Legislative Assembly,

Thursday, 1st December, 1892.

Petition: West Australian Trustee, Executor, and Agency Company, Limited (Private) Bill—Returns of Expenditure on Fremantle Harbor Works—Unqualified Medical Practitioners—Erection of Hospital and Medical Officer's Quarters at Southern Cross—Public Institutions and Friendly Societies Lands Improvement Bill: first reading—Pastoral and Agricultural Handbooks—Police Act Amendment Bill: second reading—Excess Bill, 1891: second reading—Constitution Act Amendment Bill: in committee—Adjournment.

THE SPEAKER took the chair at 7·30 p.m.

PRAYERS.

PETITION.

MR. LOTON presented a petition praying for leave to introduce a private Bill intituled "An Act to confer powers upon the West Australian Trustee, Executor, and Agency Company, Limited."

Petition received, read, and ordered to lie upon the table.

RETURNS OF EXPENDITURE ON FREMANTLE HARBOR WORKS.

MR. SOLOMON, in accordance with notice, asked the Director of Public Works—1st. How much money had been expended up to the present time on Fremantle Harbor Works? 2nd. Was it the intention of the Government to publish monthly returns of the amounts expended and work done as it proceeds, as was done elsewhere when public works of an extensive nature were carried out by the Government by day labor and not by contract?

THE DIRECTOR OF PUBLIC WORKS (Hon. H. W. Venn) replied: 1. As a literal answer to this question would convey no information of any practical value, the total expenditure comprising as it does the cost of rails and fastenings, and rolling stock and machinery, &c., and also the cost of the extension of the Fremantle Jetty, and of the new warehouse in connection therewith, in addition to the cost of actual quarrying work, &c., for the Harbor Works proper, I have given instructions for a return to be prepared showing the expenditure classified under the various heads, and will lay this on the table as soon as possible. 2. The Department is not aware of monthly returns being published in respect of Government works anywhere under such conditions, but annual reports and statements of cost, &c., are always published in the other colonies, in connection with such works, and this will, of course, be done here as elsewhere.

UNQUALIFIED MEDICAL PRACTITIONERS.

MR. MONGER, in accordance with notice, asked the Premier whether the Government were prepared to take steps to prevent unqualified medical practitioners from practising as Doctors of Medicine in any part of the colony.

THE PREMIER (Hon. Sir J. Forrest) replied that the Medical Ordinance, 1869, provided for the registration of medical practitioners, and prohibited the recovery of any charges for attendance or prescriptions by unregistered practitioners. The Ordinance also imposed a penalty of £50 on any person falsely pretending to be, or using any name or title implying that he was qualified. The Government thought the law sufficient, and were not prepared to propose any further legislation in the matter.

ERECTION OF HOSPITAL AND MEDICAL OFFICER'S QUARTERS AT SOUTHERN CROSS.

MR. CLARKSON, on behalf of Mr. Throssell, and in accordance with notice, asked the Director of Public Works whether it was the intention of the Government to make provision for the erection of a new Hospital and medical officer's quarters at Southern Cross.

THE DIRECTOR OF PUBLIC WORKS (Hon. H. W. Venn) replied that the Governmnt had the matter under consideration, and would, if possible, place a sum on the Estimates for a Hospital.

PUBLIC INSTITUTIONS AND FRIENDLY SOCIETIES LANDS IMPROVEMENT BILL.

THE ATTORNEY GENERAL (Hon. S. Burt), in accordance with notice, moved for leave to introduce a Bill intituled "An Act to empower Trustees of certain Public and other Institutions to raise money on Lands by way of Mortgage."

Question—put and passed.

Bill introduced, read a first time, and ordered to be printed.

PASTORAL AND AGRICULTURAL HANDBOOKS.

MR. HARPER, in accordance with notice, moved, "That in the opinion of this Assembly it is desirable that the Government should procure from the Agricultural Departments of the other Australasian Colonies, South Africa, and the United States of America, all handbooks issued by them within the last two years, and others as they may be published in the future, dealing with matters pastoral and cultural, inclusive of those treating of diseases injurious to animal and plant life." The hon. member said: I think most hon. members will recognise that through the progress we are making by the carrying out of railways and other public works, we are gradually coming more into contact with the outside world, and that we shall, sooner or later, look to the outside world for an outlet and a market for some of the products, which we know the colony is capable of producing, and in view of this, I think it must be admitted that we should take every precaution not only to protect ourselves, against injurious diseases of animal and plant life, but also to fortify ourselves for competition by getting for our producers the best of everything that it is possible to get, to arm them with the best knowledge and the best experience that the world knows. It is with that object in view that I move the resolution standing in my name, that is, that we may procure from all countries where experiments are being made, at very considerable cost, in proving what are the best methods for adoption in developing the resources of the country in the matter of cultivation, and also in the production of the highest class of produce. I may incidentally point out as an instance where this knowledge, if it had been possessed some years ago, would have been of incalculable value. The disease known as *phylloxera*, which originated in America, was unknowingly conveyed to Europe, and the result, as we all know, was the annihilation almost of the wine industry in many parts of the continent. Now, if these countries could have foreseen that they would have suffered to such an extent as they did, they might well have expended hundreds of thousands of pounds in keeping out that disease. Fortunately our own continent in this respect, wisely profited by the experience of others, and took timely measures for keeping out this disease. But the world is constantly developing fresh diseases, with injurious results; and it is of the utmost importance that we should protect ourselves as far as possible against the ravages of these diseases. Therefore, it is of very great importance to the future welfare of this colony that we should obtain the latest and the best information we can, on all subjects dealing with the cultivation of the soil. As I have said before, many countries, better equipped for the work than we are, are expending a great deal of money in that direction, and I think it would be unwise of us not to recognise this and to utilise to the very best of our abilities all these experiments. The course I would simply suggest is that the Government should arrange that some person should be appointed to undertake the clerical part of collecting all this information, and to get it placed in the hands of the cultivators of the soil, throughout the colony, so that they may have no excuse for not carrying on their operations in the light of the fullest information and experience which the world at present can afford them. I feel confident that if this be done it will be of immense benefit to the country in the future. I know, myself, in my own small way, it often occurs to me that I am wanting in information, in dealing with trees and plants, in the treatment of which I am sure others in other parts of the world must have had experience, and probably have satisfied themselves as to the best method of dealing with them; and, if we had an officer whose duty it was to be the recipient of information of this kind from various parts of the world, and to disseminate it among our own cultivators, our settlers would then know to whom they could always look for information on any subject of the kind, affecting the diseases of plant and animal life. I hope the Government will accept this resolution, and so assist the settlers and the cultivators of the soil in gaining this information, which cannot fail to be of very great importance to them. I would suggest that, as a beginning, an honorary board might be appointed, who could work in conjunction with this Government officer, and suggest what lines

they thought it would be best to work upon. With these few words I beg to move the resolution standing in my name.

MR. RICHARDSON: I have much pleasure in seconding this resolution. Nothing is more noticeable in the agricultural world than the development and progress of fresh diseases. We are surrounded with them on every side. No sooner is one disease combatted than another one develops itself, and it is absolutely necessary that we should do all we can to protect ourselves. I would shortly point out that here is one direction in which action might have been taken by the body, the establishment of which I suggested the other evening, an Agricultural Bureau; I am certainly at a loss to understand the apathy of the Government in that matter, unless they think it would involve a vote of money. I can assure them that according to my idea, it would not have involved any more expense to the country than the formation of any other honorary board—a few pounds per annum, perhaps, in the way of incidental expense. Otherwise the bureau would be an entirely honorary board, and one of the chief duties of its secretary would be to procure such information as this resolution of the hon. member for Beverley contemplates, and to disseminate it amongst our agricultural community. I hope the motion will bring to the notice of the Government the necessity and importance of arming ourselves in self-defence against these diseases of plant and animal life, by having the very best scientific and practical knowledge available, both as regards the prevention and treatment of such diseases.

THE COMMISSIONER OF RAILWAYS (Hon. H. W. Venn): The hon. member who has just sat down has alluded to what he calls the apathy of the Government in establishing an Agricultural Bureau, and at the same time the hon. member said that such an institution would require no funds. I must certainly on this occasion differ with my hon. friend. I hardly think he could have intended to convey that the establishment of an Agricultural Bureau would not involve some little expenditure.

MR. RICHARDSON: A little, not much.

THE COMMISSIONER OF RAILWAYS (Hon. H. W. Venn): There would at any rate be the services of a secretary, who would have to devote his time to the work, and you could not expect such a man to give his services without being paid. He would need be a man of considerable parts and abilities, with a practical knowledge and a keen interest in agriculture, because the success or failure of the bureau would depend a great deal upon the fitness and energy of the secretary. I feel sure the hon. member does not mean the House to understand that if the Government were to undertake the establishment of an Agricultural Bureau the Government would not have to put any money into it. I can assure him that the members of the Government have thought of this matter very seriously during the past year, and they are doing so still. It is only a question of funds; and, if they feel that they are in a position to devote some funds out of the public revenue for this purpose, I feel sure they will not be backward in taking this step. With regard to the motion now before the House, the Government have no objection to it whatever, and they will only be too glad to take the action suggested by the motion.

Motion—put and passed.

