

MR. MONGER moved that the debate be adjourned until the next sitting of the House.

Question put and passed, and the debate adjourned accordingly.

ADJOURNMENT.

The House adjourned at 6·15 p.m.

Legislative Council,

Wednesday, 30th August, 1893.

Gold Declaration Bill: first reading—Steam Boilers: Inspection of—Real Estates Administration Bill: Recommittal: third reading—Public Depositors Relief Bill: committee—Stock Tax Bill: Legislative Assembly's Amendment—Post and Telegraph Bill: Legislative Council's Amendment—Constitution Act Amendment Bill: committee—Adjournment.

THE PRESIDENT (Hon. Sir G. Shenton) took the chair at half-past 4 o'clock p.m.

PRAYERS.

GOLD DECLARATION BILL.

This Bill was introduced, and read a first time.

STEAM BOILERS—INSPECTION OF.

THE HON. J. A. WRIGHT moved: "That in the opinion of this House it is advisable either to amend the Boat Licensing Act, or by special legislation to make the inspection of steam boilers, at least once a year, compulsory." He said: I do not propose to say very much on this subject, because I feel certain the motion I have the honour to bring forward will meet with the support of a large number of members, and commend itself generally to the House. In the present Boat Licensing Act there is a proviso in Clause 6 which gives the Licensing Bench power to inspect boilers, but this power is permissive and totally useless. The

power should be compulsory, for the reason that steam launches and steam boats are very much like torpedoes, and will blow up in time unless properly looked after. The Licensing Justices, at the present time, have power to compel the inspection of boilers, but they, generally speaking, carry it out by ascertaining from the man in charge, who may or may not be a competent person, the condition of the boiler he is using. Not long ago, at Albany, a launch which was stated to be in good condition, after inspection, was shortly afterwards found to be so unsafe that the wonder is the whole concern was not blown out of the water, and the people on board hurled into eternity. Not only should launches, but steam engines, particularly in towns, be inspected, and it should be seen that they are in the hands of persons known to be competent to drive them. They should be asked the ordinary questions as to their knowledge of boilers, and tested as to their capacity for driving an engine. Many of the steam engines kept by firms in towns are a source of danger to the inhabitants around, because they are in the hands of incompetent persons. In France, boilers are inspected every year, and marked that they may carry steam at a certain pressure. The safety valve is then put down to that pressure, and anyone tampering with it afterwards is liable to a severe penalty. I think this resolution will commend itself to the minds of hon. members, and I feel certain that if it be carried, and inspection made compulsory, it will be the means of avoiding the fatal consequences that may ensue if we allow matters to stand as they are.

THE HON. H. ANSTEY: I have much pleasure in seconding the motion of my hon. friend, for I am sure that, considering his great experience in these matters, his word should be sufficient to warrant us in following him. I have had some little experience myself, and have known some very serious accidents happen in the old country, through the defective state of boilers. I think it is specially important that every precaution should be taken in towns, where the liability to destroy human life is so much greater than in the country. Some control should also be exercised over boilers on farms, for we know that anyone is put to

drive the engines, and it frequently happens that the man in charge has no knowledge of the use and nature of the machinery. Probably, if any accident took place upon a farm, we should only hear of it through a coroner's jury, and on this very account it seems to me most important that boilers should be inspected. The licensing magistrates have now power to order an inspection, but as it is only permissive, and as they themselves have, as a rule, no particular acquaintance with the subject, the law virtually becomes a dead letter.

THE HON. G. RANDELL: I do not rise to oppose the motion of the hon. member, but simply to state what is the practice under the present law. At Fremantle there is a Licensing Board, which meets every year, and it appoints an inspector, whose duty it is to look into the condition of the boilers and engines on the boats. This is carried out very rigidly, and the test put is sufficient to satisfy almost anyone. No license is issued by the board allowing any vessel to ply for hire unless the machinery is perfectly safe. The Act does not apply to stationary boilers, but there are so few of them that I am hardly inclined to think the time has arrived when we can afford to pay for the appointment of a permanent inspector. The Hon. Mr. Anstey has referred to men in the country, who are incompetent, being put in charge of boilers. If any man is so placed, all I can say is, that the owner is very much to blame. With regard to the Act being permissive, I hardly think that is the case; but certainly the Board does not do its duty, unless it appoints a man to carry out the Act. At Fremantle it is usually someone from the Railway shops, and at Albany, if no one else can be found, no doubt one could be procured at the Great Southern Railway Company's workshops. It is a curious fact that we have had no instance in this country, where the inspection of steam boilers is almost a matter in embryo, of any serious accident happening; and yet, if we go to England or France, we see fearful catastrophes happening, where perhaps the boiler has only been inspected a short time previously. It only shows how a man may be unable to detect the imperfections of a boiler. As a rule, we find most accidents happening through the

carelessness or the negligence of the man in charge. He may be a certificated man, but that will not protect the employer from the effects of carelessness. In some cases accidents happen through overwork of the man.

THE HON. J. A. WRIGHT: Or of the boiler.

THE HON. G. RANDELL: As I have said, I hardly think the time has come when we can afford to appoint an inspector. The field is too wide, and the number of boilers in use so small, that there would be very little for him to do; and we must also bear in mind that the interests of those who have them are so great that they exercise the greatest caution to prevent an accident happening. As to marine engines, I think there is sufficient machinery available to ensure their inspection, if it is used properly, as it is at Fremantle. Some heavy penalties are provided by the present Act, and it speaks well that none of them have yet been imposed.

THE HON. J. F. T. HASSELL: I rise to support the motion of the Hon. Mr. Wright. If the Act is carried out stringently at Fremantle, it is not so at Albany. With regard to the occurrence referred to by the Hon. Mr. Wright, I may say, as chief proprietor of the launch in question, it is very fortunate that the boiler did not blow up. Some three months previous to the time referred to, the launch changed hands, and a certificate was supposed to have been given by an engineer of one of the coasting steamers. It was not, however, given, but the Licensing Board did not insist on getting it. The purchaser took over the boat, believing the boiler to be perfectly safe and sound. I employed the launch, and I urged the purchaser to see that the boiler was perfectly safe. He got an engineer from the Land Company to examine it, and the moment it was touched with the bar a hole was knocked in it, showing that very little pressure would have caused the whole thing to blow up. This boat was licensed to carry ninety people, and the consequences would have been most serious if an accident had happened, on a bad night, in King George's Sound. I also think boilers, in country districts, should be inspected. On Mr. Powell's estate, we have six or seven engines, and, not being a practical engineer myself, I

should be very glad to see them regularly and properly tested, and a certificate given that they were capable of performing the work required of them. I should be very glad, both on behalf of Mr. Powell and the P. & O. Company, to have the boilers examined, and even to pay for their inspection.

Question put and passed.

Ordered—That the resolution be transmitted to the Legislative Assembly, and their concurrence desired.

REAL ESTATES ADMINISTRATION BILL.

RECOMMITTAL.

The Order of the Day for the third reading of this Bill being read,

THE COLONIAL SECRETARY (Hon. S. H. Parker) moved that the Bill be re-committed.

Question put and passed.

IN COMMITTEE.

THE COLONIAL SECRETARY (Hon. S. H. Parker) moved that the following new clause be added to the Bill, to stand as No. 5:—"All the real estate of or to "which any deceased person is at the "time of his death beneficially seised, "possessed, or entitled, and as to or in "respect of which he dies intestate shall, "subject to its liability for the payment "of the debts of such deceased person "and the estate or interest therein of his "legal personal representative, pass and "belong to and vest in the persons who "would be entitled to such real estate "if it were personalty for all the beneficial "estate and interest therein of such "deceased person, and in the shares or "proportions to which they would respectively be entitled to the personal estate "of such deceased person if he had died "intestate." He said: The object of this clause is this: it will be observed that the real estate is to vest in the executors or administrators of a deceased person, to hold it on trust—first, subject to the equities; second, subject to the payment of debts; then for the trusts under the will, and, if there be no will, then to deal with and dispose of it as personalty. It was pointed out to me that there was no special provision, in the case of a person dying intestate, should no one take out letters of administration, and under these circumstances I have thought it advisable

to have a distinct statement of the law, to the effect that in all cases the real estate shall pass to the heirs-at-law and next of kin as personalty, and that is the object of this clause.

