts.

HON. C. SOMMERS: They are loyal people, and they want money spent to develop the interests of the State. It is not right or proper that only one port should be opened in so enormous a territory as this, comprising a third of the continent. What is the main attraction of this State? The gold industry is the principal attraction. The agricultural and pastoral industries no doubt are advancing, but the main attraction is the gold. Population is increasing rapidly, and will continue to increase. We must grow with the growth of the State: we must show that we have other resources than those available from our present railway system. Figures, statistics, and reasons, never seriously disputed, have been adduced to show that the railway will pay, and that it will open a vast area of auriferous, pastoral, and agricultural country, and that so it must tend to increase the wealth of the whole State. Residents of the coastal districts sometimes feel anxiety in regard to the results to them from the construction of this railway, but a little consideration will show them that they have no cause for fear. If the State increases, its capital must increase. Experience teaches us that throughout the world the capital city of the State, the seat of government, is the main attraction, and that money is largely invested there. And so it will be here: if the State advances, the chief port will advance, the capital will advance, and both town and country lands will appreciate in value. I maintain that in the interests of the State the railway should be built as speedily as possible. If it obtains only one-third or one-fourth of the traffic of the Eastern Goldfields railway it will pay interest on capital and sinking fund, in addition to working expenses. Besides, there are the possibilities of opening up new country—a big consideration, and one for the sake of

which a slight risk of loss may well be run. We know that at present labour is rather over-plentiful in Australia, since not many large public works are being constructed in the Eastern States. In the circumstances, the probabilities are that we should attract men with capital, who would undertake to build the line at a lower price than is likely to be asked a few years later. On that ground alone the matter is of urgency.

HON. R. G. BURGESS: Where is the money to come from?

HON. C. SOMMERS: Money is plentiful. At a banquet tendered me at Kalgoorlie on accepting the Lands portfolio, the hon. member stood up before four or five hundred people and said: "You do not know what you are doing; you goldfield people are too modest altogether; you should borrow millions."

HON. R. G. BURGESS: I did not say that.

HON. C. SOMMERS: The hon. member said: "You have the men, and you have the gold, and why should you not borrow four or five millions?" That statement was made before a large assemblage, and it was reported, and the hon. member was rather proud of it. Yet he now asks where the money is to be obtained. The credit of Western Australia was good then, and it is better to-day.

HON. R. G. BURGESS: What about the Coolgardie Water Scheme?

HON. C. SOMMERS: The Coolgardie Water Scheme is just about to produce revenue. On the 26th January the tap will be turned on by Sir John Forrest, who was not afraid to advocate the construction of this railway—another feather in his cap. When the scheme is in operation, a fresh impetus will be given to the gold-mining industry and farther developments may be looked for. I shall not labour the question. Ever since I have taken a part in the public life of the goldfields, I have advocated the construction of the Esperance line, and have joined leagues and attended deputations for the purpose; but I have got no farther. I say that a moderate proposition such as that now before the House is justified, and I hope it will have the support of hon. members.

HON. C. E. DEMPSTER (East): I consider it my duty to say a few words

on this motion, particularly as I am interested in Esperance. There is not the slightest doubt that Esperance Bay, geographically considered, ought to be the port of the Eastern Goldfields, and there is no reason why the railway should not be built. I have always felt that in justice to Esperance and Norseman the line ought to be built, seeing that so much Government money has been expended in those places and that people have been induced to settle there in consequence of that expenditure. Certainly, the line ought to be constructed from Esperance Bay to Norseman. Had that section been built, the people concerned would have been satisfied, or at any rate would not have so much ground for complaint as they have now. The Government have spent large sums of money in the construction of jetties at Esperance Bay; big grants have been made to municipalities in that quarter; and large areas of Government land have been sold about Esperance. Thus, I maintain, people have been offered every inducement to settle in that district; and what has been the result? The people have been led to believe that a railway would be constructed, that they were bound to have a railway in a very short space of time, but they have not yet got the railway; indeed, it seems farther off than ever before. I fully recognise the inadvisability of building a railway from Coolgardie to Esperance, in view of the large expenditure on the Eastern Goldfields railway. It is undesirable in the interests of this part of the State that traffic should be diverted from that line. A time will come before very long, however, when the present railway will not be able to serve goldfields requirements without duplication; and then the time will have arrived for the construction of a line from Coolgardie or Kalgoorlie to Esperance Bay. In the meantime the Government ought certainly to construct a railway from Esperance to Norseman. The mines at Norseman have not proved phenomenally rich, but the returns have been sure and safe, and there can be no doubt that a large number of mines which are not now being worked would become producers if a railway existed. To my certain knowledge, there is a large extent of auriferous country which might

be opened up. Great advantage must result to the people in that portion of the State from the granting of transit facilities. There is no gainsaying the fact that so far the Esperance and Norseman people have laboured under heavy disadvantages. As for Esperance harbour, I can speak with a little authority, seeing that I spent some time in the district and did a considerable amount of boating in Esperance Bay. A very little expenditure would make Esperance Bay one of the best ports of Western Australia, because there is everything to make it a good port. The removal of one bank alongside the jetty would enable large vessels to approach very close to the shore, let alone approach close to the jetty. Very few ports of this State lie under fewer disadvantages than does Esperance Bay. Undoubtedly, a splendid harbour capable of meeting the requirements of shipping of large tonnage can be made there at very slight cost. The geographical position of Esperance Bay undoubtedly entitles it to become the port of the Eastern Goldfields. I do not think it can be truthfully said that the country around Esperance Bay affords much scope for agriculture. At Norseman there is good garden land, and also a large area of land suitable for fruit growing, but very little fit for wheat growing. I can only say that I should certainly support this motion if its object were to affirm the desirability of constructing a railway from Esperance Bay to Norseman. The line from Coolgardie or Kalgoorlie I cannot support at the present time, although I fully admit everything that Mr. Jenkins has said. I congratulate Mr. Connolly on the manner in which he introduced the motion. He made no statement which could be described as unreasonable or exaggerated. Finally, I wish to express my sympathy with the people concerned in the fact that the Esperance-Norseman railway has not been constructed long ago.

HON. S. J. HAYNES (South-East) : I have pleasure in supporting the motion. I am in favour of the construction of a railway from Esperance to Norseman or from Coolgardie to Norseman. Both lines have the same ultimate object, namely to join the goldfields with their natural seaport. I have listened attentively to what hon. members have

said on this motion, and I cannot but regard the reasons urged in support as conclusive. A visit to Esperance has also helped me to that opinion. Farther, I have travelled to Norseman, and I am quite satisfied that a large belt of auriferous country exists around Norseman and between Norseman and Esperance. The development of all that country would be greatly assisted by the construction of a railway. The low-grade ore of the field cannot be worked under present conditions. During my short stay on the field I was taken around as many shows as time would permit, and I was much pleased with what I saw. I am thoroughly convinced that many mines which at present are not worked would prove payable if railway communication were afforded. As regards the port of Esperance, we must weigh what has fallen from Mr. Dempster. On my visit I had a good view of the harbour and I made inquiries from practical people in the neighbourhood. The harbour struck me as safe and commodious, and I believe that any defects and dangers connected with it might readily be removed at reasonable expense, having regard to the traffic which will follow on the construction of the railway proposed. The line would pay handsomely, practically "from the jump." It has been repeatedly stated, and there is no answer to it, that Esperance is the natural harbour for the goldfields; and if the fields had been discovered before we committed ourselves to the line *via* Southern Cross, the Esperance line would be at the present day the main trunk railway to the Eastern Goldfields. It is self-evident, to all business men at any rate, that the line must come. As certain as that water will find its own level, so certain is it to my mind that a large population will make for the nearest port. Moreover, by agreeing to and carrying out this line we accord to Esperance that justice only to which each port in this State is entitled. Our action will be the commencement of a decentralisation policy which will conduce to the welfare of the State. We have already seen in the other States the curse of centralisation, of which Melbourne and Sydney are evidences. I hope we shall not fall into the same errors here. If this line were built, I do not think it would in

any way injure Fremantle or Perth. There is plenty of room for two lines to deal with the goldfields business at present offering. It has been truly said that the Eastern Goldfields railway is being extended, and that the extension will continue. Then the present line will be incapable of coping with the traffic. In the past we have had great congestion at the port of Fremantle; and one member in this House well knows the trouble which ensued. That trouble will be again experienced unless some means be taken for averting another block in the traffic at periods of stress. Mr. Moss replies: "Duplicate the line." That would undoubtedly be a much more expensive job than building this new line. In addition, it would be an exceedingly selfish policy, when there is plenty of business to keep up both Perth and Fremantle without the trade which would go along the line *via* Norseman. I do not wish to reiterate the arguments of Mr. Jenkins. Mr. Connolly's speech I had not the pleasure of hearing; but I candidly confess Mr. Jenkins's arguments were fair, reasonable, and very temperately propounded. I have much pleasure in supporting the motion; and should a Bill for the construction of the line be ever introduced, then, unless great and detrimental changes take place in the goldfields, I shall heartily support the project. But the future of the fields is brilliant; and everything seems to me to warrant the construction of the line at no distant date.

HON. M. L. MOSS moved that the debate be adjourned.

SEVERAL MEMBERS: Finish it.

Motion negatived.

HON. M. L. MOSS: Is it permissible for a notice of motion to be debated after half-past six?

THE PRESIDENT: This is an Order of the Day.

HON. J. M. DREW (Central): I do not wish to say much in favour of this motion; and what I have to say I will put in a few words. I must first compliment Mr. Connolly and Mr. Jenkins on their able speeches, and thank them for the valuable statistics and other statements they have placed before the House. But I say it would be too much to expect the House to accept those statements and those statistics

on their merits alone. Before consenting to such a large expenditure, the House should on this matter have some expert evidence, some testimony from an impartial source as to the nature of the harbour at Esperance, the probable cost of the line, its effect on lines already constructed, and its effect generally on Western Australia. So far, this House has not been supplied with this information, and I do not think that on the mere assertions of hon. members we should pass a motion which would involve this State in heavy expenditure, and perhaps produce very bad results. At present, I have not decided whether I shall support or shall oppose the Esperance line, for the simple reason that I am not in possession of reliable information to lead me to form a careful and cautious opinion. There is another point. The motion has already come before another place; and that place has decided by a very large majority that the line shall not in the near future be constructed. I think, in the face of that decision, that if this motion were carried and transmitted to the Legislative Assembly, we should be leaving ourselves open to a well-merited snub. I am sure the Assembly would not receive the resolution. The other place is the people's House, having control of the public purse; and in the circumstances I think we should hesitate before passing such a motion.

HON. J. W. HACKETT (South-West): I must admit that I am prepared to support the motion in its present form. I did not like it yesterday in its perfectly crude shape; and I am pleased that Mr. Jenkins has seen his way to alter it so as to obtain a general and not a specific expression of opinion. His failure to make the alteration would certainly have prevented me from recording my vote for the motion. I am not sure that I agree with the main arguments used to urge this question on the attention of the House. I feel strongly, for another reason to which I will allude in a moment, that it would be advisable to build this railway; but I am not satisfied that there is an abundance of good agricultural land along the line of route. There may be some very rough pastoral land, and some agricultural land also.

HON. J. D. CONNOLLY: There are 500 acres in one place.

HON. J. W. HACKETT: But how many 500-acre blocks are there? The hon. member knows that inspectors were sent over this country to pick out the agricultural areas, and all they found was about 30,000 acres distributed in various patches.

HON. J. D. CONNOLLY: They found 800 acres in one patch.