POLICE ACT AMENDMENT BILL.

SECOND READING.

MR. MONGER: Sir, in rising to move the second reading of the Bill which I hold in my hand, I think I can claim for it at least the merit of brevity and simplicity—a merit which was strikingly wanting in the measure which it is intended to amend. I notice that last session one hon. member complained, and with considerable justice, that nearly all the principal measures brought before the House that session had for their object an undue restriction of the liberty of the subject. But, of all the measures which were submitted to the House there was none more oppressive—and I think I may add more unnecessary—than the bulk of the Police Act of 1892. The Hon. the Attorney General, a gentleman for whose ability and good intentions I have the highest possible respect, I think allowed his prejudice to run away with his good judgment when he framed and

introduced that measure. He obviously ran away with the idea that it was possible to make a man or a community moral by Act of Parliament. I hope I understand as well as any other hon. member that public morality must be safeguarded, that life and property, and the morals of the community, must be protected, and that we must not only prevent men from doing wrong to others, but also protect them to a certain extent —and especially the weak—against their own evil natures. It is in this direction that I think legislation has been carried too far, and it is in this respect that I and others desire to see the Police Act of last session amended. No doubt the prevalence of spinning jennies and whirligigs on our racecourses was going a little too far, and it was necessary that some reform should be introduced, so as to check the undue multiplication of these machines, and to prevent them from being introduced indiscriminately, anywhere and everywhere. Such a clause as clause 2 of the Bill which I am now introducing would have had that effect, and I think would have gone far enough, without suppressing these machines altogether. This clause virtually places the control of these whirligigs and spinning jennies in the hands of such clubs as are registered by the W.A. Turf Club. I do not wish any more, I think, than the Attorney General to see every third person on a racecourse running a wheel, and every barber's shop and publichouse its totalisator; but, such a clause as I propose to introduce, and with the matter left virtually in the hands of the committee of a club, such as the principal turf club of the colony, will, in my opinion, meet the requirements of the case. I maintain that these machines really do less harm than good. The attendants on our racecourses usually go there imbued with a fair element of gambling, and if your speculative individual is unable to give vent to his excitement and superfluous cash by means of the wheel, he will find other means of doing so, and perhaps may, by gambling, lose more than he had taken with him. These machines do no more harm than does the totalizator, which is sanctioned by Act of Parliament; and, if the Attorney General and the Government wish to prove themselves sincere and consistent in their attempt to suppress gambling, we shall, no doubt, during the present session see the Attorney General introducing a Bill to repeal the present Totalisator Act. That Act legalises and controls the use of the totalisator; and, with the addition to the Police Act of the clause I now ask to be inserted, the same would apply to the machines that were suppressed by the Act passed during the last session of Parliament. This is all that the 2nd clause of this Bill proposes to do. With regard to the 3rd (and last) clause of the Bill, it entirely repeals and sweeps away a somewhat ridiculous law, that which prohibits sweeps and lotteries, except for Church purposes. I will ask hon. members to carefully read this clause in the present Police Act—it is rather too lengthy for me to take that trouble now. But I must observe that I fail to understand how so virtuous a gentleman as the Attorney General can see no harm in a Church doing that which is wrong and immoral in the individual. If a parson or a Churchwarden steals my purse and gives it to the Church, it would be no less a theft—unless there is some new commandment, "Thou shalt not steal, except for Church purposes." It is not my intention to lead anyone to infer that I object to raffles or lotteries being organised by a Church, or by any other person; but I wish to point out the apparent absurdity of this clause that allows a Church to do that which it denies the private individual. I do not think that anything this House can do can prevent that speculative animal, man, from investing his ten shillings or his pound in sweeps or lotteries; and when we know that no Act that can be introduced will prevent him, I think the best thing for us to do is to legalise the thing, and allow this man to spend his money as he may think fit. During last session, when this question came on for consideration before the House, the hon. member for West Kimberley asked the Attorney General: "Does this clause prohibit sweeps on races, or Calcutta sweeps, or people getting up consultations on different races throughout the colony?" I will read the reply of the Hon. the Attorney General: "Certainly it does," he said, "and they will be put down. I think these things are most iniquitous, and they lead to un-

utterable misery and ruin. To a great extent, I am sure, they have led to most of the embezzlement which has taken place in the other colonies. Scarcely a week passes but what we hear of some bank clerk being arrested for this crime, and I put a great deal of it down to these consultations and large sweeps. This clause will enable the Government to deal with them. There have been prosecutions in Sydney, but the organisers have only been fined. No doubt these things are good paying concerns, and they obtain the support of a large number of people, and hence the fines are of little consequence. The people who patronise them do so without taking the trouble to reflect. The one idea seems to be the chance of winning £10,000 for £1. Boys go into them, and if they have not the £1 they often steal it. Then they do harm another way. I read of a case recently where a policeman won £3,000 or £4,000 in one of the sweeps and was in his grave three or four weeks after, while previously he was a good and reliable officer." Those were the remarks made use of by the Attorney General when supporting this clause which I now wish to repeal. I think all must agree that the arguments he used on that occasion were certainly weak, and I think I am quite safe in saying that it is not the fact that a young man may be tempted to go in for a sweep or a raffle which leads to all the temptations and misery the Attorney General alluded to. As regards the hon. gentleman's remark that boys often go in for these sweeps, and that if they haven't the money they steal it, I do not think that in the records of criminal life in the Australian colonies the hon. and learned gentleman can point to one single case where it is recorded that a boy stole a pound to go into one of these consultations or sweeps. As regards the story about the policeman, and the harm that is done when a man suddenly finds himself possessed of a large sum of money, I can hardly see that it necessarily follows that it was owing to the win which that policeman made that he died within three or four weeks afterwards. It is all very well to put it down to this cause, but I think a good many others would like to have an opportunity of winning a similar sum, and I am afraid that in a great many cases it would not have the effect it is said to have had upon that poor policeman. Sir, I now beg to move the second reading of this Bill.

THE ATTORNEY GENERAL (Hon. S. Burt): I am sure I have no objection to be called the model moral man in the House, no objection at all—though I do not think I am deserving of that high compliment. But I must say it surprises me (for I have come to that conclusion now) that everybody seems to look at this provision against gambling as something that originated in my own brain, and for which the Attorney General alone in Western Australia is responsible. Well, I am not ashamed of the paternity of these sections at all, but it is not quite correct nor quite just to give me credit for them; because I may say that this Police Bill originated in another place, and a select committee sat upon it in that other place, and this particular clause, I think, I am not quite certain about this one, but many of the other clauses were inserted by that select committee. However, I am not at all ashamed of them, though there is no credit due to me for them; it is rather due to the committee of the Upper House. This Bill was passed in this House almost as it came down to us. I do not propose to object in any way to the second reading of the Bill now before us, because there is a little matter I should myself like to put into the existing Act, having this opportunity of doing so—in what direction will appear when I give notice of the section. There is a little portion of it I would also like to put out, and that is with regard to obtaining the permission of the Attorney General for these Church bazaars and raffles and other small lotteries. I cannot understand why, but the whole country seems to have got it into its head that if anyone wants to raffle a pig, or a calf, or a pair of boots, he must ask the Attorney General's permission; and my office is simply littered with letters, chiefly from ladies—who seem to raffle most—who desire permission to raffle all sorts of things, from live sheep down to antimacassars. It is a perfect nuisance to me, and I intend strenuously to have an amendment introduced into the Act to do away with this part of it. I never dreamt what I was undertaking when I suffered my name as

Attorney General to remain in this 93rd clause, and I certainly will move, or get the hon. member for York to move, that somebody else's name be inserted instead of mine. I have had quite enough of it. I therefore do not intend to oppose the second reading of this Bill, because there are other small amendments required in the Act in other directions. But these sections prohibiting whirligigs, littlegoes, and games of that kind, which the hon. member for York has addressed himself to, are nothing new. They are to be found in every Police Bill, in the mother country and the other colonies. They were taken, I believe, from the Victorian Act. With regard to the wheel totalisator, referred to in the Bill now before the House, I have no personal objection to it. I think that on race days, when men go to the course with £5 or £10 in their pockets, fully intending to spend it, they may as well spend it in this way as in any other foolish way. If they don't throw it away in this way they will probably do so in drink. Therefore, on race days, and particularly at meetings of clubs, under the wing of the W.A. Turf Club, I see no objection myself to legalising these machines; because, as I have said, people go there with money to enjoy themselves, and that money will not be in their pockets when they go home. Therefore, I fail to see that it matters much whether the man with the whirligig gets it, or the man who draws the beer. It is quite immaterial to me. We cannot altogether stop people from spending their money in this foolish way. But when it comes to sweeps and consultations, I certainly shall continue to ask this House not to allow these lotteries, which obtain, unfortunately, elsewhere. They are prohibited by law, I say, everywhere. This Clause 93, which it is proposed to repeal, and which makes it unlawful for any person to establish lotteries or schemes of that kind, is a section in the Melbourne Act, and it also obtains in Sydney. I say that to sanction these lotteries in a wholesale way leads to most disastrous results. Since I spoke on the subject last session—in fact this very week—we have seen telegrams from the other colonies—we see them almost every day—about cases of embezzlement and crimes of that nature committed, a great deal of which, I submit, is due to nothing else than this spirit of gambling which obtains so largely in those colonies. Men in responsible positions, having lost all their own money, run away with other people's money; and this gambling, and horse-racing, and whirligigs, and thimblerigs, to my mind will be found at the bottom of it all. We want to stop it as much as possible here. I believe in a man spending his own money but not other people's money. If a man works for his money he has a right to spend it; but just think what it would come to if we permitted this wholesale system of gambling. There would be no honest work done. Each man would want to toss with his neighbor, and we should have nothing but tossing all round. Who would there be left to do the work in the world? I have no objection to any man spending the money he has honestly earned, but I object to his tossing "heads or tails" with other people's money. That is not the way to live. I say it is improper, and it leads to all sorts of iniquities; and so long as I am in this House I shall be glad to do what I can in the direction of trying to keep people's sense of right somewhat straight. I do not, however, intend to oppose the second reading of this Bill, for the reason that I have already stated; and, at this stage, I do not intend to say anything further.