Clause agreed to.

The Standing Orders were suspended.

THIRD READING.

The Bill was then read a third time, and passed.

PUBLIC DEPOSITORS RELIEF BILL.

IN COMMITTEE.

Clause 1 agreed to.

Clause 2.—"Act to apply to deposits of a public nature:"

THE HON. J. W. HACKETT: As the Hon. the Colonial Secretary informs me he has not yet been able to obtain the amount this Bill will involve, I move that progress be reported.

Question put and passed.

STOCK TAX BILL.

LEGISLATIVE ASSEMBLY'S AMENDMENT.

IN COMMITTEE.

THE COLONIAL SECRETARY (Hon. S. H. Parker): The amendment proposed by the Assembly in Clause 3 of this Bill is to substitute "the *Gazette* published within thirty days next after," instead of "next following *Gazette*." I do not think there can be any objection to this, and I move that it be agreed to.

THE HON. J. W. HACKETT: As the mover of the amendment in the Bill on which this matter comes before us, I may say I have no objection to the slight change which has been made, and I believe that the Hon. Mr. Randell, who worked with me in this matter, will also have no objection.

Amendment agreed to.

POST AND TELEGRAPH BILL.

LEGISLATIVE COUNCIL'S AMENDMENT.

IN COMMITTEE.

THE COLONIAL SECRETARY (Hon. S. H. Parker): It will be remembered that in Clause 36 of this Bill, we struck out sub-sections *a*, *b*, and *c*, relating to the power of the Minister, in certain cases, to refuse to deliver letters. The Legislative Assembly has not seen its way to accept this amendment, and I now

move that we do not insist upon it. The effect of this will be, that if a gentleman named Adams, for instance, who carries on monster sweeps in Sydney, comes here to establish his business, the Minister may direct that no letters shall be delivered to him. There is no power to open letters, and the Minister may only, if he has reason to believe a person is carrying on these nefarious practices, in a fraudulent manner, give notice in the *Government Gazette* that no letters or parcels will be delivered to such person. It may be said that this is giving a large power to a Minister, but we must recollect that he is responsible to the country, and he will be liable to lose his position and seat if he does not act properly. It is obvious, therefore, that unless a Minister has good grounds for it, he will not run the risk of making an order that such and such person should not have his letters delivered to him. I am happy to say that in New South Wales recent legislation has driven these sweep promoters out of the colony. Previously, Adams had established his business in Victoria, but that colony drove him out, and he went to Sydney. Now he has gone to Brisbane, and I have no doubt that the Queensland people will, in a short time, drive him from there. I have a notice here from Mr. Adams. He says:—“As the N. S. W. Government has prohibited the transit through the post of letters addressed within the colony, for consultation purposes, and we are being besieged with inquiries as to how we purpose conducting our consultations in the future, and the mode of remitting subscriptions, we beg to announce that from now our address will be—“‘Tattersall,’ care of George Adams, “‘Daily Telegraph’ Chambers, Brisbane, “Queensland, and that remittances can be forwarded as usual, either by bank notes, coin, P.O. orders, bank drafts, or postal notes (the latter preferred.) In making this announcement we wish to impress upon all subscribers that the change of address will not affect the conduct of the business so successfully carried on by us during the past twelve years, and patrons will confer a favour upon us by circulating the change of address as widely as possible.” Perhaps this may be interesting information to some hon. members. All the large

colonies thought it necessary, in the interests of their communities and in the interests of the morals and welfare of the people, to prohibit what we are trying to prohibit by this section. I am not going into a dissertation on gambling. Hon. members may think it a small thing to send money to Adams’ sweep, but although we may trust ourselves from being beguiled, we must remember that we are not legislating for ourselves, but rather for the rising generation. Do we desire to see our sons led into gambling by such a man as Adams, and dying perhaps a miserable death through the effects of it? Those who have been in the world some years are, perhaps, able to look after themselves, but we must remember that we are not legislating for ourselves, but for our children, and we desire to keep them straight and not bring them to a state of mind that they will commit suicide, or perhaps relapse into our prisons. Seeing that other colonies, who have had Adams and such persons in their midst, have seen the necessity of legislation of this kind, surely it would be wise for us to follow their example and prohibit such persons coming here. I move that the amendment be not insisted upon.

THE HON. J. MORRISON: As the original mover of the amendment that this clause be struck out, I may say I shall vote against the proposal of the Hon. the Colonial Secretary. It is not to encourage gambling that I desire to eliminate these clauses, but because they appear to me remnants of the olden days, when the bell rang at a quarter to ten at night, and legalised inquisitiveness on the part of the police to ask anyone and everyone his name. I want to see all that sort of thing swept away, and to permit such a clause as this to exist in a Bill seems to me only to revive the past. The Colonial Secretary says he has received a communication from Adams. I should like to know how that came to him. I should never have imagined he would receive such a thing, even if the Post Office overlooked it.

THE COLONIAL SECRETARY (Hon. S. H. Parker): Curiously enough, it came to the Attorney General, and, in his horror, he sent it to me.

THE HON. J. MORRISON: The Minister is to have the right to stop letters but no right to open. How does he

know he might not do an injustice to anyone writing a private letter to Adams, or to anyone of the same name that might be gazetted. I think it is quite unfair that any Parliament should allow a Minister power to stop letters, and, if he does not open them, how is he to know what damage he does? A person might send a Post Office Order for the maintenance of his wife and children, and it might lie at the Post Office and do incalculable harm.

THE COLONIAL SECRETARY (HON. S. H. PARKER): It would be sent back.

THE HON. J. MORRISON: How would he know to whom to send it?

THE COLONIAL SECRETARY (HON. S. H. PARKER): It would become a dead letter and be treated as such.

THE HON. J. MORRISON: You might want to send money to Adams for purposes other than fortune-telling or sweeps, and would they be stopped, too? Then, is the Minister to stand and watch what letters go through the post? Of course not. It will devolve upon some subordinate. We have recently seen two boys punished for taking too keen an interest in other people's correspondence, and we do not want to encourage that sort of thing. I maintain it is the duty of the Post Office to forward all letters entrusted to them, if properly stamped, and if once we give an excuse to employes in the Post Office to handle and guess what is in letters, we put all sorts of temptations in their way, and do far more harm than we will by striking out these clauses. I shall oppose their re-insertion.

THE HON. J. W. HACKETT: I shall support the proposal of the Hon. the Colonial Secretary. I shall not, however, weary hon. members with a repetition of the arguments I addressed to them at some length on a previous occasion; but I must again remind them of the unfairness of forbidding newspapers receiving advertisements and putting them in, and accepting what little money accrues from them, and which circulates in this colony, while it is proposed to permit others to send money out of the colony, which never comes back again. I think a power of this kind should be lodged in the hands of a Minister, or the Government, but we must remember there is a great distinction between a power

which must be exercised and a power which may be exercised. If the exercise of this power were made compulsory, then the argument of my hon. friend might prevail; but as the clause which is proposed by the Government stands, it will only be put into force when public opinion sides with the Minister in the step he takes. If public opinion, in the interests of morality—or I might even say in the interests of immorality—wishes the letters to be delivered, no Minister would dare to stop them. If hon. members will look at the clause, they will see that every care is taken that the fullest publicity is to be given to the action of the Minister, and of course if the Minister feels he is supported by public opinion, he will act, and stop the delivery of the letters, and under the circumstances he would be quite right in so acting.

THE HON. J. F. T. HASSELL: Since this question was before the House last, I have again thought over the matter, and I must say that I am still of the same opinion. I look on the Post Office as being common carriers, and if I commit a letter to their charge for delivery, I expect it to reach its destination. I think it very hard that letters should be stopped, and therefore I shall support the keeping out of the clause.