HON. J. W. HACKETT: Nor am I quite sure that the country is in a position to build this line. But when definite proposals are brought before the House, we shall be able to decide that. Nor, again, am I quite clear that the line would pay, nor can I shut my eyes to the fact that if it did pay it would possibly pay in a large degree at the expense of the main line. Nor can I quite agree that the climate is as Mr. Connolly represented it, with that wonderful rainfall just south of Norseman; for the meteorological tables for last year show that about half-way between Esperance and Norseman the rainfall dwindles down to something under nine inches. The average rainfall for the degree on which Norseman is situate—not for the good year my friend has quoted, but on the average—is 8.96 points.

HON. J. D. CONNOLLY: I left out Norseman. The land there is neither agricultural nor pastoral.

HON. J. W. HACKETT: I say about half-way between Esperance and Norseman the average rainfall is under nine inches; so that the country is beyond the possibilities of agricultural settlement. But the land can be utilised in many other ways. I should be the last person to say that any part of Western Australia is unfitted for settlement and cannot be made a source of profit to the country. This I do think, that we must remember that when the Transcontinental Railway comes along it will provide us with a 4ft. 8½in. gauge from Kalgoorlie to Fremantle; and I would recommend hon. members to recollect that the broader gauge will give this side of the State all the compensation it desires, and will, in competition with the 3ft. 6in. gauge of the Esperance line, put us in a position of great superiority.

HON. J. D. CONNOLLY: Have you any reason for believing we shall get that line within a reasonable time?

HON. J. W. HACKETT: Yes. I am one of those sanguine creatures who think that within five years the Transcontinental line will be commenced, if not half constructed. I think that before next year ends negotiations will have reached a point with which everyone at least on this side of the continent will be satisfied. I would put the question in this mild form: Esperance should be an overflow port for the goldfields; and I argue that more from the point of view of the Commonwealth than of the State. I have to a large extent shut the State out of consideration. But I do think that a port with a claim such as that of Esperance, which is within 220 miles of the chief centre of the goldfields, ought to be availed of on all considerations of justice and reason; and if we can get this railway constructed at a moderate rate, and can show that it will not seriously interfere with the revenue and the profits of our Government railways, I shall be found voting with the advocates of that railway. It seems to me a danger to Australia that our points of settlement should be so few. Centralisation has been talked of in this debate; and to me it is quite evident that if centralisation goes on with the attendant evils, moral and social, which always follow centralisation or the gathering together of people in a few large cities, Australia has a very poor future indeed before her. When we reflect, for example, on such a nation as the Germans, who are now 60 millions strong and rapidly increasing—and I need not refer to the Russians and the Chinese—when we consider those peoples and then remember that the population of Australia shows a tendency to congregate in a few large towns, and that all town populations have a tendency to fall off, I say there is a danger before us which it is the duty of every far-seeing man to endeavour to combat. Between Albany and Port Lincoln is an immense strip of country with a fine climate, but containing absolutely no settlement of, I suppose, 100 persons, except at Esperance Bay. I therefore urge, in the interest of the Commonwealth, that something should be done to create settlement there. If the settlement existed, all that there is in the country behind it—agricultural, pastoral, mineral—would be profitably developed,

which now can be developed only at a loss, and therefore to great disadvantage. On this ground, that it is to the higher interest of the community of the Commonwealth that settlement should be extended along that coast—and this proposal affords almost the only chance of establishing such settlement—I am disposed to give the motion my support.

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

On motion by HON. M. L. MOSS, debate adjourned.

#### CONSTITUTION ACT AMENDMENT BILL.

##### SECOND READING.

Resumed from the 3rd December.

HON. J. W. HACKETT (South-West): In addressing myself to the consideration of this Bill, I think it is fair I should do what I do not often do, compliment the Government on the drafting of their measure. Whether it is that they have been unusually fortunate in the original construction of their Bill, or that they have not allowed it—and I suppose this is the true answer to many of our complaints—to be so much knocked about in another place as usual, I cannot say. There can be no doubt that not only is the Bill well drafted, but it is so well drafted, so clear and explicit, that it allows no member in this or another place to be in doubt as to its terms, and I go so far as to say as to its objects. I must farther offer my little meed of applause to my friend Dr. Jameson for the way he introduced the Bill. A more temperate, dispassionate, and I may also add a more indifferent speech—a speech which showed his indifference in the matter—has seldom been heard in this House. I look with some interest as well as some curiosity to the time when we go into Committee, when the hon. member will bring forth those stores of fire and enthusiasm which alone could prompt any reformer to bring into the House a Bill of so drastic and far-reaching intention. I am quite sure that cold, and I repeat indifferent, manner could not have been intended to recommend the Bill; therefore as we can only assume there is some ground for the Bill which goes to this extent and upsets our present

Constitution and introduces a new state of principles and rules, there must be some strong cause behind it which is self-sufficient to kindle that fiery enthusiasm which we may look for—a regular volcanic outburst—when in Committee. Perhaps the hon. member is with the majority, as I hope it will be found there is a majority in the House, in believing that the time for enthusiasm has not come yet, and it is just as well to keep the fires in the background until they are of some effect.

HON. G. RANDELL: Keep them banked.

HON. J. W. HACKETT: Yes; keep them banked. The reason why I think the House should address itself to the Bill with the utmost anxiety is that this is first and foremost a Bill dealing with the Legislative Council. In fact there is hardly any point dealing with the Constitution and the legislation of the past, save wherein it seizes on the Legislative Council and absolutely converts it from its present position into one as different from it as can possibly be imagined. I am inclined to ask, what is the ground, the occasion of so severe an attack on this House? For my part—and I am not without some experience in Australian politics, having spent 28 years of my life here, and having taken a warm concern in the subject at all times, and I have seen burning periods of Australian political contests—for my part I am prepared to say that no Upper House in the Commonwealth of Australia has conducted itself with the same calmness, the same impartiality, the same regard for justice and for the rights of the people, as has done the Legislative Council of Western Australia. I have been a member of this House, like yourself Mr. President, from its inception; and I do not call to mind one case in which a matter on which the popular mind had set itself strongly, or which was clearly for the advancement of this country, was opposed by this House, or did not receive finishing and welcome touches to make it of greater value in the interests of the community. We have seen here no exasperated conflicts between Upper and Lower Chambers such as have occurred in other parts of the British dominions. We have seen no deadlocks or approaches to deadlocks. We have seen nothing but the best spirit prevailing, not only between the two

Chambers, but I believe between this Chamber and the constituents returning members in another place. I ask, therefore, why this House, the Legislative Council, should have been singled out as the *corpus vile*, as the rotten carcase, on which the anger of the Government, no doubt in earnest, is to be expended? I go so far as to say that the Minister gave his case away when he failed to open his address with some of the grounds which have prompted the Ministry, my friend Mr. Walter James and his colleagues, to their action in this matter. The first course they should have taken, surely, was to declare that there was ground for reform, that there was something which required a remedy. If the Minister for Lands had devoted an hour to that aspect of the question, nobody would have complained; rather, we should have welcomed it. Then, the case having been fixed that there was need for a remedy, the next and the larger matter would come on for discussion, and we should have had an opportunity of saying what character the remedy should take. Ministers have prejudged the matter at once. In a hasty moment they have decided, for reasons which I will not put into their mouths—no doubt they will come at a later stage—to introduce this extraordinary legislation. They do not seem to have satisfied themselves that there was a demand for it; they do not seem to have satisfied themselves that they were right in proposing it; they do not seem to have satisfied themselves there was much chance of the two Houses of Parliament accepting it; but it occurred to them that this legislation would form an interesting little item, more or less important, in a large volume of fancy legislation. So the instructions go down to the draftsman, and the item is drawn up into an elaborate Bill, which now comes to this House to ask for our assent. The first challenge I throw out to the Government is, why they venture to proceed in this fashion in connection with a Bill which, as to nine clauses out of ten, is a measure, I will not say for the destruction—I reserve that word for another occasion—but for the essential and substantial alteration of the powers and position of the Upper House? Why could they not have taken steps to ascertain the views of this House on the measure, and

begin at a point where they might have explained to us the necessity for reform, the reasons why they believed reform should be introduced, and the kind of reform they intended to propose? I say we are in this predicament, that the more eager and the more earnest my friends opposite are for reforming—as they call it—this Chamber, the more important it is that they should be possessed of the views of this Chamber in drafting their measure. Whatever course they may take is for them to decide; but I say that, unless they begin in that manner in connection with a Bill which is primarily an attack on this House, undoubtedly their proceedings are liable to prove abortive elsewhere. For, until Ministers ascertain what is in the mind of this House, what we are prepared to concede and what we believe to be for the general advantage, till they have apprised themselves of all those facts, a Bill of this kind can be only so much waste paper. My view is that before such stringent changes are proposed this House should have been consulted. There are several ways in which this House might have been consulted: either by a select committee, by a joint conference between the two Chambers, or by the procedure largely adopted in the old country—that is if Ministers do not wish to introduce a Bill here in the first instance, and undoubtedly they are entitled to use their discretion on that point—procedure by resolution, such as was adopted in the case of the Irish Church by Mr. Gladstone, and in the case of the great Reform Bill by Mr. Disraeli. Ministers might have proceeded by resolution to discover in what direction this House considers the Constitution Act ought to be changed, and in what direction this House would be willing to change it. I do not say that should be accepted as the law, but I do say the course I indicate would have afforded a basis for the Government to come before this Chamber with a reasonable Bill, having a reasonable chance of being carried. I may as well state at the outset that the reason why I propose this House should proceed no farther with the measure—and that, I think, is the course which my friends opposite only anticipate—is that the one thing essential in regard to a measure which entirely changes the constitution of



this Chamber is that full and ample time should be allowed for the consideration of the changes proposed. Now, this Bill has been brought up at the end, practically, of the session. I regret to point out it is brought up at a period when—as I may remark within the limits of parliamentary privilege, and I hope I shall not be out of order in referring somewhat more fully to another place than would otherwise be proper, since this Bill begins with the relationship of the two places—at a period when we cannot go into it closely and specially. We know that whatever conclusions we come to—and it may take us weeks to arrive at conclusions—cannot be duly considered in another place. In the position we are now placed in, I should be the first to propose that the Bill be referred to a select committee in order to drag out of witnesses, whom the Government would no doubt supply, what are the grounds and causes which have led to the introduction of the Bill. I say we have no time whatever to take even preliminary steps for the examination of this Bill, and of what it proposes to do. What is the position in another place? It is some time now since the time of private members has ceased; farther, it is some time since certain hours were added to the sitting; and also some time before this Bill was introduced into this Chamber the Standing Orders of another place had been suspended, in order to allow measures to be carried through that Chamber in as many seconds as otherwise they might take hours. In the circumstances we have sufficient ground, I think, for declining to proceed with this Bill any farther. Before I pass to any other point of the measure, I wish to make this clear, that there is no House in Australia which has less fear of rational and temperate reform—call it by any name you like—than has this Chamber; but I am sure also that there is no other Chamber in Australia either more disposed to draw the line sharply between reform and—I use the word advisedly—revolution. What this Bill proposes is to effect a revolution, and that revolution, as I say, is to be carried in this Chamber and in another in the expiring moments of a moribund session, when the suspension of the Standing Orders in another place absolutely prohibits the adequate discussion

