Mr. TAYLOR: On this question——

The CHAIRMAN: There was no necessity for farther explanation. Those who were interested in the compact had dealt with it, and it need go no farther.

The TREASURER: In deference to the wishes of members opposite, who desired to discuss the principle of a graduated income tax, he moved—

That progress be reported and leave asked to sit again.

Progress reported, and leave given to sit again.

ADJOURNMENT.

The House adjourned at 10.31 o'clock, until the next day.

Legislative Assembly,

Thursday, 28th November, 1907.

The SPEAKER took the Chair at 4.30 o'clock p.m.

Prayers.

APPROPRIATION MESSAGE.

Message from the Lieutenant Governor received and read, recommending an appropriation for the purposes of the District Fire Brigades Bill.

PAPERS PRESENTED.

By *the Treasurer*: Report of Aborigines Department for 1907.

By *the Premier*: By-laws of the Municipality of Fremantle.

By *the Minister for Works*: By-laws of the Williams Roads Board.

QUESTION — PUBLIC SERVICE CLASSIFICATION, PROFESSIONAL.

Mr. DRAPER asked the Premier: 1, Does the Government intend to accept the professional classification of the Public Service Commissioner without considering the question of amending the Public Service Act, 1904? 2, If so, is it the intention of the Government to permit the Commissioner to sit as a member of the Appeal Board? 3, Can the Government obtain an explanation from the Commissioner why in his table of grades and salaries for professional men he classifies them after 13, 14, 15, and 16 years' service at a smaller salary per annum than non-profesional men of a like period of service? 4, If the Government are able to obtain the explanation, what is it?

The PREMIER replied: 1, Yes, with certain reservations. 2, There is no alternative under the Act. 3, Yes. 4, The Commissioner states that the basis of classification under the Public Service Act is neither the age nor the number of years of service of the officer who for the time being may occupy a position. The salary proposed by the Commissioner for each position is, he believes, a fair and reasonable remuneration for the actual services required to be rendered to the State, and due regard has been given to the salaries paid for similar services elsewhere, the salaries paid by private employers; and present population of the State. If an officer possesses information which he has reason to believe the Commissioner has not taken into consideration, the proposal of the Commissioner is, at the instance of the officer, subject to review by the Appeal Board, composed of the Commissioner as Chairman, a member appointed by the Governor, and a member elected by the Division of the Public Service in which an officer is placed.

QUESTION—MINING LEASE FORFEITURE, COMPENSATION.

Irregularity of Notice.

Mr. T. L. BROWN (having given notice of a question) said: The question appears in a mutilated form on the Notice Paper.

Mr. SPEAKER: I may say, for the member's information, that a motion is on the Notice Paper on page 126.

Mr. T. L. BROWN: But the remainder of the question is also mutilated. I will read the notice as I gave it: "Why were the promises of the Minister for Mines not kept?" And it reads on the Notice Paper: "Why was the promise, understood to have been made by the Minister for Mines, not kept, namely that no action would be taken except with the concurrence of the House?" The Minister had made a definite promise, but according to this notice he was "understood" to have made that promise.

Mr. Walker: Who is responsible for that?

Mr. SPEAKER: I understand that the question in the form in which it was given was not altogether in order, according to the rules of the House. The hon. member will attain his object in the manner in which the question has been drawn, and it complies with the Standing Orders.

Mr. BATH: I should imagine that in the question submitted, there was really nothing in contravention of the Standing Orders. The only point is, if the Minister for Mines himself was of opinion that no promise was given, in replying to the question he could have said so.

The Minister for Mines: I know nothing whatever about it.

Mr. BATH: I do not accuse the Minister of deleting anything from the question, but I do not see in what way the notice was contrary to the Standing Orders.

Mr. WALKER: I would like to ask was the alteration made under your direction, Mr. Speaker, and was there any communication made to the member affected.

Mr. SPEAKER: In regard to the first question, I may say, certainly not by my direction, because I have the utmost confidence in both the officials, and I may say members generally have. The notice was put in form to comply with the rules of the House, and it was done by one of the officers.

Mr. WALKER: Did the officer communicate with the member?

Mr. SPEAKER: No; but perhaps it would be as well in the future to indicate to a member any change in a notice given. Will the member ask the question?

Question.

Mr. T. L. BROWN: I hardly like to ask the question in the form in which it appears. I would rather give fresh notice. [After a pause]: I will put to the Attorney General the question as it stands in my name: 1. Why was the compensation in the Empress of Coolgardie case paid to Brown and Quinlan and not to Mrs. I. Nathan, the registered proprietress in the application for the said lease? 2. Why was the promise, understood to have been made by the Minister for Mines, not kept, viz., that no action would be taken except with the concurrence of the House?

The ATTORNEY GENERAL replied: 1. Mr. Brown was compensated because he was the only person recognised by the Select Committee of the House as being a party whose rights had been in any way affected by the action taken in regard to the Empress of Coolgardie forfeiture case. No other person was paid any other compensation whatever. 2. The compensation paid to Mr. Brown was made in compliance with an undertaking given by Mr. Rason, when Premier, to the hon. member for Yilgarn.

QUESTION—WHARFAGE CHARGES.

Mr. STONE asked the Minister for Railways: 1, What did the wharfage charges collected at the various ports of this State amount to for the twelve months ended 10th November, 1907? 2, To what department is the wharfage money credited? 3, If credited to the

Railway Department, are the cost of maintenance of wharves and jetties, interest, and working expenses charged to the Railway Department ?

The MINISTER FOR RAILWAYS replied : 1, For the twelve months ended 31st October, 1907, the wharfage charges collected at ports controlled by the Railway Department were :—Albany, £5,528 17s. ; Bunbury, £10,065 13s. 6d. ; Busselton ; Geraldton, £6,634 19s. 8d. ; Cossack, £832 11s. 3d.; total, £23,062 1s. 5d. 2, The Railway Department. 3, Yes. I may add that I have only given the reply as far as the Railway Department is concerned, but I understand that will satisfy the member.

BILL—ELECTORAL.

Select Committee's Report.

The Attorney General brought up the report of the Select Committee on Clause 90 of the Electoral Bill.

Report received and read.

HOUSE RECORDS MUTILATED.

Mr. SPEAKER : Before calling on the Orders of the Day, I wish to intimate, and I feel sure it will be sufficient to prevent a recurrence of what has taken place, that frequent complaints have been made of the mutilation of the record papers. As members are aware, the records are for the use of all members, not for individuals ; therefore I am sure this announcement will be sufficient to prevent a repetition of the practice. If any member desiring a copy of a newspaper or any similar publication will be good enough to communicate with the Clerks, they will undertake to obtain it for him, if possible, without mutilating the records.

BILL—LAND TAX ASSESSMENT.

Machinery Measure, Report Stage.

The TREASURER (Hon. Frank Wilson) moved—

That the report of Committee be adopted.

He explained, in reply to remarks by the member for Boulder (Mr. Collier), that advice had been obtained as to educational institutions, to the effect that there was no need to amend the Bill. The institutions referred to, such as the Guildford Grammar School, came within the provisions of the Bill as passed by the Committee.

Question passed, the report adopted.

BILL—LAND AND INCOME TAX.

Bill to impose a Tax—In Committee.

Resumed from the previous day ; *Mr. Daglish* in the Chair, *the Treasurer* in charge of the Bill.

Clause 2—Grant of land tax and income tax :

Mr. Bath had moved an amendment to strike out paragraph (*b.*) and insert the following :—

"The rates of the duties of income tax which shall, pursuant to the Income Tax Acts, be charged, levied, collected, and paid for the use of His Majesty in aid of the consolidated revenue for the year ending thirty-first day of December, one thousand nine hundred and eight, are hereby declared to be as follows, that is to say :—

On Personal Exertion.

(*a.*) On all incomes derived by any person (not being a company) from personal exertion—

For every pound sterling of the taxable amount thereof up to Five hundred pounds, Threepence ;

For every pound sterling of the taxable amount thereof over Five hundred pounds, Fourpence."

Graduated Tax, Discussion resumed.

Mr. BATH : Last night, in opposing the graduated income tax, the Treasurer said it was omitted from the Bill because the Government had followed the example of New South Wales, which had an all-round tax of sixpence in the pound.

The Treasurer had said we had followed New South Wales, but did not

mention that as a reason for the system adopted.

Mr. BATH was not accusing the Treasurer of having any reason for his action.

The Treasurer had given his reasons, which had been considered by Cabinet.

Mr. BATH: The consideration must have been very scanty. Austria had recently amended her income tax legislation to provide for graduation; and according to the London *Times* the Austrian Premier pointed out that he was not only following the example of other Continental countries, Great Britain, and British colonies, but that he was not guided by reasons of expediency or by a mere desire to raise revenue. He had a sociological motive—to make the tax apply as far as possible equally to the surplus income remaining after the expenditure necessary for the livelihood of the taxpayer and his family. This, which might be termed the popular system because of its general adoption, should be adopted in this Bill, more especially as it would admirably suit the Treasurer by raising more revenue. The Minister's dictum against this graduation proposal would be fatal; but a short experience of the incidence of the tax would convince Ministers of the necessity for graduation in the future.

The TREASURER: Cabinet had given due consideration to the form of tax, both to the graduated tax and to the simple or uniform tax adopted which obtained in New South Wales. The fact that it obtained in New South Wales was not the only reason for its adoption, though it was a valid reason, the system having proved to be equitable in that State. Moreover, our Bill was founded largely on the New South Wales Act, and it was therefore reasonable to adopt the New South Wales system; quite as reasonable as to adopt the graduated scale of the hon. member, which was copied from the Victorian Act. The amendment was moved to give members an opportunity of voicing their opinions on the graduated system. If the amendment as it now appeared on the Notice Paper were passed it would be obviously unfair, as it would tax personal exertion only; but that was not the intention, the only desire being to secure an expression of opinion. Two principles were involved in the amendment: the first, differentiation; the second, graduation. The first sought to distinguish between incomes derived from personal exertion—labour of hand or brain—and incomes derived from property, whether the property represented accumulations from personal exertion or represented legacies. The subject could be debated at great length, and with perhaps much reason on both sides. Some political economists favoured the graduated scale, and others the simple or uniform proposal such as the Bill provided. He was opposed to differentiation, on the ground that income derived from property, though not the accumulation of personal exertion, as it often was, should not be liable to an extra impost.

Mr. Walker: In few instances was the property obtained by personal exertion.

The TREASURER: In many instances, especially in new countries. In this State the great majority of people deriving incomes from property had accumulated by personal exertion the money invested in that property. They have saved money instead of spending the whole of their incomes on luxuries; therefore the accumulations were the outcome of personal exertion in the first instance, though they might ultimately be greatly increased by accumulated profits, not the direct result of the owner's personal exertions. To put an extra tax on such incomes was unfair. Moreover, the amendment would be a tax on thrift, which we ought to encourage. People's savings were invested in property, and the differential scale of the hon. member would put an extra tax on the thrift of the people. On the other hand, if the property were a legacy, and the legatee had done nothing to earn the legacy, he was nevertheless heavily taxed by probate duties ranging from one per cent. on a graduated scale to 10 per cent. These duties were equivalent to an income tax on the property. In England, Sir Henry Primrose calculated that if a special additional income tax had been levied on the incomes of estates which were liable to estate duty, with the object of raising in each year the average amount of reve-

nue which had been annually received from the duty during the 10 years 1896 to 1905, and that income tax had been graduated as the estate duties were, the tax so imposed would have ranged from 6d. in the pound for estates yielding an income of £40 to £400, to 1s. in the pound for estates yielding an income of £4,000 to £6,000 a year, and 1s. 3¾d. on estates which yielded an income of £40,000 and upwards a year. If the probate duties were transformed into income tax these were the rates they represented. A rough calculation made with regard to our own probate duties, the figures being based on a 30-years life, showed the equivalent income tax rates on varying estates bequeathed: Estate £1,000, income tax 2d. in the pound; estate £2,000, income tax 3d. in the pound; estate £4,000, income tax 4d. in the pound; estate £10,000, income tax 6d. in the pound; estate £40,000, income tax 10d. in the pound; estate £100,000, income tax 11d. in the pound. So we already collected income tax on these estates by means of probate duty. In regard to graduations we all knew the old argument that those who could pay ought to pay and should be made to pay. That was all very well so far as it went; but it might have an unfair incidence. If we increased the income tax because a man happened to have a greater earning power than his neighbour, then we imposed a tax on skill or application as the case might be, which was not a reasonable attitude to take up. The proposal really amounted to a suggestion that the standard of living should be alike for all; but the standard of living could not be applied to all. The miner on the goldfields at £200 a year was better off than the civil servant on the coast because of the different standards of living. The civil servant had to keep up an appearance, had to clothe himself differently, and had perhaps to associate in more expensive circles than would be the case with the miner on the fields. There might be men getting £300 or £400 a year actually worse off; their incomes might not be nearly so commensurate with their needs as with the miner at £200 a year. As a man's income grew his necessities grew. One could not admit the principle that the standard of living should be the same for the whole of the State. As years went on and we got greater wisdom, perhaps it might be found necessary to alter the system of taxation; but at present he maintained it was a fair system. It was based on that of New South Wales. Mr. Coghlan, the New South Wales Statistician, when giving evidence before a Parliamentary committee as to the advisability of introducing differentiation in British taxation, said he was opposed to it; he had studied the question and did not agree with it.