THE HON. G. RANDELL: I shall support the Colonial Secretary. If I understand the clause aright, it means that if any man is notoriously engaged in carrying on the business of promoting sweeps, this is an attempt to stop him—an attempt which should be supported by anyone who has the well-being of the community at heart. That this kind of gambling does prevail to a large extent, there can be no doubt. We hear of large sums of money being deposited with this Mr. Adams, and there must have been some good and valid reasons for stopping him carrying on his business in the colonies from which he was driven. It is said that people cannot be made moral by Act of Parliament. This has been said so many times that I am beginning to doubt it. I am inclined to think they can, to some extent, or else why do we legislate against stealing, and punish persons for doing it? Why do we limit the hours of keeping the publichouses open, and why do we enforce penalties on persons who do other things we think are

not for the good of the country? These are all attempts to make people moral by Act of Parliament. I cannot, perhaps, impress my views upon others, but, in my opinion, the man who thinks he is going to gain thousands of pounds by sending one pound to Sydney is on the wrong track. I do not think any man gains any real advantage by obtaining money for which he has given no equivalent. I certainly shall support the resolution of the Colonial Secretary, that this clause be reinstated.

THE HON. J. A. WRIGHT: I am very sorry that I shall be unable to repair to the same lobby as the Hon. the Colonial Secretary on this question, for I do not believe in attempting, much less doing it, to make people moral by Act of Parliament. If the Hon. Mr. Randell's contention be carried to its fullest extent, you do away at once with the Stock Exchange and all speculation in shares, and you also do away with life and fire insurance. To my mind this Bill should have been called a Branding Act for the suppression of correspondence with Mr. Adams, although who he is I do not know. May not, I ask, a man be allowed to do what he likes with his own money? May he not speculate with it if he likes, and why should he not, if he be fool enough to do it, not gamble it with Mr. Adams or anyone else? You can no more make people moral by Act of Parliament than you can make them sane by like means, and it appears to me that this Act is an undue and an unwarrantable interference with the rights and liberties of the subject. I have a correspondent in Sydney whose Christian and surname is the same as that of the Mr. Adams who promotes these sweeps, and as I have to write to him on business of great importance to my railway, I consider it would be a most unwarrantable act on the part of any Minister or policeman, who may be put in his place for the purposes of the Act, to open my letters. Such a power as this might also lead to considerable inconvenience, trouble, and danger. I do not wish, however, to argue the matter further, for I feel sure that the common-sense of this House will be against the Hon. the Colonial Secretary. We had better begin at the head and front of the evil and stop horse-racing than meet the matter in this half-way

style, and then let us all become the moral people the Ministry evidently wish us to be.

THE HON. H. ANSTEY: I must say I heartily agree with the Hon. Mr. Hassell and others who have spoken, that it is not possible to make people moral by Act of Parliament; but there are two points which weigh with me in this matter. The first is that there seems to be a general desire on the part of members of the other House that this clause should be retained in the Bill, and the second is the assurance we have had from the Hon. the Colonial Secretary that this Mr. Adams has been discovered to be such a nuisance in New South Wales and Victoria that they found it necessary to expel him. I shall, therefore, vote with the Colonial Secretary.

THE HON. J. G. H. AMHERST: On a former occasion I expressed my intention of voting against the Hon. Mr. Morrison, and I shall do so again. We are told that these sub-sections are designed to check the growing evil of gambling, and we should consider whether we should not go with those who are trying to bring this about. I do not think these powers will be abused in the hands of a Minister, and I shall, therefore, support the re-insertion of the clause.

THE HON. D. K. CONGDON: It is my intention to support the exclusion of this clause, and I shall do so because I think this kind of legislation is not required. It is nothing more nor less than an attempt to infringe the liberty of the subject for him to have a letter which he has posted stopped and opened by anyone, be he a Minister or an ordinary Post Office official. I hope the clause will not be re-inserted.

THE HON. G. GLYDE: I intend to vote, as on a previous occasion, in favour of the proposal of the Colonial Secretary. A large majority of the other House is in favour of the retention of these sub-sections, and we should not, therefore, lightly throw them out.

THE HON. G. W. LEAKE: As almost every other hon. member has spoken, I think I shall say something, too. We discussed this Bill thoroughly before it was returned to the Lower House. No new facts have been submitted to us, and no fresh argument has been put forward to lead us to alter our opinions. If a

man wishes to speculate in this way, he will do so, and if you open his letters addressed in a certain way he will simply send them to someone else, and then what becomes of all this legislation? To my mind, the secrecy of the Post Office will be violated by these clauses, and I shall, therefore, vote against them.

THE COLONIAL SECRETARY (Hon. S. H. Parker): My hon. friend has evidently not read the clause. There is no violation of the secrecy of the Post Office, and there is no speculation as to whether letters will be delivered or not. All that is provided by the clause is that if a person is notoriously carrying on these sweep schemes, the Minister, after publication of the fact in the *Government Gazette*, may order that all letters addressed to such person shall not be delivered. There is no tampering with anyone's correspondence. The letters will not be opened; they will simply not be delivered, and in the course of time, by other provisions contained in this Act, they will be dealt with in the same way as other letters which are not delivered. They will go to the dead-letter office, where they will be examined in the ordinary way, and ultimately they will be returned to the senders. My hon. friend Mr. Hassell says he looks upon the Post Office as a common carrier, but we must remember that even a common carrier is not obliged to carry dynamite. In the same way the Post Office should have the right to say that they would not carry what to them seemed to be dangerous. There will be no tampering or trying to pry into other people's correspondence; but when a Minister comes across a person who is notoriously carrying on what seems to him to be a scheme for obtaining money by unlawful means, it is open for him to say that after a certain date no correspondence shall be delivered to such person. The Hon. Mr. Wright says he has a correspondent named George Adams, but I presume it is not the George Adams who resides at Tattersall's Club, Sydney. He would not, of course, answer the description of the gentleman who carries on these sweeps, and there would, therefore, be no chance of any letters addressed to him being stopped. There is no reason why we should not allow these clauses to stand part of the Bill. For my part, I should be sorry to see the Upper House

of Western Australia found to be less moral not only than the Lower House, but also less virtuous than the other Parliaments of Australia.

The committee divided.

Ayes ...	...	...	7
Noes ...	...	...	7

AYES.
 The Hon. J. G. H. Amherst
 The Hon. H. Anstey
 The Hon. G. Glyde
 The Hon. J. W. Hackett
 The Hon. R. W. Hardey
 The Hon. G. Randell
 The Hon. S. H. Parker
 (Teller).

NOES.
 The Hon. D. K. Congdon
 The Hon. E. Hamersley
 The Hon. J. F. T. Hassell
 The Hon. E. T. Hooley
 The Hon. G. W. Leake
 The Hon. J. A. Wright
 The Hon. J. Morrison
 (Teller).

THE CHAIRMAN (Hon. Sir G. Shenton): I shall not give my casting vote silently. The Legislative Assembly, in their message, have stated that these subsections are designed to check a growing evil, and that similar provisions have been introduced into the laws of the other colonies. It is, therefore, I think, the bounden duty of this House to assist the Assembly in the matter, and I shall, consequently, record my vote with the Ayes.

Amendment not insisted on. Resolution reported.

CONSTITUTION ACT AMENDMENT BILL. COMMITTEE.

Clause 5.—Electoral Divisions:

THE HON. E. T. HOOLEY: I move to strike out "21" in the second line of the clause, and insert "18" in lieu thereof. The effect of this amendment is to amalgamate the divisions of Perth and Fremantle. My hon. friend Mr. Hackett, on a previous occasion, said that this would work a great injustice; but I cannot see where the injustice comes in, neither can I see the force of the argument, that Fremantle and Perth will not get fair representation. It might just as well be said that West Perth should not be joined to East Perth, or Central Perth. On the other hand, there is a strong argument in favour of the amalgamation of these two small divisions, and that is it will simplify the arrangement of the divisions, and will not interfere with the boundaries of other divisions, as contained in the Bill. I should like to know why the Hon. Mr. Hackett considers that Perth and Fremantle should be singled out to have equal representation in both Chambers. If it is right that these two towns should

each be represented by three members, surely the other divisions should be placed on the same footing. My argument is, that what is good for Perth and Fremantle is also good for the other parts of the colony.