and consideration of any amendments we may make in the measure. I contend that if we reflect on this point the conclusion I have come to is inevitable. Bills are brought before us, and we are asked to amend them, or accept them, or reject them. We know pretty well in such cases what the scope of a measure will be; we know pretty well what the mischief, if it do mischief, will be; we are able to guide and to control such measures, and their alteration is a small matter; but, in any case, the scope for good or evil is distinctly limited. In the present instance, however, we are asked not to deal with the output of the machine, but with the very machine itself that makes those Bills; and yet such a Bill as that, affecting a machine tampering with whose parts in a thoughtless manner, however light, may do incredible and irreparable mischief, is reserved for the time when it cannot receive adequate consideration and discussion. Other measures which have been laid before us at an earlier stage were limited in their scope, and all of us could see pretty well whither they would reach, and where they would stop. Those measures we had time to consider; but this measure, which is to be the mother of them, which gives us the machinery for carrying them out, and which is for good or evil the mould through which all those Bills must pass, is hurried down to this House, and we are requested to give it hasty consideration and a premature assent. Under the circumstances, I submit that it is not at the fag-end of a moribund session, as I put it before, that we should consider this measure, but at such a period when our faculties are at their best, when we have ample time at our disposal, and when the hours of the session are of the liveliest and freshest. I might stop there; I fancy I have made good my case that the Bill should be shelved, at any rate for this session; but it is perhaps advisable that I should say a few words more, somewhat on the Bill itself. The first thing that strikes me as remarkable in this Bill is the multitude not only of excrescences—I know no other word—but of most singular omissions. Will Ministers tell me why it is that this Bill contains nothing whatever of the foundation upon which the Constitution is to be built, the franchise of

two Houses? Why is it that this measure tells us nothing whatever about the distribution of seats, either in the Upper House or in the Lower House? Why is it silent on a number of other important points? Those I have mentioned are essential matters. Three-fourths of the provisions of this Bill might be submitted in one of those ordinary, flying Bills of the session without any harm being done. But these two all important matters, distribution of seats and the franchise, are now placed in a position which is very serious. It is not only that they are deprived of the protection given by the Constitution Act—which Act is guarded in many ways, and can be amended only under certain conditions—but, what is still more serious, their removal from the Constitution Act, from the solemn charter of our liberties, hedged and guarded as it is in all directions, to a mere Electoral Act, or Redistribution of Seats Act, is a statement to the world that they are matters of minor importance, and is an invitation to the country and to another place to alter them at will, perhaps during every Parliament that assembles. That is a most serious consideration. Whatever this House does I trust it will insist on putting back in the Constitution the franchise upon which the two Houses are founded, as well as the machinery for redistributing the seats of both Chambers. Those are omissions. But for the other changes—the addition, the new insertions in our constitutional law—I find hardly anything to say. Let me say that Dr. Jameson may press it on the House that he is reserving himself for Committee; that these points which I shall to the best of my weak ability endeavour to expose are Committee points. Of course my solution of his speech is that he does not believe in the Bill.

HON. M. L. MOSS: Then it is like the speech you delivered before dinner.

HON. J. W. HACKETT: We shall hear more of that yet. Great is justice, and it will prevail. If the project to which my speech referred be based on justice, it will succeed; if not, it will disappear. I was arguing that the Minister may say that these are details; but the extraordinary feature of this Bill is that these details—a dozen or so of them—assume the proportions, the magnitude, and the

significance of absolute principles; and I think it fair to give a warning that I am sure the majority of the House will agree with me when I say, unless the Minister treats these details as principles and gives us reasons for them, the House will be justified in laying this Bill aside, as I trust they will. Let us take one of these principles, and a minor one. I should have liked to hear somewhat more fully what was the object of the first enacting clause in the Bill after the clauses dealing with title, interpretation, and repeal. The first enacting clause declares that on the 31st May next year all members of the Council and Assembly shall vacate their seats. We are to start the new experiment with a dissolution of both Houses. I should like to know why. Does my friend desire that those members like Mr. Moss, who six or seven months ago had to face their constituents, shall have the pleasing exhilaration of another contested election? The Minister gives me no help on this point. I am left to my imagination. If Mr. Moss wants another election, we shall not give it to him. We cannot spare him. True, he might not be defeated; but a greater mischief has sometimes happened... However I was about to ask, was that their object, or was it that in these days of the unemployed the £20,000 or so which it will assuredly cost the country to see this general election through should be spent broadcast among the canvassers, publicans, and others—I do not know who are the supporters of my friend in the South? Or is it that we should become accustomed to that pleasing novelty which the Bill contains a little later on—a perpetual double dissolution? Perhaps the object was to let us first see how it tasted. Well, I think it was very bad policy to put it in the foreground of the Bill, because it certainly gives the rest of the dish a most unpleasant flavour. But I take it the Minister will say the real reason, apart from jests, was that the Government found it impossible to frame the boundaries of the constituencies, especially for this House, and to arrange for the representation, unless the representation of this House ceased for a moment, so that the Government could redistribute the seats and proceed as before. Or there was this other reason, and I fancy it also was in their minds, that it was advisable

for everything to have a fresh start from the time this Bill took effect. Perhaps the Minister will tell me if I am right in either of these surmises.

THE MINISTER FOR LANDS: Presently.

HON. J. W. HACKETT: I cannot conceive any other reasons, and I am giving as reasonable grounds as possible. I think it was very suitable that everything should make a fresh start, because the old order would altogether disappear; and that very fact is sufficient evidence of the thorough-going temper of the Government, and of their resolve that what they needed was not reform but absolute revolution. Other important features of the Bill are the double dissolution and the joint sitting—the remedy for deadlocks, which deadlocks the Minister has never seen and never heard of under our Constitution, and for the very good reason that the franchise of this House is too liberal: there is no chance whatever of a deadlock. We are always in close touch with the community, as close in many ways as members of another place. There can be no deadlock. But Ministers, among other fancy spurts of legislation, have conceived the idea that deadlocks are not merely probable but inevitable; or that they may take place, and as they may, it is best to provide for them. Now where did they get this proposal? I do not think the Minister gave any precedent save the fact that it was found in the Federal Constitution, and that it was proposed to be put in that of Victoria. Those were almost his words; and after that he dismissed the explanation, perhaps as a happy thought on which it was not safe to dwell.

HON. T. F. O. BRIMAGE: He instanced Cape Colony also.

HON. J. W. HACKETT: No; that referred to Ministers speaking in both Houses. He appealed firstly to the Federal Constitution, then said Victoria was thinking of adopting the same scheme, and then he left the subject. I should like the Minister to consider what his thoughtless proposition amounts to. The very fact that he referred to the Federal Constitution—and I believe this provision in that Constitution forms the reason why the Victorian Government has proposed to adopt it, which proposal has no chance of acceptance—the fact that the Minister referred to the Federal Constitution shows that his ideas

were running altogether in that line, and that he had absolutely nothing to allege in favour of the double dissolution and the joint sitting except that the Federal Convention had adopted them, and that they were the law of the Commonwealth. Now consider what will happen in this country if that expedient becomes law. I am not so sure that this House if it is ambitious, if it is resolved to be the leading factor in the Constitution, should not accept the proposal of the Minister. Let us look at it for a moment. The relations of the two Houses are well known. The Assembly makes and un-makes Ministries. The Assembly has the power of saying how long a Premier shall rule and when he shall be dismissed. The Assembly has the first voice and the most essential voice in declaring what shall be his measures and his legislation. With that House rests also the question of condemning Administrations—an old privilege of Parliament. We here have the right of condemning Administrations; but though we may have the bare power, we have never exercised it to the extent of insisting that we should get rid of a Government. The Assembly has all those powers; but in return for them it has to subject itself to momentary dissolution. At any moment the members of that House may see a notice in the *Gazette* that they are sent to their constituents, though they may be only six months fresh from an election. Farther, with them rests, as we all know, the prerogative of taxation. In levying taxation they have the first voice. But we have many compensations. They have to work hard; have to subject themselves to stormy and bitter elections; they have longer hours and other disadvantages. For my part, I am not prepared to quarrel with the division of power between the two Houses. But if this Bill be passed, what will happen? Hitherto there has been practically no discord between the two Chambers. Hitherto we have composed our differences and have worked together in the interests of the country. But the time may come when a man will rise up in this Chamber, as men have arisen in other Upper Chambers, and will resolve to try conclusions with another place; and let me assure the House that when that day comes the Constitution will be at an end. Nothing but a revolution

will set it right, for the reason that there is at present no arbiter between us. At present, one House must give way. But this Bill proposes to change all that. It makes the Houses absolutely equal. It enables us to say, when a measure is brought up from another place: "We object to this measure." The measure may be half the Appropriation Bill or a taxation Bill; and if another place demurs to that objection, we reply "You have the provisions of the Constitution. Fall back upon them. Our duty is to object to that Bill, and not to give way until we get through our double dissolution, through another prorogation of Parliament, through a double election, and through a joint sitting; and not even then unless three-fifths declare against us." That is the position. I invite the Minister to look into this. It means that the House will quickly enough, if this Bill be passed, realise its power, and will insist on pushing that power to the utmost, because it knows well that there will be no double dissolution, that there will be no going of Ministers to their constituents, whence some of them have a good chance of never returning; that the Lower House, however much it may talk, will never press them to that extremity, but while perhaps not accepting everything that this place proposes, will accept as much as it is necessary to swallow, and yet preserve the seats of its members. I am absolutely certain that will take place, and I do not want any such fatal dower as that. A gift is often far worse than an injury; and I believe this would be a fatal gift to this House. But why I say I am satisfied as to what would be the effect of these clauses of the Bill if carried into law, is because I know exactly the grounds for adopting similar measures in the Federal Constitution. It was precisely for the purpose of putting the two Houses—the House representing the States and the House representing the population—in such a position that they could fight each other fairly and squarely, that the proposition was adopted. This was pointed out at the Convention; and it was contended that the final arbiter should be the people; and certain delegates made a great effort, with a considerable minority on their side, in favour of what was called the mass referendum,

the proposal being that the appeal where the two Houses were in conflict should be made, not to a joint sitting where the States House would probably remain unimpaired and unchanged, but to a referendum of the people voting simply as a mass unit. It was pointed out by delegates from Victoria and New South Wales, as the House of Representatives represented population and the Senate represented the small States, that it would be better to adopt this course. That proposal was thrown out, and it was understood the reason was that the two Houses would necessarily stand on an equal footing, and the States House would not be placed at a disadvantage in what was considered the rights of the smaller nationalities. With that in my mind, how can I do other than assure myself that this Bill, if carried, will not lead to a similar equality in relation to the two Houses? I consider it would be most unfortunate. Let me add this as a little warning to ambition. If they should be desirous of obtaining this great power, of raising themselves to this great height, then we shall see those difficulties arise of which there is not the smallest cloud on the horizon at the present time. We shall see bitter conflicts between the two Houses. We shall see a demand for reform and the whole Constitution thrown into a hotchpotch which none of us desire to see. I have taken up perhaps more time than I should; but I submit that this Bill should not be here in its present shape. It seems to me to have been brought in with as light a heart as any of those other Bills, such as a Bill to stamp the letter "H" on a loaf of bread or to encourage a policeman to take a cigarette from a boy. It has not the importance and dignity of those Bills which we have received and have had placed before us, for it is brought on at a later period of the session. This is the most fanciful of all the fanciful schemes to which we are called on to devote our time. I think we have a right to ask, if reformation is intended, if large constitutional changes are proposed, the first step should not be to bring up a club, and bludgeon the Constitution to pieces. Let us remember the old advice, that we should slowly broaden down from precedent to precedent. Full consideration should be given to the proposals by another place

by the Government and by the Legislative Council. We cannot do away with the Constitution without betraying the trust which was handed to us when we were elected to this Chamber. I hope that when we consider this question of reform, full respect will be paid to former principles, and above all we should take care not to depart too far from the great mother of Parliaments whose example we are so proud to follow. It is true novelties may be offered to us, but we have a right to demand before we consider those novelties that they should be justified in a most distinct and reasonable manner by the gentleman who introduces them to our notice. We are expected, in dealing with matters like this, to exercise all the prudence and foresight which we are capable of exercising, ever careful to exhibit a fitting and profound reverence that is not too much displayed in this Bill, for the precedents and experiences of the past. Let us not forget in going to our vote that this Bill, however it issues from this Chamber, shall contain within it provisions for generations to come, the germs of happiness, of prosperity, and of the good government of our country. I have much pleasure in proposing that all the words after "that" in the motion of the Minister for Lands be struck out, and the following inserted in lieu :—

In view of the fact that the Bill proposes alterations in the constitutional relations of the Legislative Council and the Legislative Assembly to each other and to the State, and that not sufficient ground has been shown for these alterations, and farther in view of the late period of the session in which the Bill has been introduced which precludes this House adequately considering these proposed alterations, the Bill be read a second time this day six months.