MR. CANNING: No one here, I think, will quarrel with the Attorney General in his desire to discourage gambling; at the same time, we must not attempt to go too far in this direction of interfering with personal liberty. For my own part, it has always struck me that one of the most amusing features of the racecourse is the wheel or the merry-go-round, with its presiding genius of the stentorian lungs, where you may risk a shilling or two in a mild form of gambling. I think this is about the most taking feature of the whole affair, this loud-voiced gentleman who tells you that "If you don't speculate you cannot accumulate." When he says that, he intends to read us a great moral lesson, and I am sure that man must be a philosopher. What he means to say is, "If *you* don't speculate *I* cannot accumulate;" and that is really the great moral lesson which the organisers of these great sweeps also teach. There is a great deal of force

in what the Attorney General says about these sweeps organised on a gigantic scale. If you only examine the whole thing closely you must see what an enormous profit the organisers of these sweeps must make. We know that to a certainty the great majority of people who invest in them must lose their money, and that, whoever wins, the organisers must clear an enormous sum, and that in the course of a few years they must make far more than the luckiest investor can possibly make. Although it may appear at first sight that to risk a pound or two in a sweep is no very great thing, we know very well that with a large class this spirit of gambling is one that grows upon them; and, when a man begins to argue that if he takes twenty tickets he shall have twenty chances of winning, that leads, with many people, to spending more money than they can really afford, and it is here that the mischief comes in. There is another thing which, in the interest of public morality, must be kept in sight—that at one time lotteries on a gigantic scale were legal in England—they are legal in some few cases on the continent of Europe at the present time; but the disastrous consequences in England became so glaring that the State interfered to put the evil down. I do not think it was done in a spirit of Quixotic morality, but because they really thought it was the duty of the Government to interfere. Do what you will, people will gamble; but I think the State should, up to a certain point, discountenance it. At the same time, I do not think we should put too many restrictions upon the actions of the people, with regard to the way in which they spend their money. But, when any form of gambling becomes too evidently an evil and a danger to the public welfare, then I think it is time for the State to interfere. I really cannot see that these small sweeps or lotteries, which, after all, are only a mild form of gambling, but against which there has been some outcry in this colony and elsewhere, do so much mischief that the State is bound to interfere with them. I shall support the second reading of the Bill, and I have no doubt the matter will be thoroughly discussed in committee.

Motion—put and passed.

Bill read a second time.

EXCESS BILL, 1891.

SECOND READING.

THE PREMIER (Hon. Sir J. Forrest): Hon. members will recollect that I introduced this Bill last session, and it was read a second time, but, owing to some hon. members desiring they should be in possession of the Auditor General's Report for 1891 before the Bill passed, it was not proceeded with. The Auditor General's Report was placed on the table of the House at the beginning of this session; and I now move that this Bill, which is the very same Bill as was read a second time last session, shall be again read a second time, and I trust it will pass through all its stages. It will be noticed that the Bill is to confirm certain expenditure incurred during the year 1891, in excess of the votes of this House. It amounts to £16,885 12s.; and, although I should always be very glad if I were able to inform the House that there had been no excess of expenditure over the votes of Parliament, still, I think the Government in this instance may be fairly congratulated that the amount is not larger than appears in this Bill. We may take credit also, I think, that whilst the excess of expenditure or overdraft is £16,885 12s., there was an underdraft for the same year amounting to £21,735 odd; so that actually we expended £4,849 less than we were authorised to spend. I do not think that I need go into all the items of this Bill at the present time. Members will notice that there are no very extraordinary items, and the amounts in the various departments are not very large. When we go into committee on the Bill, of course it will be my duty, and the duty of my colleagues, to explain in detail any item which any member wishes to refer to in the schedule. I now beg to move that the Bill be read a second time.

Motion agreed to.

Bill read a second time.

CONSTITUTION ACT AMENDMENT BILL.

The House went into committee on this Bill.

Clause 1: Short title, and date of coming into operation.

THE PREMIER (Hon. Sir J. Forrest) moved that the consideration of this clause be postponed until the other clauses were dealt with.

Agreed to, and clause postponed.

Clauses 2, 3, and 4:

Agreed to, without comment.

Clause 5.—"The Legislative Council shall consist of seventeen elected members, who shall be returned and shall sit for electoral divisions as hereinafter stated and defined:"

SIR J. G. LEE STEERE said it was proposed by this clause to increase the number of members of the Legislative Council from 15 to 17, as it was desirable to maintain the relative proportion of the number of members in the two Houses, and, as he could not help thinking that we should have a session of the new Parliament before the Upper House became elective, he thought it would be better to strike out the word "elected" in this clause, so that the number of members might be increased at once to 17, when this Bill came into operation. He did not know whether the Government had considered this question, but he was pretty confident himself that the population of the colony will not have increased to 60,000 before the next session of the new Parliament to be elected under this Bill assembled. Therefore he thought that provision should be made for increasing the number of members in the Upper House, by nomination, in order to observe the relative proportion between the two Houses, in the event of there being no election of members for the Upper House.

THE PREMIER (Hon. Sir J. Forrest) pointed out that this part of the Bill would not come into operation until Part III. of the principal Act came into force, and the Upper House ceased to be a nominated Chamber.

SIR J. G. LEE STEERE said that had escaped his attention.

Clause—put and passed.

Clause 6.—Electoral Divisions:

THE PREMIER (Hon. Sir J. Forrest) thought members might pass this clause, if they considered the names of the various divisions were appropriate; or, if any member desired to change the name of any particular division, he could do so. When they came to the clause dealing with the boundaries of these divisions, he proposed to refer that clause to a select committee.

Clause—put and passed.

Clause 7.—"Any man, who has resided "in Western Australia for twelve months, "shall be capable of being elected a "member of the Legislative Council, if "he be of the full age of twenty-one "years, and not subject to any legal "incapacity, and is a natural born subject "of Her Majesty the Queen, or if not a "natural born subject of the Queen, shall "have been naturalised for five years "previous to such election, and have "resided in Western Australia during "that period:"

MR. R. F. SHOLL said he had an amendment on the Notice Paper to add certain words at the end of this clause, providing for a property qualification for members of the Upper House. He did not know whether any hon. member had an amendment to move in a previous part of the clause.

MR. A. FORREST said he had an amendment to move, and he would now move it. It was to strike out "twenty-one," and insert "thirty" in lieu thereof. He thought they should increase the age from 21 years to 30 in case of members of the Upper House.

Amendment put, and a division being called for, the numbers were:—

Ayes	...	...	16
Noes	...	...	11
Majority for		...	5

AYES.	NOES.
Mr. Clarkson	Mr. Burt
Mr. Cookworthy	Mr. Marmion
Mr. Darlôt	Mr. Molloy
Mr. DeHamel	Mr. Monger
Mr. Harper	Mr. Piesse
Mr. Hassell	Mr. Quinlan
Mr. Lefroy	Mr. Simpson
Mr. Loton	Mr. Solomon
Mr. Paterson	Mr. Traylen
Mr. Pearse	Mr. Venn
Mr. Phillips	Sir John Forrest (*Teller*).
Mr. Richardson	
Mr. R. F. Sholl	
Mr. H. W. Sholl	
Sir J. G. Lee Steere	
Mr. A. Forrest (*Teller*).	

MR. TRAYLEN called the attention of the Government to the fact that according to this clause a person was eligible to hold a seat in the Upper House who was not necessarily an elector. An elector must not only have resided in the colony twelve months, but must have resided six months in one particular district. This six months' qualification was not necessary in the case of a member.

THE PREMIER (Hon. Sir J. Forrest) said that had not escaped the notice of the Government; but they thought it was not necessary to provide that a candidate should necessarily be an elector.

Of course if the candidate had been the required time in the colony and in the district he would be an elector, but the Government thought it would be better not to insist upon the candidate being an elector. He believed some of the best men in the colony were not at present on the electoral roll; and it was possible that it would be the same under the new franchise. A man might change his residence and his district, and through that or some other quibble might not be entitled to vote; but it was not proposed to disqualify that man from seeking election as a member. It was proposed as far as possible to give the electors an unfettered choice in the selection of their representatives.

MR. R. F. SHOLL said it did seem an anomaly that a man could take a seat in the Upper House and not be qualified to vote.