THE HON. J. W. HACKETT: My hon. friend has appealed to me, but I thought I gave my reasons at some length on a previous occasion. I think, with him, that in certain ways the proposal to reduce the number of members from 21 to 18 is more advantageous than the suggestion of the select committee of another place, because it observes the periodical renewal of one-third of the members every two or three years. But the object of the select committee was to give more representation to the North, and that was done by sub-dividing some of the divisions, and not by disfranchising one altogether, as the hon. member proposes. The objection I have to this amendment is that it practically wipes Fremantle out of existence. I will not press the argument my hon. friend says he fails to understand; but I will ask him to consider this aspect: Perth has 2,000 voters, and Fremantle has between 1,100 and 1,200. If the Perth voters stand together, as no doubt they will, it is obvious that they will return all three members. I take it that political associations know how to organise, and if that be done, Fremantle must disappear altogether, and the position becomes more startling when we remember that Fremantle is not only the chief port of the colony but also the second town of the colony. It, moreover, contains more electors than any other division except Perth, and yet this is the one place my hon. friend wishes to extinguish. The South-Eastern Division, which has only one-sixth the population of Perth and Fremantle combined, will have equal representation under the hon. member's amendment. I do not, however, press that; but I do say that if Perth and Fremantle are considered as regards population and property — and these are the only two bases on which representation should be founded — they are entitled to immensely greater representation than they have at the present time, and, I take it, that in time they will insist on getting it, although at present they are asked to submit to

the grave injustice of being unrepresented altogether so far as the Upper House is concerned. If these numbers are to be reduced, I think, on the most elementary principles of justice, some other divisions should be made than that which will extinguish altogether the second town in the colony.

THE HON. J. F. T. HASSELL: I intend to support the motion of the Hon. Mr. Hooley. My opinion is that Perth and Fremantle have more representation than any other places in the colony. Suppose we want to borrow money, the people who lend it will look at the country we have.

THE COLONIAL SECRETARY (Hon. S. H. Parker): At the population.

THE HON. J. F. T. HASSELL: Not exactly. That and other things convince me that it is very unfair to the country at large that Perth and Fremantle should have six members for the Lower House, and also six members for the Upper House. The North is now represented by Perth and Fremantle, and it will be so represented in the future, consequently there will be 15 or 16 members in the House really representing Perth and Fremantle, and then the South-Western Division will have a very small chance indeed. If any other arrangement can be come to to give a fairer representation to these towns, I shall be glad to support it; but at present it seems to me to be most unfair to give these two blocks, containing between them 15,000 or 20,000 acres, as many representatives as the broad acres of other parts of the colony.

THE HON. J. A. WRIGHT: In my opinion the arguments of the Hon. Mr. Hooley and the Hon. Mr. Hassell are utterly fallacious. It is said that because Perth and Fremantle have three members each that it is manifestly unfair to the rest of the colony. If they will only pause to consider they will see that their argument is utterly wrong, as the Northern Division should only have three members in the Lower House, and it has six; the Central Division should only have three, and it has six; and the Eastern and South Western Divisions have five members. The argument, then, that they object to Perth and Fremantle having three members in the Upper House because they have three in the Lower, is utterly falla-

cious and will not hold water for a moment.

THE HON. H. ANSTEY: I wish to state that my sympathies are in absolute accord with the Hon. Mr. Hooley, and the more I think over the matter the more I consider him to be right. The arguments made use of by the Hon. Mr. Hackett were such as might be eminently suited to the other House, but they are not suited to the constitution of this House. My idea is that the Lower House should represent the voting power of the country, and in this respect the various districts are amply provided for; and it is for the members of that House to look after the interests of their constituents. This House originates very few Bills, and its functions are of a more judicial and restraining nature, and it seems to me that the members of this House, if they are not, ought to be outside any particular partiality for the district which returns them. They should look after the interests of the colony as a whole, while the members of the other House should look after the interests of particular districts.

THE HON. J. W. HACKETT: Are you, then, looking after the interests of Fremantle?

THE HON. H. ANSTEY: With regard to Perth and Fremantle, we must bear in mind that there are many members who will sit here for other constituencies, but whose residences are in these towns, and if any crying injustice is being done they will look into the matter and remedy it.

THE HON. J. G. H. AMHERST: I shall follow my hon. friend who has just sat down, and vote for the amendment of the Hon. Mr. Hooley. I am extremely sorry that I cannot be swayed by the admirable arguments of the Hon. Mr. Hackett.

THE HON. J. W. HACKETT: Why?

THE HON. J. G. H. AMHERST: Because I cannot follow him entirely through the arguments.

THE HON. J. W. HACKETT: Hear, hear.

THE HON. J. G. H. AMHERST: Hon. members seem to think that there is a sort of jealousy between the Port and the Capital, but if we look around even in this House we shall see very many gentlemen who represent Perth or Fremantle. There are eleven—I include myself—and

I cannot see why we should not all be glad to see both places progressing. I was at the Port the other day, and I was glad to see the works progressing there.

THE HON. J. W. HACKETT: Did you tell them you were going to disfranchise them?

THE HON. J. G. H. AMHERST: That is a matter my hon. friend may talk of later on, when he has a seat in another place.

THE HON. J. W. HACKETT: I may not, then, get in for Fremantle.

THE HON. J. G. H. AMHERST: I should think my hon. friend, with his persuasive tongue, could get in anywhere. I can only say I shall support the amendment of the Hon. Mr. Hooley.

THE HON. D. K. CONGDON: I need hardly say it is not my intention to support the Hon. Mr. Hooley's amendment. This class of legislation is quite new to me. I never heard before of legislation being based on broad acres without population. I always understood that we considered people, and not the ground only. The amendment seems to me to be a very illiberal one, and I am quite convinced that the people of Fremantle will find their way out of the difficulty.

THE COLONIAL SECRETARY (Hon. S. H. Parker): The amendment is to strike out the words "21" and insert "18." I am going to speak to the amendment only. My idea is that 21 is not too large a number for this House. I said so before, and I don't intend to repeat it, but it seems to me that the larger our number is the more important we become. Besides this, it is not for us to take exception because the Lower House gives a greater proportion of members than we are entitled to. The larger the number is, the more weight we shall have.

THE HON. E. T. HOOLEY: Perhaps not the more respectable.

THE COLONIAL SECRETARY (Hon. S. H. Parker): I do not understand.

THE HON. E. T. HOOLEY: We may not retain our respectability if the number is too large.

THE COLONIAL SECRETARY (Hon. S. H. Parker): I do not know what the hon. member refers to; does he mean to say that the three extra men, who will be returned for the Port, are not going to be respectable? He proposes himself to have 18 members, and I imagine the three

he proposes to cut off are those he considers will not be respectable. I wish to impress on hon. members that the Government think the number 21 is important, and I must therefore insist on a division, on this question.

Question—That the word proposed to be struck out stand part of the clause—put.

The committee divided.

Ayes	...	...	...	6
Noes	...	...	...	8

Majority against ... 2

AYES.	NOES.
The Hon. D. K. Congdon	The Hon. J. G. H. Amherst
The Hon. J. W. Hackett	The Hon. H. Anstey
The Hon. R. W. Hardey	The Hon. G. Glyde
The Hon. G. Randell	The Hon. E. Hamersley
The Hon. J. A. Wright	The Hon. J. F. T. Hassell
The Hon. S. H. Parker	The Hon. G. W. Leake
(Teller).	The Hon. J. Morrison
	The Hon. E. T. Hooley
	(Teller).

Question—That the word proposed to be struck out be struck out—put and passed.

Question—That the word “eighteen” be inserted in lieu thereof—put and passed.

THE HON. E. T. HOOLEY moved that the word “and,” in the fourth line, be struck out.

THE COLONIAL SECRETARY (Hon. S. H. Parker): The Government think it important, and one of the principles of the Bill, that Perth and Fremantle should be separated. I shall therefore have to call for a division on this amendment.

Question—That the word proposed to be struck out stand part of the clause—put.

The committee divided.

Ayes	...	...	...	6
Noes	...	...	...	8

Majority against ... 2

AYES.	NOES.
The Hon. D. K. Congdon	The Hon. J. G. H. Amherst
The Hon. J. W. Hackett	The Hon. H. Anstey
The Hon. R. W. Hardey	The Hon. G. Glyde
The Hon. G. Randell	The Hon. E. Hamersley
The Hon. J. A. Wright	The Hon. J. F. T. Hassell
The Hon. S. H. Parker	The Hon. G. W. Leake
(Teller).	The Hon. J. Morrison
	The Hon. E. T. Hooley
	(Teller).

Question—That the word proposed to be struck out be struck out—put and passed.