HON. C. E. DEMPSTER (East): I have listened with very great pleasure to the speech made by Dr. Hackett, and I can say briefly I agree fully with the whole of the remarks he has made respecting it. I consider the time is not opportune for this Bill; the measure is not necessary. Instead of going into detail, I may say that I entirely agree with all the remarks which Dr. Hackett has made. There is much in the Bill which might lead to a deal of discussion, but it is not necessary to say anything

farther. I support the amendment moved by Dr. Hackett.

HON. S. J. HAYNES (South-East): I do not think the silence of the House is due to the importance of the subject before us, but I think it is due to the able manner in which Dr. Hackett has handled his subject. He has presented his case in a most able manner. I do not think it could have been put in a clearer manner. He has practically given voice to what is in the mind of every member present in dealing with the important matter of our Constitution. He has drawn the attention of the House to the fact that the Bill is one that should be dealt with calmly, and there ought to be plenty of time given to deal with the measure, not that it should be introduced at the fag end of the session. As far as the Bill is concerned, I think the measure has been read carefully by every member present. I do not think a debate on the question will alter any member's opinion at the present time. So far as I am concerned, the questions I asked myself were: Is there any necessity for the present Bill? Has there been any demand by the public at large for a change? Has the Constitution in the past worked any injustice or worked extremely? To all these questions the answer was in the negative. There is no necessity for the Bill at the present time; there has been no demand, and the Constitution, as has been ably set forth, has worked smoothly since we have had responsible government. So far as the Upper House is concerned, it has, in my opinion, represented public opinion quite as efficiently and truly, and, in many instances, more so than another place. During the time I have had the honour to belong to this House, between eight and nine years, I have not known of a deadlock, nor have I known the House acting otherwise than in a reasonable and conciliatory spirit as far as the other House is concerned. Really to speak farther on the subject is to labour the question. Dr. Hackett has given the most full reasons why we should reject the Bill. He had a good text for his case, or rather a very bad one. I doubt whether the Government were sincere or in earnest or had any intimation whatever when the Bill was first drafted of its passing this House. As Dr. Hackett

pertinently pointed out, the Government should not have attempted to deal with the greatest law on our statute-book when there was no need for a change, and when there was no reasonable probability of the House assenting to it. So far as the Bill is concerned, it is aimed at the destruction of this House to a large extent, and if we swallow a Bill of this type we would be false to our pledges and views, false to the interests of our constituents, and to the State. The Constitution up to the present has worked smoothly; our franchise is an extremely liberal one, and from my experience of four States, I submit to the House that the Upper Chamber in this State has been willing and has assisted in the passing of liberal measures on all occasions. I do not know of a more democratic Upper House in the whole of Australia. So far as I am personally concerned, if this House has erred, it has erred on the side of so-called democracy. There have been many occasions when I have been in a minority, that if I had had my way, I certainly should have resisted many measures going on the statute book. When I first heard about the amendment of the Constitution, I thought one of the ideas of the Government was that the cost of the legislature should be reduced. I am entirely in favour of that. Any effective proposal for reduction in the cost of the Legislature would have my support; but what does this Bill propose? The economical views of the Government are at the sole expense of this Chamber. Ministers propose to reduce our numbers by 6, to 24; but those of the Assembly by only 2, to 48. The economical aspect is just about the only one from which I can favour the Bill. However, I shall certainly resist the passing of the measure unless I see my way clear to obtain a majority in favour of an amendment reducing the numbers of another branch of the Legislature proportionately with ours. The only point I like in the Bill, and one which I think might work well on many occasions, is the provision that a Minister may speak in either House in support of a measure. [SEVERAL MEMBERS: No.] That provision, which is a novelty in its way, of course constitutes only a minor detail. I do not think that in the past we have suffered by reason of

the fact that Ministers are confined to one House, for the gentlemen who have represented the Government in this Chamber have performed their functions ably and well; and I say we have nothing to complain of in that respect. The clauses which have my approval are, after all, merely trumpery clauses in comparison with other far-reaching and, as Dr. Hackett has said, revolutionary clauses of the Bill. I have pleasure in supporting the amendment. As I said at the opening, whilst in common with the majority of members, indeed in common with all members, I am ever desirous to advance reforms which will be for the welfare of the State, I unhesitatingly pronounce this Bill to be one which would tend to the great detriment of Western Australia if passed.

HON. J. M. DREW (Central): I consider that Dr. Hackett deserves to be congratulated for the intellectual treat he has provided, not only for this House but for the country. I am not at all surprised at the condemnation which the hon. member has heaped on this Bill. Undoubtedly there has been a clamour for constitutional reform in the country, but this measure in no sense will silence that clamour. If it were not that I dislike to offend the susceptibilities of members of another place, I should be inclined to say this Bill is simply and solely a legislative monstrosity. It is loaded with the germs of destruction. The measure makes a pretence at instituting reforms; but those reforms are of an experimental character, and do not bear the stamp of wisdom, common sense, or experience. In the first place, members of this House are asked to stultify themselves by undoing an act which they performed less than three years ago. In 1900 this House sanctioned a Bill increasing the membership of the Council from 24 to 30, and that of the Assembly from 44 to 50. By this measure we are now asked to reduce the membership of both Houses. Has any substantial reason been given in support of the reduction? No. Has population decreased since we sanctioned the increase of membership of both Houses? No; on the contrary, the population of Western Australia has increased by 30,000 since the membership of the Council was raised from 24 to 30, and that of the Assembly from 44 to 50.

Has our wealth in any way diminished? I think it will be admitted that the prosperity of Western Australia had not at the time of the increase in membership reached its present fortunate stage. It is urged that in consequence of the inauguration of Federation the necessity exists for a reduction of the membership of State Legislatures. To my mind, the experience we have had of Federation, the hostility which has been shown by the Commonwealth towards various States, and especially towards this State, affords the strongest possible argument for retaining this Parliament at its full strength and ability. Again, what has the Commonwealth taken over? Customs, posts and telegraphs, and defence. Those are the three important departments which have been delegated to the Commonwealth, and in connection with those departments we now have no power to make laws; but we still have full power to make laws for the benefit of society, for the amelioration of the condition of the people, and for the protection and encouragement of our industries. Now, as a substantial and incontrovertible proof that our work has in no way decreased since the inauguration of Federation, and that we still have to perform important business occupying a great deal of time, I need only mention the fact that the last two sessions of Parliament have been the longest since the introduction of responsible government. The argument is used that the saving to the State effected by the reduction of membership is worthy of our serious consideration; but I maintain it is a poor member of Parliament that is not worth the paltry salary of £200 a year. Two hundred pounds a year for sitting from six to eight months in the House, and for performing the work of the country also when the House is in recess! I do not know what is the experience of other members, but I find that in recess I am constantly engaged in urging the wants of my constituents on the Government, and bringing their grievances under the notice of Ministers. This Bill seems to be a kind of pilot fish for another measure, the Electoral Bill. Clause 23 provides that the qualification of electors of members of the Legislative Council shall be such as may be determined by Parliament, and under Clause 39 the

qualification of electors for the Assembly also shall be such as may be determined by Parliament. I submit that the qualifications of electors for members of the Council, and for members of the Assembly, ought to be stated in the particular Bill now under consideration. As Dr. Hackett has ably urged, the franchise is the ground-work of our Constitution, and a Constitution Bill should set forth clearly the basis of the Constitution—the franchise. The omission I consider a serious blot on the Bill. Under Clause 57 Ministers are empowered to speak in either House, as also is a member introducing a Bill or a motion. The only effect of this provision, in my opinion, would be to prolong sessions indefinitely. No doubt the clause would be a godsend to some windy orators, but I do not think it would conduce to the best interests of the State. Besides, if Ministers are allowed to speak in support of Government Bills, and if private members are permitted to speak in support of their Bills and motions, why should not the leader of the Opposition and why should not opponents of Bills and motions equally be allowed to speak in either House, in the interests of their constituents and the State? However, the Bill contains no such provision. There is a clause providing for a joint dissolution of both Houses. To my mind, no necessity exists for anything of the kind. In my experience the Legislative Council has never blocked reform. It was in this House that the first motion in favour of payment of members was carried, and the Bill establishing payment of members passed this House without discussion. Moreover, the Council has passed the Conciliation and Arbitration Act and the Workers' Compensation Act. Every piece of legislation of interest and benefit to the country has received careful consideration at the hands of members here. I think it is time enough to provide means for the prevention of deadlocks when a deadlock has arisen. I shall not support the amendment, but shall vote for the second reading, because I wish to see the Electoral Bill, for which, as I said before, this measure is in the nature of a pilot fish, before making up my mind what course to adopt in connection with either measure.

HON. A. G. JENKINS (North East) : I did not anticipate speaking on the Bill this evening, and I experience considerable diffidence in addressing myself to the measure after hearing the able, the unanswerable arguments advanced against it by Dr. Hackett. My view is that the hon. member has put those arguments so clearly and concisely that those of us who agree with his views might almost have allowed our speeches to remain unspoken and left the field to those ambitious of combating Dr. Hackett's arguments. I waited to see whether any member would rise to answer those arguments, but at present no one seems "game"—if I may use the word—to take up the cudgels. I do not see why this Bill should have been introduced at all. Like Dr. Hackett, I have heard no popular cry for the measure; I have seen no articles in prominent newspapers advocating these reforms; I know of no public meetings held for the purpose of demanding such a measure. Why, then, has the Bill been introduced? At whose whim? It seems to me that the measure has been brought forward simply and solely in order to give members of another place an election cry to go to the country with. That seems to me the one sole object of the Bill. Every member of another place must have known that this measure has not the slightest chance of acceptance at the hands of this Chamber. I do not wish to use extreme language, but I must say that the Government might at least have been honest in their endeavours and might have put before this House a measure likely to meet with acceptance. What do we find? No amendment affecting this House was refused in another place; in fact, every amendment tending in any way to make the Bill less acceptable to us was accepted most willingly. Can we be expected, in the circumstances, to give to this measure that serious consideration which a Constitution Act Amendment Bill deserves? I have little to say on the measure except that I disapprove of it almost in its entirety. First of all, I object to the reduction of this House to 24 members. A Chamber of 30 members was lately formed, and its work has proved, of inestimable benefit. I am sure that the deliberations of this House since the increase in membership have conducted