THE PREMIER (Hon. Sir J. Forrest) said the man might be qualified to vote, but that through some oversight or quibble he had not qualified himself.

MR. R. F. SHOLL, in accordance with notice, moved to add the following words to the clause: "And is seised at law or in equity of an estate of freehold for his own use and benefit in lands or tenements within the colony of the value of £500 above all charges and incumbrances affecting the same, or of the yearly value of £50, and shall have been possessed of such estate for at least one year previous to his election." Hon. members would see that the object of this amendment was to provide a property qualification for members of the Legislative Council. He thought if the Upper House was going to be a check upon hasty legislation, it would be necessary to have some different qualification for that House from the qualification for the Legislative Assembly. The qualification he proposed was the same as was provided in the existing Act—freehold property of the value of £500, or of the yearly value of £50. In Victoria the qualification for a member of the Upper House was a freehold estate of the annual value of £100, which would be equivalent to £1,000.

MR. DEHAMEL said he had very great pleasure in supporting this amendment of the hon. member for the Gascoyne. It had always been in accord with his views that if we are to have an Upper House, a House the members of which were entitled to the prefix "Honorable," they should have some stake in the country. He should like to see every man have a voice in their election, without reference to any qualification as regards the voter. If the hon. member had made the qualification £1,000 instead of £500, he should have had more pleasure in supporting it.

MR. CLARKSON said he had always been under the impression that a second Chamber was supposed to be necessary for the purpose of keeping check upon hasty and rash legislation in the Lower House. But if our Upper House is going to be composed of young men without any other qualification than being 30 years of age, I fail to see how he can expect that House to be any check upon the Assembly. He should vote for the amendment.

THE COMMISSIONER OF CROWN LANDS (Hon. W. E. Marmion) said he had felt very much interest in the remarks that had fallen from the hon. and radical member for Albany, an hon. gentleman who had posed hitherto in that House as a friend of the working man, and as a liberal exponent of the most liberal ideas. Now the hon. member had suddenly degenerated into a strong advocate of the rights of property as against brains and intelligence. According to the hon. member's present idea, property represented brains. No doubt it did in some instances, but there were also instances in which it apparently did not. Personally he did not feel any strong interest in this question, nor did he care whether the amendment of the hon. member for Gascoyne was carried or not; but he must say he was very much surprised at the attitude of some hon. members, who were supposed to have liberal ideas on this question, proposing to restrict the choice of the electors of the colony, and setting up property as the standard of intelligence, especially property fixed at such a very low value as £500. Why, any man who owned a suburban grant about Perth or Fremantle possessed £500 worth of property; and did the hon. member mean to say that the possession of this block of land gave that man a better right to a seat in the Upper House than the man who did not happen to possess a grant of land but who had received a splendid education, and who was a man of pro-

bity—probity, not property—and every necessary gift and qualification necessary to render him a fit and proper person to represent the electors of the colony in the Upper House? The idea was simply ridiculous. If hon. members wanted to have a property qualification, let it be a very high one, or none at all.

MR. R. F. SHOLL: Make it £1,000.

THE COMMISSIONER OF CROWN LANDS (Hon. W. E. Marmion): Make it as high as you please; but I shall not support it.

THE PREMIER (Hon. Sir J. Forrest) said the object the Government had in view in framing this Bill was to remove all restrictions in the way of the people of the colony in the selection of their representatives, in both Houses. It was proposed to insist upon a small property qualification, or a £25 householder qualification in case of electors for the Upper House; but, having done that, the idea of the Government was that these electors should have an absolutely free choice in the election of their representatives. After all, it must be the electors themselves who were the best judges of the class of representatives they desired to have, and it was for them to say whether they would have a representative with property or a representative without property. For these reasons the Government felt that it would be useless to place any restriction upon their choice.

MR. RICHARDSON said he had not much feeling on the subject one way or the other, but if they were going to have a property qualification at all, it ought to be a substantial one, certainly not less than £1,000. Nobody was so stupid as to argue that because a man had £1,000 worth of property he had necessarily more brains than the man who hadn't; nevertheless it did sometimes afford a rough index. Before a man could accumulate £1,000 worth of property, he must have a certain amount of intelligence and a number of other good qualities which one expected to have in members of an Upper House. It was only a very rough index, he admitted; still it was some indication that the man had some good qualities. Of course they could have a very good man without property; but, on the other hand, a high property qualification was a guarantee to the electors that a man was not a mere carpet-bag adventurer, but a man who had a visible and tangible stake in the country, and a man who was far more likely in keeping a check upon what might be termed ultra-radical or revolutionary legislation than the man to whom perhaps a £5 note offered for his vote would be a very important consideration. He did not think, however, that a property qualification of £500 would be of much use, but, if the hon. member would make it £1,000 he should be prepared to support him.

MR. SIMPSON said it was a little surprising to see a combination between the hon. member for the Gascoyne and the hon. member for Albany on the question of property qualification. He thought it had been lost sight of by those who advocated a property qualification for members, that it was proposed to have a property qualification for electors for the Upper House, which was not the case with electors for the Lower House. The amendment which had just been carried had established the fact, in the opinion of the majority of members, that at 21 a man was not wise enough to sit in the Upper House, and by the present amendment it was contended that even at 30 a man was not fit to sit there unless he was also a rich man. He supposed the next amendment would be that no man should be qualified for a seat in the Upper House unless he was a fat man. To his mind one qualification was about as necessary as the other. Neither the age qualification, nor the property qualification was a guarantee that the candidate was a man of culture or intelligence, any more than it followed that every fat man was a man of culture and intelligence. It was a noteworthy fact right through the past history of Australia that nominations to the Upper Houses, when made by Ministers responsible to the country, had been made from amongst men of character, culture, and experience, without reference to a property qualification; and this basis of selection had worked fairly well. What was to be gained by insisting upon a property qualification in this colony he failed to see. It was notorious that property qualifications had been let or lent to qualify men for seats in the Legislature in the past, and there was nothing to prevent it in the future.

THE ATTORNEY GENERAL (Hon. S. Burt) said he did not join in the indifference with which some members seemed to view the proposed alteration of this clause. He thought there were very many objections to it. The object which the Government had in view was to give the electors an unrestricted choice in the choice of their representatives. The House had already limited the area of selection by increasing the age, and it was now proposed to impose a further restriction by insisting upon a property qualification, and a very stringent one. He said a very stringent one, for it would be observed that this £500 freehold was to be "free of all charges and incumbrances." It seemed to him that would put a great many in this colony out of court. He thought it would put most of them out of court. They knew as a fact that this property qualification, in the past, had been no safeguard at all, so far as that House was concerned. The thing was simply winked at; and what was the use of imposing a qualification like that? His experience in the House dated back to 1872, and they all knew that there was never any difficulty in obtaining this property qualification, if a man wanted a seat in the House. He did not suppose that the standard of public morality was likely to improve under the present form of government, and what was the use of imposing a qualification which could be evaded at any time? Why not leave it to the electors to choose the man they considered best fitted to represent their interests, without limiting the area of selection in this way? What did they think they would secure by this amendment? Did it necessarily follow that because a man was possessed of £500 worth of property to-day he had more intelligence, or was a more steady, staid, and prudent man than he was yesterday, when he did not possess that property? Why, a man might become possessed of a great deal more than that by taking a ticket in a sweep, and, by mere chance, have more property than any of them. Was that man, because he happened to draw a lucky number in a sweep, better fitted to represent the electors in the Upper House than he was before? If he was a man possessing no sterling qualities fitting him for the position, how much better fitted would he be after winning a sweep? Some hon. member had said that the possession of property was some proof of a man being a shrewd man and a prudent man. But many men inherited property; and a man might inherit vastly more than £500 and yet be the biggest fool out. He asked the House to give the electors a free and unfettered choice in this matter. Surely they in that House did not possess all the wisdom and all the sense. Let them give the electors of the colony credit for some, and let every elector be able to say, "Mr. So-and-So is the man for me, and I don't care whether he has property or not."

MR. DEHAMEL said as the Commissioner of Crown Lands had twitted him with being radical and inconsistent on this question of property qualification, he must ask the hon. member to carry himself back to the year 1889, and he would see from *Hansard* that he (Mr. DeHamel) was one of the most consistent men in the House. This was what he said on that occasion, when this very same subject was before the House: "Whatever may be the feeling in other parts, it is the distinct wish of the constituents whom I have the honor to represent that the qualification of members be preserved."

THE COMMISSIONER OF CROWN LANDS (Hon. W. E. Marmion): What members?

MR. DEHAMEL: Members of the House.

THE COMMISSIONER OF CROWN LANDS (Hon. W. E. Marmion): Which House?

MR. DEHAMEL: Then we were speaking of the Lower House, but the principle is the same. And he went on to say: "They consider—and it appears to me "with some show of consistency—that so "long as a value is set on the vote of the "elector so surely there ought to be a "value set on the qualification of the "elected. It seems to me also that this "is the right course for us to pursue, and "that the qualification of members ought "to be retained, at any rate, until we "grant manhood suffrage to the electors. "When we arrive at that stage, when we "give universal suffrage to the electors, "when we abolish the qualification of "voters——"

THE COMMISSIONER OF CROWN LANDS (Hon. W. E. Marmion): That is what we are now doing.