THE HON. E. T. HOOLEY moved that the words “Electoral Districts,” in the fifth line, be struck out.

Amendment put and passed.

THE HON. E. T. HOOLEY moved that the words “the West division, comprising,” in the sixth line, be struck out.

Question—That the words proposed to be struck out stand part of the clause—put.

The committee divided.

Ayes	...	...	...	6
Noes	...	...	...	8

Majority against ... 2

AYES.	NOES.
The Hon. D. K. Congdon	The Hon. J. G. H. Amherst
The Hon. J. W. Hackett	The Hon. H. Anstey
The Hon. R. W. Hardey	The Hon. G. Glyde
The Hon. G. Randell	The Hon. E. Hamersley
The Hon. J. A. Wright	The Hon. J. F. T. Hassell
The Hon. S. H. Parker	The Hon. G. W. Leake
(Teller).	The Hon. J. Morrison
	The Hon. E. T. Hooley
	(Teller).

Question—That the words proposed to be struck out be struck out—put and passed.

Clause, as amended, agreed to.

The hour of half-past six having arrived, the Chairman left the chair.

At half-past seven o'clock the Chairman resumed the chair.

Clause 6.—Qualification of Members for Legislative Council:

THE HON. E. T. HOOLEY: I move to strike out the words “twelve months” and insert “three years.” My reason for this is that it is impossible for strangers coming here to know the requirements of a colony like this in twelve months. I remember, years ago, a gentleman coming to this colony from South Australia, at considerable expense, and after travelling about for some time he said he was going to show the people here how to do things. He took up land, put sheep on it, and fenced it; but at the end of two years he had lost everything and was penniless. This shows that we should not allow people to come here, who know nothing about the country and its requirements, and commence legislating for it at once.

THE HON. J. G. H. AMHERST: I have much pleasure in supporting this amendment, for a man who has only been here for twelve months can know very little about the place. Perhaps two years would be quite sufficient time to be here,

and I should be inclined to suggest that period as a compromise.

THE HON. G. RANDELL: I shall oppose the amendment of the hon. member. It strikes me from the way some hon. members are looking at the Bill that they are taking an altogether wrong view of it. If this amendment be carried, we shall be taking out of the hands of the electors, to a great extent, the choice of a representative. I quite agree that a man who takes upon himself the office of a legislator should have some experience of the colony; but I think to fix a three years residence is taking too Conservative a view. My whole public career has been what may be called a Conservative one; but at the same time my sympathies are with the people of the colony, and I think they should not be deprived of the privileges they have the full right to enjoy. I cannot conceive that any intelligent man, who takes an interest in our affairs, requires three years residence before being fitted to form an opinion as to the politics of the country. My principal objection to the amendment is that it takes away, to a great extent, the duty which is cast upon the electors of selecting a representative. In my opinion, if they think a man is fitted, no one else has the right to quarrel with them on the subject. If the electors choose a man he must have indicated his fitness in some way or other, and we may safely leave the choice with them. As, however, there is no other qualification, perhaps 12 months is too short a term, and I shall move, if this amendment be not agreed to, that the period be fixed at two years.

THE HON. J. W. HACKETT: I am one of those who wish the widest sphere as to the choice of a member being left to the electors. I believe, in the first instance, that if we give a wide range of choice to the electors, we shall have more different opinions represented, and, in the next place, it will strengthen this House. The more we can say this House is open to anyone in the colony, the more shall we give a popular air to it, and make its deliberations and decisions of value to the country. This two or three years residence qualification is unknown in the Australian colonies, with one exception. I am disappointed to find that members, in addressing themselves to constitutional

questions of this kind, do not refer more than they do to the experiences of our neighbours, which form the most valuable description of knowledge upon the subject. The only time qualification is that possessed by South Australia, and that colony has the most Radical Upper House in Australia. If the object of my eight hon. friends is to forbid conservatism taking root, it seems to me their proper course is to surround the electors' choice of selection with a number of qualifications. I shall support twelve months, but if we cannot get that I shall then vote for two years.

THE COLONIAL SECRETARY (Hon. S. H. Parker): This clause does not provide that a man who has been here twelve months shall be elected; it only makes it competent for the electors to elect him after that time. Besides this, he must be thirty years of age, and not subject to any of the incapacities mentioned in the principal Act of 1889. It is quite true, as the Hon. Mr. Hooley says, that no man can learn everything about the colony in twelve months, but even that, to a great extent, depends upon his intelligence and his source and means of obtaining knowledge. We know that some men remain here for twenty years, and know very little about the colony, while some, who have only been here twelve months, know a great deal. The object of not making the period more than twelve months is that we shall not hamper the electors in their choice. We must bear in mind that a great number of people are coming to the colony, and I ask, is it desirable to exclude them from taking part in our affairs, for three years? I cannot but think that it would be a good thing if some of those who are coming here were to take part in our politics, for it might be the means of inducing others to follow, and thus not only increase our population and wealth, but add to that respectability which my hon. friend Mr. Hooley so much desires. I trust hon. members will pause before altering the clause.

Question—That the words proposed to be struck out stand part of the question—put.

The committee divided.

Ayes	...	...	...	4
Noes	...	...	...	10
Majority against				6

AYES.
The Hon. D. K. Congdon
The Hon. J. W. Hackett
The Hon. G. Randell
The Hon. S. H. Parker
(Teller).

NOES.
The Hon. J. G. H. Amherst
The Hon. H. Anstey
The Hon. G. Glyde
The Hon. E. Hamersley
The Hon. R. W. Hardey
The Hon. J. F. T. Hassell
The Hon. G. W. Leake
The Hon. J. Morrison
The Hon. J. A. Wright
The Hon. E. T. Hooley
(Teller).

Question—That the words proposed to be struck out be struck out—put and passed.

THE HON. E. T. HOOLEY, by leave, withdrew his amendment.

THE HON. G. RANDELL moved to insert “two years” in lieu of the words struck out.

Question put and passed.

THE HON. E. HAMERSLEY moved, as an amendment, “That a man should be disqualified if he were of unsound mind, or in the receipt of relief from Government, or from any charitable institution, or has been attainted or convicted of treason or felony in any part of Her Majesty’s dominions, unless he shall have received a free pardon.”

THE HON. J. W. HACKETT: I hope the hon. member does not propose to make it apply to this House.

THE CHAIRMAN (Hon. Sir G. Shenton): I would point out to the hon. member that these words are contained in the existing Act.

THE COLONIAL SECRETARY (Hon. S. H. Parker): Section twenty-three of the principal Act provides that no person subject to any legal incapacity shall be elected, and this provision is not repealed. Among the list of incapacities will be found nearly the whole of those referred to by the hon. member. We have no provision that a man who is of unsound mind shall not be elected, and I do not know whether there is any occasion to legislate in regard to paupers. I imagine there would be very little chance of such persons being elected. With regard to persons of unsound mind, how are we going to define what the term means? Carlyle said that men were mostly fools, and we know that men are more or less insane in the opinion of their fellows, or to put it in another way, they are unsound on some subjects. The only way would be to have a commission in lunacy sitting to decide whether a candidate were insane or not. There is an Act now in force by which, under certain circum-

stances, a man may be taken before a medical gentleman, and we may take it that if any constituency is so unwise as to return a man to this House who would come within purview of that Act, it would be very easy to have him lodged in the Lunatic Asylum, so as to deprive us of his company.

Amendment, by leave, withdrawn.

THE HON. J. A. WRIGHT: I have to move that the following words be added to the end of clause: “and that he be legally or equitably seised of an estate of freehold for his own use and benefit in lands and tenements in Western Australia of the yearly value of fifty pounds sterling money or of the value of five hundred pounds sterling money above all charges and encumbrances affecting the same, or pays to the Crown a yearly rental in respect of lands of not less than one hundred pounds sterling money.” As we have no qualification for electors for this House, I think it only right that some qualification should be entailed on those who have the honour of being elected.

THE HON. E. T. HOOLEY: I have much pleasure in supporting this proposal, because I think it most desirable, in the interests of the colony, that there should be a property qualification for members of this House. Members should have some stake in the country, and the only objection to it can be from political agitators who come here to make capital out of politics.