greatly to the welfare of the State. I can foresee nothing but harm from a reduction of the Council to so small a number as 24. At certain seasons, for example at harvest time, various members must necessarily be absent; and to push Bills through a thin House is not to the advantage of the country. If the other place had been earnest in their endeavour to reduce their House in a similar manner, we might then have had at least some reason for accepting the Bill. But what do we find? Their first proposal was 47 members. That number was small enough. They take away six members from our House, and only three from their own. Then, yielding I suppose to pressure of some sort, the Government added another member, making the number 48 for the Assembly; but they did not add our proportion, which would have been two, making our membership 26. The original idea was to have five Ministers; and surely, considering the departments that have been taken away from this State by the Federal Government, five Ministers who devote their whole time and attention to the State should be capable of taking charge of the affairs of the country. But when the Bill leaves another place, we find that six Ministers are still retained; and the extra Minister is not given to this Chamber, but to another place. And throughout the whole Bill effect seems to be given to the same cry: "By all means reform the Upper House as much as you like, but reform us as little as possible." Now, as we find that is the attitude of the Assembly, what must be our attitude, if only in retaliation? In my experience of the relations between the two Houses, there has been none of that friction which has so often proved dangerous to the interests of other States. We have worked amicably for the good of the country. Nothing that the Assembly has ever sent us, which was of pressing necessity, has ever failed to secure proper attention in this place. Nothing for which popular clamour, for which the popular voice has ever asked, and which has been passed by the Assembly, has ever failed to secure passage in this House also. That being the position, surely there can be no such crying necessity for this Bill as to justify its appearance on the Notice Paper practically at the end of



the session. I could have understood the position had the Bill come down early in the session, and had we been afforded time to debate its clauses and thoroughly to impress on them our ideas and our principles. But can any member honestly state that within the short period of two or three weeks we can effectually debate a Bill such as this? I venture to say we could not within the next two weeks get much beyond the first dozen clauses, and those are mainly the unimportant clauses of the measure. As I said, I object to the Bill almost in its entirety. I am loath indeed to think the Government ever believed this Bill would pass; and I was extremely pleased to hear the strong defence of the rights of the Upper House made by the senior member of this Chamber. I hope that for many years, at any rate, we shall not have such another Bill put before us, and that if ever we have we shall be possessed of as good and as sterling a champion of our liberties to protect our cause. I have pleasure in supporting Dr. Hackett's amendment.

HON. J. A. THOMSON (Central): I expect that this amendment will go to a division to-night, and I wish to make public my opinions on this Constitution Bill, as far as I am capable of so doing. I must say at once that I cannot favour the amendment; that I am in favour of passing the second reading and of fully considering the various clauses in Committee. True it is, as has been said by several members who have spoken to-night, that there has been no agitation in the country for a reform of the Upper House. But undoubtedly there has been a desire, and a loudly expressed desire, that a redistribution of seats for the Lower House should be effected. In my opinion, had Ministers and their supporters in the Assembly been really in earnest in their attempt to give the country a redistribution of seats, they would have done so in such a way as to render them fairly certain of their measure passing this Chamber. But when they have attempted to interfere with the constitution of this House in the radical way this Bill proposes to interfere with it, then I say at once, if I am in order, that they cannot have been in earnest in their desire that the redistribution of seats should become law. I

may add also that I am in favour of a reform, so far as it affects this Chamber. I am in favour of reforming this Chamber to such a radical extent that I would vote for its abolition. But I say here, and have said always, that the remedy lies with the electors—with those who return members to this House. If the majority of the electors favour the abolition of this House, then they will return to this House members pledged to secure its abolition. I am not pledged either to the abolition of this House or to liberalising it; but I have always been in favour of doing away with the second Chamber. No matter where I speak, I always give free expression to my opinions; and I say here that, although I freely expressed my opinions in public when I sought election to this House, the majority of the electors who returned me were absolutely against such an innovation as that which I favour.

HON. J. D. CONNOLLY: Then you do not represent your electors.

HON. J. A. THOMSON: I have stated that in my opinion the majority of the present electors of the Council would not be in favour of the Bill as sent here for our consideration, were it submitted to them. But in Clause 3 of the Electoral Bill there is proposed a radical reduction in the franchise for the electors of the Council; and if there were any chance of having that Bill passed into law, I feel quite sure that a majority of electors would then favour perhaps not only the liberalising of this House, but its complete abolition. But in my opinion this Constitution Bill now before us, with its proposal for reducing the membership of this House to 24, would not be at all likely to liberalise the Chamber. If we reduce the membership we shall more likely make the House more conservative. And on the score of economy the proposal cannot have one moment's consideration; because the saving of £1,200 per annum would not be of the slightest avail. I have stated that if any radical change in this House be necessary, the question should be left to the electors who send members to this House. Let them say when and how the liberalising of this Chamber is to take place. In my opinion, it is not for the members of another House, who are returned on an entirely different franchise,

to say how this House is to be reformed; but it is for the electors of the Upper House. Therefore, although I cannot vote for the rejection of the Bill, I strongly urge that the House should not give another place the opportunity of throwing the onus on us, but should rather consider this Bill in Committee, and perhaps with some necessary amendments return it again to that House; and if the Assembly refuse to accept our amendments, then the onus will be upon its members, and they will have no electioneering cry.

HON. G. RANDELL (Metropolitan): The preceding speaker has furnished us with one very good argument why we should reject this Bill, when he stated that his constituents were not in favour of dealing as it proposes with the Legislative Council, and that they were apparently perfectly satisfied with the Council as it now exists, and were also, if I understood him rightly, of opinion that the Legislative Assembly required some reform in its constitution.

HON. J. A. THOMSON (in explanation): When I said that I believed my constituents did not favour the abolition of the Upper House, I wished to convey that at nearly every meeting I addressed, when I stated that I believed in such a change, my statement was unfavourably received.

HON. G. RANDELL: I think we all feel much obliged to the hon. member for the openness with which he has referred to this Chamber; and I quite admire him for stating in this House, where he is possibly in a minority of one, his conviction that the House should be abolished. Well, I believe the majority of the people are not with him. I believe there is a feeling existing and growing that, at the present moment, the Council is most essential to the discharge of legislative functions in the State; that it is the guardian of the great and important interests of this country. Outside a small circle, I think there are no two opinions on this point. I have recently received from different sources satisfactory assurances that this House is gaining in the good opinion of the public at large; and, moreover, there has been no agitation in the country, there have been no large public meetings, no articles in our principal newspapers, nor any

other indications of an opinion prevailing amongst the people generally that this House should be reformed. Dr. Hackett has most ably, eloquently, learnedly and broadly reviewed this Bill. True, he has touched upon some details of the measure to which he takes exception, but he has dealt with the measure on broader grounds also, and he deserves our thanks for having so clearly and explicitly exposed the defects of the measure. There are many points in the Bill to which I take strong exception; and I think no reasonable ground has been shown why at any period of the session, much less at this late period, a Bill of this sort effecting or attempting to effect such a radical change in the relations between the two Houses of Parliament and between each House of Parliament and the country should be introduced. Dr. Hackett has, very rightly and properly, laid great stress upon that point. When a change in the Constitution, however small, is proposed, ample time should be afforded to the Legislature to take the Bill into its most careful consideration, but when we have changes of the most sweeping character embodied in a Bill and sent here for our acceptance, it is time we should object at this late hour of the session to entertain the consideration of such provisions. One or two members have said that they desired the Bill to pass its second reading and get into Committee. I ask members, what can be gained by going into Committee? Could we strike out the fundamental principles of reform desired to be effected and send the Bill back to another place for their acceptance? I think there was an idea in the minds of some members, before the Bill came to this House, that this course would be better; but the way in which Dr. Hackett has most openly and honestly dealt with the measure has shown that we should reject it, and I will give my hearty support to the amendment which he has moved. He has shown how necessary it is to proceed with caution and deliberation of the most exhaustive kind when dealing with a change in the Constitution. The change proposed by the Bill will tend to lower the character of the House and its efficiency. I gave my hearty support to the principle of dual Houses in the first instance, and I think it would

be a misfortune to this country to adopt what has been suggested—one Chamber. If ever the Legislative Council of this country has justified its existence to deal with measures that have come down to us, it has done so during the present session. We have dealt with some measures of considerable importance, but not one equal in importance to a change in the Constitution, and the lowering of the franchise by which members of this House are elected. But for the diligence, the care, the attention, and broad-mindedness, and the wide experience which members have gained in this House, these measures would have been most unsuitable in their operation if placed on the statute-book. I refer to these matters because we have a right to look all round a measure of this description. I do not want to impute motives to Ministers in introducing measures. I have the opinion that this Bill was introduced honestly and with no ulterior motive. I think the boldness of the attack made on this House is an indication that the originator, at any rate, of the clauses of the Bill was in earnest and believed in them. I regret it has been thought desirable in the interests of the country to introduce such a measure as this. I regret it much more when I see how tenderly the Legislative Assembly has dealt with the questions that affect their own existence and operation. When we compare the radical and extreme way in which the Assembly has dealt with the Constitution of the Legislative Council, with the way in which the Assembly has been considered, there was a great contrast, and a very remarkable one indeed. I was saying just now that there is a small circle of persons in this country who practically know what they are aiming at, and who know the way to pursue their object for the purpose of accomplishing it. But outside the few men who are leaders of the labour organisations of this country I say there are very few persons who would consent to see the safeguards provided by the present constitution for the liberties and welfare and careful consideration of measures which are introduced to the notice of the Legislative Council done away with. These persons may not in some instances be quite aware to what lengths the policy which is being pursued by their leaders will take them.

My opinion is that it will lead to trouble and difficulty and an injury to the working classes of this State. I believe there are many who are united in their efforts and who have some idea of what the tendency and ultimate object will be if attained. I think that while the members of the Legislative Council are quite willing at any time to consider fair and reasonable measures submitted to them, whether of a democratic or other character, if abuses are pointed out or failure to discharge their duties to the public are pointed out, members will consider reforms so as to make a more efficient body of legislators for the State. I perhaps may be going over the same arguments which have been put so much more ably than I can put them by Dr. Hackett, both from an educational standpoint and from his acquaintance with civil law and the practice of other States. From the experience he has gained by the public position which he occupies in this country, he is so much better able than any member in the House to put this matter before members, and he has dealt in a broad and able way with the subject, and has shown us clearly and conclusively that we should be wrong if we departed from precedent, which, as he put it, has broadened from age to age, and by the increase of experience and knowledge obtained by those who spend their lifetime in the profession of legislation in the old country. I am sure none of us would be averse to reforms if they were intended to be useful to the country at large; but we do object to the one check on hasty legislation which may be brought into existence by popular cries or misguided efforts, that the one check which this Chamber does efficiently provide should be removed. I trust that will not come, but that the opinion of the electors on this question will be that it is not in the interests of the country to remove that useful and efficient—as I think it has been all down the line—body of legislators, the Legislative Council. There may be special circumstances in the history of Canada, but I am not sufficiently acquainted with the history of that country to say how they get on with the one Chamber. There are very few countries in the world in which there is not a second Chamber, and in which the second Chamber is not of

the greatest value. Even the House of Lords, which is constituted very differently from the Legislative Council, and with traditions handed down to them from generation to generation, exercises a useful check on hasty legislation over the House of Commons and are the protectors of the people. I do not say that is always the case, but if measures are ultimately for the good of the people the House of Lords, after reasonable time has been given for discussion and debate, will pass a measure. Fearing I may be detaining members and going over the same ground that other members have traversed I shall not detain the House much longer, but I will refer to one or two clauses as indicating on what grounds I object to the measure. First of all I object to the period when one half of the members of the Council have to be re-elected. The change proposed will be a very unpopular one to adopt. It is proposed to reduce the number of members of this House from thirty to twenty-four. Whatever views we may have had of increasing the number of members in this House a short time ago, we should now keep as strong a House as we can. I was against an increase in the number of members to the Legislative Council, but now I do not think we should reduce our numbers. Then it is proposed to make the quorum of the House 12, or one half, while the quorum for the Legislative Assembly still remains, with the 48 members, at one third the number. That seems to me to be one of the ways in which an injustice is exhibited by the Bill towards this House.