Mr. WALKER: The Treasurer led us to understand there was something in favour of differentiation, but argued against graduation, and that a graduated tax was a tax on thrift. The hon. gentleman also maintained that the bulk of profits arising from property resulted from thrift. The hon. gentleman could scarcely have studied political economy carefully. The view of the eighteenth century that capital was the result of saving, thrift, self-denial, and economy had been completely exploded. The man who earned wages, who had to live on them, and was in employment, had no chance of getting that accumulated capital from self-denial, or what we generally called thrift, to enable him to obtain profits, earnings and income from property.

The Treasurer: Did not the hon. member know many who did?

Mr. WALKER: There were many people who had bettered their lot and become property holders by virtue of small speculations in the early stages of the State's development; but that was not the result of thrift or self-denial; it was the result of the unearned increment. He knew no man who from industry as an employee had been able to accumulate enough to get any profit from property. There were people in this State who got land in the early days, and the land had since gone up in value through the advent of population. By judicious speculation those people had accumulated large fortunes; but their income was not resulting from thrift or self-denial; it was due to the progress of the State. They were benefited by the whole of the community, and now it was only fair for the

whole of the community to say. "We have conferred this wealth on you and it is your duty now to make a proportionate return to the community."

The Treasurer : The hon. member was taking one class only.

Mr. WALKER: If a man earned £300 a year for the whole of his lifetime and could save £100 a year ; how much could he accumulate for the term of his natural life ? That man would be comparatively poor at the end of his days unless he put the money out to speculation and some of the lucky results of speculation came his way. However, whether a man obtained his money as the result of thrift or speculation, the test should be what he could bear in the way of taxation ; and the man able to pay twice as much as another should pay twice the amount of the tax. The principle sought to be laid down by the Leader of the Opposition was that followed in England. Even probate duties were so graduated in England as to bring in an enormous revenue.

The Treasurer : That was on the transfer of estates.

Mr. WALKER : But the principle was that more was taken from the larger estates ; and we had the illustration in the most progressive countries in the world of the same principle being applied to land taxation. The Treasurer said that in the matter of probate duties there was a sum of money paid over without having been earned, and therefore it was best to have a graduated duty upon it.

Mr. Hudson : The wife and children of a testator might have assisted to earn it.

Mr. WALKER: How were those beneficiaries who had not earned the money to be taxed? The deduction of a certain sum as probate duties did not constitute a tax, and what happened was that a certain sum was handed over to them as the legacy and it mattered not that some portion should have been retained as duty. In reality they paid no tax but received a sum minus those deductions. Why should they be exempt from taxation afterwards ? It was incumbent upon them to pay something rather than only call upon the man who had not the good fortune to get the benefit of someone else's wealth. There should be the differentiation sought by the amendment. No matter how a man came by a sufficient sum to speculate with. the moment the State became, as it were, his benefactor by increasing his wealth owing to wise laws, settlement, etc., that person should pay. The stoutest back should bear the heaviest burden, or, in other words, we should "temper the wind to the shorn lamb." It would be most unfair to decide upon the principle that a man who had not should be equally taxed with the man who had. By the Bill the man who was receiving £200 a year was taxed equally with the man receiving £2,000 a year. All that was asked by the amendment was that there should be a proportionate tax, and that the proportion should be in the ratio of the capacity to pay.

The MINISTER FOR WORKS : While individuals would pay under the system proposed by the Treasurer amounts varying according to their incomes, almost all would receive practically equal benefits from the State. Already there was to some extent a modified form of graduation. A man paying £30 or £40 a year income tax would receive no more and no less protection from the State than he who paid a few pounds a year. Sometimes the latter received greater benefits than the former, for a man with a small salary would send his three or four children to a State school, and therefore received considerable advantage in that respect from the State ; but the individual earning £3,000 a year would send his children to a private school. It was true that in the past a great many people in the State owed their wealthy positions purely to fortuitous circumstances, and frequently had done little to deserve them, but the number was rapidly decreasing. Conditions were now more settled, and the opportunities for investing £400 or £500, and in two or three years making 300 or 400 per cent. out of the investment, were passing away. A man who saved now did so mainly because he was thrifty and hardworking. Already it had been decided to exempt a man from payment of the income tax if he were not in receipt of such an income as would enable him to purchase the ordinary necessaries and some few of

the comforts of life. There should be nothing in the nature of penalising the energy of one man more than that of another. A man receiving less than £200 a year was deserving of every consideration, and one was glad the Committee had agreed to an extra £50 exemption. By that justice had been done. Personally he had not been born with a silver spoon in his mouth, and what he had made had not been so much by speculation as by hard work. [*Mr. Walker*: And a Ministerial position.] If he were to show the member for Kanowna (Mr. Walker) his cheque book and the number of withdrawals he had to make because he was a Minister of the Crown, the hon. member would be much surprised. If the amendment were carried, an injustice would be done to hardworking and thrifty men, mostly of the middle class, upon whom the prosperity of the State very largely depended. The days had gone by when men could make huge fortunes by speculation, and the man who accumulated would do so by sheer thrift. If he did that he was just as much entitled to the enjoyment of his income without any more proportionate reduction as the man who, because of lesser ability, earned less money.

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

Ayes	14
Noes	25
Majority against ..	11

AYES.	NOES.
Mr. Angwin	Mr. Barnett
Mr. Bath	Mr. Brebber
Mr. Bolton	Mr. H. Brown
Mr. T. L. Brown	Mr. Butcher
Mr. Collier	Mr. Cowcher
Mr. Holman	Mr. Davies
Mr. Hudson	Mr. Draper
Mr. Johnson	Mr. Eddy
Mr. Scaddan	Mr. Foulkes
Mr. Stuart	Mr. Gregory
Mr. Taylor	Mr. Gull
Mr. Underwood	Mr. Hayward
Mr. Walker	Mr. Hicks
Mr. Heitmann (*Teller.*)	Mr. Keenan
	Mr. McLarty
	Mr. Male
	Mr. Mitchell
	Mr. N. J. Moore
	Mr. S. F. Moore
	Mr. Piesse
	Mr. Price
	Mr. Smith
	Mr. Veryard
	Mr. F. Wilson
	Mr. Gordon (*Teller*).

Amendment thus negatived.

Mr. BATH: Although in the course of the discussion of the Land and Income Tax measure we had secured certain amendments, he desired to state the ratio of taxation provided under the clause was altogether objectionable. In New Zealand, for instance, in 1905-6, they raised from land tax £385,000 and from income tax £261,000; and the number of taxpayers under the land tax was 24,000, and under the income tax just short of 9,000. In New South Wales in the same year they raised £330,000 under the land tax and £266,000 under the income tax. In South Australia in the same year they raised £94,000 under the land tax and £128,000 under the income tax. In Western Australia we had naturally with the amendments made in the measure some difference in the figures; but making an allowance of £5,000 or £10,000, it would mean £30,000 under land tax, and say £40,000 under the income tax.

The Treasurer: The other way about. The exemptions were in the income tax portion.

Mr. BATH: As the Bill was submitted, taking the figures placed before us by the Treasurer they were £18,000 and £63,000; making a generous allowance for alterations in the Assessment Bill, the disparity would be very great indeed. It seemed to him that we had secured certain amendments that only made the Bill just a trifle less objectionable than it was before. Under these circumstances it was his intention to vote against the clause.

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

Ayes	22
Noes	14
Majority for ..	8

AYES.	NOES.
Mr. Barnett	Mr. Angwin
Mr. Brebber	Mr. Bath
Mr. Butcher	Mr. Bolton
Mr. Cowcher	Mr. T. L. Brown
Mr. Davies	Mr. Collier
Mr. Eddy	Mr. Holman
Mr. Foulkes	Mr. Hudson
Mr. Gregory	Mr. Johnson
Mr. Gull	Mr. Scaddan
Mr. Hayward	Mr. Stuart
Mr. Keenan	Mr. Taylor
Mr. McLarty	Mr. Underwood
Mr. Male	Mr. Walker
Mr. Mitchell	Mr. Heitmann (*Teller.*)
Mr. N. J. Moore	
Mr. S. F. Moore	
Mr. Piesse	
Mr. Price	
Mr. Smith	
Mr. Veryard	
Mr. F. Wilson	
Mr. Gordon (*Teller*).	

Clause thus passed as printed.

Preamble, Title—agreed to.

Bill reported without amendment; report adopted.

BILL—ELECTORAL.

In Committee.

Resumed from the 14th November; *Mr. Daglish* in the Chair, the *Attorney General* in charge of the Bill.

The Bill having been considered in Committee of the House, and a certain portion referred to a select committee, that portion was now considered in detail, also new clauses.

The CHAIRMAN said certain clauses had been postponed; but having passed all the other clauses, we had now arrived at new clauses of which notice had been given.

Amendment, Council Franchise to be same as Assembly.

New Clause—Qualifications of Council electors:

Mr. HUDSON had not anticipated having to deal with the Bill to-night, as the select committee's report had been brought up only this afternoon. He moved that the following be inserted as Clause 19:—

"(1.) Subject to the disqualifications hereinafter set out, every person not under the age of 21 years of age who

(*a.*) is a natural born or naturalised subject of His Majesty; and

(*b.*) has resided in Western Australia for three months continuously; and

(*c.*) has resided in the province for which he claims to be enrolled for a continuous period of one month immediately preceding the date of his claim,

shall be entitled, subject to the provisions of this Act, to be enrolled as an elector, and when enrolled and so long as he continues to reside in the province for which he is enrolled, to vote at the election of a member of the Legislative Council for that province.

Provided that an elector who has changed his place of residence to another province may, until his name is transferred to another roll, vote for the province in which his name continues enrolled at any election held within three months after he has ceased to reside in the province.

(2.) For the purposes of this Act a person shall be deemed to have resided within the province wherein he has his usual place of abode, notwithstanding his occasional absence from such province.

(3.) Any member of the Legislative Council, and the wife of any member of the Legislative Council, may claim to be enrolled for the province represented by such member, and when so enrolled shall be deemed to reside in such province.

(4.) A person shall not be entitled to be enrolled at the same time on more than one Council roll."

The new clause would follow the "qualification of electors" that appeared in the Bill for the Legislative Assembly; and this would extend the universal franchise to the Council as now in use for the Assembly. At the last general election the then Premier (Mr. Rason) promised that early in the session some provision would be made for the reform of the Upper House in the direction of the expansion of the franchise for that place. That was not carried out during the session following. The present Premier took control of affairs, and when delivering his policy speech he told the people of the State that he intended to bring in a measure for the reform of the Upper House. He did actually introduce a tentative measure, but without any intention of its being even considered by the House; for he placed it so low on the Notice Paper that it remained as one of the slaughtered innocents. With one or two exceptions all members agreed that some reform of the Upper House was needed, though members differed as to the nature of the reform. The question arose, was this an opportune time? The Government having failed to introduce a Bill this year,

and having thus shown their insincerity, it was but reasonable, when we were discussing an Electoral Bill dealing with both Houses, that we should seize an opportunity of amending the Upper House franchise. The Bill sought to amend the qualification of electors for the Assembly and the election machinery of both Assembly and Council; but the Government have not fulfilled their promise to provide any amendment of the qualification for Council electors, nor did they introduce any new franchise. It was therefore the duty of some private member to bring in a reform proposal. This should have been in the Bill itself, where it might have been discussed side by side with the Assembly franchise, and the two qualifications assimilated. In a democratic community such as this there was no proper qualification other than universal suffrage. It was needless to labour the question of the Upper House franchise, for the whole subject was thoroughly discussed in determining the Constitution of the Australian Commonwealth, when the wisdom of the leading politicians, lawyers, and other constitutional authorities of Australia decided on a universal franchise, not only for the House of Representatives but for the Senate. The position of Western Australia was analogous to that of the Commonwealth. The Legislative Assembly was elected on a universal franchise, which should extend to the Legislative Council as well as to the Commonwealth Senate. No reason was given for the statement that there was no analogy, except that members of the Senate represented States while members of the House of Representatives were returned by particular constituencies. That only drew the analogy closer; because our Legislative Council provinces were groups of Assembly electorates; and what was the State but a group of constituencies? There was a clear analogy between the Senate and the Legislative Council as to tenure of office. Council members were not affected by a dissolution of the Assembly, and they held office for six years. The Attorney General had all along supported Upper House reform, and the Government should not temporise any longer with this question. Surely they were not afraid of another place.

The ATTORNEY GENERAL: The Bill was introduced simply to provide machinery for conducting parliamentary elections. It had been discussed simply as a machinery Bill, and when introducing it he explained that he would not be a party to having the issue as to whether it was a machinery Bill confused by the introduction of clauses dealing with the Upper House franchise. If such clauses were incorporated in the Bill, we had no reason to suppose that it would not be subject to exactly the same treatment as was meted out to other reform measures, which had to be persevered in and submitted more than once before passing in another place. Yet the hon. member invited us to take that course, involving the abandonment of all the work done in framing this machinery measure. Apart from the merits of the hon. member's argument as to the reform of the Upper House franchise, and apart from the phraseology of the new clause, his invitation could not be accepted. For this new clause there was no authority in the parent Act. In 1904 two separate measures were brought in: the one, an Electoral Bill, a machinery measure; the other, a Constitution Amendment Bill. The two measures were sent to another place; the latter was rejected; and in consequence of its rejection the clauses in it which referred to the Assembly franchise were subsequently included in the Electoral Bill. The Government of the day admitted that this was faulty drafting, but necessity justified the extreme course then taken, which was the only course possible. We had now before us a purely machinery measure.

Mr. Hudson: An amendment of the Constitution.