THE COLONIAL SECRETARY (Hon. S. H. Parker): Perhaps we might test the opinion of the House on this amendment as it stands, and, if carried, we might put it in the form in which the same thing is prescribed in the present Constitution Act, or better still, we might leave unrepealed the section referring to it, instead of repealing it, as is proposed by this Bill.

THE HON. J. A. WRIGHT: I shall be glad to fall in with the suggestion.

THE COLONIAL SECRETARY (Hon. S. H. Parker): I would remind hon. members that the amendment does not propose that the candidate shall have the land for any period, but only that he shall have it at the time of election. Under these circumstances, any man might qualify. The hardship of the present law is, that a man must hold the land for twelve months prior to election. We

know full well that it has been evaded over and over again in the Lower House. Under the law the candidate makes a declaration as to the value of his land, and no other members have ever interested themselves so far as to seek the opinion of a Court, as to the value of such declaration. Then, let me ask, how is a candidate any the more fit to represent the electors by having a land qualification? If we could make it a condition that no man should be elected without exhibiting a certain amount of intelligence, I might perhaps go with it, but why a man should come and say I am qualified, because I have £500 worth of land, I cannot understand. The possession of property or land does not fit a man to debate questions that come before this House. It all depends on his intelligence, his knowledge, and the education he has received, and not whether he has land. Then, if we do carry this condition, we shall exclude very many men who are otherwise well qualified to sit in this House. There are many men at the North, for instance, who possess sheep and cattle, but no freehold; and I do not think I am very far from the mark when I say that a great many men, who nominally possess leaseholds there, do not own them themselves, they being vested in mortgage companies or banks. All these men would be entirely excluded. Is that right? Surely, the man who is a squatter, and is capable of representing his fellow-settlers, should not be debarred because he does not happen to pay the rents on the leaseholds which nominally stand in his name. I particularly commend these remarks to the Hon. Mr. Hooley and those who desire to see the country districts represented by local men. So far as those who would seek election from the towns are concerned, most of them have the property qualification, and this amendment, therefore, will only debar country settlers making their own unrestricted choice of those they wish to represent them.

THE HON. E. T. HOOLEY: After what has fallen from the Hon. the Colonial Secretary, I do not think I would be justified in supporting this amendment, for I think it would be unfair to say to those at the North, "You shall not send in any member you like, because he may not have the lease in his own name." I

should have thought a man would be still the owner of the property, even although it was not in his name.

THE HON. J. MORRISON: I shall not support the resolution of the Hon. Mr. Wright. I never could see why—if there is to be a qualification for electors—there is any need for a qualification for members. Besides that, I cannot see how a man who has £500 invested in land is more suitable to legislate than the man who has £500 invested in bank shares, or in sheep. I do not believe in manhood suffrage, and I would, therefore, put the qualification on those who elect, rather than on those who are elected.

THE HON. J. W. HACKETT: After the temperate and careful statement of the Colonial Secretary, I am sure hon. members who would have been in favour of the qualification must be now shaken in their opinions. The real difficulty in connection with it is the uncertain nature of its operation. In the first place it does not give the kind of man we want, and secondly, we cannot always be satisfied that the qualification exists. In my experience, which has been considerable in many countries, it has always been a question of whether a man has been dishonest enough to make the declaration, or honest enough to refuse to make it. Then it is clear that the land must be held in value above the encumbrances; and how many people in Australia could say they held such value to-day? I believe that many of those who are sitting under such a qualification, in another place, if they were sold up to-morrow would not have £500 value in freehold, over and above their liabilities. If I may refer to an old member of this House—one who sat here for some considerable time—I refer to the late Sir Thomas Campbell—I know he would have been excluded if this qualification had been in force. If we go to another place, we will find that an excellent country member, Mr. Harry Lefroy, was excluded for some time because he was honest enough to say that he could not make the necessary declaration. It is a singular thing to say that a man is qualified to sit as a legislator simply because he owns £500 worth of land. Surely it would be better to have a competitive examination as to a man's intelligence, and obtain testimonials from the clergy, or his record from

the police court, and judge of his fitness in this way, rather than assume a fitness because he happens to hold £500 value in freehold land, while he may have done absolutely nothing himself to possess it. The principle is an absurdity, which is dying out everywhere, although we are now attempting to perpetuate it, that there is something sacred in acres, and not in man the Almighty has made.

Amendment put and negatived.

Clause, as amended, agreed to.

Clause 7.—“Quorum, division, casting vote:”

THE HON. J. G. H. AMHERST moved that the word “one-third” be struck out, and the word “six” inserted. Seeing that the number of members has been reduced to eighteen, my amendment will make the quorum the same as provided by the Bill, but I think it better, perhaps, to state a definite number.

THE HON. J. W. HACKETT: This is exactly what is provided in the Bill, and I think it would be far better to allow the clause to stand as it is. We may have a larger number of members than 18 in the future, and it will be desirable to have one-third of the members, however many there may be, to form a quorum.

Amendment, by leave, withdrawn.

Clause agreed to.

Clause 8.—“Members to retire periodically:”

THE HON. H. ANSTEY: This clause provides that the seat of the senior member of the Council shall be vacated on the completion of two years from the date of election. I move that “three years” be substituted for “two years.” We are all agreed, I think, that it is inadvisable that the tenure of seats shall be for life. The objections to such are evident, the principal danger being that the large body of members would be rendered perfectly irresponsible. At the same time I think it necessary to make the tenure of office as long as possible, while, at the same time, renewing the blood of the House as frequently as possible. I mean that the traditions of the House should continue, and at the same time fresh blood should be imported into it, in order that members should be kept in touch with any new circumstances that might arise in the country, and at the same time they should hold their seats as long as possible, in order that they might feel themselves superior to outside

influence. If we have elections every two years, the life of a member will be six years, but that seems to me to be something like the victim in the hands of a mesmerist, who is told to look straight at some spot and divest his mind of all outside influence. Supposing we could arrest nature, so that no member would die, or so control circumstances that no member would retire, an election every two years might be ample; but we know that vacancies and deaths occur, and, therefore, I think if we substitute three years for two years, it will be no detriment to the object we have in view.

THE HON. J. F. T. HASSELL: I beg to second the amendment, and as the hon. member has given such a lucid explanation on the subject, it is hardly worth my while to debate it. I think three years are better than two, because we know that there are very few men here now who were here when the Council was first nominated.

THE COLONIAL SECRETARY (Hon. S. H. Parker): I am surprised at my two hon. friends making such a proposition as this. To my mind a proposal that a man shall hold office for nine years is the most preposterous that has ever been made to any legislature during the present century. Compared with this, the suggestion of the Hon. Mr. Morrison, that members should be elected for life, is a reasonable one. There was something bold and straight about that, but when the hon. member, under the guise of giving representation to the people, proposes that we shall be elected for nine years, it seems to me, as I say, most preposterous. It is tantamount to saying that members shall not be amenable to outside influence, which is nothing short of a parody on representation. The hon. member says he thinks hon. members should retain office as long as possible. Then why did he not propose that they should sit here for life?

THE HON. J. W. HACKETT: And with the right to nominate their successors.

THE COLONIAL SECRETARY (Hon. S. H. Parker): His object is that they should be beyond outside influence.

THE HON. H. ANSTEY: Hear, hear.

THE COLONIAL SECRETARY (Hon. S. H. Parker): The hon. member actually applauds the sentiments that they should be superior to all influence—superior to

the influence of those that sent them there. Why should this House be different to other Houses? We are sent here to represent the people and to represent certain property—not our own views and ideas. The hon. member would have us vote as we think proper, in our own interests, irrespective of the views and interests of those who sent us here. Such a proposition is the most preposterous I have ever heard put forward in any free and independent legislature.