HON. J. D. CONNOLLY: They would never get a quorum at all if there had to be one half of the members present.

HON. G. RANDELL: There is a probability we should never get a quorum if one half of the members had to be present, and therefore there would be some difficulty in carrying on legislation. The argument has been used that with a large number of members there must be greater wisdom; therefore greater justice would be done to measures by having 30 members than by having only 24, all other things being equal. While we may have thought there was no reason to raise the number of members of this House from 24 to 30, the

number having been raised, and seeing that the Lower House retains nearly the same number of members as before, there is no reason for a change in this House now. Dr. Hackett has drawn attention to Clause 4, in which it is sought to throw on the electors of the country an election in 1903. Some members of this House have come fresh from election, and it has already been pointed out that we are kept in better touch with the electors now than we should be under the proposed alteration, when one half of the members of the House would go before the electors every three years. At the present time 10 members have to go before the electors every two years, therefore we are closer in touch than we would be under the proposed alteration. There are no grounds whatever for inflicting on the country the disaster of a general election at the present time, and the destruction of the present Legislative Council. It can scarcely be expected that the members of the Legislative Council would commit what has been termed political suicide. Members of the House know that they have a duty to perform to the country better than to submit to such a course. A general election is very costly, and the money could be expended in a better direction than on a general election, which disturbs the business of the country to a great extent. A general election should not be undertaken unnecessarily, and I maintain, and I should think members maintain, this proposed dissolution of the Council and the Assembly would dislocate business at large. This measure is intimately associated with the Electoral Bill, which will require some consideration. There are some features in the Bill to which members will take great exception. Then there is the Redistribution of Seats Bill, which ought to take us some time to consider before we consent to any alteration of the boundaries. There may be inequalities and injustices at the present time for all I know, but it is not seriously contended by the Ministry that we shall remove all disabilities by the adoption of the Electoral Bill or Redistribution of Seats Bill. It is possible we may not be able to suggest better measures. At the same time we are bound to find that in connection with all these matters some objections may be taken. I need not refer to the means

proposed for the prevention or overcoming of deadlocks. Happily, in the interests of the country deadlocks have never occurred here; nor have there been indications so far as I can remember that any would be likely to occur. There may have been sometimes a little feeling between the two Houses; some little resentment may have been expressed from time to time when measures passed in another House have not been carried here—I was going to say, *con amore*—with enthusiasm, or without very much consideration. Some people have gone so far as to say that members in another place have been treated as children because the Legislative Council has ventured to amend some of their Bills. However, that idea is confined to a very limited number. The general body of legislators in both Houses have to a large extent assisted each other in the passing of measures which are for the general well-being and good of the community. I object, as Mr. Drew has objected, to the proposal for fixing the qualification of electors for the Legislative Council: that it “shall be such as may be determined by Parliament.” That is a very vague way to deal with a very important matter. Every member, I think, will agree that the qualification for electors ought to find a place in the Constitution Act itself. My personal opinion is that we should adhere to the qualifications for members of the Council as they exist at the present time. I think I understood Dr. Hackett to say that they were as liberal as any in the Australian States. [HON. J. W. HACKETT: More so.] I think two years is none too long for any person aspiring to represent a constituency in this State to reside in the State before he is entitled to put up for a seat. I think also that we should retain the property qualification, small as it is, amounting really to manhood suffrage almost. Almost any honest citizen can secure in this State a place on the provincial roll. Therefore, seeing that this House is, to some extent at any rate, conservative of the best interests of the country, we ought, I think, to retain those features in our Constitution. These are some of the matters in respect of which I take exception to the Bill. If there were any possibility—I do not think there is—of the Bill getting into Committee, we

should have to take exception to them at that stage; but, taking into consideration that this Bill is full of debatable matter and of provisions objectionable to this House especially, and taking into consideration farther that the Electoral Bill, consisting of a large number of clauses and proposing many alterations in our present Electoral Act, remains to be dealt with, and finally, seeing that the Redistribution of Seats Bill also will come up for consideration at this, the very end of the session—which, as Dr. Hackett has said, is indicated by certain action taken in another place—I think that the only course open to this House, having regard to the interests of the country, to its own dignity, to the protection of its privileges and the exercise of its duties—though perhaps not the course which it was expected would be adopted by this House—is to declare that the Bill shall be read a second time this day six months.

HON. T. F. O. BRIMAGE: I move the adjournment of the debate till Tuesday next.

Motion negatived.

THE MINISTER FOR LANDS (in reply): In accordance with the usual custom, I rise to reply to the arguments which have been adduced on the second reading of this Bill. At the same time I feel that no argument which I can bring forward in reply to those which have fallen from the lips of hon. members would enable me to carry the Bill here, after the expressions of opinion which have been so freely delivered this evening. Dr. Hackett blames my indifferent manner in introducing the Bill; but I think that had I possessed all the fire and enthusiasm of a Gladstone or a Disraeli I should still fail to induce the House to pass the second reading of the measure; for I see that the difficulty really arises from Clause 4, which provides that on the 31st May, 1903, this Parliament shall expire and determine and that all members of the Council and Assembly shall vacate their seats. The inclusion of that provision, seeing that this is a continuous House, raises a certain difficulty. Furthermore, I think the argument adduced by Dr. Hackett, that this should be a prudent House, and that reverence should be shown for the Constitution already existing, is one which perhaps

ought to be considered. In view of these arguments, I can understand that members hardly desire farther enlightenment with regard to the Bill. I do not propose to reply to all the arguments brought forward, although I could adduce some counter-arguments. In regard to Clause 4, I wish to remark that precedent for it exists in South Australia, and that precedent is about to be created in Victoria. I desire to impress strongly on members that, so far as the Government are concerned, this Bill certainly contains nothing that is derogatory to this House. The Government have proposed nothing whatever derogatory to this honourable House: I feel convinced there is no feeling whatever of that kind on the part of Ministers. The reason why the Bill comes forward in this shape is that many members of another place—and I believe some members of this place—are pledged to certain reforms consequent on the inauguration of the Commonwealth. Since so many departments have been taken over by the Commonwealth, it is considered desirable, certainly in another place, that the number of members should be reduced, and that there should be a redistribution of seats. Many members holding seats in the Parliament of this country—I do not say in which particular House—are pledged to make an effort in that direction. The matter, therefore, has no bearing whatever on this House in particular. It is not alleged in any way that we have failed in our duty. I should be the last to bring forward a measure from which it might be inferred that this House has not acted up to those principles which its members have always regarded as the first principles of justice and honour. From my own knowledge of the House, I believe that no legislative body in Australia has a better record than ours. I am quite convinced that Ministers, at all events, have never entertained the idea that this House has in any way fallen short of the duties it is called on to perform. But, as I say, a strong feeling in favour of a reduction of the State Legislature exists, and many members have pledged themselves to support a movement for constitutional reform, particularly in the direction of economy, since the Commonwealth Government have taken over a number of important departments, and so lessened the work of

the State. One hon. member spoke on this Bill from the standpoint of economy. The question is not one of economy at all. I do not think this measure was suggested by any ideas of economy: its object is more equitable representation by means of a redistribution of seats and a re-arrangement of provinces and districts in such a fashion that population and interests may be more clearly and generally represented. Our present representation is disfigured by anomalies which no one can defend. In one district we find nearly 9,000 electors, and in another something less than 100. [MEMBER: That is a Lower House district.] Yes; and that being so, it is quite clear that amendment is required in the boundaries of districts. With that view the measure has been brought in, and not with any idea of lowering the honourable position which this House holds to-day in the eyes of the public. However, I clearly perceive that it is not necessary for me to go over the various points of the Bill. I have certainly endeavoured in introducing the measure to put plainly before hon. members the important points of the Bill. I regret that Dr. Hackett should think that I failed in my endeavour.

HON. J. W. HACKETT: You failed to prove the advantage of those important points.

THE MINISTER FOR LANDS: Dr. Hackett has stated that I showed indifference in the matter. Certainly, I endeavoured to put the provisions of the measure clearly before the House. A Constitution Bill, I maintain, is not one for which the Government of the day should be specially expected to advance reasons. As has already been pointed out, the Bill is one for the electors and for the representatives of the electors. In this House particularly it is frequently neither necessary nor desirable that the Minister should in any way endeavour to bias the minds of members. He should simply bring forward the facts of the case, presenting them as clearly as possible. So long as I have led this House, I have always endeavoured to make that my rule. I have sought to put both sides of the case as clearly as possible. I maintain that this Chamber is in an entirely different position from that occupied by another place. We are here, not as a party House, but as members returned to

protect the interests of the State. Therefore, it has always been my endeavour to present both sides of a case, and to refrain from showing that fiery enthusiasm which some members would like me to display. I say candidly that any apparent lack of enthusiasm on my part is due to the judicial quality of my mind, which prevents me from looking on only one side of a case. I shall not detain the House any longer on this Bill, nor shall I dilate on the various arguments adduced. I am glad that so many members have spoken and have shown their minds. In some respects it would have been more satisfactory if the Bill had gone into Committee, so that the views of members on details of the Bill might have been more clearly presented. I am much interested to learn that it is the feeling of some members that the franchise should appear in this Bill. The point is much disputed, and admits of a good deal of argument on either side. Again, it is contended that the provisions for the redistribution of seats in contemplation should have been imported into this measure. That again is, I think, a very doubtful question. In a State advancing so rapidly as this, it may frequently be necessary to change the provinces or the districts, and on every such occasion it would be a pity to interfere with the Constitution Act. I certainly admire the speech of Dr. Hackett, who brought forward so ably his arguments against the Bill, and I join with other members of the House in saying that the State is indebted to the hon. member, as it is indebted to every member who uses his ability and intelligence to bring his views clearly before the Chamber. I have no more to say but to ask members to support the second reading of this Bill.