MR. DEHAMEL: Not for the Upper House, and we are now discussing the qualification of members for the Upper House. "When we abolish the qualifi-"cation of voters," he said, "then I, for "one, shall be prepared to abolish the "qualification of members. But so long "as we set a value on the vote of the "elector, I think certainly we ought also "to set a value upon the qualification of "the man who holds a seat in this "House." Those were his words on the 22nd March, 1889, and those were his sentiments now.

MR. MOLLOY said the hon. member had gone back to 1889, but he remembered the hon. member, since then, advocating a Bill for abolishing the property qualification of members. Therefore, he failed to see where the hon. member's consistency came in. If it was necessary that the electors should have a free choice in selecting their representatives in the Lower House, so also was it necessary that they should have an equally free choice in the election of representatives in the Upper House. It did not follow that because we required a certain property qualification for the electors for the Upper House that those electors should be restricted in their choice. He thought it was only arrant nonsense for hon. members to talk about "revolutionary measures," and about the danger of "carpet-bag adventurers" being elected by the people to represent them in this high and responsible position. Surely, we must give the electors credit for some little amount of intelligence, when they were exercising their right of choice, and that they were not likely to send mere adventurers, with or without a carpet-bag, to represent them in this Upper House. He should vote for the clause as it stood.

MR. R. F. SHOLL said as some members had expressed themselves prepared to support the amendment if the amount were increased from £500 to £1,000, he would amend his motion to that effect.

THE CHAIRMAN: The proper course, if the hon. member wishes to amend his own amendment, is to ask leave to withdraw it, and substitute another for it.

MR. R. F. SHOLL said he would do so, and asked leave to withdraw the amendment.

Leave given, and amendment withdrawn.

MR. R. F. SHOLL then moved to substitute the following amendment:—"And "is seised at law or in equity of an estate "of freehold for his own use and benefit "in lands or tenements within the colony "of the value of £1,000 above all charges "and incumbrances affecting the same, or "of the yearly value of £100, and shall "have been possessed of such estate for "at least one year previous to his elec-"tion."

Question—That the words proposed to be added, be added—put.

The committee divided, with the following result:—

Ayes	...	13
Noes	...	14
Majority against		1

AYES.	NOES.
Mr. Clarkson	Mr. Burt
Mr. Darlôt	Mr. Cookworthy
Mr. De Hamel	Mr. A. Forrest
Mr. Hassell	Mr. Harper
Mr. Lefroy	Mr. Marmion
Mr. Loton	Mr. Molloy
Mr. Monger	Mr. Pearse
Mr. Paterson	Mr. Piesse
Mr. Phillips	Mr. Quinlan
Mr. Richardson	Mr. Simpson
Mr. H. W. Sholl	Mr. Solomon
Sir J. G. Lee Steere	Mr. Traylen
Mr. R. F. Sholl (*Teller*).	Mr. Venn
	Sir John Forrest (*Teller*).

Question—That the words proposed to be added, be added—put and negatived.

Clause, as amended, agreed to.

Clauses 8 to 11, inclusive, agreed to, *sub silentio*.

Clause 12.—"Every man of the age of "21 years, being a natural born or nat-"uralised subject of Her Majesty and "not subject to any legal incapacity, who "shall have resided in Western Aus-"tralia for twelve months, shall, subject "to the provisions of this Act, if qualified "as in this section is provided, be en-"titled to be registered as a voter, and "when registered to vote for each of any "number of candidates not exceeding the "number of members to be elected to "serve in the Legislative Council for the "Electoral Division in respect of which "he is so qualified, that is to say, if he

"(1.) Has a freehold estate in posses-"sion situate in the Electoral "Division of the clear value of "One hundred pounds sterling, "above all charges and encum-"brances in any way affecting "the same of or to which he "has been seised or entitled at "law or in equity, for twelve

"months next before the time "of making his claim to be "registered."

MR. R. F. SHOLL moved, in sub-clause 1, to strike out the word "One" in the fourth line, and to insert the word "Two" in lieu thereof. He said, if he had carried his other amendment, providing a property qualification for members, he would not have moved this amendment to increase the property qualification of electors from £100 to £200. It would be seen from the Notice Paper that he also proposed to increase the householder qualification from £25 to £30, and also the leaseholder qualification. He thought, as the House had decided there should be no property qualification for members of the Upper House, there ought to be some distinction made in the qualification of voters, and he did not think he was proposing too high a qualification.

THE PREMIER (Hon. Sir J. Forrest) thought the qualification provided in the Bill was quite high enough. It appeared to him that a freehold qualification of £100 was a very reasonable one, and much lower in proportion than a leasehold of £25 a year. But he presumed the reason why the freehold qualification was comparatively lower than the leasehold—and it was the same in other colonies—was because the freeholder was more attached to the soil than the leaseholder. In the democratic colony of Victoria the qualification for electors for the Upper House was exactly the same as in this Bill, both as regards freehold and leasehold.

MR. R. F. SHOLL: They have a property qualification for members in Victoria, for the Upper House, equal to £1,000.

THE PREMIER (Hon. Sir J. Forrest) said the qualification for electors in South Australia was £50 freehold and £20 leasehold, but in Victoria it was £100 freehold (or £10 annual value) and £25 leasehold, the same as in the present Bill. In Queensland and New South Wales the Upper Houses were nominated, and therefore we had no opportunity of comparing the qualification for electors in those colonies.

MR. DEHAMEL said it seemed to him that the hon. member for Gascoyne was rather inconsistent. If there had been a high property qualification for members there might be some consistency in his also having a comparatively high property qualification for electors. For his own part, he should like to see the qualification of electors struck out altogether, and he certainly should not support the raising of it from £100 to £200.

MR. A. FORREST thought the hon. member for the Gascoyne was quite right. Having done away with the property qualification in the case of members—and they knew it had always been a dead letter—it was only right that the electors for the Upper House should have a property stake in the country, and he hoped the amendment would receive the support of the committee.

MR. CLARKSON said he should support the amendment. If we were going to have an Upper House without any property qualification whatever for members, and to be elected by men with very little more, he thought we had better do without an Upper House altogether.

THE COMMISSIONER OF CROWN LANDS (Hon. W. E. Marmion) said he had had considerable experience in connection with electoral rolls since he had been a member of that House, having been a candidate on many occasions, and he would guarantee that if anyone went to examine the electoral rolls all over the colony it would be found that a very small proportion of those whose names were on the rolls had qualified by reason of possessing a freehold estate; the majority had qualified by a rental or leasehold qualification. He believed this was the reason why, in all the colonies, the freehold qualification had been fixed comparatively lower than the rental qualification. He thought the man with a freehold estate worth £100 had a better right to vote for a member of the Upper House than the man who only paid £25 a year rent for his lease. The freeholder must necessarily have some stake and interest in the country, of a more permanent character than the man who simply paid rent. He thought the freehold qualification provided in the Bill was quite high enough, and he thought the committee would do well to accept it as it stood.

MR. R. F. SHOLL said the Premier had alluded to Victoria, but he did not tell them that in that colony there was a member's property qualification of

£1,000, freehold, or (what was equivalent) a freehold estate of the annual value of £100. When it suited the hon. gentleman he quoted Victoria, but, when it didn't suit him, he left Victoria severely alone. Personally he might say he did not care whether the committee accepted this amendment or not, or whether they had any property qualification at all, for his belief was that when this Bill left that House it would be the last they would see of it, and the more radical they made it the better would it be, from that point of view. It was not his intention to divide the House on the question.

Amendment negatived on the voices.

MR. R. F. SHOLL said he did not propose to proceed with the other amendments of which he had given notice.

Clause—put and passed.

Clause 13.—Disqualifications:

Agreed to, without comment.

Clause 14.—"The Legislative Assembly "shall consist of thirty-three members, "who shall be elected for the several "electoral districts hereinafter named "and defined:"

MR. DEHAMEL said he noticed, by the next clause, that it was proposed to give East Kimberley and West Kimberley a member each. As the total number of electors in these two districts was only 108, he thought it was a question whether the two electorates should not be thrown into one.

THE PREMIER (Hon. Sir J. Forrest) said the clause now before the committee only provided that there shall be 33 members; the question of the distribution of seats was dealt with in the next clause.

MR. MOLLOY thought the capital of the colony was inadequately provided, and would not have its fair share of representation under this Bill. At the present time the number of electors in Perth was 468; in East Perth, 467; and in West Perth, 625; while in some of the country districts — Ashburton, for instance—there were only 27 electors, and there were some districts with even less than that. Yet it was proposed to give them a representative, while the capital of the colony, with sixty times more electors, was only to get three representatives. He thought it would be apparent to the committee that Perth was fairly entitled to another member.