THE HON. J. W. HACKETT: I was under the impression my hon. friend was joking, and only put forward this proposition to raise a laugh. For my part I begin to think there was more in the proposition of the Hon. Mr. Hamersley than appeared at first sight, when he wished to insert a clause that no person of unsound mind should be here. Really I think we are going stark, staring mad. We have been spending the best part of our time in trying to prevent people from coming into the House, and now we are trying to keep them here until they become of unsound mind, attainted, or removed by death. How many of us expect to see nine years out under the present state of things. This House is only two and a half years old, and during that time three members have died, and others have resigned in such numbers that if we were only to go on at the same rate for five years, the whole number would disappear. In other words, death and resignation would come in to do what the Constitution should do. Then where did the hon. member find his precedent? Such a thing is unknown, as far as I am aware, but that has evidently no weight with the hon. member. He is above all such considerations as these, and above the electors. He would deal with them by saying to them, "Now you have elected me, get thee behind me." In Victoria they had a ten years tenure, and if my hon. friend had had the advantage of living there, he would know the storm that raged over it. The members under it considered they had no concern as to what the people thought, and they felt themselves impregnable, in their position, to do as they pleased. The hon. member thinks it a grand thing to be clear of outside influence. If that were my position, I know I should become selfish, apathetic, and careless of the interests of my constituents,

and it is very possible that I should do nothing but indulge in my own prejudices, and think I was a very valuable thing in my own hands. As no one could call me to account for nine years, I think I might also make my position in this House very useful to me. Then, what pressure could be brought on members to attend to their duties? There are about 500 members in the House of Lords, and the average attendance is about 30 or 40 members. I lived a considerable time in New South Wales, where the members of the Upper House are nominated for life, and the scattering of members on the benches was always very scanty; and the reason for this is that there is no one to call them to account. They do as they like, and what they do do is usually not for the benefit of the country. Six years is a long term. If I stood for a seat, and was elected for nine years, I should pledge myself to resign in six years, in order that I might obtain a fresh mandate from my electors. In nine years our constituencies may have wholly changed, and I think, therefore, that six years is as long a period as anyone with a reasonable and constitutional mind can desire.

THE HON. J. MORRISON: Because two hon. members have the gift of speaking well, it is no reason why this pitiful tone should be used by one hon. member to another. The Hon. Mr. Hackett is full of pity and sympathy and rudeness. I think I hear some hon. member say: if the Hon. Mr. Hackett does not believe in Mr. Anstey's motion, he should say why, and vote against it, and not state that the hon. member is lighter headed than anyone else. Frequently I am the butt of the Hon. Mr. Hackett's extra knowledge, but I take it at its proper value. I shall support the Hon. Mr. Anstey, in spite of what the Colonial Secretary and Mr. Hackett say. It seems to me the right thing that a good member should be allowed to remain nine years.

THE HON. G. RANDELL: And the bad member too?

THE HON. J. MORRISON: Even with the bad member it would make the constituency more careful as to its appointment in the future.

THE HON. J. W. HACKETT: But they could not get at him for nine years.

THE HON. J. MORRISON: Anyhow, I shall support the amendment, because I am quite in favour of the Upper House being nominated or elected for life, and this is evidently the nearest we can come to my view.

THE HON. J. W. HACKETT: Let us have pensions and salaries attached to the position.

THE HON. J. G. H. AMHERST: We all desire to go slow, and therefore why should we go by twos and not by threes. There is luck in odd numbers, and three times three are nine.

THE HON. J. A. WRIGHT: Nonsense.

THE HON. J. G. H. AMHERST: We may be fools, but we can all say three times three are nine. As I understand it, the amendment means that a man is to come into the House for three years, and if he does his duty he may be re-elected, and then he may sit for nine years.

THE HON. D. K. CONGDON: It is my intention to vote for the clause as it stands, because I think six years quite long enough a term for a member to be in this House without going before his constituents.

Question—That the word proposed to be struck out stand part of the clause—put.

The committee divided.

Ayes ...	...	...	6
Noes ...	...	...	8

Majority against 2

AYES.	NOES.
The Hon. D. K. Congdon	The Hon. J. G. H. Amherst
The Hon. J. W. Hackett	The Hon. G. Glyde
The Hon. R. W. Hardey	The Hon. E. Hamersley
The Hon. G. Randell	The Hon. J. F. T. Hassell
The Hon. J. A. Wright	The Hon. E. T. Hooley
The Hon. S. H. Parker	The Hon. G. W. Leake
(Teller).	The Hon. J. Morrison
	The Hon. H. Anstey
	(Teller).

Question—That the word proposed to be struck out be struck out—put and passed.

Question—That the word “three” be inserted in lieu thereof—put and passed.

THE HON. H. ANSTEY moved, as an amendment, that the word “two,” in the fourth line of the first sub-clause, be struck out, and that the word “three” be inserted in lieu thereof.

Question—That the word proposed to be struck out stand part of the clause—put.

The committee divided.

Ayes ...	...	...	6
Noes ...	...	...	8

Majority against 2

AYES.	NOES.
The Hon. D. K. Congdon	The Hon. J. G. H. Amherst
The Hon. J. W. Hackett	The Hon. G. Glyde
The Hon. R. W. Hardey	The Hon. E. Hamersley
The Hon. G. Randell	The Hon. J. F. T. Hassell
The Hon. J. A. Wright	The Hon. E. T. Hooley
The Hon. S. H. Parker	The Hon. G. W. Leake
(Teller).	The Hon. J. Morrison
	The Hon. H. Anstey
	(Teller).

Question—That the word proposed to be struck out be struck out—put and passed.

Question—That the word “three” be inserted in lieu thereof—put and passed.

THE HON. E. T. HOOLEY moved, as an amendment, that the following words be added to the end of the fourth sub-clause: “Provided that no such election take place during the session of Parliament, unless such vacancy be caused by the death or resignation of a member.” It seems to me that without a clause of this nature, considerable confusion may arise, for an election may come on during a session of Parliament, and a member may be sitting after he has been rejected at the poll.

THE HON. J. W. HACKETT: The hon. member means, does he, that the term of office of a member is to be continued until the end of the session?

THE HON. E. T. HOOLEY: That is my intention.

THE HON. J. W. HACKETT: Then I will point out that the words of this amendment will not give the effect desired. Besides this, if effect were given to the hon. member's intention, it would conflict with the arrangements for the periodical renewal of seats. In any event the hon. member will have to recast his amendment.

THE HON. E. T. HOOLEY: I will withdraw the amendment for the present.

Amendment, by leave, withdrawn.

Clause, as amended, agreed to.

Clauses 9, 10, 11 agreed to.

Clause 12.—Qualification of electors:

THE HON. J. MORRISON: I move to strike out the word “man,” in the first line of the clause, and insert the word “person.” Person, I take it, will include woman as well as man. In municipal

elections ladies have for some years been allowed to vote, and I ask if they have ever been known to abuse their power or do anything to cause annoyance? If a woman can vote at municipal elections, why should she not have a vote for Parliamentary elections? If my amendment is agreed to, ladies who have property and who are otherwise qualified, will be allowed to vote. I know some think that women have no right to take any public position, or do anything beyond looking after their own houses; but I have found that those who are able to look after their own houses best know most of what is going on outside. Those who take an interest in their houses also take an interest in public matters. We have in Her Majesty—a woman—the head of Parliament and society; and, surely, if Parliament is elected to advise her, it is unreasonable to say that those of her own sex should not take part in advising her as well as men. From the time the Princess of Wales arrived in England, we find the good that has been done by women has increased by leaps and bounds. Women have distinguished themselves in many spheres. Take the Press. What writer has done more justice to the colonies than Miss Shaw, who was thought good enough by the *Times* to report on this portion of Her Majesty's dominions. This in itself shows that the female sex are well qualified, on the score of intelligence, to exercise a vote. They have shown that they are not behind men at the universities. In America they have studied law, and are practising it, and in England and Scotland they are practising medicine. Take the home of a working man; who is it that has to put up with the bad times, occasioned by the unions or strikes, but the mother of the family? She does all the work, while the husband loafs. If we look round the world, we shall see that women generally are taking more interest in public matters than they used to. A few years ago it was an unheard of thing for women to travel alone; now they go round the world alone, with perfect safety, and why they cannot be trusted with a vote I fail to see. Since this session was opened I have seen a telegram stating that in New Zealand the suffrage had been extended to the women, including the Maoris. It may be said, if we pass

this amendment, we should be giving something that does not prevail elsewhere, but, if it is right, I cannot see why we cannot strike out a course for ourselves, and pursue it. Judging from what has occurred in another place on this subject, I am sure that if we agree to this amendment there will be no difficulty in its becoming law, and if it does I feel certain that it will not deteriorate the stamp of electors that will be returned to this House.

THE HON. H. ANSTEY: I have much pleasure in supporting the amendment, for the reason that women as a rule are to be found on the side of law and order; and, secondly, I think the amendment should be adopted as a matter of simple justice.