The ATTORNEY GENERAL: Only a consequential amendment. It had been discussed at great length as a machinery Bill; in fact, some of its principal clauses had been referred, for better advice, to a select committee; and now we were invited to take a step which would put the whole measure in the melting pot and reduce all our work to nothing. He

could not for a moment accept the new clause.

Question put and negatived.

Mr. HUDSON would not press the second new clause of which he had given notice.

The ATTORNEY GENERAL: A number of other new clauses had appeared on the Notice Paper for Thursday, 5th September, but not on the Notice Paper for to-day.

Mr. BATH: One which he had proposed as Clause 46 was already embodied in the Bill; and the same with 49.

Notice before issue of Writs.

New Clause;

The ATTORNEY GENERAL moved that the following stand as Clause 63:—

Before any warrant is issued under the last preceding section, twenty-one days' notice of the intention to issue the same shall be published in the Government Gazette.

Clause 62 referred to the issue of writs for a general election.

Question passed, the clause added.

Rolls for Inspection.

New Clause:

Mr. BATH moved that the following stand as a clause:—

A printed copy of the roll of every district shall be kept for inspection by the public at the office of the Registrar, and at such other convenient places within the district as the Chief Electoral Officer may from time to time determine.

Question passed, the clause added.

Writ, when returnable.

New Clause:

The ATTORNEY GENERAL moved that the following stand as Clause 156:—

For the purpose of the last preceding section, the writ shall be deemed not to have been returned earlier than the date thereby appointed as the day on or before which the same is to be returned.

These clauses he was now submitting were clauses he had promised for meeting the wish of members. Clause 155 dealt with the requisites of petitions disputing elections, and required that the petitions were to be filed at the Supreme Court within 40 days after the return of the writ. The member for East Fremantle had pointed out the difficulty that the writ might be returned before the day fixed in the warrant.

Question passed, the clause added.

Mr. ANGWIN had anticipated another clause would have been moved in regard to the issue of the writ, when an election was declared void by the Court of Disputed Returns during recess.

The ATTORNEY GENERAL: A subclause would be drafted and inserted in the Bill when before the Legislative Council, because the particular clause in which the proposal would be included had not been postponed, another clause having been postponed in error.

Residence, Notice of Voter's Removal.

New Clause:

Mr. EDDY moved that the following stand as Clause 61:—

"It shall be the duty of every elector who leaves his Electoral Province or District, or who changes his place of residence within any such Province or District, to give notice thereof to the Registrar of such Province or District within fourteen days of his leaving or changing his place of residence; and such notice shall state the address to which the said elector is removing.

"(2.) Any person who fails to comply with the provisions of this section shall be liable to a fine not exceeding twenty shillings, which may be recovered on the information of any person before any court of summary jurisdiction."

This clause was intended to fit in with another proposition referring to compulsory voting, but it might well stand alone. We hoped later to have much better rolls, though that was not much to boast about; and while feeling sure that we would be able to congratulate the electoral officers at the next election, yet in the meantime we should do all we could to give the officers all necessary facilities. This proposal would facilitate their work, and

keep them in touch with all the movements of electors.

The ATTORNEY GENERAL failed to appreciate the fact that we could get anything more by putting electors in the position of being liable to a fine than by appealing to their better feelings as citizens of the State. If electors had not sufficient interest in the welfare of the State to get on the rolls, we would get no better result by inflicting a penalty. There was no need to alter the principle adopted in the past of relying on a more creditable sentiment than the fear of a fine. He hoped the hon. member would not press the clause.

Mr. BATH: The greatest objection to the clause was that it would entirely interfere with the new system of claims inaugurated by the Attorney General.

At 6.15, *the Chairman* left the Chair.
At 7.30, Chair resumed.

Mr. WALKER: Of all the proposed amendments to the Bill, this was the most ridiculous. It provided that within 14 days of any man changing his address, he had to write to the electoral registrar that he intended to leave; and if he failed to do this, a penalty was to be enforceable. Evidently the member overlooked the fact that many people had to leave their homes at a day's notice; and was it to be enacted that when this occurred a man rendered himself liable to be fined for not giving 14 days' notice before leaving?

The Attorney General: That was not the meaning, for the clause intended that notice should be given within 14 days after the date of leaving.

Mr. WALKER: The proposed new clause concluded with the following words, "the address to which the said elector is removing." It was not "the address of the place to which he has removed." It frequently happened that a man was living in one residence one day and went into another the next day; perhaps he then found the second place was not suitable, and was forced to leave it. Under the proposed new clause he would be fined because he could not send the necessary 14 days' notice. Again, it was necessary that an elector should give notice of the place to which he was going. A person might to-day write in to the registrar, "In a fortnight I intend to be out of my residence, and to go to such-and-such an address." Before the time expired it might well be that from one cause or another he decided to stay where he was. Another letter would then have to be sent in to the registrar explaining that after all he did not intend to leave. Probably this would be followed up by a telegram containing the words, "After all, wife determined to leave." There would not be a person in the community who at some time or other would not be liable to be fined for a breach of this clause. The same provision would apply to persons in boarding houses; and was it to be expected that the poor unfortunate boarder should be compelled to eat his tough steak for a fortnight longer in order that he might be able to give the necessary notice to the registrar of his intention to leave? It was humiliating that amendments of this description should be brought before Parliament.

The ATTORNEY GENERAL: The sole reason for which he now rose was to express his regret that the member for Kanowna (Mr. Walker) should have taken the opportunity of displaying the brilliancy he possessed, on an occasion which did not demand it. Suggestions had been made from all parts of the House, during discussions, as to amendments that might be included in the Bill. Some of the amendments had been of a character which might be described as ridiculous; but on no occasion had he attempted to approach those amendments in the way the member for Kanowna had treated the one suggested by the member for Coolgardie. Any member who desired to assist the Committee, notwithstanding that his proposed amendment might be impossible in its nature, deserved the thanks of the Committee; and surely in dealing with such an amendment there was no occasion to display one's ingenuity in making trenchant criticism. It was to be hoped the member for Kanowna would appreciate the fact that there were members who did not possess his

powers, and be generous enough to remember it.

Mr. EDDY: The member for Kanowna hardly deserved thanks from him for the ridicule he had attempted to heap upon the amendment. In suggesting the proposed new clause he had done so with all seriousness; and even if his effort was rotten, one of the worst, still it was not a graceful act on the part of the hon. member to try and heap ridicule upon it. If the proposal were carried the electoral staff would be able to keep in touch with the voters. If members looked at the proposal they would see it was not so absurd as the member for Kanowna would make out. The more people removed their residences, the more reason was there why they should notify the electoral office. There had been great trouble in the past with the multiplication of electors on the rolls all over the State. Wherever there were two, three or more booths in an electorate electors could vote two or three times. This proposition would assist in getting a cleaner roll; it would prevent voters being on more than one roll. Notwithstanding the ridicule of the member for Kanowna, he (Mr. Eddy) believed the proposition a good one, and it would be better to go on even farther and provide that voters on entering an electorate should be compelled to place their names on the roll.

Mr. TAYLOR: The new clause would not attain the object sought. On the goldfields where people travelled about a great deal, they could not notify the electoral registrar fourteen days before a change or after a change of residence. This proposal would not prevent the duplication of names on the rolls, for people would not go to the trouble of writing; it was sufficiently inconvenient to get transfers. Greater facilities should be given to people in the back country.

The Attorney General: No transfers would be necessary.

Mr. Bath: Practically there was the same thing.

Mr. TAYLOR: People would have to make an application and in many outback places there was no official to make the application to. In some districts people might have to travel 20 or 30 or even 40 miles to find the registrar. That was sufficiently inconvenient. Men left a district to work in another district, and went back again. There should be no necessity for these persons to have their names removed from the rolls unless we accepted the proposition of the member for Coolgardie.

Mr. STUART opposed the proposition. We desired to simplify the voting system. It would be well to know if the Government intended to accept this clause. In the part of the country he represented, this proposal would lead to an unnecessary, useless and undesirable state of affairs. It should not be compulsory for men who were not in the habit of writing letters to have to do so. This proposal would be very inconvenient to people in the back country without any corresponding advantage.

Clause by leave withdrawn.

Compulsory Voting.

New Clause:

Mr. Eddy moved that the following stand as Clause 87:—

"(1.) It shall be the duty of every elector to vote at all elections for members of either House of Parliament: Provided nevertheless, that if an elector, on or within two days before the day fixed for an election, produces to the Returning Officer a medical certificate to the effect that he is in such a condition of health that he is unable to vote either in person or by proxy, he shall be excused from voting at such election.

"(2.) Any elector who fails to vote at any election, except he be excused as provided in the last preceding subclause, shall be liable to a fine not exceeding twenty shillings for a first offence, forty shillings for a second offence, and five pounds for a third or subsequent offence. All such fines shall be recoverable on the information of any person before any court of summary jurisdiction."

This would be an effective means of getting at the real opinion of the people; and if the proposal were carried into effect it would do away with many extra

ordinary things that happened at election times. Candidates would not be called upon to expend the money they did in fighting an election, and there would be better representation in Parliament. The accepted candidate would be better pleased and the unsuccessful candidate would be better satisfied if compulsory voting were in force. The number of electors on the rolls at the last general election was 78,040 males and 43,550 females; a grand total of 125,578 voters. Of the 78,000 males only 33,000 recorded their votes at the last general election, and of the 42,000 females only 19,000 voted. It was pleasing to note that the female voters showed a better percentage than the male voters. The percentage of women voters was 53 and of male voters 51—a result not creditable to the men.

Mr. Scaddan: The hon. member's figures were wrong.

Mr. Bolton: Not 30 per cent. of the male electors voted.

Mr. Bath: Allowance should be made for uncontested returns.

Mr. EDDY: True; 11 seats were uncontested. At the recent Commonwealth Senate election only about 29 per cent. of the electors voted. Surely men did not wish to be returned to Parliament by such small minorities. Much was said of the value of the vote. If it had a high value, it should be utilised. Make electors register their votes, as we made people register births, deaths, and marriages. We should then have cleaner and clearer elections. In Belgium voting was compulsory, though in that country adults received the franchise for the lower Chamber on attaining the age of 21, and for the upper Chamber at 25, extra votes being allowed for talent. In Belgium all elections were held on Sunday, a custom which might well be imitated here, making voting a solemn and serious duty. "The better the day the better the deed." All public houses were closed on election day. [*Mr. Bath*: The same in Switzerland.] The electoral laws in Finland, where voting was compulsory, were considered the most liberal in existence; and at the last general election 14 women, as well as men, were returned to the Finnish Assembly. Voting was compulsory in Sweden also.

The DEPUTY CHAIRMAN: It was impossible for *Hansard* reporters to hear the hon. member, owing to the numerous conversations in which other members were taking part.

Mr. EDDY: Whether our Assembly would be better for lady members he would not say. Let us take a commonsense view of compulsory voting, for it was too serious a matter to treat lightly. During the past few years the subject was frequently discussed in the Commonwealth, and Labour congresses throughout the State had practically decided in its favour.

The ATTORNEY GENERAL: As the new clause could not be accepted, he would not indulge in criticism, which otherwise might be legitimate, of the somewhat peculiar phraseology in which it was couched. A proposal to legalise compulsory voting was of supreme importance; therefore one could hardly imagine that the subject was not considered by him when framing the Bill. The introduction of such a proposal at the eleventh hour could only be justified if the hon. member showed that it had by some palpable neglect of the Minister in charge been omitted from the Bill. Under no Constitution governing a British community was voting made compulsory; hence the proposal was an innovation. [*Mr. T. L. Brown*: A dangerous innovation.] That he would not say, for he was not prepared to discuss the merits; but the clause could be adopted only after most careful consideration, which it could not now receive. The hon. member had mentioned countries in which voting was compulsory, but had made no authoritative statement as to the results. One could easily imagine how by compelling a man to vote we might do him a grave injustice, as in the case of an elector holding views entirely opposed to those of any candidate.

Mr. Scaddan: He could vote against all candidates.

The ATTORNEY GENERAL: That was sometimes done by would-be humourists; but voting should be a serious matter. Before adopting so important

an innovation full information was necessary. The clause could not be accepted.

Mr. BATH: The proposal might be worth a trial. It was not because of their dissatisfaction with or dislike to candidates that people did not exercise their franchise, but rather because of their complete indifference to the responsibilities of citizenship. There was some justice in the argument that the vote of an individual compelled to vote by fear of a penalty might not be worth much; but it was more because of thoughtlessness and indifference than inability or incapacity that people did not vote, and the existence of a provision like this proposal might waken citizens to their responsibilities. A correspondent of the London *Times*, in referring to the recent elections in Austria held under the new electoral law, which granted universal suffrage, said that the provision for compulsory voting had worked exceedingly well. Certainly, it led to an enormous increase in the representation of the social democratic party.

The Attorney General: What was the percentage of voting?

Mr. BATH: Nearly everyone entitled to exercise the franchise voted.

The PREMIER: Perhaps that was due to the fact that the franchise had only just been granted.

Mr. BATH: There was no great change involved in the proposal for compulsory voting. Almost every new instalment of democratic legislation in British communities was an innovation. If we opposed every reform simply because it was an innovation we would never get any farther ahead. There was one difficulty in the proposed clause, and that was how a man unable to vote was able to go to the returning officer to secure a medical certificate. It should not be a duty the returning officer should be called upon to perform, to go round to electors to see if they had medical certificates. The clause needed re-drafting in this regard.