THE PREMIER (Hon. Sir J. Forrest) said the next clause was the clause dealing with the distribution of seats and the boundaries of the electorates, and it was intended to refer the question of boundaries to a select committee. As to the representation of Perth, he could not agree with the hon. member, for this reason: although what the hon. member said as to there being a comparatively larger number of electors in the larger towns than in some of the country districts was quite true, he could not admit for a moment that the towns were not adequately represented. A great many members in that House—and it must always be the case—though representing country districts, lived in Perth, and had interests in Perth, and were as willing and anxious to promote the welfare of the place they lived in as were the members for the town. To some extent it was the same with Fremantle; and he did not think it could be fairly said that the larger towns were not fully represented, even although they had not as many members as they would be entitled to, according to the number of electors. He could not therefore promise that the Government would support any additional member for the city of Perth or the town of Fremantle. They thought these two towns were sufficiently represented at the present time, not only by their own representatives but also by many other members who resided there, and who had interests there, and who, generally, were willing to support anything that would tend to advance those towns, as well as the other parts of the colony which they represented.

MR. RICHARDSON said, although the hon. member for Perth had made use of the fact that there were only 27 electors in the Ashburton district, he carefully ignored the fact that under the extended franchise which this Bill provided there would probably be at least 600 electors in that district. After all, it was not the representation of mere numbers, but the representation of interests they ought to look to; otherwise the whole colony would be swamped by the representatives and the electors of Perth and Fremantle, and ruled by them, and a beautiful rule it would be.

MR. A. FORREST said as to the suggestion of the hon. member for Albany

that the two Kimberleys should be thrown into one electorate, the hon. member, when he made such a silly suggestion as that, could not know anything about these districts, or their importance. There were a large number of genuine workers in those districts, not mere loafers about town; and when this Bill came into force, and the new franchise, they would find that the two Kimberleys would have a very large electoral roll. He certainly should oppose the suggestion of the hon. member as strongly as he possibly could, and he hoped all the country members would rally round him, and protect the interests of the country districts. They must all know that Perth was already more than fairly represented; nearly half the members in that House resided in Perth, and were interested in its progress and prosperity, and were virtually as much members for Perth as the hon. member (Mr. Molloy) himself. He hoped there would be no attempt at depriving the Northern divisions of their fair share in the representation of the country. It would be a severe blow to them if they did.

MR. CLARKSON thought that Perth was considerably over-represented in that House already. When he looked round him, he saw that quite half of those who occupied seats in the House might be said to represent Perth, as they resided there. The Premier and the Commissioner of Railways, who represented Southern constituencies, resided in Perth; the Attorney General, who represented a Northern constituency, resided in Perth; the hon. member for the Greenough resided in Perth; the hon. member for the Swan resided in Perth; the hon. members for Geraldton, for West Kimberley, and for the Gascoyne, all resided in Perth, and represented it as much as they represented their own districts.

MR. MOLLOY said it did seem to him strange, when we were broadening the franchise and liberalising our political institutions, to hear it suggested that minorities should rule, and that these minorities should not be ruled by the majority. One hon. member seemed dreadfully alarmed that these minorities should be ruled by the representatives of Perth and Fremantle—"and a pretty rule it would be," the hon. member said, with a sneer. It was too much the practice of some hon. members in that House to refer to mob rule, and political agitators, and carpet-bag adventurers, whenever reference was made to Perth. He repudiated the insinuation, although it came from so wealthy and honorable a member as the member for the DeGrey. All this prating about the representation of wealth and the sacred rights of property came with very ill grace from any member in that House. As for members who represented country districts, but who resided in Perth, being regarded as representatives of Perth, he failed to see how they could in any sense be looked upon as representatives of the people of Perth when the people of Perth had not elected them. Perth was represented by its elected representatives, and these representatives were not going to be sneered at, on every occasion, by certain members, because they represented a majority, and because they sought to secure for Perth its fair share of representation. He was not going to stand there and be sneered at by these hon. gentlemen, because, having been in the House a long time, they considered themselves as the only persons entitled to sit in the House, and looked upon everyone else as intruders. He resented it. He stood there as the chosen representative of the principal constituency in the colony, and he felt proud of it. He felt proud that the people whom he had the honor to represent had sufficient confidence to place him there. He hurled back with scorn the insinuations of these hon. gentlemen about mob rule, and about carpet-bag adventurers, and about political agitators. Although he did not possess the same amount of wealth as these hon. gentlemen, he was equally as much entitled to be there as they were; and, notwithstanding their wish to the contrary, there he was, and there he would remain, so long as he retained the confidence of the people who sent him there. Even though he might not, in his own person, command the respect of the members of that House—[SEVERAL MEMBERS: No, no]—he was still entitled to have proper respect paid to him as the elected representative of the most important constituency in the colony. As the representative of Perth he was not there to have cowardly insinuations and covert sneers hurled

at him, and such epithets as "political adventurers," "political agitators," "demi-gods," "mob-rule," "carpet-baggers," thrown in his face, as if he, and those who sat with him representing the Perth constituencies, were unfit to be there as legislators and representatives of the people in that honorable House. He resented it. It was not wealth that gave a man intelligence, nor did the possession of broad acres qualify a man to represent the people in that House. They were now enfranchising the people of the colony and he hoped the enfranchised would be wise in their selection of members to represent them. So long as the electors of Perth had confidence in him as one of their representatives, he must resent the sneering insinuations of any hon. member who was supposed to represent 27 persons, as against 468.

MR. RICHARDSON said the hon. member who had just sat down had, at any rate, given them a little cheap amusement. Personally, he might say, he had never used the term "political agitator;" and, if the hon. member wanted to find out who did use it, he would find it was one of the representatives of Perth. No doubt the hon. member's speech, given as it was with a great deal of warmth and enthusiasm, had caused a considerable amount of entertainment in the gallery—where it was probably intended to; it had given him, personally, considerable amusement, though he should have preferred it if the hon. member had given them a little more argument and less warmth and enthusiasm.

MR. LEFROY thought they all recognised that in that House all hon. gentlemen were equal. He was sure they all recognised that the hon. member for Perth was on a perfect equality with every hon. gentleman in that House, and he thought the hon. member must have misunderstood some hon. member. He was sure there was no desire to hurt the hon. member's feelings, or the feelings of those whom he represented. As to representation, he thought that Perth ought to be very well satisfied with her present number of members. Perth really had a fourth member, in the gentleman who was the Mayor, and who also held a seat in that House.

MR. QUINLAN felt it incumbent to say a few words on this subject, inasmuch as he had pledged himself recently to his constituents to advocate the granting of another member for Perth, and he thought he might fairly claim that the pleasure of moving for an additional member for the city should have rested with him. However, he could fully endorse what had fallen from the hon. member (Mr. Molloy). He thought, and always had thought, that if any electorate in the colony was entitled to an additional member it was West Perth, which was about twice as large in area as any of the other divisions of the city, and already possessed considerably more electors.

MR. SOLOMON thought that, under present circumstances, the hon. member had better leave the clause as it stood, for if Perth should be considered entitled to an additional representative, Fremantle also should have one. In the district which he had the honor to represent there were now about 600 voters, and it extended a distance of about 15 miles. If Fremantle was going to increase in importance, as they all believed it would, and become the Brindisi of the colony, it certainly would have as much claim as Perth to additional representation. He thought the Bill might provide that, when the population of either town reached a certain number, it should have four members.

Clause—put and passed.

Clause 15.—"The colony shall be divided into thirty-three electoral districts, each returning one member to serve in the Legislative Assembly, that is to say, the districts of—

East Kimberley	Irwin	Bunbury
West Kimberley	Moore	Nelson
Roebourne	Swan	Sussex
De Grey	Perth	Toodyay
Pilbarra	East Perth	Northam
Ashburton	West Perth	York
Gascoyne	Fremantle	Beverley
Murchison	North Fremantle	Yilgarn
Nannine	South Fremantle	Williams
Geraldton	Murray	Plantagenet
Greenough	Wellington	Albany.

"(1.) The boundaries of the East Kimberley, West Kimberley, Roebourne, Gascoyne, Greenough, Perth, East Perth, West Perth, Fremantle, North Fremantle, South Fremantle, Murray, Wellington, Bunbury, Nelson, Sussex, Williams, Plantagenet, and Albany, shall remain those as described in Schedule A of the principal Act.

"(2.) The boundaries of the De Grey, "Ashburton, Murchison, Geraldton, Ir- "win, Moore, Swan, Toodyay, Northam, "York, and Beverley Electoral Districts, "described in the Second Schedule of "this Act, are substituted in lieu of the "boundaries of the same districts des- "cribed in Schedule A of the principal "Act.

"(3.) The boundaries of the Yilgarn, "Nannine, and Pilbarra Electoral Dis- "tricts shall be those described in the "Third Schedule of this Act."

THE PREMIER (Hon. Sir J. Forrest) said the course which the Government proposed to take, if it met with the approval of the committee, was to pass this clause and have the schedules describing the boundaries referred to a select committee. It would be observed that the boundaries of the districts specified in sub-section (1) were the same as at present, and therefore it would be unnecessary to refer that section to the select committee; but, as regards sub-sections (2) and (3), it was proposed to substitute the boundaries described in the schedules of this Bill in lieu of the existing boundaries; and he proposed to have these two sub-sections referred to a select committee. If any hon. member had any alteration to suggest as to the names of the districts, now was the time to suggest it. He might say that he proposed to move that "Williams" and "Plantagenet," which were now included with the districts in the first sub-section (the boundaries of which it was not proposed to alter) be included in the second sub-section, as it was proposed to alter the present boundaries of these electorates. At present Katanning was just on the boundary line between the two districts, and the people of Katanning wished to be within one district, and not partly in two. He had consulted the hon. members for the two districts on the subject, and they had come to an agreement, which he believed would meet with the views of the inhabitants of the districts concerned; and, in these circumstances, of course the Government were only too glad to fall in with these views.