HON. W. MALEY (South): I join with the Minister and other members in commendation of Dr. Hackett for the manner in which he has moved his amendment and supported it by such unanswerable arguments. What strikes me most forcibly in connection with the measure is the gingerly way in which the members of the Legislative Assembly deal with their own House. The Assembly is supposed to be in close touch with the people of the State. That franchise being more liberal, its members are supposed to represent the working people

and those who cannot afford to secure a vote for this Chamber; and one would naturally expect reforms would begin, as they ever have begun in this State and everywhere else, from the bottom, and gradually work upward. On the other hand, if we take what has been done in the past in constitutional legislation, we shall find that this Council has been ever ready to widen the franchise, notwithstanding that until recently its members have been elected on a franchise which is fairly exclusive. It was within the power of this House to say, "There shall be no alteration in the franchise of the Legislative Assembly or in that of the Legislative Council." But we who represent the propertied classes of this country, though we are supposed to be conservative, have of our own motion time after time extended the franchise, until now every man and every woman in this State has a vote for the Lower House. We have done so much; and it is time for us to reflect as to what advantage has been gained by giving the franchise to certain people, and by what has taken place in the past we may estimate what will be the future result of doing certain things now. I say that standing here with every sense of the responsibility that is upon me. Having recently been amongst my constituents, I say—and I think I was the first member of this Council to say it—that I am against the reduction of this Chamber by a single member. In saying that, I know I have the support of the bulk of my constituents who sent me here. I have recently received letters from public meetings held in the progressive agricultural province which I represent, and those meetings unanimously affirm the principle of the retention of every member in this Chamber. Whatever be done in the Lower House I think they will agree to, unless it be a direct blow at the agricultural interest. If any alteration is at any time to be made in the Assembly, do not single out the industry which has struggled so hard, and which is still struggling, for the infliction of injury if injury is to be inflicted; and undoubtedly an injury will be done to an industry which covers a great district if even one seat be taken from this House. This is a progressive country, and in this Chamber very large provinces are now

represented. One has only to compare the map of Western Australia with that of South Australia to see abundant reason why a larger number of men should represent the varied interests of this State than is needed to represent the interests of the neighbouring province. Our interests here are more varied than those of our neighbour. I left South Australia some 20 years ago because I preferred to be outside a State which was going down; and South Australia has continued to go down an incline ever since. We are not to follow a retrogressive State, but rather to build ourselves up and consider that we are progressive. And where South Australia has decreased her parliamentary representatives, we should if anything increase ours. Then as to the cost of legislation, we have given certain powers to the working people of this State, who are certainly not an oppressed people. They send certain men into the Legislative Assembly, where it cannot be denied that the Labour party hold the balance of power; and I know that the system of payment of members is a great support to that particular section of the Legislature. An attempt is made to reduce the number of members. Supposing the number of members in this Chamber be reduced, a motion will be at once tabled for an increase of the salaries of members of Parliament. I say that nothing will be safe, that the tendency is to reduce this House, and then to use the money thus saved for an increase of salaries in the Legislative Assembly. We in this Chamber do not fear a dissolution. If I were not able to do my duty here, I should leave my seat to-night. I have made nothing by sitting here, and I am here pretty regularly. I have been absent on only a few occasions this session, when I was obliged to go to Adelaide on account of the illness of a friend. As to the Legislative Assembly, we have seen instances of members struggling for power—instances when it was claimed by one party that a dissolution was absolutely essential; and from the other side we have heard a few days later the same cry, "We must have a dissolution; must go to the country; we must have redistribution of seats." But what do we find? As soon as members satisfy themselves that they can escape a dissolution and escape an

appeal to the country, they continue to hold their seats and to accept their pay, knowing full well they are no longer properly representing the people of the State. And I say that when there is such a disinclination on the part of the Assembly to go before the electors, members of that House have no right whatever to deal with a Bill so important as this, which has never been submitted to the people of this State, or to send it to this Chamber; and I unhesitatingly give my vote to-night for the amendment.

HON. C. A. PIESSE (South): I think it is desirable in this instance that every member should say a few words with a view to letting his constituents know what he thinks of this Bill. Having recently come from the country, I may state that although I addressed my electors in 13 or 14 different places, this matter was never brought up except by myself, and then very little interest seemed to be taken in it. Anyway, I pledged myself to assist in securing a redistribution of seats; but that did not mean dissolution. It was never understood that it should mean dissolution. To my mind the opinion at that time was that there should be a redistribution to enable certain localities on the goldfields and others near Perth to have better representation or more proportionate representation. No interest seemed to be taken in the question by my constituents; and although I promised to support the redistribution of seats and the abolition of plural voting—in which question they took more interest than they did in the other proposal—my promise was made with the reservation that the voter should have the choice of the province in which he should vote. To me it seems very unfair that a man who has for instance invested £10,000 in the Kimberley district should have less power of voting than his hired cook, simply because the country has ruled that plural voting should be done away with. I think it absolutely absurd that a man who has invested his money in Kimberley, and who lives in Perth, should not have the right to choose the province for which he shall be registered as a voter. I cannot see any danger or unfairness in such a provision, and my constituents agreed that it was a fair proposal. But although I have adopted that platform, I cannot see that the present Bill is likely to give



it effect; and I may say at the outset that I intend to support Dr. Hackett's amendment that the Bill be read this day six months. I think it is our duty to shoot straight. It is no use talking about striking out that portion of the Bill dealing with the Legislative Council and allowing the portion dealing with the Assembly to remain as sent up to us. If we did that we should only be delaying the measure, and giving members of another place an opportunity of having a good cry to go to the country upon. The better plan would be to shoot the Bill straight out, and, after the expression of members, I think Dr. Hackett may be satisfied that when the question is put he will record a bull's eye, and the Bill will be shelved. It is needless to say more on this measure. If I discussed the Bill I should have to traverse ground which members have traversed before me. Dr. Hackett has so ably dealt with the subject that there is no necessity to go over the ground again. I have much pleasure indeed in supporting the amendment, that the Bill be read a second time this day six months.

HON. C. SOMMERS (North-East) : As I suppose a decision will be come to on the question to-night, I do not wish to give a silent vote on the matter. I wish to compliment Dr. Hackett on the splendid speech which he made and which I listened to with great pleasure. With regard to the necessity for the Bill, I am glad other members have the same ideas as I have. We have yet to learn that there has been any cry in the country for such a radical proposal as that now before us. I have attended many public meetings, and when this question has been raised, it has been applauded vigorously by a few roughs in the back of the hall, but the right-thinking people in the country are not supporters of a change. As to there being a saving to the country, that idea is swept away when we consider that only the salaries of six members of this House and two in another Chamber are to be saved. We are a non-party House, and we have the confidence of the people. We are able to give the various measures which come before us full and fair consideration. We approach the consideration of measures from a different standpoint to that from which they are approached in another place, because we are free from

party warfare. As Dr. Hackett has fairly pointed out, and I admire him for it, it is the duty of the representative of the Government in this House in the interests of the State to place measures before us not as party measures, but to endeavour to show clearly both sides of the question, with a little leaning, of course, to the wishes of his colleagues; still to put the matter before us so that we may deal with them in the best interests of the country. This House has always endeavoured to see that justice has been done to all sides. When party feeling is running high in another place, measures may be rushed through with but little consideration, and the people look to this House, when those measures come before members, to safeguard their rights, and see that the objectionable portions of measures are struck out, and that reasonable laws are placed on the statute book. As to a redistribution of seats, in a State like this, where population is increasing rapidly, and where mining is the main industry, the population to a large extent will always be a moving one. Therefore, I maintain the question of a redistribution of seats for years to come will be necessarily brought before us frequently. But redistribution could be achieved without bringing in such a measure as that now before us. There are no doubt anomalies existing in the representation in another place, but there is no need to go about the removal of those anomalies in the way in which the Government have done. As the Bill is not going into Committee, it is not necessary to touch on the several clauses of the Bill, but just let us take one clause, which is now before me, and which provides that a member or a Minister in charge of a Bill in one House may go to the other House and place that Bill or measure before members. At the first blush this proposal seemed to be a reasonable one, for I have known Bills which have been introduced in this House, and Ministers in another place have not taken that interest in them that the Minister here has. In that case, if a Minister followed his measure he would see that it was properly placed before members in another House. But supposing a Premier who has a big following behind him came to this Chamber, he might endeavour to cajole or dictate to the House, which would not

be tolerated. It is not a thing that is desirable for one moment. An opportunity might be taken perhaps by a member to move a resolution in another place, and then bring it down to this House and address members for four or five hours upon it. That is not a desirable state of things. The Bill proposes to reduce the number of members in this House to 24; but the quorum is to consist of 12. Very often it would be difficult to keep 12 members together. The number of members in this House to pass any measure would be seven, which is not a desirable state of things to exist. In numbers we have safety, and we are more likely to have better representation from 30 members than from 24. In 1900 we increased the number of members of this House from 24 to 30; and, although we have been deprived of certain powers under federation, our sessions of Parliament are longer now, and we seem to have more work to do. Therefore, there is a necessity for the present number of members to be maintained. Our population has increased materially—by about 30,000 persons—and it will increase; therefore, the membership of this House should not be reduced. In another place the quorum has been reduced to 16 members, so that early in the morning in another place legislation might be left in the hands of nine members. That is not a right state of affairs. There is no necessity for this measure, and there has been no demand for it. I shall vote for the amendment.

HON. W. T. LOTON (East): The Minister, in moving the second reading of this Bill, did not seem to have his heart in it. Dr. Hackett treated the question in a very generous way, and in a very broad-minded way, touching practically on all the principles embodied in the Bill, and I think he fairly slaughtered the measure. After the Minister has replied in a debate, the usual course is to refrain from making speeches. I am surprised so many members have spoken after the Minister has replied to the debate. I am breaking the rule, but I intend to deal very briefly with the measure. The Minister, in replying, not only seemed to have lost heart in the Bill, but he even lost his voice. I have no desire to go into details, because I am practically against the Bill all through.

The Government have not shown in any one particular that there was reason for dealing with the Legislative Council as they have done. I will only allude to two phases of the question—that of the dissolution of both Houses and the general election in the next year. If the Bill contained no other principle than that, I should oppose it on the ground that there is nothing more disastrous to the interests of the country than a dissolution of both Houses. By this means we should destroy the confidence of investors both inside and outside the State. We have had trouble and dissatisfaction during the last 12 or 18 months without again causing more trouble. The Government should go on with the work of the country, and not introduce fancy legislation. If there was no other provision in the Bill than that which I have mentioned that is sufficient to cause me to vote against the measure. Besides that, the Government have not shown any necessity why the Assembly should deal with the Legislative Council as is proposed by this Bill. There may have been some grounds for a redistribution of seats, for there are many constituencies with several hundreds, and, in some cases, some thousands of electors: while in other constituencies there may be only 100, 200, or 300 electors. It is no wonder that the people cry out for redistribution in such cases as that. That inequality occurs principally on the goldfields, and members must bear in mind that almost every member in this Chamber is a representative of the gold-mining industry. We are all interested in the goldfields, and particularly some of us; we not only represent the coast, but we represent the gold-mining industry, and we see that it is fairly and properly treated. We should not forget that some of the goldfields are not permanent. We may have 2,000 or 3,000 persons on a goldfield one year, and only 200 or 300 there the next. If we listen to the cry for a redistribution of seats we may have a Bill of that description every session. I do not intend to detain the House farther, except to say that I shall very cordially support the amendment that the Bill be read a second time this day six months.

HON. R. LAURIE (West): I also intend to take the course indicated by the

last speaker, and I would like to clear away an impression which has been created that certain members have been returned to this House to support this measure. Two members have spoken who have stated that they were returned to support a Bill of this description. The Hon. J. M. Drew and one other member stated that they had been returned pledged to support a Bill for a redistribution of seats. I would like to point out that this is not a Bill for the redistribution of seats. It is a question of amending the Constitution, which is not the question which members were asked to consider at the recent elections. A Redistribution of Seats Bill was requested so that members of the Assembly should go before their constituents. This House has been looked on by the country generally as a House of revision, and not as a House which should go for election on the same day as members of another place, since under such circumstances both Houses would be party Houses. Clause 4 of this Bill would undoubtedly make this a party House. I am satisfied that if members of this place were going to the electors on the same day as members of another place, we could go only as party members. It will be a sad day for Western Australia, or for any other State, when the House of revision ceases to exist. Therefore, I must give my support to Dr. Hackett's amendment, which points the only proper and manly course. It is useless for any member to trounce the measure and then say he desires to support the second reading: the only manly and proper course, I repeat, is to vote straight out against the second reading.