Mr. WALKER: After the severe castigation from the Attorney General for venturing to criticise a manifest absurdity, one rose with considerable humility to deal with this proposal. He would treat it seriously. What puzzled him was the difficulty of carrying out the clause if it were passed. It was to be the duty of every elector "to vote at all elections for members of either House of Parliament." It was dealing with the Upper Chamber, with which we had nothing to do. How were electors to vote at all elections for either House? Then the clause proceeded; "If an elector on or within two days before the day fixed for an election." On or within two days! Here one struck at once. It was obvious from the grammatical construction of the clause that the words "or within" were parenthetical, so it could be read: "On . . . two days before the day fixed for an election." Here was the difficulty. The voter was to produce a medical certificate "on two days." Then the clause provided that a medical certificate must be produced showing that the elector was unable to vote "either in person or by proxy." How was a man going to vote by proxy? Where was the provision for voting by proxy? The hon. member needed a new Bill. Voting by proxy was absolutely abolished. There was no desire to make little of any man, but to have proposals of this sort, was making little of the Chamber, notwithstanding what the Attorney General said. Whoever drafted the proposal did not know the electoral laws, and was absolutely ignorant of what he was trying to reform. And this was a proposal emanating from one who never tired of talking in the *Coolgardie Miner* of the insolence of the Opposition, and never wearied of vilifying and misrepresenting the Opposition. Was this proposal not a disgrace? Could the Attorney General defend it in its grammatical construction and its general tenor? A man was to bring in a medical certificate on two days before the election, and was to vote in person or by proxy, and was to vote for either House at all elections. This proposal emanated from one who was always preaching against the Opposition and who always found an apologist in the Attorney General. But it was the duty of the Opposition to expose this sort of conduct, bringing forward such a proposal as this, the claptrap of politics. He objected to such a proposal. In any other circumstances he would apologise to

an hon. member for what had been said, but knowing the malice there was on the hon. member's part towards the Opposition, it was necessary to show the hon. member that he at times could get his knuckles rapped for his impertinence.

Mr. FOULKES: Although much could be said in favour of compulsory voting, the Bill already contained such great changes in the system of voting that it would be dangerous to try any more experiments. It might be advantageous in a few years to bring forward the system of compulsory voting. Many persons were altogether too careless in regard to exercising their franchise. The present time, however, was not opportune to bring in legislation of that character. The member for Coolgardie was to be thanked for having brought the question forward, as people would see that the Legislature had given consideration to this very important proposal.

Mr. STUART: Possibly if a larger number of voters exercised their franchise there would be less dissatisfaction, and perhaps a better class of men would be sent to make the laws of the country. Making it a crime to refrain from voting would not, however, make people record their votes. If people realised their welfare hinged on the class of people they sent to Parliament they would make it their business to record their votes. It would be very hard to say it was a crime if a man living perhaps 30 or 40 miles from a polling booth abstained from voting. It was all very well for thickly populated countries to have compulsory voting, but it would inflict very great hardship on persons living in the outback parts of the State. The suggestion that elections should be held on Sunday was not a good one, for it would be a mistake to initiate the system of Sunday-school elections. A hotly contested election was a good thing, for it showed that the people were really interested in the return of a representative. Perhaps when Australia was thickly populated the proposition to have compulsory voting would not be an altogether unreasonable one. The way to make people interested in elections was to teach them that their salvation rested upon their getting fair representation in Parliament. There was always this difficulty about compulsory voting, that if it were imposed the number of informal votes would be greatly increased. Lots of people would mutilate their voting papers merely because they objected to vote for either of the candidates standing for the seat.

The PREMIER: Although on analysis of the clause it might be found to contain defects in drafting, still there was no harm in bringing the question forward, to give members an opportunity of discussing the important principle of compulsory voting. Members on both sides of the House had frequently regretted that only a limited proportion of those on the roll recorded their votes at elections. At the last election the percentages of voters to those on the roll was males 43.6, females 44.

Mr. Scaddan: The proper figures were 51 and 53, for the ones just quoted did not take into consideration the fact that there were many uncontested seats at the last elections.

The PREMIER: The figures he had quoted were those submitted by the mover of the proposed new clause. It was a significant fact that the people who were most critical with regard to political matters were those who showed the greatest indifference in voting on election day. On the other hand, some people rode as much as 15 or 20 miles in order to exercise their vote. The question of compulsory voting was well worthy of consideration, although this was a free country, and he supposed people should be entitled to do what they liked as to voting.

Mr. TROY: It did not seem right that where an elector objected to all the candidates who were standing he should be compelled to vote for one of them. Again, in some places it would be necessary for electors to travel 50 miles to record their vote. This would cause great trouble and expense. It was not proper to compel a person to vote, for it seemed to be taking away a man's liberty. It was certainly to be regretted that so many persons were indifferent on polling day, and it looked as if people refrained from voting merely because it was so easy to get the right to do so. If it were a privilege to have a

vote, persons would be only too glad and eager to exercise the franchise.

Mr. EDDY: As the assistance he anticipated had not been given with regard to the proposed new clause, it would perhaps be wise to ask leave to withdraw it. At the same time he desired to express his satisfaction and thanks to two or three members who had spoken in support of his proposal. This remark especially applied to the Leader of the Opposition, who put the matter clearly and concisely. He agreed with that hon. member that because the principle was an innovation, that was no reason why it should not be discussed. He desired to say a word or two with regard to the figures he had quoted concerning the percentages of voters at the last elections to those on the roll. He had named the total number of voters in the State correctly, and had put down the percentages at 51 and 53 for males and females respectively; he had been mixed, however, in that he had not taken into consideration the fact that there were eleven uncontested seats. He would like to make a slight reference to the remarks of the member for Kanowna, who had rapped him (Mr. Eddy) over the knuckles and had criticised his bad grammar and ignorance. He acknowledged his failings perhaps more than others did. He might not have had the same advantage as some members, and probably the rap over the knuckles might do him some good. If in the future he took upon himself the responsibility of submitting any proposal to the House he would avail himself of the assistance of someone else who probably might be better able to explain the proposal than himself. He asked leave to withdraw the new clause.

Clause by leave withdrawn.

Scrutiny of Rolls.

New Clause:

Mr. ANGWIN moved that the following stand as Clause 150:—

"(1.) The Returning Officer shall make arrangements for a scrutiny of the rolls, on application of one or more of the candidates at the election (such application to be made in writing and signed by the candidate); such scrutiny shall be made as soon as practicable after the close of the poll and must be made within 21 days from the day on which the polling was held.

"(2.) The Returning Officer shall give notice, in writing, to the candidates of the time and place at which he will commence the scrutiny, and no person except a candidate, or one scrutineer appointed by each candidate in accordance with Clause 112 of this Act, and the Returning Officer and his assistants may be present at the scrutiny.

"(3.) The Returning Officer shall, in the presence and hearing of such candidate or scrutineer as are present, compare one with another all the certified copies of rolls on which the fact of any person having received a ballot paper has been noted as hereinbefore provided."

He wished to give a candidate an opportunity of finding out from the official roll what persons had voted at an election. In the New Zealand Act there was a clause dealing with the scrutiny of rolls, and there the ballot papers could be obtained and a scrutiny of the ballot papers made. But that could not be done here where the ballot papers were not numbered. Some time ago a candidate whom he had the honour of opposing and defeating made an application for a scrutiny of the roll, or a copy of the correct roll of the persons who had voted, which was used at that election. He was pleased to say in that case the request was granted, and the candidate had supplied to him a copy of the roll marked with all the persons who had voted. A few months afterwards another contest took place between these candidates, and the shoe was on the other foot. He (Mr. Angwin) made an application for a copy of the marked roll, and although the same Minister was in charge of the department the request was refused. That showed the unfairness of the administration of the Act. What one candidate was entitled to receive another candidate should also be entitled to receive. Every candidate, no matter who or what he was, should have the right to examine the roll if he desired. There would be very little additional expense if this proposal were

carried into effect, for as a rule Government officers were the returning officers and little time would be taken up by the scrutiny. Every facility should be given to a candidate who wished to see how the election had taken place. At the time he desired a copy of the official roll used at the election, he also asked for a copy of the original roll that the magistrate at the revision court had signed and certified as the roll on which the election should take place ; but before he could get it he had to move the Supreme Court. If this clause were passed it might be the means of preventing petitions being lodged against the return of candidates, because dependence could not always be placed on the roll which the scrutineers used at elections. Scrutineers went in and out the polling place, and there was the possibility of the marking being wrong. But strict care was taken that the roll used by the returning officer was marked correctly. If the opportunity were given a candidate of seeing the returning officer's roll, petitions might not be lodged against the return of a candidate. We should give every candidate the right, without going to the Minister, to see the roll if he so desired.

The ATTORNEY GENERAL : The inclusion in the Bill of a provision allowing a candidate to file a petition against the return of another candidate had been discussed by the Leader of the Opposition and himself, and he was prepared to carry out in its entirety the understanding arrived at. But the proposal of the hon. member went beyond that. Whilst it might be possible in small electorates, where the returning officer became possessed of the ballot papers used within a short time of the ballot having taken place, for the request to be granted, it was almost wholly impracticable in the larger areas that existed in the State, and where there were polling places in charge of assistant returning officers who telegraphed the results, for this request to be carried out. [*Mr. Bath*: This was not for a scrutiny of the ballot papers, but of the rolls.] It would be necessary to obtain the rolls used at all the polling places. There was another objection. Any candidate who chose to do so—and there were cantankerous candidates—could put not only the department and the public officers employed, but himself and others, to a deal of unnecessary worry if the provision were made that the marked rolls used by the returning officer and the assistant returning officers should be produced. There should be some valid reason for calling for the production of the rolls, and a valid reason would be that a candidate desired to challenge the election. In nine cases out of ten the rolls would not be wanted otherwise. But there were people who made a fuss and put others to trouble because for some reason or other, not having been successful, they thought it might assuage their feelings. He did not want to leave it in the power of a person to do that. If the member framed his clause to the effect that any candidate filing a petition against the return of another candidate should give notice for the production of the rolls used by the returning officer or assistant returning officers, and that the returning officer and assistant returning officers must then produce such rolls as soon as practicable, that would be a provision to which exception could not be taken ; because the production would not be asked for simply out of curiosity. If a person intended to challenge an election he was taking a definite step to do so and was entitled to all the information in the possession of the department, and that information should be properly produced to him to carry out his intent ; but to make it open to any person from pure curiosity, or any motive, to call on the returning officer to produce rolls in the circumstances suggested here was wholly impracticable, and was not a provision he could consent to. He would be prepared to accept a proposal to the extent he had indicated, which would protect fully all the legitimate reasons that a member could suggest, and did not go, as did the hon. member's proposal, far beyond that.

Mr. BOLTON supported the new clause. Unlike the mover (Mr. Angwin), the Attorney General had no personal experience of a disputed election. It was necessary to obtain a Supreme Court order to have the roll produced.

The Attorney General: That would not be necessary under the Bill.

Mr. BOLTON: But the candidate would have to go to law before he could scrutinise the roll. The new clause would seldom be availed of. If it were possible for the candidate to inspect the rolls he might on that inspection decide not to lodge the petition, thus saving expense. Within the last two years three elections were upset on account of the state of the rolls; hence it was clear that candidates should have the right to scrutinise the rolls prior to litigation.

Mr. T. L. BROWN supported the clause, on which he felt rather strongly. He had been denied the right to inspect the roll, and had worked entirely on the roll of his scrutineer. The Attorney General had promised to make some provision to improve on the existing law, and that provision should include the safeguards which the new clause provided. An inspection of the roll might satisfy a defeated candidate, and dissuade him from going to law.

Mr. ANGWIN: The New Zealand Act went farther than the new clause, by providing that the returning officer must make arrangements for a scrutiny as soon as possible after the closing of the poll, in the presence of the scrutineers, and after due notice given. The scrutiny was made whether it was demanded or not. The new clause asked only that a candidate should be entitled to demand a scrutiny. This would often prevent the lodging of petitions. No candidate would, out of sheer "cussedness," demand a scrutiny.

Mr. BATH had intended to move the adoption of the New Zealand section, for in this State the whole question of a disputed return hinged on the condition of the rolls.

The Attorney General: No other State had such a provision.

Mr. BATH: If other States had, the authorities would probably be more careful than at the recent senatorial election in South Australia, which involved that State in so much expense. The average candidate was not so idiotic as to make an unreasonable demand for a scrutiny. The Attorney General might well modify the clause he proposed, so as to make it unnecessary for a candidate to go to law in order to scrutinise the roll.

The ATTORNEY GENERAL: The new clause would be unworkable. It would compel the returning officer to secure for the scrutiny the services of every person who had assisted him on polling day, including all the deputy returning officers. Without their presence the scrutiny would be of no value, for they alone ruled out the names of voters, and must be brought in, often from considerable distances, to identify their rolls. This would involve considerable time and great expense. He would not object to the expense, if it were incurred in none but *bonâ fide* cases; hence he would meet the hon. member's wishes if the person claiming the scrutiny showed his *bonâ fides* by challenging the election, thus proving that he was not actuated by mere curiosity or by wounded feelings. The member for East Fremantle simply looked at the matter from the point of view of his own experience. The hon. member had found a difficulty which would not exist under this Bill, because now it was provided that electoral rolls would have to be dated on the day on which they were issued, and anybody could secure a copy on payment of the necessary fee.

Mr. Bolton: That had always been the case.