SIR J. G. LEE STEERE said he was very loth to enter into debate, occupying the position he did, but, as the provisions of this clause might very seriously affect the interests of the district he represented, he thought it was his duty to place his views before the committee; and, to place himself in order, he should move that "East Kimberley" and "West Kimberley" be struck out, and the one word "Kimberley" inserted in lieu thereof. He did not wish to reduce the proposed number of members for the purpose of obtaining an extra member for the district he represented. He was quite willing that an additional member (34 instead of 33) should be provided, instead of reducing the number for the two Kimberleys. But he would call attention to the small number of people in that district. According to a return presented to the House last session, it appeared there were 37 electors in East Kimberley; but he had looked at the Census returns that day, and he found that when those returns were taken there were only 45 people above the age of 21 in that district. Therefore, if we gave a member to that district, there could not possibly be more than 45 electors to represent in the district.

MR. A. FORREST: What about the mining population? There are hundreds there.

SIR J. G. LEE STEERE: There are only 142 in the Kimberley goldfield district, according to the returns.

MR. A. FORREST: And how many are there in the Nelson district?

SIR J. G. LEE STEERE would tell the hon. member directly; there were three times as many as in the hon. member's own district. It was also proposed to give Pilbarra a member. There were 200 people there altogether, and he did not object to that. All he proposed was that equal rights be given to the mineral area in the Southern districts—the Greenbushes tinfields. There were over 200 men now on that field, and, after taking these out of the Nelson district, in which they were now included, there would still be over 200 in that district. He thought if Pilbarra, with only 200 men was entitled to a member, certainly Greenbushes was equally entitled to have a member. But he did not put it so much from the point of numbers, but because of the diverse interests in the two districts—Greenbushes and Nelson. The interests of the mining people on the tinfields were entirely diverse—he would not say opposed—to the interests of the

other electors of the Nelson district, and numbering, as these did, over 200 (without the Greenbushes), he thought they should have a member of their own. If it was considered desirable to put the two Kimberleys into one electorate, he should then move to insert "Greenbushes" as one of the electoral districts; and, in order to test the feeling of the committee, he now moved that the words "East Kimberley" and "West Kimberley," in lines four and five, be struck out, and the word "Kimberley" inserted in lieu thereof.

MR. R. F. SHOLL thought that part of the colony had not more than its fair share of representation now, with two members, and he should be sorry to see it only have one. Kimberley was a long way from this part of the colony, and, for that reason, liable to be forgotten; and he did not think they should begrudge these far-away districts a fair share of members. He did not think that numbers alone should be taken into consideration; a district might be a very important district, and not have a large number of electors in it. A better arrangement, he thought, would be to alter the boundaries of some of the Southern electorates, and include Greenbushes in the Bunbury district. The interests of those two districts were almost identical. He thought it would be most unfair to take away a member from one of the Northern constituencies to give an extra member to the Southern districts of the colony, which were already very ably represented in that House.

MR. DEHAMEL said he intended to oppose the amendment which the Premier had intimated his intention of moving, for altering the boundaries of the Williams district. He thought they should not in that House consent to any "jerrymandering," and allow the boundaries of electorates to be altered, simply because an hon. member may have fallen out with some of his constituents, and that hon. member was a staunch Government supporter. He thought that House, at any rate, should not lend itself to such a barefaced attempt to alter an electorate as this was.

MR. A. FORREST said he did not take much notice when the hon. member for Albany suggested that they should take away a member from Kimberley, but when they found His Honor the Speaker proposing to deprive Kimberley of a member in order to get a member for Greenbushes he thought it was really absurd, and the House must laugh at it. What on earth was Greenbushes that it should have a member of its own? A small patch of country with a brook running through it, and a few men employed during a few months in the year working a little tin. His Honor said something about the interests of the Greenbushes people and the Nelson people not being identical, one being a mining community and the other a squatting community. As for their interests not being identical, they had only very trifling interests any way. He had thought until now that His Honor was one of the most sensible men in the colony, but, when he came forward and asked for a separate member for Greenbushes, then he must say that His Honor had fallen very much in his estimation. He was astonished at such a proposal, and he was sure that when this debate went down to that part of the colony the Greenbushes people would be astonished themselves. No doubt His Honor thought that if he could get rid of the miners out of his constituency, he would only have a few settlers, who would all be his friends, left, and he would have a very snug seat for the rest of his life. He was very sorry to see the Speaker of that House cooly proposing that an old electorate like Kimberley should be done away with, and he thought it was time for him to protest against it. He was sorry that his colleague, the hon. member for East Kimberley, was not present that evening to support him. He would have been very indignant, if he had, for if his hon. friend did not represent a large number of people, he represented the most important industry of this colony—the pastoral industry—and a district where there were more cattle than in any other district of the colony, and where, in a few years, they will have more sheep also. He hoped the Government would not listen to any such suggestion, and that those who represented the Northern districts would not allow any more members to be given to the South, or we should have the poor North wiped out altogether. Nearly all the public expenditure, now, was going on down South, and it was with the greatest difficulty that the

members representing the Northern districts could get the few small amounts they required.

THE PREMIER (Hon. Sir J. Forrest) said he must agree with the hon. member for West Kimberley, and say at once that the Government hoped the House would not think of altering the electorates of East and West Kimberley, and throw them into one. These districts were very far removed from the centres of population, and they were important districts, both mineral and pastoral, and entitled, from their natural resources, to be fairly represented in that House. He regretted the Government did not see their way clear to make a separate electorate of Greenbushes at the present time. There were five members provided for that part of the colony—Murray, Wellington, Bunbury, Nelson, and Sussex —which he thought was a very fair share. If the present boundaries of these districts were not satisfactorily arranged, he should think that could be managed; but it was impossible to arrange the boundaries of every district in the colony so as to meet the claim of every interest. The Government had tried to do the best they could, in arranging these boundaries, and had provided, as far as they could, for the various mining districts.

SIR J. G. LEE STEERE said he was very sorry if he had fallen in the estimation of the hon. member for West Kimberley, but he could not help that. He did not think the hon. member had understood what he had said, because he commenced his remarks by saying it was not his wish to reduce the number of members proposed in the Bill, but would be very well satisfied if the House agreed to add one more. But (as he said at the time), to put himself in order—which he was obliged to do—he formally submitted the motion which he had put to the committee.

MR. PIESSE said it always appeared to him that the moment the Williams district was mentioned in that House the hon. member for Albany must get up at once, and endeavor to make a butt of the district which he (Mr. Piesse) had the honor to represent. Personally, he did not care what the hon. member said; it did not trouble him in the least. The hon. member insinuated that he had asked the Government to alter the boundaries because he had quarrelled with his constituents.

MR. DEHAMEL: I didn't say that.

MR. PIESSE said, if the hon. member did not say it, he insinuated as much. It was not true that he had quarrelled with his constituents, but he should like to have it placed on record that he might have quarrelled with a portion of his constituents, which, unfortunately, has caused this matter to come before the public. Those electors at the lower portion of the Williams were very few in number; they were only 16, out of the whole number on the register. Previous to his removing from that locality he resided there, and he had been very sorry to have to leave it, and he should always have a good feeling towards the Williams; and there was no ground whatever for the statement that he had any wish to throw the Williams over. He had always done all he could for the district. In any case the district was a very large one, and, if any electorate required dividing, the Williams district did. When the present boundaries were fixed Katanning was not thought of, but the boundaries now ran right through that township, and he thought it ought to be thrown into one district or the other. If the House preferred it should be thrown into the Plantagenet district, let it be so; though he should prefer it in Williams district, taking in the Roads Board district. As for his being a supporter of the Government, he supported the Government when he thought it necessary to do so. In any case he was not going to be brow-beaten by the hon. member for Albany, who never lost a chance of heaping ridicule on the Williams and Katanning, or on their member. He was not afraid of the hon. member's ridicule; he did not think it would lower him one bit in the estimation of those whose good opinion he cared for, and the hon. member for Albany was not one of them.

MR. R. F. SHOLL said the proposed alteration of boundaries was a job, to suit the political interest of the present member for the Williams. A resolution of "no confidence" in that hon. member had been passed at a meeting of his constituents in the old part of the electorate, and now the hon. member was trying, by

this alteration of boundaries, to bring in more electors at the Katanning end of his district, to swamp the electors in the other part where the feeling against him was strong.

MR. PIESSE said that, in justice to the Government, he must explain that the desired alteration of boundaries was not mentioned by him to the Government until two evenings previously, when he recommended it as being better because the present southern boundary divided the town of Katanning into two parts. In his own case, for instance, his house was in the Williams electorate and his business office was in the Plantagenet electorate. This old boundary was at first an imaginary line drawn on the map, and the Katanning township having since come into existence, the line when projected was found to cut the township into two parts. He recommended to the Government that the township should be entirely in the one electorate or the other.

MR. LOTON said this case showed the necessity of having the boundaries revised by a select committee.