THE COLONIAL SECRETARY (Hon. S. H. Parker): I only intend to say a few words on this subject, for it seems to me that the objections to my hon. friend's amendment may be summed up in a few words. In the first place, they do not want it. As a rule when anyone wants anything he or she asks for it, and this has never been asked for. The question has never been debated at any election; no member has been returned pledged to support women's suffrage. If they had wanted it, should we not have been flooded with petitions in favour of it? Not a single one, however, has been presented by the women of the country.

THE HON. J. MORRISON: They know it is safe.

THE COLONIAL SECRETARY (Hon. S. H. Parker): Then let me ask, is my hon. friend prepared to follow his views to their logical conclusion and allow women to sit? Can he, logically, give them a vote and tell them they are just as well qualified as men to elect representatives, and restrict them to the election of males? Would the hon. gentleman debar them from sitting?

THE HON. J. MORRISON: I have no reason against it.

THE COLONIAL SECRETARY (Hon. S. H. Parker): Then why did he not move to strike out the word "man," and insert the word "person" in the previous clause. As the hon. member proposes that we should sit here for a considerable portion of our lives, it might be just as well that we should have some lady members, so that we could beguile a portion of

our time away—in fact we might each have our charmers with us. I may tell my hon. friend that if he allows women to have a vote they will never be satisfied to allow one man to represent them for nine years. They will want a change, long before that time expires. But does my hon. friend think it prudent, at the present time, seeing that the women have not asked for it, to make this change? Hon. members will see that I have expressed no view on the question of whether women shall vote or not. For my part I am desirous of seeing women have all the rights they ought to have, and it was on this account that I, year after year, in the old Council, urged the passing of a Married Women's Property Act, and was unable to succeed with it, until only very recently. I hope, however, at the present time the hon. member will withdraw his amendment.

THE HON. J. G. H. AMHERST: It has often fallen to my lot to return thanks for the ladies, and it is now my duty to return thanks to the Hon. the Colonial Secretary for the able speech he has made. If the ladies had any desire on this subject, I think we should have had them here to listen to this debate. After listening, however, to the admirable speech of the leader of the House, I shall vote against the amendment.

THE HON. G. RANDELL: Having on more than one occasion referred to this matter, and expressed an opinion that it is desirable women should have the right to vote, I do not wish to give a silent vote. The Colonial Secretary has laid great stress on whether the time is opportune, and really that seems to me to be the only question we have now to decide. I must confess that there are difficulties, and I can see that it would be almost impossible at the present time to provide machinery for carrying out the objects of the hon. member. At the same time, it is only an act of justice to give women votes as well as men. It has been said that women have not asked to have them, but I do not think there is much force in that, because women in the zenanas of India might have desired to have the freedom of their sex in England long ago, but they never thought of it until the advent of English women. I remember reading some years ago a serious complaint made

by a well-known writer to the effect that women would never have justice done to them in the legislature, until they had a voice in the selection of representatives. I would remind the Hon. the Colonial Secretary that recently women have been doing a great deal of good in all parts of the world. I would ask him if he has read their speeches, and their practical application to the questions of the day? I have heard ladies express themselves on subjects connected with the legislature, and with social and economical and political questions, in such a way that any man might be proud of, and many of them have been quite as able to give an unbiassed opinion as any man. To give them votes would, I am sure, give us a more influential body of electors. The Hon. Mr. Morrison has referred to that illustrious person who occupies the throne of England, and who, even on political questions, is able to give the best of advice to Her Ministers. We have already provided that the successor to the throne, although she may be a lady, shall not be debarred from holding the highest position in the land, and if a woman is fit to be Queen, surely she is also fit to become a voter. Having said this, I do not know that it follows logically that we must immediately introduce a change. We must go a step at a time, and now that the minds of a large number of women have been drawn to the subject, by what has occurred in both Houses, they will henceforth take more interest in the matter, and let us know their opinions. The question now is, is the time opportune; and to my mind there seems to me a difficulty in providing machinery to give effect to it. I would remind hon. members that property is the fundamental principle underlying the voting for Municipalities, but it is not so in connection with the Legislature.

THE HON. J. W. HACKETT: If I were disposed to jest on this serious question I might say that two classes would vote against women's suffrage, those who know them too well, and those who do not know them at all. I am in the latter class, and it may therefore be supposed that I am not sufficiently well acquainted with the subject to make my opinion of much value. In theory, I am in favour of granting women votes. The arguments are so many and numerous, and the answers so few and hard to find,

that I have long been a supporter of women's suffrage. It seems to me that the line we have to take is that indicated by the Hon. Mr. Randell. We have to say whether the right time has come, not only to give women votes, but also for this House to express itself on the subject in an affirmative sense. The issues of this question may run very much beyond what we see at present. This may be only the first step to opening the door into the Legislature to the female sex. If women are entitled to vote, it seems to me they are also entitled to a seat. Then, again, I do not think this House ought to take the initiative. I have often heard it said that it is the duty of this House to check hasty legislation; that the members should act in a judicial capacity, and that in no sense should they attempt to force forward legislation of a premature character. Is it wise, then, for us to divest ourselves of our proper character? It seems to me that the time for us to consider the matter is after that body which is supposed to represent more truly the wishes of the people has sent the subject to us in the form of a Bill. While quite in favour of the principle, yet, on this occasion, I must vote against the amendment.

THE HON. J. MORRISON: The Hon. the Colonial Secretary has spoken very cautiously on this subject, and his chief reason for opposing this amendment, at the present time, is that nothing has been asked for. Are we going to legislate only for what is asked for? But I say there is one reason why now is the proper time. We are bringing in a new Electoral Bill, and we might as well provide the machinery in it for women to vote as well as men, instead of later on having a second Bill.

Question—That the word proposed to be struck out stand part of the clause—put and passed.

THE COLONIAL SECRETARY (Hon. S. H. Parker) moved that progress be reported, and leave asked to sit again.

Question put and passed.

ADJOURNMENT.

The Council, at 9:45 o'clock p.m., adjourned until Thursday, 31st August, at 4:30 o'clock p.m.

Legislative Assembly,

Wednesday, 30th August, 1893.

Establishment of Experimental Farm—Medical Grant to Mr. Wilkins—Timber stacked on Fremantle Jetty—Wines, Beer, and Spirit Sale Act Amendment Bill: adjourned debate—Message from His Excellency the Governor: Loan Bill, 1893—Messages from the Legislative Council: Concurrence in Bill—Real Estates Administration Bill: first reading—Messages from Legislative Council: Inspection of Steam Boilers; Concurrence in Amendment upon Amendment in Stock Tax Bill; Not insisting upon Amendment in Post and Telegraph Bill—Fremantle Gas and Coke Company's Act, 1886, Amendment (Private) Bill: in committee—Municipal Institutions Bill: second reading—Width of Roads crossed by Railways: in committee—Estimates 1893-4: in Committee of Supply—Fremantle Water Supply Bill: first reading—Adjournment.

THE SPEAKER took the chair at 4:30 p.m.

PRAYERS.

ESTABLISHMENT OF EXPERIMENTAL FARM.

MR. THROSSELL, in accordance with notice, asked the Commissioner of Crown Lands whether it was the intention of the Government to make provision for the establishment of an Experimental Farm, in accordance with motion approved last session of Parliament.

THE COMMISSIONER OF CROWN LANDS (Hon. W. E. Marmion) replied: The Government are not in a position to do anything in this matter at present.

MEDICAL GRANT TO MR. WILKINS.

MR. TRAYLEN, in accordance with notice, asked the Premier whether the Government could give to Mr. Wilkins, as an honorarium, the sum placed upon the Estimates for 1892 and 1893 for a medical officer at the Greenough, Mr. Wilkins having performed the duties of such an officer during the past two years.

THE PREMIER (Hon. Sir J. Forrest) replied: The Government have no funds available, except the salary for a duly qualified practitioner. I fear it is impossible to meet the hon. member's wishes.

TIMBER STACKED ON FREMANTLE JETTY.

MR. PEARSE, in accordance with notice, asked the Director of Public Works if his attention had been called to a large quantity of timber stacked on the Fremantle Sea Jetty, causing great in-