The ATTORNEY GENERAL: The difficulty in the past had been to find the exact roll issued by the revision court. Under this Bill it would be within the power of every person to be informed as to those on the roll; and to ascertain those who voted it would only be necessary to compare any roll in possession of the candidate with the official roll held by the presiding officer. The man most likely to act from pique was the defeated candidate. He had roughly drafted a clause suggesting that the one to ask for a scrutiny should be the candidate who filed a petition. No other efficient test of *bonâ fides* had so far been suggested. There was another point. It was not advisable in the interests of the privacy of the ballot to allow any person to scrutinise the roll.

Mr. Angwin: Then why allow scrutineers?

The ATTORNEY GENERAL: When voters presented themselves at the polling-booths that privilege was allowed, but an outsider should not be enabled to satisfy himself whether Smith voted or did not. That could only be done by comparing the scrutineer's roll with the official roll held by the presiding officer, and while prepared to have some provision in the direction asked, he could not consent to one which would satisfy mere curiosity.

Mr. Johnson: Why not charge a fee for the privilege of inspecting the roll?

The ATTORNEY GENERAL: What would the hon. member suggest?

Mr. Johnson: Five guineas.

Mr. Heitmann: There had not been any frivolous appeals.

The ATTORNEY GENERAL: Such a provision as this had not been suggested before. Many Australian States had recently altered their electoral laws, but had not included anything in the nature of the proposed clause. The suggestion made by the member for Guildford (Mr. Johnson) might be accepted if it were put forward.

Mr. BATH: The Attorney General had strained considerably at the gnat with respect to arguments against this clause. Curiosity would only come in, not as to whether Smith voted, but as to how he voted. That was the point on which to observe secrecy: because, under existing conditions of society, Smith could be penalised for the manner of his voting should it become known to his employer. The Attorney General claimed that the conduct of elections by State officers should not be open to question by anyone, least of all the defeated candidate, but lawyers' incomes were greatly increased by reason of the fact that many actions of public officers were questioned by citizens of the State. If a citizen had reason to believe there was neglect, or something worse, on the part of the returning officer, opportunity should be given to have it ventilated. There was some weight in the argument as to the expense involved in a scrutiny, but that was not a difficult point to get over. The proposal put forward by the member for East Fremantle would meet the case; because there was not that feeling of pique on the part of candidates as to put the State to expense without just cause. Candidates as a rule took their defeats philosophically, and did not go around the country crying out against returning officers. The clause if passed would not be abused.

Mr. T. L. BROWN: The Attorney General need have no fear on the score of expense. The rolls marked by the deputy returning officers would go to the returning officer at the principal polling-booth, and the candidate could inspect them at the principal polling-booth. If would only be necessary for the deputy returning officers to swear to the rolls when a defeated candidate set the law in motion to have an election set aside.

Mr. JOHNSON: This was no innovation, because its practicability had been demonstrated in New Zealand. The fact that the electoral laws of other States did not contain such a provision was no argument, the main point being that we needed the provision to overcome difficulties that faced us in this State. There was something in the argument that curious people would want a scrutiny of the rolls, but to overcome that curiosity he suggested the inclusion of a provision for the payment of a fee of five guineas.

The ATTORNEY GENERAL suggested that the proposal should be withdrawn in favour of one to this effect: "Any candidate on the payment of a fee of five guineas may give notice to the returning officer requiring the production of the roll used by him and by any assistant returning officers at any election, and such returning officer or assistant returning officers shall produce such roll or rolls in the presence of the applicant and of all other candidates contesting such election as soon as practicable. If the returning officer is satisfied that the application be made for *bona fide* purposes, he may direct the repayment of the sum deposited."

Mr. Angwin: It must be within 40 days of the return of the writ.

The ATTORNEY GENERAL: The words "as soon as practicable" meant

that it must be produced on the first available day.

Mr. Johnson: Supposing there was a delay, and it was too late to allow a petition to be presented?

The ATTORNEY GENERAL: If it were provided that it must be produced within 40 days and the returning officer failed to produce it in that time, what would happen then? If the words "as soon as practicable" were inserted and it was not produced within a reasonable time, then the returning officer would have to give an excuse for not doing so, and if that were not a valid one he would be held accountable.

Mr. ANGWIN: The only exception he took to the new clause proposed by the Attorney General was with regard to the time in which the rolls had to be produced. He had not too much confidence in every Minister who controlled the returning officers, and papers laid on the table of the House had shown that Ministers had at times used such influence as to prevent the carrying out of the Act. He desired to protect candidates. A specific time should be stated so that candidates would have an opportunity of deciding whether to dispute the election or not. If the limit were fixed at 35 days after the return of the writ that would be sufficient.

The Attorney General: Notice had to be given to the returning officer.

Mr. ANGWIN: Yes; but from him notice would be given to the Minister, and then possibly it would go on to the Attorney General and the Crown Law Department, and someone else, and time would thus be lost. If the Minister agreed to fix the time at 35 days he would be prepared to withdraw his proposed new clause, and agree to the one suggested by the Attorney General. If the period of 35 days was fixed, a candidate would be given five days in which to decide what course to adopt.

Clause by leave withdrawn.

Legal Forms and Technicalities.

Mr. ANGWIN proposed the following to stand as Clause 160:—

"The court shall be guided by the substantial merits and good conscience, of each case, without regard to legal forms or technicalities."

This provision was in the existing Electoral Act and in the Commonwealth Electoral Act. With regard to the hearing of disputed returns, they should be prepared to trust the Judge who presided, especially seeing that he had no political feeling. A Judge would look at the case from every point of view and would give a just and correct decision. The clause gave the court wide powers, which at all events up to the present had not been abused. There was no reason therefore why it should be struck out.

The ATTORNEY GENERAL: The reason why the clause was omitted was this. Members who read the provisions dealing with election petitions would see that these petitions were essentially matters of form. The petitioner had to prove in the first instance that he had complied with certain forms. The insertion of the clause would be putting so many waste words into the Bill. A disputed return was not a matter such as came before the Arbitration Court, where there was a wide range of opinions. It was all a question of fact as to whether such a man had voted yes or no, and whether he was entitled to vote. The whole case was nothing but a hard matter of fact, and all a Judge had to do was to come to an accurate conclusion on the facts. Petitions had been heard under the 1904 Act, and not one of them would have been in any degree influenced by the words of the section which it was now desired to insert in the Bill. There were the cases of the members for Guildford, Geraldton, and East Fremantle, all of which were simply issues of fact.

Mr. ANGWIN: The reason the proposed new clause was moved was that it was included both in our Electoral Act and the Federal Electoral Act, consequently he had been under the impression that it was necessary to insert it in the Bill, but if the Attorney General said it was unnecessary, he was prepared to withdraw it.

Mr. JOHNSON was not satisfied to allow the proposal to be withdrawn. The clause appeared in the Common-

wealth Act, which he looked upon as one which was particularly well drafted.

The Attorney General: It was the worst-drafted Electoral Act in the Commonwealth. All Commonwealth measures were badly drafted.

Mr. JOHNSON: In the Federal Parliament, at the time the Electoral Bill was before the House of Representatives and the Senate, there were some of the best legal brains in the Commonwealth. Many of the men who participated in the work of framing the Act now occupied seats on the High Court Bench, and if they were satisfied to allow such a clause to be inserted in the Bill surely that was a good reason why it should find a place in the present measure. In the election petition in which he was interested and which was conducted under the Act, which included the clause desired to be placed in the Bill, there were not many legal technicalities brought up. There was always, however, danger of such technicalities coming into questions of this sort, which might overshadow the merits or demerits of the case.

The mover asked leave to withdraw the clause. Leave refused, Mr. Johnson objecting.

Clause put and negatived.

Official Rolls may be inspected.

The ATTORNEY GENERAL moved that the following new clause be added to the Bill:—

"Any candidate on payment of a fee of five guineas may give notice to the returning officer requiring the production of the rolls used by him and any assistant returning officers at any election, and such returning officer or assistant returning officers shall produce such roll or rolls in the presence of the other candidates, if they wish to be present, within 35 days of the date of service of the notice. If the returning officer is satisfied that the application was made for a *bona fide* purpose, he may direct repayment of the sum deposited."

Question passed, the clause added.

Election Day, half-holiday.

New Clause:

Mr. ANGWIN moved that the following be inserted as Clause 64:—

"The day on which any election takes place shall be and be deemed to be a public holiday after midday, and it shall not be lawful to sell intoxicating liquors in any licensed premises within the district between the hours of twelve o'clock noon and seven in the evening."

He believed there was some opposition to the latter part of the clause, but he would rather see the latter part struck out if there was a possibility of getting the former part inserted. There should be a half-holiday on election day. He would like to see a whole holiday, but there was objection taken to this provision because people went picnicing on that day instead of recording their votes.

Mr. Draper: Would this apply to a by-election as well?

Mr. ANGWIN: Yes; any election. In many instances employees had requested to be allowed off for a certain time on polling day to take part in an election and had been refused. If a public holiday were declared most of the business places would be closed. As far as the Government offices and workshops were concerned, he would like to see the Government grant a holiday. Some time ago the employees in the Government workshops used to be allowed certain hours off to vote; now that was disallowed, and men had to toe the carpet if they stayed away to record their votes at an election.

The ATTORNEY GENERAL: This proposal was easily divisible into two parts; one part dealing with a half-holiday after midday on election day, and the other part was more or less an advertisement for the teetotallers.

Mr. Foulkes: The member was prepared to throw them overboard.

The ATTORNEY GENERAL: Then he only had to deal with the first part. Clause 191 of the Bill compelled an employer to allow an elector leave of absence not exceeding two hours, so that he might go and vote.

Mr. Scaddan: Why was not the onus placed on the employer?

The ATTORNEY GENERAL: That was a provision which was in advance of anything ever attempted in this State, and a wise and proper provisiion to make to enable employees to vote. But if by making a holiday members thought they would produce a large poll it would not do so. The first thing that would happen if a holiday was proclaimed was for the people to arrange to go picnicing. They would know the holiday was coming, and arrangements would be made to go into the country or down the river. There was not one member in the House, if he knew there was a holiday this week, who would not make arrangements to get away somewhere. If we took the run of humanity right through they would go on the same lines.

Mr. Collier: It was not the same in New Zealand; there was a higher percentage there.

The ATTORNEY GENERAL: A higher percentage could only be obtained by getting the people interested in the exercise of the franchise.

Mr. WALKER: Supporters of the Attorney General considered no better picnic in the world than election day.

The Attorney General: Was the member talking of the old days in Ireland?

Mr. WALKER was speaking of the last election in Kalgoorlie. Never in his life had he witnessed in Western Australia such a spectacular display; it was almost equal to Eight Hours Day. There were ladies in white with beautiful rosettes, and others who offered to passers by yards of different coloured ribbons to represent a sort of flag of the Attorney General. Ordinary foot passengers scarcely dared step across the street for fear of being run over by a 90-miles an hour motor car, all run in favour of the Attorney General. If one got in the neighbourhood of a polling booth one was met with a whole bevy of young ladies who looked on one with sweet smiles, and breathed on one with the sweetest breath of kine, and some appeared willing to throw their arms around his neck and hug him if he was only of the colour of Norbert Keenan. Picnicing! He never witnessed such excitement. [*Labour Member*: What about poor Johnson?] It must be admitted that many intelligent and fascinating young ladies worked for the defeated candidate; and nobody would have left Kalgoorlie on that day. At times the tramcars were blocked, and the hotels were decorated with calico signs and flags reaching almost to the ground.

Mr. Bath: And the cost did not exceed £100.

Mr. WALKER: But the Attorney General had many friends. All the wealth of the Chamber of Mines was displayed on that occasion. At another election he (Mr. Walker) saw a member of the present Ministry walking in procession down the street with an enormous crowd behind him, and three policemen ahead of him. Later, in front of the town hall, a vast assemblage—a spectacle fit for a king—waved umbrellas and socks when the result was announced. Whether bands of music were provided was doubtful.

The Minister for Works: The trades-hall band was in a back yard, in anticipation of a different result.

Mr. WALKER: Apart from the attraction of an election, could there be a more important day than that which placed the destiny of the State in the hands of the people, or a day more suitable for a holiday? Some years ago he witnessed a New Zealand election on a public half-holiday, and was impressed by the earnestness of the people. No frivolity was apparent. Men and women, instead of rushing about in motor cars, walked decorously to the poll. We belittled polling-day by not making it a holiday. There was no liberality in a mere instruction to an employer to allow his employee to go away for an hour or so. On such a day people should have leisure to think and act wisely. There was no outcry against the half-holiday in New Zealand or the whole holiday in New South Wales. Why were polities cleaner in New Zealand than in this country? Because Government and people recognised the importance of election day. The clause would obviate the necessity for making voting compulsory. Some workers did not like to ask the employer for leave to vote; and some employers would at the first opportunity

dismiss employees who absented themselves for that purpose. The Minister for Works shook his head.

The Minister for Works: There was unreasonable behaviour on both sides.

Mr. WALKER: We ought to prevent it on any. Make the day a holiday and there would be no privileges on either side. The bad choice sometimes made by electors was due to the difficulty of polling; and the clause would foster a zeal for political affairs.

[*Mr. Daglish took the Chair.*]

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

Ayes	.. .. ..	13
Noes	.. .. ..	22
Majority against	..	9

AYES.	NOES.
Mr. Angwin	Mr. Barnett
Mr. Bath	Mr. H. Brown
Mr. Bolton	Mr. Cowcher
Mr. T. L. Brown	Mr. Davies
Mr. Collier	Mr. Draper
Mr. Hudson	Mr. Eddy
Mr. Johnson	Mr. Foulkes
Mr. Scaddan	Mr. Gregory
Mr. Stuart	Mr. Gull
Mr. Taylor	Mr. Hayward
Mr. Troy	Mr. Keenan
Mr. Walker	Mr. McLarty
Mr. Heitmann (*Teller*).	Mr. Mitchell
	Mr. N. J. Moore
	Mr. S. F. Moore
	Mr. Piesse
	Mr. Price
	Mr. Smith
	Mr. Underwood
	Mr. A. J. Wilson
	Mr. F. Wilson
	Mr. Gordon (*Teller*).