MR. DEHAMEL said this amendment was simply a case of American jerrymandering, by which the hon. member for the Williams wanted to bring more Katanning voters into the Williams electorate, and the Government were trying in this way to help one of their supporters who was not in accord with his constituents.

MR. A. FORREST said the hon. member's request was reasonable; and it was surprising that the hon. member for the Gascoyne had not more sense than to call this alteration a job.

MR. CLARKSON said it was fair and reasonable that the Katanning township should be entirely in one electorate, and not be divided.

MR. R. F. SHOLL said he was still of opinion that this was a little bit of trickery for swamping the Williams voters who were opposed to the sitting member.

THE PREMIER (Hon. Sir J. Forrest) said there had been much talk about a small matter, which had been magnified into a monstrous, terrible job. He knew only that it was pointed out to him as inconvenient that the township of Katanning should be divided into two by an electoral boundary, and that the members for Plantagenet and the Williams were agreeable to have the boundary shifted a little further south, as now proposed in the amendment.

MR. HASSELL confirmed this statement. He was no party to any trickery or job.

MR. R. F. SHOLL said he still believed this was a job between the member for the Williams and the Government. He did not accuse the hon. member for Plantagenet.

THE PREMIER (Hon. Sir J. Forrest) said only three persons were concerned in the "job," anyway.

MR. R. F. SHOLL said it was a job between the member for the Williams and the Government.

The committee divided on the amendment, with the following result:—

Ayes	...	21
Noes	...	5
Majority for	...	16

AYES.	NOES.
Mr. Burt	Mr. Darlôt
Mr. Clarkson	Mr. Monger
Mr. Cookworthy	Mr. R. F. Sholl
Mr. A. Forrest	Mr. H. W. Sholl
Mr. Harper	Mr. DeHamel (*Teller*).
Mr. Hassell	
Mr. Lefroy	
Mr. Loton	
Mr. Marmion	
Mr. Molloy	
Mr. Paterson	
Mr. Pearse	
Mr. Phillips	
Mr. Piesse	
Mr. Quinlan	
Mr. Richardson	
Mr. Simpson	
Mr. Solomon	
Mr. Traylen	
Mr. Venn	
Sir John Forrest (*Teller*).	

The sub-section, as amended, was passed.

Sub-section 2.—Alteration of boundaries of certain districts:

THE PREMIER (Hon. Sir J. Forrest) moved, in line three, that the words "Williams and Plantagenet" be inserted between the words "Beverley" and "Electoral."

Question—put and passed, and the sub-section, as amended, was passed.

Sub-section 3 was agreed to, without comment.

The clause, as amended, was passed.

Clauses 16, 17, and 18 were agreed to, without comment.

Clause 19.—Qualification of electors:

MR. DEHAMEL moved to strike out the word "twelve," and to insert the word "six," in lieu thereof, as the period

of residence of an elector within the colony. He said the time of residence to qualify a voter in Queensland was six months; and it was the general wish of the people in this colony that a residence of six months within the colony should be sufficient to qualify an elector.

MR. MOLLOY seconded the amendment, being of opinion that six months should be sufficient.

THE PREMIER (Hon. Sir J. Forrest) said the proposal of twelve months' residence was the same as in the Victorian statute. In New South Wales the period of residence was six months prior to the making up of the electoral roll in each district; therefore the actual period of residence might be considerably longer. In Queensland it was six months' residence in the electoral district, and in South Australia it was six months prior to the election; so that in that case also the period might be longer in practice. In this colony the Bill provided that the electors and the elected should be placed on a somewhat similar footing. It was not correct to say, as had been done, that in this colony a man might have to wait eighteen months or two years, or even longer, before becoming entitled to vote, because, if a man took the trouble to get his name put on the register, he could obtain a vote in much less time. In Victoria, which had enjoyed responsible Government for more than 30 years, he did not think there was any great complaint against the qualification of 12 months' residence. This Bill would effect a great change as compared with the electoral law at the present time; and the people must not expect to get everything they wanted all at once. This was as liberal a measure as they were likely to be able to carry at present, and was as liberal as the circumstances of the colony required. If some hon. members wished to make the Bill more liberal, probably they would lose the whole Bill by trying to grasp too much; whereas if they would be satisfied with a moderately liberal Bill, they might hope that it would become law without delay. He asked hon. members to accept this Bill as being the safest course under present circumstances.

MR. TRAYLEN said the only persons who could get a vote in 12 months, under this Bill, would be those who arrived on the 9th of April; so that one person in 365 arriving during a year might obtain a vote in about 12 months, all the others having to wait longer. The making up of the rolls would occupy about two months; so that it would be practically impossible for any person to get a vote in less than 14 months, even if he arrived just before the making up of the rolls began in any year. If the dates of application were three months apart, a person would have to be in the colony about 18 months before he could get a vote at all, and most persons would have to remain here two years to qualify. He supported the amendment.

THE ATTORNEY GENERAL (Hon. S. Burt) said the argument of the hon. member for the Greenough went on the assumption that there would be simply one day in the year for making the application.

MR. TRAYLEN said he had admitted that there might be four days, one in each quarter of the year.

THE ATTORNEY GENERAL (Hon. S. Burt) said the Bill would permit a man to make his application on any day, and as often as he liked.

MR. SIMPSON supported the amendment, because with a four years' Parliament there might be an election once in three years, on the average. The practical result would be that not 1 man in 100 would have an opportunity of exercising a vote within 13 months after arrival in the colony. A man should have a right to register his name as soon as he had been 24 hours in the colony; whereas at present it was possible for him to be 4 years and 11 months in the colony before he could exercise a vote. If a man paid his passage to come here he should have a vote. Most of those who were here said the difficulty was that they could not get away.

THE COMMISSIONER OF CROWN LANDS (Hon. W. E. Marmion) said this Bill provided for a great change in the electoral system, and no man could reasonably complain that the franchise now offered would not be sufficiently liberal. He believed the franchise would be welcomed by the majority of the people as satisfactory.

MR. TRAYLEN gave the Government credit for intending to reduce the six months' residence within the same elec-

toral district to something like two months.

THE ATTORNEY GENERAL (Hon. S. Burt) said there was a danger in asking for more than they could obtain all at once. Of course a man could vote only when there was an election, and as to the great anxiety to get a vote, a man would be inclined to say, "What is the good of my being on the roll, after waiting so long, when there is no election, and I cannot use my vote now that I have got it?"

MR. CLARKSON preferred the qualification in the Bill, and would even support a longer term than 12 months.

MR. QUINLAN supported the amendment.

The committee divided on the amendment, with the following result:—

Ayes	...	10
Noes	...	17
Majority against		7

AYES.	NOES.
Mr. A. Forrest	Mr. Burt
Mr. Molloy	Mr. Clarkson
Mr. Monger	Mr. Cookworthy
Mr. Pearse	Mr. Darlôt
Mr. Quinlan	Mr. Harper
Mr. R. F. Sholl	Mr. Hassell
Mr. Simpson	Mr. Lefroy
Mr. Solomon	Mr. Loton
Mr. Traylen	Mr. Marmion
Mr. DeHamel (*Teller*).	Mr. Paterson
	Mr. Phillips
	Mr. Piesse
	Mr. Richardson
	Mr. H. W. Sholl
	Sir J. G. Lee Steere
	Mr. Venn
	Sir John Forrest (*Teller*).

Amendment negatived, and the clause passed.

Progress was reported, and leave given to sit again.

REFERENCE TO SELECT COMMITTEE OF SCHEDULE OF CONSTITUTION ACT AMENDMENT BILL.

THE PREMIER (Hon. Sir J. Forrest), by leave and without notice, moved, "That a select committee be appointed to report as to the boundaries which they recommend should be adopted for the various electoral districts mentioned in sub-clauses 2 and 3 of clause 15 in the Bill to amend the Constitution Act."

Question—put and passed.

A ballot having been taken, the following members, in addition to the mover, were elected to serve upon the committee:—Mr. Loton, Mr. Simpson, Mr. A. Forrest, and Mr. Harper; and it was ordered that the committee have power to call for persons and papers, and to report on Wednesday, 7th December.

ADJOURNMENT.

The House adjourned at 11.50 p.m.

Legislative Council,

Friday, 2nd December, 1892.

Land Regulations Amendment Bill: second reading—Treasury Bills Bill: committee; Bill withdrawn—Adjournment.

THE PRESIDENT (Hon. G. Shenton) took the chair at 3 o'clock.

PRAYERS.

LAND REGULATIONS AMENDMENT BILL.

SECOND READING.

THE COLONIAL SECRETARY (Hon. S. H. Parker), in moving the second reading of this Bill, said: I have no doubt it is in the recollection of hon. members that a considerable discussion took place last session, not only in this House but also in the House of Assembly, on the subject of making some concession to those settlers who have suffered most severely by the drought which was experienced for some 12 or 18 months at the North. We know, sir, that not only was the matter debated at great length in the Lower House, but resolutions were passed urging the Government either to make some reduction in the rents at the present time or some reduction in the future rents, so as to enable the settlers to tide over their difficulties. We are fully aware that these settlers deserve well of the country. We know that at the risk of their lives they have been developing and opening up new territory; they have experienced great hardships, and have undergone them manfully. Unfortunately, during the last two years, which ended about March last, they