HON. J. D. CONNOLLY (North-East): It was not my intention to speak on this measure to-night, but since the debate will terminate with this sitting I shall state my views, as I do not care to give a silent vote. I say straight away that I certainly favour an alteration of the Constitution and a redistribution of seats. A state of things under which one district returns a member to the Lower House for 200 voters while another returns only one member for nearly 9,000 voters renders it patent to everyone that a redistribution of seats is badly needed. In regard to this Chamber, the same anomalies exist. I am a member for a

province numbering about 3,500 electors; metropolitan provinces have something like the same number; but the Northern province has under 300 electors. In view of such discrepancies I do not think it can be denied that a pressing and urgent need exists for redistribution of seats. Although I am strongly in favour of a redistribution, I do not favour that proposed by this measure. Speaking from a goldfields point of view, I say that this Bill offers us no nearer approach to justice than we have received in the past. I cannot believe that the Government were sincere in introducing the measure. Has the Minister for Lands given us one word of information as to the boundaries of districts and provinces? Are we to accept this Bill blindly? In doing so we might place ourselves in a much worse position than that which we occupy at present. On the introduction of the measure into another place certain information was given to members concerning Assembly districts; but, mark you, not a word was said about Council provinces. I contend, therefore, that if the Government do not think it worth while to give that information they cannot be regarded as being serious in introducing the measure. Clause 4 is most objectionable, and I am decidedly opposed to it, for the reason more particularly mentioned by Captain Laurie: that its effect will be to make of this a party House, the one thing we ought to avoid. Under that clause all members of both Houses go to the country on the same day; and later, since the Assembly will be dissolved every three years, and half of our members will go to the country every three years, the same system will continue. Unquestionably, therefore, this House will under the new Bill become a party House. As for a reduction of members, I think that possibly in the interests of the State the number might be diminished; but I am certainly not in favour of a reduction of the membership of the House to 24. Provisions for redistribution of seats and delimitation of boundaries of provinces and districts have been kept out of the Constitution Bill; and I strongly favour that course, since by means of it we shall avoid the necessity for such constant tinkering with the Constitution as has characterised the past. Previous speakers have contended that

in another place any amendment which seemed objectionable to this House was readily accepted by the Government; and such an amendment is the alteration in our quorum. Was there any reason for raising our quorum from one-third to one-half? I do not think this House has ever experienced difficulty in obtaining a quorum. Be it noted, however, that members of another place have not made a similar alteration in regard to their own quorum, although in their case it was much more needed. I venture to say that if the quorum of another place were raised to one-half, no business at all would be done. Judging by the way in which members of another place have been acting lately, I should say they would never furnish a quorum of half. Another important alteration proposed by the Constitution Bill is that the qualification of electors shall be transferred to the Electoral Bill. I am decidedly opposed to that course, and I most certainly desire that the qualification of electors should be provided in the Constitution Bill. If we pass a Constitution Act from which boundaries of electorates are excluded, that Act should stand during our life time, at any rate. It is to be deplored that the Government should see fit to bring in at the end of the session a measure which really requires a full session for its consideration. The clause providing for a joint sitting of both Houses I entirely disapprove of; on that point I am in entire accord with the opinions expressed by Dr. Hackett. I oppose also the clause empowering Ministers to speak in either House. If one Minister is not sufficient for the business of this House, let us have two Ministers. I would far rather have two sitting in this Chamber than have Ministers generally speaking in both Houses. I do not think I need dwell on the Bill at greater length. I certainly favour a redistribution of seats, but not one which cuts down goldfields representation in this Chamber from one-third to one-quarter.

HON. B. C. WOOD (Metropolitan-Suburban): The hour is late, but as everyone seems to have his say I must offer a few remarks. Dr. Hackett has ably covered all the ground in support of his amendment, and I say at once that I shall vote for the Bill being read a second

time this day six months. First of all I was in favour of allowing the measure to go into Committee, but farther thought has brought me to the same conclusion as other members, that the most manly and straightforward course is to throw the Bill out on the second reading. The Governor's Speech, delivered at the opening of this session, contains the following statement:—

The most pressing necessity [of the State] is an effective administration, and such an object becomes impossible of attainment unless those into whose hands the work is intrusted can feel assured of a sufficient parliamentary majority to enable their work to be continuous and thorough.

We have evidence that the Assembly has never known so slavish a majority as that behind the present Premier. Therefore, I maintain that the whole reason for an amendment of the Constitution Act and a redistribution of seats has disappeared, and I have no hesitation in supporting the amendment proposed by Dr. Hackett.

HON. T. F. O. BRIMAGE (South): Seeing that everyone has spoken, I cannot let the occasion go by without saying a word. I certainly think we have reason to be thankful that the House includes so able a member as Dr. Hackett, who has laid the case before us with the utmost clearness. The majority evidently agree with the hon. member's views. As regards redistribution of seats, I understand a Bill for that special purpose is coming from another place, and I had no idea that this particular aspect of the matter would be raised to-night. Anyhow, a redistribution of seats is certainly necessary, inasmuch as the populous parts of the State are not sufficiently represented. I shall vote for Dr. Hackett's amendment.

HON. J. E. RICHARDSON (North): As one of the Northern members who represent only a few hundred electors, I do not like to say much; but still I must say a few words. At the outset, I have to state that I object to this Bill *in toto*. At first I was disposed, like Mr. Wood, to let the measure go into Committee and then reject everything relating to the Legislative Council; but Dr. Hackett's able arguments have convinced me that the better course will be to vote for the amendment. I object to every clause of this Bill referring to the Legislative

Council, and especially to Clause 8, which reads:—

The State shall be divided into 12 electoral provinces, each of which shall return two members to the Council.

I shall support the amendment.

HON. E. M. CLARKE (South-West): One or two remarks I should like to make; for on such an important Bill no member cares to give a silent vote. Much has been said about the Minister (Hon. A. Jameson) in charge of the Bill. I am sure he has my sympathy. Dr. Hackett, on the other hand, doubtless made a shrewd guess that the majority of members would be with him, while the Minister had an equally shrewd idea that they would be against the Government; therefore the Minister has my sympathy. Moreover, the Minister has explained the Bill to us in a very fair and impartial manner. He has felt all along that he has an uphill battle to fight, the event being a foregone conclusion; and bearing that in mind, I think the hon. member has made a very good attempt to do his duty to the State. One or two phases of the question to which I should like to refer have already been referred to by other members, and to give my opinions would sound very much like echoing theirs, though I should not be doing so, because I had written mine down before I heard their speeches. Nevertheless the wind has been absolutely taken out of my sails. But on one matter I feel very strongly: what reason is there for this change? Has there been a cry for it from the country? I suppose if I asked that question in another place, the answer would be, "Yes; there has been a cry;" and my answer would be, "A parrot cry." I have had to face my constituents twice within the last 18 months. I would face them again if I thought for a moment that they were in favour of a dissolution of this Chamber. If I did not feel sure that I had every one of them at my back, I should go before them straight away; but so long as I feel I have the confidence of my electors, I shall not be one to plead guilty, to admit that we are useless or that we are a nuisance, when there has been no charge levelled against us. It has not been said that we have failed to do this or have prevented the doing of that; that we have not attended to our duty; that we have resultlessly taken up

the time of the country. In fact, not one charge has been laid against us. We are asked to plead guilty without being charged. I take it the Bill is only the thin end of the wedge, and we shall next be asked to sign our own death warrants. Unless our electors ask us to do that we should be failing in our duty if we took any step other than that we are taking to-night. At first I was rather inclined to debate this Bill in Committee and to send it back to the Lower House with amendments; but at the same time, I think that members in another place are not very sincere in their advocacy of the Bill; and, therefore, our best method is, as they have not the moral courage to bring charges against us, to have moral courage enough to say that we shall have nothing whatever to do with the measure. I am prepared to stand or fall by the amendment of Dr. Hackett in its entirety. As the hour is late it is absolutely unnecessary to cover the ground traversed by other members.

HON. H. BRIGGS: I agree with all that has been said in opposition to the Bill; but as an officer of the House, I wish to point out one particular feature. Clause 63 involves the repeal of portion of Section 35 of the Constitution Act. The first part of the section reads: "The salary of the President of the Council shall be equal to the salary of the Speaker of the Assembly." The latter part of the section has reference to the Clerks of the Houses, and states: "The Chief Clerk for the time being of the Council or Assembly shall respectively be removable only in accordance with the vote of the House of which he is an officer"; and that part of the section which Clause 63 proposes to repeal reads: "And the salaries and allowances of the various officers of the Council shall be the same as those of the corresponding officers of the Legislative Assembly." Now I think that proposed omission is simply a specimen of the manner in which the Bill tries to belittle this Council. It seeks to make the Council a powerless appendage rather than a co-ordinate branch of the Legislature; and I mention this because our Assistant Clerk and the other officers of the House are by the Bill proposed to be omitted from the Constitution Act. We have in our Assistant Clerk, Mr. Hickling—I will put it simply—a

most careful, painstaking, and efficient officer. Owing to the unfortunate accident which recently befel Mr. Charles Lee Steere, Mr. Hickling's capacity was proved; for he left his place in this Council and performed the duties of Assistant Clerk in the Legislative Assembly. I think it is derogatory to the privileges of this House that Mr. Hickling and other officers should be taken out of the purview of the Constitution Act, and treated differently from the officers of the Legislative Assembly. I make a strong point of that. The objection is minute; but this is, like the provision for a joint sitting, a sample of how the Assembly has attempted to make this Council weak, attenuated, and powerless.

Amendment put, and passed on the voices.

Second reading thus negatived.

#### ADJOURNMENT.

The House adjourned at 23 minutes after 10 o'clock, until the next day.

### Legislative Assembly,

Wednesday, 10th December, 1902.

[ALL-NIGHT SITTING.]

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THE DEPUTY-SPEAKER took the Chair at 2:30 o'clock, p.m.

#### PRAYERS.

#### PETITION—UNDESIRABLE IMMIGRANTS.

MR. HOLMAN presented a petition from residents of Cue, Nannine, Day Dawn, and other places in the Murchison

district, praying the House to urge on the Federal Government the desirableness of strictly enforcing the law for the prevention of undesirable immigration. The petition stated that during the first eight months of this year 557 Asiatics, an average of about 70 per month, landed in Western Australia, with 1,015 other foreigners—an average of about 27 per month. The Commonwealth authorities should be strongly urged to prevent any farther influx of undesirable aliens, who thrust out of employment British subjects already settled in the State.

Petition received and read.

#### PAPER PRESENTED.

By THE COLONIAL SECRETARY: Copy of Correspondence relating to the Estimates of the Electoral Department.

Ordered: To lie on the table.

#### QUESTION—MOTOR WAGONS AS FEEDERS TO RAILWAYS.

MR. JACOBY (for Hon. G. Throssell) asked the Premier: 1, Whether he will cause inquiry to be made as to the utility of motor wagons for carriage of freight over common roads, and as to whether such may be used with advantage for conveyance of produce, ores, and general merchandise for short or long distances, for the purpose of acting as feeders to the railways. 2, What would be the total cost and tonnage power of such wagons delivered in this State.

THE PREMIER replied: Inquiries will be made as suggested by the hon. member.

#### KALGOORLIE LIGHTING AND POWER SPECIAL LEASE BILL.

On motion by MR. W. ATKINS, the House resolved into Committee to consider the Bill, together with recommendations made by the select committee.

#### IN COMMITTEE.

MR. ILLINGWORTH in the Chair; the MINISTER FOR MINES in charge.

Clause 1—The Governor may grant lease:

MR. ATKINS: In order that the amendments suggested by the select committee might be put in proper form, he moved that progress be reported.

THE MINISTER FOR MINES: The people to whom the lease was to be