Clause thus negatived.

Mr. Scaddan: Would it be in order to move the first section of the clause just negatived, the portion dealing with the holiday?

The CHAIRMAN: No.

Mr. WALKER: Would it be in order to move to add a new clause to this effect: "Every day on which an election takes place shall be proclaimed a public holiday after midday, and in the case of a by-election such holiday shall be proclaimed for the district in which the by-election takes place." This would allow the Committee to decide upon the point as to a holiday, without the addendum in regard to the sale of intoxicating liquors.

The CHAIRMAN could not accept the proposition. It covered the same ground and to a large extent dealt with the same matter as the proposal just negatived. The object of the hon. member could have been met by moving an amendment on the previous proposal before it was put. It was then possible to turn the previous proposal into the form the hon. member now desired.

Candidates and Assistance from Political Organisations.

New Clause:

Mr. ANGWIN moved that the following be added as a clause:—

"No person shall, for the purpose of promoting or procuring the election of a candidate at any election, be engaged or employed for payment or promise of payment as agent, clerk, committeeman, canvasser, or messenger, except as herein provided—

1, One scrutineer for each polling-booth in each polling-place, and no more, who may or may not be an elector.

2, A number of clerks and messengers (who shall not be voters) for conducting business in the committee rooms, not exceeding one clerk and one messenger for each polling-place in an Electoral District.

3, One secretary.

Every person who engages or employs any person in breach of this section commits an illegal practice, and the person knowingly so engaged or employed also commits an illegal practice."

This was copied from portion of a section in the New Zealand Act, but "knowingly" in the last paragraph was an addition. It was well known that at election times there was a section of people, "parasites" he would term them, who took steps to bring out candidates with a view to securing employment. Though election costs were limited, it was well known that friends of candidates incurred expenditure: but this clause would prohibit any friend of the candidate from employing a number of scrutineers and clerks. The clause would be of great benefit to candidates.

The ATTORNEY GENERAL: This proposal would prevent the employment of

any person except on the actual day of election. We might adopt a principle of that kind if it could be applied to all parties; but we knew well that certain candidates had behind them all the officials of an orginisation more powerful than any opposing candidates could bring into the field. Behind certain members there were available the services of the secretaries of unions and political organisations. One member had seen an advertisement in a newspaper commanding or enjoining all union officials to render services at a certain election.

Mr. Walker: Suggesting that they should.

The ATTORNEY GENERAL: Suggesting in such a way that the officials could not dare disobey, in such a way that if they did not obey they would lose their employment. So the proposal was wholly one-sided. To ask us to discuss it as something applying to all parties was absurd. Even the most prejudiced member opposite knew that. A clause of this character, which would work in such an unequal way, could not be accepted.

Mr. BATH: The views expressed by the Attorney General with regard to what he considered the terrorism or enormous power wielded by Labour organsations with regard to elections were astonishing. Certainly there were officials of the organisations who, because of their adhesion to the cause and enthusiasm on its behalf, rendered what services they could on election day to return the candidate of their way of political thought. It would be admirable if some such whole-souled enthusiasm were shown by all political parties during an electioneering contest. To show the enthusiasm manifested on occasions by supporters of the Labour party he would instance a case which occurred in Queensland, when some electors rode 300 miles in order to record their votes for the Labour candidate. Such enthusiasm was desirable in regard to electoral affairs, but to say that because there were men filled with such enthusiasm they were doing something which placed others at a disadvantage, was altogether beside the question. The whole object of the clause was to have elections fought on political issues, and not decided as the result of the money which candidates could spend. Labour candidates received a deal of gratuitous assistance during their elections.

Mr. GULL: Although the Leader of the Opposition had said Labour candidates received much gratuitous assistance, it was very doubtful whether it was as great as was suggested. He sympathised with the motion to this extent, that it would be a good thing if they could do away with the harpies who congregated about candidates at electioneering time. If the proposed new clause were passed it would be driving candidates into farther subterfuges in the way of disguising their expenses than was caused by the present Act.

Mr. TROY: Not one member of the Opposition side of the House had ever paid a canvasser or agent at election time. [*Mr. Gull*: Then the organisation paid.] There were sufficient persons among the electors of Labour members who enthusiastically supported their policy, to give them gratuitous support. The Attorney General had said officers of unions were compelled to work for Labour candidates. He could give an instance proving that was an inaccurate statement. When the present member for Cue was opposing Mr. Illingworth he (Mr. Troy) was secretary of the union, and two or three members of the committee of that union approached him, and said that they had always supported Mr. Illingworth, whose policy seemed just as good to them as that of the Labour candidate. They still desired to support Mr. Illingworth, and wanted to know what they should do. He advised them not to take part in the selection ballot, and then they could vote as they pleased. They voted for Mr. Illingworth and fought hard for him, but yet they remained members of the union committee, and there had never been the slightest reference made to their action in connection with the election. With regard to the statement made by the Attorney General as to the paid officials of the union being compelled to work for Labour candidates, that did not mean much, as there were but very few places in which the secretaries were wholly paid.

In Kalgoorlie there was one man who was secretary for the Northern and Eastern fields, while at the Murchison there was only one man, and he resided at Cue. The proposed new clause provided for the appointment of a scrutineer and a secretary, and surely no other paid officials were needed. The proposal would serve to purify elections and would do away with the parasites who now followed elections in the garb of electioneering agents. Ministerial members who were to a great extent subject to these people should be the first to welcome the change. The great majority of Labour members fought an election for £30.

Mr. Angwin: The National League allowed the other side £50.

The Minister for Works: The hon. member was speaking inaccurately.

The CHAIRMAN: Order!

Mr. Angwin: Was not the sum of £50 allowed to fight him at the last elections?

The CHAIRMAN: Order! Order!

Mr. TROY: The proposed new clause in addition to purifying the conduct of elections, would enable people to vote for their choice instead of being talked into voting for a certain candidate by unscrupulous agents.

Mr. STUART: What the Attorney General said really meant that there was a system of terrorism in vogue by means of commandeering the services of those associated with Labour unions in connection with the candidature of Labour representatives.

The ATTORNEY GENERAL: The hon. member was under a misapprehension. He had not said there was a system of terrorism in vogue, but that the unions placed the services of their paid officials at the disposal of the candidates who represented their views. He had said that those officials and members of unions were enjoined to work for the Labour candidate. He did not suggest that the officials were used improperly, and if he had used any phrase which was objectionable he withdrew it. He had not meant that any improper practice was adopted.

Mr. STUART: The first statement made by the Attorney General was that the services of the paid officials of unions were commandeered. He would not care to owe his presence in the House to services that were not spontaneously rendered. In most cases Labour members were returned on what might be termed a labour of love on the part of those who supported them. As to commandeering services, the Labour people would be the first to resent it. The clause should commend itself to the Committee. It was difficult to define the limits of legitimate expenditure in election matters. He protested against the indiscriminate way in which money was thrown around practically in the purchasing of votes. In Kalgoorlie one had seen desperate efforts made to buy the representation of that seat. One saw men who were practically loafers around the town without any fixed political principles, and with not a penny in their pockets one day, on election day having heaps of money and credit at hotels, soliciting votes. That was something that was not desirable in the conduct of an election on election day. We knew the standard value of a cab or buggy or a four-in-hand, and very seldom a candidate whom the Labour party were opposing could faithfully say the expenditure incurred was within the limits prescribed. If this clause would have the effect of lessening that abuse it should receive the support of every member in the Chamber. If we succeeded in eliminating from an election that undesirable element—the money element—a good purpose would be served. Many a vote could be purchased by a ride in a cab or a motor bus on on election day.

Mr. FOULKES would gladly support the new clause, and he understood every member of Parliament, or anyone likely to fight an election, would support the clause, because, if passed it would make elections much easier for the candidate who had to fight them. But the objection he had to the clause was that, however advantageous it might be to members, we had to remember that a large section of the community took an active interest in Parliamentary elections, and

this clause would prevent the electors and those interested in outside causes taking any part in an election. Take for instance the temperance party. If this clause were passed it would be impossible for any person having strong views on temperance matters from rendering any assistance, or taking any active part in a Parliamentary election. If the temperance societies employed secretaries, as some did, no doubt the secretaries, when an election was taking place, would take an active part in working for the candidate whose views were akin to those of the society of which he was an officer. There were such things as Labour organisations whose officers took an active part in elections. The member for Mount Margaret said they were not obliged to take part in elections, but they were obliged, and he could give instances where the officers of a Labour union were obliged to assist a Labour candidate.

Mr. Troy : Give an instance.

Mr. FOULKES remembered an election in North Fremantle in 1893, and strange to say, this evening he was reading an account in the *West Australian* of a meeting where a resolution was passed to the effect that all Labour officers, particularly in North Fremantle, were instructed to assist the Labour candidate. However, members might be desirous of making elections simple and easy for themselves, we had no right to prevent outside organisations taking any steps they liked to assist a candidate. He wished to protect the officers of the various Labour organisations ; but if this clause were passed, no secretary of a Labour union would be able to assist except as secretary to a candidate : he could not do any canvassing. One knew secretaries of trades and labour unions who were sensible enough to support him, and he was glad of their support; therefore he wished to see no penalties imposed on organisations for assisting candidates. It was cant and humbug to say that those who were officers, for instance, of the temperance party had no right to take part in an election. If the brewers and publicans liked to pay officers to assist their cause, what right had we to prevent them? The time had come when outside organisations would take a great part in political elections, and the better it would be for the political life of the country. He would not assist to take away the activity of these outside bodies. He was not afraid of them; members must take their chance. If the clause were passed, no officers of Labour unions could take part in a parliamentary election.

Mr Collier: Show how the clause would prevent that.

Mr. FOULKES: The amendment said that no person should, for the purpose of promoting or procuring the election of a person, be engaged or employed for payment. He had given instances where officers of a union had been instructed to assist in the return of a candidate.

Mr. Collier: They were honorary officers.

Mr. FOULKES: Honorary officers were not instructed. These officers were instructed to support the Labour candidate. As he wished to give a free hand to outside organisations, he would oppose the new clause.

Mr. GORDON: Recently, on a question of amending the Arbitration Act, the Opposition raised a howl because friendly societies or trade unions whose funds were used for political purposes were refused registration.

The CHAIRMAN: The hon. member must withdraw the reflection on the Opposition.

Mr. GORDON withdrew the statement. If friendly societies could use moneys for political purposes, why should not other people have the same privilege ? If when he was a candidate an elector offered to assist him, he would not accept that assistance for nothing, nor did he wish to tempt other candidates to break the law. He would never be a party to sweating.

Mr. JOHNSON supported the clause with a view to overcoming one of the most objectionable features of recent parliamentary elections in this State. Highly disreputable canvassers were engaged on election day. These men knew nothing of the merits of the candidates, but went round from house to house distributing

the vilest slanders conceivable. Some monstrous slanders were thus circulated in Kalgoorlie when he was contesting that seat against the Attorney General. On investigation he found that the Attorney General had not engaged the canvassers, who had been employed by an enthusiastic committee-man. They met in an hotel, compared notes to ascertain who could spin the best yarn, and then went round the district.

The Attorney General had never heard of that.

Mr. JOHNSON had mentioned it to the Attorney General in the Corridor, after the last election for Guildford. The same thing had been done by canvassers on his (Mr. Johnson's) behalf, employed not by him but without his knowledge by interested persons, who from personal motives wished to slander the Attorney General. The member for Claremont (Mr. Foulkes) did not understand the clause, which simply provided that no person could pay canvassers to distribute slanders. The hon. member thought this would debar temperance societies and others from taking an active part in politics. In an honorary capacity any official of such a society could canvass as he liked, though he was a paid official of the society. The hon. member read from a paper to show that members of trades unions were instructed how to vote. He (Mr. Johnson) had attended the meeting in question, held to decide whether the candidature of Mr. Ives should be supported for a Fremantle electorate; and a resolution was passed instructing the officers of the executive to take the necessary steps to support his candidature. That was done by every political party. At the last West Perth election there was a split in the camp of the National League, and at subsequent meetings it was pointed out that unanimity was essential. Every member who had fought a hard contest had experience of the vile professional canvassers hired to distribute slanders of a personal nature, absolutely regardless of politics.

Mr. Foulkes: The clause would not prevent that.

Mr. JOHNSON: Yes; for those canvassers were purely professional, and would not act without payment.

Mr. ANGWIN: Never having had personal experience of paid secretaries or canvassers, he had not anticipated the hostility of the Attorney General. The clause was intended simply to purify elections, and would be a distinct improvement to the Bill.

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

Ayes	..	..	13
Noes	..	..	19
Majority against	..	..	6

AYES.	NOES.
Mr. Angwin	Mr. Barnett
Mr. Bath	Mr. Cowcher
Mr. Bolton	Mr. Davies
Mr. T. L. Brown	Mr. Draper
Mr. Collier	Mr. Eddy
Mr. Hudson	Mr. Foulkes
Mr. Johnson	Mr. Gregory
Mr. Scaddan	Mr. Gull
Mr. Stuart	Mr. Hayward
Mr. Taylor	Mr. Keenan
Mr. Troy	Mr. Mitchell
Mr. Underwood	Mr. N. J. Moore
Mr. Heitmann (*Teller*).	Mr. Piesse
	Mr. Price
	Mr. Smith
	Mr. Veryard
	Mr. A. J. Wilson
	Mr. F. Wilson
	Mr. Gordon (*Teller*).

Clause thus negatived.

Postponed Clauses and Schedule.

The ATTORNEY GENERAL moved—

That the consideration of the Schedule be postponed until all postponed clauses have been dealt with.

Mr. BOLTON protested against entering on such important business at this late hour.

The CHAIRMAN: The hon. member should move that the Schedule be postponed. The consideration of the Schedule, if postponed, must necessarily be taken after the postponed clauses.

Schedule postponed.

Ballot Papers, Marking.

Postponed Clause 90—Mode of marking Ballot Paper:

The ATTORNEY GENERAL moved—

That in Subclause 1, line 1, the words "only one member is to be elected and" be struck out.

This would make the subclause read, "at

elections where there were only two candidates," and would strike out any reference to dual electorates.

Mr. ANGWIN : So far members had not had an opportunity of perusing the evidence taken by the select committee ; and as some of the evidence appeared to be condemnatory of the system of preferential voting, the Minister should agree to postpone this clause until Tuesday, to give members an opportunity of studying the evidence. This was a fair request. If it was necessary for the members of the select committee to take evidence before coming to a conclusion on this system of voting, it was necessary for members to read that evidence to base an opinion on the decision arrived at by the select committee. If the Attorney General by agreeing to report progress at this stage gave members an opportunity of perusing the evidence and coming to the conclusion that the system of preferential voting was needed and practicable, he would get the unanimous support of the Committee.

The ATTORNEY GENERAL : This was not an ordinary case of referring a Bill to a select committee after the second reading. This was a case of a particular clause being referred to a select committee in exceptional circumstances, instead of proceeding to discuss the clause in Committee of the House. The select committee met on no less than six occasions, and took every possible opportunity of going into the matter to an extent that would perhaps in other circumstances be wholly unwarranted, and had brought down a report which was unanimous beyond any question. His judgment on the matter was waived to an extent, to meet the unanimous desire of the committee to bring in a report of the unanimous character now before the House ; so there was no justifiable reason for delay. It was necessary to get on with the work of the session. Another place was crying out for work from us. In the circumstances, he could not listen to any suggestion for farther delay. No one could say he had made any effort to unduly hasten discussion during the debates on this Bill. Every member had been given opportunity to air his views.

Mr. COLLIER : We had arrived at a nice stage. According to the Attorney General, because five members had arrived at a certain decision, there was no need for farther discussion.

The Attorney General : No need for farther delay. There was a great deal of difference between discussion and delay. He had not said there was no need for farther discussion.

The CHAIRMAN could not allow a discussion as to whether the Attorney General should consent to report progress or not. He had allowed the member for East Fremantle to state at length his reasons for thinking progress should be reported, and he had allowed the Attorney General to reply ; but the question now before the Committee was that certain words should be struck out of Clause 90. The member for Boulder, if he wished to speak to the amendment, could do so.

Mr. JOHNSON supported the amendment. It was because it was carrying out the decision arrived at by a committee in which he had the utmost confidence. He was prepared to support any amendment moved by the Attorney General, provided it carried out the desire of that committee.

Mr. SCADDAN, while having every confidence in the select committee, claimed a right to peruse the evidence before giving his decision. The report which was before members said that documents were attached, but they were not attached.

The CHAIRMAN : There was only one question before the Chair, as to whether the amendment be agreed to or not. The hon. member must adhere to that.

Mr. SCADDAN : How did we stand in connection with the select committee's report ? These postponed clauses were referred to a select committee, not to consider line for line, but on the general principle contained in them. He understood it was for us at this stage to discuss the report of the select committee affecting any matter before the Chair. It was really the select committee's report we were debating and not the amendment.

The CHAIRMAN: So far as the select committee's report related to the amendment, the hon. member could discuss it, but no farther.

Mr. SCADDAN: The select committee recommended that a system of preferential voting be included in the provisions of the Bill. The amendment had that object, and one could discuss that portion of the report.

The CHAIRMAN: The hon. member had already been given a distinct ruling, that he was perfectly in order in discussing the amendment and any portion of the report which related to it. He must speak to the amendment, but at the time he was called to order he was not doing so.

Mr. SCADDAN: The committee recommended the system of preferential voting, and the amendment of the Attorney General evidently was for the purpose of carrying that recommendation into effect. One desired to have an opportunity of perusing the evidence submitted to the committee on this point. The report of the committee distinctly stated that the documents were placed before members for their perusal, and an opportunity should be given to see the evidence before the debate was proceeded with.

Mr. ANGWIN: Members should be given an opportunity to peruse the evidence before considering the proposed amendments.

The CHAIRMAN: There was nothing in the amendment touching proportional voting, and the hon. member must keep strictly to the amendment.

Mr. ANGWIN: The two questions of preferential and proportional voting were so mixed.

The CHAIRMAN: The member must not argue on the question of the ruling.

Mr. ANGWIN: Would it be in order to read the report of the committee? [The hon. member proceeded to quote from evidence given by the Chief Electoral Officer before the select committee.] The Chief Electoral Officer, in giving that evidence, had no idea of the effects which would follow the adoption of preferential or proportional voting, for what knowledge he possessed was of a theoretical nature. [Farther portions of evidence read.]

The CHAIRMAN: We had heard nothing from the hon. member yet relative to the amendment. If there were occasion again for him to rise, he would call on the hon. member to cease his speech.

Mr. ANGWIN refused to allow any five members of the House to decide a question like this for him. He had his own opinions on the question.

Amendment (Attorney General's) put and passed.

The ATTORNEY GENERAL moved farther verbal amendments, which were agreed to.

Clause as amended put and passed.

Polling Places, Sub-Districts.

Postponed Clause 97:

The ATTORNEY GENERAL: Subclause (*d*) of the clause made provision for the establishment of sub-districts and polling-place areas, and fixing the boundaries thereof. He had promised to give the House the reasons for which the Chief Electoral Officer desired to include the subclause, and then to leave it to the House to decide whether the principle should be adopted or not. Unless provision were made for sub-districts, it would be impossible to act in concert with the Federal authorities in preparation of any electoral matter, and to share the expense. The Federal Electoral Officer and our Chief Electoral Officer were satisfied that if power were given in the Bill to create sub-districts they could share to a large extent the cost of preparing the rolls and a great deal of work which had to be performed at present by each of the two departments. This would represent a substantial saving both to the State and to the Commonwealth. It was impossible, when a proposal was made which clearly pointed to considerable economy being effected, for the Minister in charge to give the proposal sympathetic or active support. One difficulty in the creation of sub-districts was that it would be an injustice to electors in many parts of the State. To meet that difficulty he was prepared to provide that sub-districts should only be created in

portions of the State which the Governor-in-Council, on the advice of the Chief Electoral Officer, approved. Another objection taken was that, owing to the fact that in many places electors had to move from one sub-district to another, they would be seriously handicapped if they had to vote in that sub-district only in which they were registered. He was prepared to meet that position by including a provision that any elector might vote in any sub-district, although resident in another, on making a declaration that he had not voted in the sub-district in which he was registered. Nothing could be done in common with the Commonwealth except by means of the establishment of sub-districts. The suggestions he had made for dealing with the difficulties brought against the principle would obviate a likelihood of the electors being harassed by the establishment of sub-districts, for a man would be able to vote in one sub-district although registered in another.

Mr. BATH: Because it might happen to suit the Chief Electoral Officer and the Commonwealth Electoral Officer, that was no reason why a provision should be introduced which might work harshly on the electors in some cases. Take the districts round Kalgoorlie as an example. On election day, if the clause were inserted, men, after returning home from work and changing, would be put to very considerable inconvenience by having to go to sub-districts where they were registered. The existing law in this respect had succeeded admirably and there was no valid reason why it should be changed.

Mr. STUART: Evidently the Chief Electoral Officer knew very little about the geography of the State; he sat in an office in Perth and dealt out red tape. If the Attorney General was guided by that officer's opinions a hardship would be inflicted on people who were entitled to consideration. If the only advantage was that we could work in harmony in this small matter with the Federal authorities, that was outweighed by the difficulties the provision would put electors to in various parts of the State.

Mr. HEITMANN: How did the Attorney General intend to effect the economy in having these sub-districts proclaimed? They could not work in unison, for take the electorate of Coolgardie for the House of Representatives, that included at least five electorates of the State. The main argument for the sub-districts put forward by the Attorney General on a previous occasion was that they would prevent people voting twice. He (Mr. Heitmann) had never known a single attempt on the part of electors to vote more than once. It had been a great trouble to get the Electoral Department to define the boundaries of the Cue electorate, and at the last election 100 electors were on the Magnet roll, when they should have been on the Cue roll. If it was so hard to define electorates, how much harder would it be to define sub-districts. If the Attorney General was not bound by the provision he should agree to strike it out.

Mr. UNDERWOOD moved an amendment—

That all the words after "place" in Subclause (c) to the end of the clause be struck out.

It was admitted to be impossible to apply this provision in many districts, and he was doubtful as to the advantages of it.

Amendment put and passed; the clause as amended agreed to.

Postponed Clause 29—Change of electors from one polling place to another—negatived.

Voting Preferentially.

Postponed Clause 126:

The ATTORNEY GENERAL moved an amendment —

That all the words after "preference" in line 10 be struck out.

Mr. ANGWIN: Would the Attorney General explain the clause?

The ATTORNEY GENERAL: Subclause 3 referred to the election of more than one member, and therefore involved proportional representation.

Amendment put and passed.

Mr. ANGWIN: Would the Minister explain how it would be possible for the provision to work in a large district if there were more than two candidates, and they wanted a second count for the pur-

pose of seeing who was the proper person to elect? What proceedings would be taken? Take Kimberley for instance: he had been told to-night that it was impossible to get the rolls for 30 or 40 days after the return of a writ; how was it possible to get in the ballot papers and count the votes? An injustice would be done in not allowing members time to peruse the evidence taken before the select committee. We were not to be bludgeoned into the matter because two members on this side had agreed to the select committee's report. The system of preferential voting had never been proved to work satisfactorily anywhere. In Queensland it was a failure, and the system was condemned by those who had taken any hand in electoral reform. John Stuart Mill and Ashworth condemned the system. It was therefore fair that we should have an opportunity of looking into the evidence before we committed ourselves to the system, for no one seemed to understand how it was worked. Without reading the evidence, no member could give a correct decision. This was obvious; for even the select committee could not form a conclusion without hearing the evidence.

The Premier: That applied to every select committee report.

Mr. ANGWIN: But the reports of other committees were laid on the table for perusal before being adopted. This report did not even summarise the evidence, which members were not given an opportunity to read.

[12 *o'clock midnight.*]

Mr. COLLIER opposed preferential voting, and disagreed with the view nearly every member appeared to hold—that members should without consideration adopt a select committee report. Though he had every confidence in the members of the select committee, he had a right to agree or not with their views. It was unfair to ask us at this hour of the night to adopt a radical change in our system of voting. In every Australian Parliament this proposal had been debated, but not adopted in any State except Tasmania. Other State Parliaments had debated and rejected it several times. Preferential voting was good in theory but not in practice. This was illustrated at a recent election on the goldfields, to fill a position in the engine-drivers' union. Out of 500 votes recorded one candidate obtained 200 votes on the first count, the second candidate 140, the third 100, and the fourth 92. The final result was, the man with 140 votes secured the position, beating the man with 200 by a total of 28. By an exhaustive ballot the man with 200 on the first count, or a majority of 60, would not have been defeated on the final count; but preferential voting would always have this unsatisfactory result. Those who voted for the man who obtained 140 votes knew that the man with 200 was his strongest opponent; and instead of marking the latter as No. 2, which would have shown their real opinion of him, they marked him No. 4 because they were afraid he would defeat their favourite candidate, who received 140 votes.

The Attorney General: That made no difference.

Mr. COLLIER: It made a great difference. Voters who wished a certain man to be returned did not mark the next-best man No. 2. They marked him 4 or 5, to prevent his having a chance against their candidate. Such an important change in our electoral system should not be forced through at this hour. He again protested against adopting without discussion the decision of the select committee.

The ATTORNEY GENERAL: The hon. member was under a double misapprehension. First as to preferential voting, in the instance quoted one candidate obtained 200 votes, another 140. Those who voted for the latter would have preferred No. 1 for second choice; nevertheless they marked him fourth instead of second. But that gave no advantage to No. 2 with his 140 votes. Until No. 2 had been declared a defeated candidate the second-preference votes did not count. Thus a voter could not help No. 2 by voting for No. 4 or 5. Although voters might through stupidity vote as the hon. member suggested, that would be their fault and not the fault of the

system, which was perfectly equitable except when electors voted against the dictates of their conscience. As to adopting the report of the select committee, why refer a matter to a select committee, and then thresh it out absolutely from the beginning in Committee of the House? The select committee, representing both sides of the House, consisted of members holding diverse opinions; and those members took evidence and observed the demeanour of the witnesses—a most important point. Yet when the committee brought in a unanimous report, members were asked to repudiate the recommendations.

Mr. Scaddan: That had been done in many instances.

The ATTORNEY GENERAL: Not when the report was unanimous. No private member should, without grave reasons, repudiate a decision arrived at unanimously by the members of a select committee.

Mr. SCADDAN: The system of a second ballot was preferable because the system advocated in this Bill would be difficult to understand. The illustration given by the member for Boulder was a good one. If there were three candidates opposing the sitting member under the preferential system, those who cast their votes for other than the sitting member would cast their preference votes to put the sitting member lowest on the list. They would give the man they were most afraid of the last preference.

The ATTORNEY GENERAL: The second preference was given on the supposition that the voter's first preference was put out. The electors would say that since they could not get their own candidate they would give their second preference votes to the candidates they wished to get in should their own candidate be defeated.

Mr. SCADDAN: In municipal elections, where A, B, C, and D stood, and it was not desired to return B, the people voted for A, C, and D, and thus a good man might be defeated. In some cases comparatively unknown men were chosen because of the desire to reject a good but unpopular candidate.

Hon. F. H. Piesse: That was the mistake of the voter, not the fault of the principle.

Mr. SCADDAN: We should first educate the voters to this system before introducing it.

The Attorney General: The way to educate the people was by introducing it.

Mr. SCADDAN: Under the illustration given by the member for Boulder, B would obtain the greatest majority of second preferences from the electors supporting D, not so much for the purpose of getting B returned, but for the purpose of defeating A, the sitting candidate. That was the experience during the last few weeks. Under this system the will of the majority would not be carried out in some cases owing to the fact that today elections were held on such clearly-defined party lines, and the minority would elect a minority representative. So he could not support the system.

Hon. F. H. Piesse: It was not the fault of the principle: it was the way it was applied. By the time it came into force the people would understand how to use the system.

Mr. SCADDAN: While the select committee might agree on a certain line of action, he without discussion could not follow the committee in accepting something which would prove to be a fiasco at the first elections. Many unanimous reports of select committees had been absolutely ignored by the Government, and in other cases private members had been compelled to move motions in this House and have matters considerably debated before committees' reports were accepted by the Government. There was the "Empress of Coolgardie" case. The Government withstood several discussions before assenting to the report of the select committee in that case. Then there was the case of Mrs. Tracey. The committee arrived at a unanimous decision with regard to that case, but no notice whatever was taken of it.

The Attorney General: Let the hon. member give an instance where a committee sat on a Bill and a unanimous decision was not approved of.

Mr. SCADDAN: There was a select committee on the compilation of rolls.

They recommended certain points which were not included in the present Bill.

Clause as amended put and passed.

Clause 137—Informal ballot papers:

The ATTORNEY GENERAL moved an amendment—

That Subclause (f.) be struck out.

It was provided by this clause that an elector could vote either preferentially or not, and a ballot paper was not informal for the non-exercising by the elector of his right to vote preferentially.

Amendment put and passed; clause as amended agreed to.

Clause 138—Ballot papers not informal:

Mr. ANGWIN: Since the establishment of responsible Government in the State the system of marking ballot papers was to strike out the names of the candidates one did not desire to vote for. Subclause (*a.*) of the clause provided that the elector should indicate his preference for a candidate by marking a cross opposite to his name. Apparently if the elector crossed the other names out the ballot paper would be informal. It should provide that a ballot paper was not informal if all the names, except one, were struck off the paper.

The ATTORNEY GENERAL: It was stated in the clause that "A ballot paper shall not be informal by any reason other than the reasons enumerated in the last preceding section, but shall be given effect to according to the elector's intention so far as his intention is clear." A ballot paper would not be informal because an elector indicated his preference by striking out the names of the other candidates.

Clause put and passed.

Clause 140—agreed to.

Clause 142—Counting of votes by returning officers:

On motions by the *Attorney General* the words "only one member is to be elected and," in Subclause 1, struck out; also the words "only one member is to be elected and," in Subclause 2, struck out.

Clause as amended agreed to.

Clause 143—struck out.

Clause 168—Effect of decision:

The ATTORNEY GENERAL. This clause was postponed in order to draft a subclause to enable the writ to be issued either by the Speaker of the Assembly or the President of the Council on receipt of an order from the Court declaring an election void. It had been found, however, that such a subclause could not be placed under the present clause. After consulting with the Parliamentary Draftsman he had come to the conclusion that it could not be inserted here, but he would make arrangements for its inclusion in its proper place in another part of the Bill when the measure reached another Chamber.

Clause put and passed.

Candidates and Hotels.

Clause 183—Illegal practices:

The ATTORNEY GENERAL moved that the following subclause be added:—

The attendance by a candidate after nomination day at any committee meeting held for the purpose of promoting or procuring his election on premises on which the sale by retail of any intoxicating liquor is authorised by license.

Mr. ANGWIN: That did not go far enough, for it only related to a committee meeting after the day of nomination. He had given notice of a new clause, in accordance with the Criminal Code, dealing with the question. Therein he provided that any person who was a candidate at an election, and convened or held a meeting of his committee in a house licensed for the sale of fermented or spirituous liquors would be guilty of illegal practices; also that any person who hired or used for a committee room at an election any part of a house licensed for the sale of fermented or spirituous liquors, or any part of any premises where any intoxicating liquor was sold or supplied, and any person who knew the same were intended to be used as a committee room at an election and let any part of such premises, would be guilty of illegal practices. The provision he wished inserted was formerly in the Criminal Code, and it went farther than the amendment pro-

posed by the Attorney General. At election times it was a duty to keep electors away from places where liquor was sold. A great deal of influence was used at election times, and members should not take a step backward but re-enact the clause which was in the Criminal Code. It was thought fit to pass such a provision on a former occasion for the conduct of Parliamentary elections, and there was no objection to candidates addressing electors from the balcony of a hotel, but meetings should not be held in hotels. He moved an amendment in place of that proposed by the Attorney General (amendment as in Notice Paper).

The CHAIRMAN: The amendment now proposed could not be accepted. If the amendment by the Attorney General was defeated, then the hon. member could move his amendment.

The ATTORNEY GENERAL had brought before the Committee what he thought a fair compromise. The member for Mount Margaret thought that he (the Attorney General) had gone too far. When the proposal was previously before the Committee he said that he would endeavour to meet the views of the member for East Fremantle, but could not go so far as that member desired. What he had attempted to do was to make the suggestion as fairly acceptable as between the extreme views of the member, and the views of those who were not acquainted with the parts of the State where it was an extreme hardship to apply the sentiments which the member enunciated. The only person who would pay for liquor to whom objection could be taken was the candidate. It was absurd to say if persons were going home from an election meeting held in a temperance hall they would not call into an hotel on their way. It was no good shutting one's eyes to what we knew took place. The amendment made it an illegal practice for a candidate to frequent public-houses, and that was as far as we could legitimately go.

Mr. ANGWIN: If a member in future intended to move an amendment he had better not give notice, because if he did so the Attorney General brought forward something in its place which was useless. The candidate was not affected in the least. He had known of instances where it was not the candidate who used undue influence by supplying liquor, but persons connected with the candidate. Rooms in hotels for holding meetings were given free; the hotelkeeper hoping to recoup himself by the sale of liquor. Only the other day a person told him that an hotelkeeper offered to put up £25 to run a candidate, so that there would be opposition in the electorate and the publican would obtain some profit. The provision which was formerly in the Criminal Code was a good one as it kept people away from intoxicating liquor at election times, and saved many a black eye. In nine cases out of ten if a meeting was held in a temperance hall, after leaving the meeting those who had attended went straight home. If members gave this matter due consideration they must come to the conclusion that it was unwise to allow meetings to be held at hotels. It had been found unwise to hold meetings of friendly societies at hotels, therefore how much more inadvisable was it to hold political meetings.

Mr. FOULKES strongly objected to election committee meetings being held in a public-house; but the provision would have no effect, because half a dozen might be constituted a committee, and they could disband the committee as soon as they got outside, and could then go to the hotel to drink. When they got to the hotel they would cease to be a committee. It would be almost impossible to get a conviction under such a provision as that proposed by the member for East Fremantle, for members of a committee would go to an hotel in their private capacity and not as committeemen.

Mr. SCADDAN: When meetings were held in hotels everyone attending felt that they were called on to club in with others to take a drink in the way of payment for the room, and when a political committee meeting was held at an hotel, instead of the members clubbing together for a drink, the candidate paid through his secretary. It did not matter if the candidate attended or not, he left the money with the secretary to pay for the

drinks, which was payment for the room. If meetings were held in places other than hotels the obligation was not cast on the candidate to provide liquor, and the result was that after leaving the committee room the members went home immediately. Many persons would not sit on committees that met at hotels. If the provision was optional as was the case with the amendment, committees would meet at hotels. There was a vast difference between the amendment of the Attorney General and the new clause on the Notice Paper. The former provided that a committee might meet in an hotel, in the absence of a candidate. But a committee sometimes met in an hotel of which the candidate was proprietor. Must the candidate clear out of his own hotel? He could not hold the meeting in a private house, for he would then lose the support of the trade. The committee would presumably meet in some other hotel. The Attorney General's amendment penalised the candidate only, whereas the new clause would penalise any member of the committee holding a meeting in an hotel.

The Attorney General had another subclause to provide for that.

Mr. STUART did not like the application of the Criminal Code in this connection. In an outback district it would be inconvenient if political meetings could not be held in hotels, though on the other hand it was not creditable that a voter should become so bemused in beer as to be induced to vote for a given candidate. In the old days, before workers' halls were built, all goldfields meetings were held in hotels. It was not advisable to mix beer and politics: but harm might be done by going to the other extreme.

Amendment (Attorney General's) put and passed.

[1 *o'clock a.m.*]

Mr. SCADDAN moved an amendment that the following be added as a subclause:—

Attendance by any member of a committee formed in the intetrests and with a view to obtain the return of any candidate at an election at a committee-meeting held on any premises licensed to sell retail spirituous liquors.

Amendment passed; the clause as amended agreed to.

Other Amendments.

Clause 186—Electoral offences:

The ATTORNEY GENERAL moved an amendment—

That the line "wilfully making a false statement of any objection to any claim or to any name on the roll," be inserted after the line "voting more than once at the same election," in the column headed "Offences"; also that the line "imprisonment not exceeding two years," be inserted in the column headed "Punishments," opposite the new line in the "Offences" column.

Mr. SCADDAN: Was imprisonment the only penalty?

The ATTORNEY GENERAL: This being an indictable offence, the Criminal Code permitted the court to substitute a fine for imprisonment.

Mr. Angwin: It was unusual to make such amendments without notice.

Mr. Bath: The member for Pilbarra (Mr. Underwood) had given notice of this amendment.

The CHAIRMAN: The practice of giving notice should be adhered to. Amendments without notice caused much inconvenience to the Chairman.

Amendment put and passed.

Schedule—Forms:

The ATTORNEY GENERAL: The amendment made in Clause 203 necessitated an amendment in the footnote to Form No. 4. He moved an amendment—

That the words "any other person appointed by the Minister," be struck out, and "by any elector in the same district," be inserted in lieu.

Amendment passed.

Form 21—Postal ballot paper:

Mr. ANGWIN: There was provision in the form of questions to be asked at the polling booth in reference to whether a person had resided within the district during the last three months; but that form of question was not put by the re-

turning officer issuing a postal vote. There should be provision for it in Form 21.

Mr. Bath: It was provided that the elector must declare he was legally qualified to vote.

Mr. ANGWIN: Many of the officers appointed to take postal votes were not supplied with copies of the Act.

The ATTORNEY GENERAL: Provision was made in this form to meet the case. The elector had to acknowledge the receipt of the ballot paper and had to declare that he was legally qualified to be enrolled and that he was still so qualified.

On motion by the *Attorney General*, Appendix A (Examples of marking ballot papers), and Appendix B (Examples of an election of more than one member for the same district), were struck out.

Schedule as amended put and passed.

Title—agreed to.

Bill reported with amendments.

ADJOURNMENT.

The House adjourned at 1.22 o'clock Friday (morning), until the afternoon.

Legislative Assembly,

Friday, 29th November, 1907.

The SPEAKER took the Chair at 4.30 o'clock p.m.

Prayers.

BILL—LAND AND INCOME TAX ASSESSMENT.

Read a third time, and transmitted to the Legislative Council.

BILL—LAND AND INCOME TAX.

Bill to impose a Tax—Third Reading.

Mr. FOULKES: Owing to a mistake made in an arrangement arrived at, the amount of the income tax had been fixed at 4d. without an amendment having been moved that it was intended to reduce it to 2d. Certain members on this side of the House had decided that the amount under the Bill was too high, and that it should be decreased. Under a misapprehension the clause was allowed to pass without a division. His reason for speaking on the third reading was to have it recorded that many Ministerial supporters considered that an income tax of 4d. was too heavy, and that a tax of 2d. would have been quite ample. He moved—

That the Bill be recommitted, with a view to insert an amendment reducing the amount of the income tax from 4d. *to* 2d.

Had a division taken place on the previous afternoon there would not have been a majority of more than one or two votes whether for the fourpenny or twopenny tax.

Mr. SPEAKER: The hon. member was not in order in moving the motion at this stage. The Bill could not be recommitted, as notice had not been given. Standing Order 301 said:—

"Amendments may be moved to such question (that this Bill be now read a third time) by leaving out 'now' and adding 'this day three months,' 'six months' or any other time, or the question may be negatived, or the previous question moved."

Mr. H. BROWN: At various stages he had used all the arguments he could to defeat if possible both the land and income tax proposals. There was not one member on the Ministerial side of the House who was returned pledged to support an income tax. Last year the Treasurer said he would obtain sufficient money by a land tax to square the finances of the State. If due economies were effected in administration, there would be no necessity for an income tax, and especially would there be no necessity for