

the Government brought in an income tax, though he anticipated he would have to pay twice as much or more than under a land tax, he would pay cheerfully because he considered the income tax was an equitable impost. That is my own opinion. The two measures, the land tax and the income tax should go side by side; and then there will be no necessity to make the income tax so heavy that it will press unduly on the people, and the land tax should be made as light as possible. I have pleasure in supporting the motion for adopting the Address.

Hon. T. F. O. BRIMAGE (North-East) : I view with great pleasure the intimation of the taxation measures mentioned in the Speech, and I desire to make a few remarks as to the loss of the Land Tax Assessment Bill of last session. Most members was aware that I was unkindly blamed by the Colonial Secretary (Hon. J. D. Connolly) for being absent that evening, and blamed considerably for the loss of the measure ; but I am particularly pleased that the goldfields Press at any rate characterised the charge of the Colonial Secretary as being due to vindictiveness at the loss of the Bill, and I think that is a fair explanation of his action. I feel sure, had he asked for an adjournment that evening, the House would have given it to him. Anyhow, as to my own actions, I travelled five hundred miles on purpose to vote for the Bill, in response to a telegram from a member of the Ministry. I came here with the view of voting for it ; and I regret having since received a letter from a member of this Chamber for whom I have the highest respect, practically accusing me of an intention to vote against the Bill. However, that has now passed and gone, and the measure is to be re-introduced with what I consider a very fair addendum. I am a great believer in an income tax; but the greatest gem in the Bill that is to come is the absentee tax. As a land agent I know the tremendous sums that are sent from Western Australia, derived from Western Australian property ; and if the owners are to enjoy the huge incomes

drawn from the country, they should pay some tax to the country in return for those incomes. The drain of money is more particularly noticeable in prosperous goldfields towns where in the early days the land was purchased at a very low price from the Government; and to-day the owners are reaping large revenues. I am fully in favour of the absentee tax. As to the other measures mentioned in the Speech I shall give them full consideration when introduced; and so far as I know, having some notion of their contents, I shall vote for them. One measure will I think meet with general approval; the Bill for the protection of infant life. The disclosures of the past year have necessitated such a measure; the State must do something to stop the awful destruction of infant life in the past; and I admire the policy of the Bill which we are promised.

On motion by the *Hon. R. W. Pennefather*, debate adjourned.

ADJOURNMENT.

The House adjourned at 5.55 o'clock, until the next day.

Legislative Assembly,

Wednesday, 9th October, 1907.

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

Prayers.

QUESTION—HOSPITAL FEES.

Mr. HEITMANN asked the Premier :
1. What percentage of patients' mainten-

ance fees is paid to doctors in charge of Government hospitals? 2, What percentage is paid to collectors? 3, Is the percentage allowed to one or both of them, irrespective of who collects?

The PREMIER replied: 1, The only doctors who are allowed percentage on collections are at Lawlers, Southern Cross, Marble Bar, each 25 per cent. 2, Fifteen per cent. is paid to the collectors at Coolgardie, Kalgoorlie, Kookynie, Southern Cross, and York, and 10 per cent. to the collectors at Albany, Broome, Bridgetown, Bunbury, Black Range, Colliie, Cue, Derby, Geraldton, Guildford, Katanning, Lawlers, Menzies, Northam, Newcastle, and Roebourne. 3, The collectors at Lawlers, Southern Cross, and Marble Bar get no percentage of the moneys paid at hospital by patients.

SITTING DAYS AND HOURS.

The PREMIER moved—

That the House, unless otherwise ordered, shall meet for the despatch of business on Tuesdays, Wednesdays, and Thursdays at 4.30 p.m., and shall sit until 6.15 p.m. if necessary, and if requisite from 7.30 onwards.

Mr. G. TAYLOR (Mt. Margaret): As on previous occasions, he must oppose the motion. To avoid all-night sittings we should meet at 2.30. This session was starting late in the year, and in view of the contentious matters in the Governor's Speech we should meet earlier and more frequently than before. The Premier, if he continued in office, would soon be requiring us to sit for four or five days a week. Members did not wish to prolong the session beyond Christmas, but the motion if passed would prevent our finishing before February or March. Meet at 2.30 and four days a week for a start, increasing the sitting days to five as necessity arose. Even meeting at 3.30 as suggested by the member for Swan would be better than the present proposal, and would probably lead to rising an hour earlier at night.

The PREMIER (in reply as mover): This was the hon. member's usual preliminary flutter, in spite of the fact that

the motion had the concurrence of the Leader of the Opposition (Mr. Bath), who agreed that at least in the early part of this session the sitting days and hours should be those of last session, during which we nearly always managed to adjourn before midnight. As the hon. member (Mr. Taylor) held that the session would be prolonged till March, we might as well take it easy for a start.

Question put and passed.

GOVERNMENT BUSINESS, PRECEDENCE.

On motion by the Premier, ordered: That on Tuesdays, Thursdays, and alternate Wednesdays Government business shall take precedence of all motions and Orders of the Day.

COMMITTEES FOR THE SESSION.

On motions by the Premier, Sessional Committees were appointed as follow:—

Printing Committee.—Mr. Speaker, Mr. Brown, and Mr. Bath; to assist Mr. Speaker in all matters which relate to the printing executed by order of the House, and for the purpose of selecting and arranging for printing returns and papers presented in pursuance of motions made by members, and all papers laid upon the table whether in answer to addresses or otherwise.

Standing Orders Committee.—Mr. Speaker, Mr. Foulkes, Mr. Keenan, Mr. Walker, and the Chairman of Committees; with leave to sit during any adjournment, and with authority to confer upon subjects of mutual concernment with any committee appointed for similar purposes by the Legislative Council.

Library Committee.—Mr. Speaker, Mr. Male, and Mr. Walker; with leave to sit during any adjournment and during the recess, and with authority to act jointly with the Library Committee of the Legislative Council.

House Committee.—Mr. Speaker, Mr. Gregory, Mr. Gordon, Mr. A. J. Wilson, and Mr. Taylor; with leave to sit during any adjournment and during the recess, and with authority to act jointly with the

House Committee of the Legislative Council.

BILLS (S), FIRST READING.

1, Narrogin-Wickepin Railway; 2, Mt. Magnet-Black Range Railway; introduced by the Premier.

3, Land and Income Tax Assessment; 4, Land and Income Tax; 5, Sales of Government Property; 6, Government Trading Accounts; introduced by the Treasurer.

7, Government Railways Amendment; introduced by the Minister for Railways.

8, Electoral, introduced by the Attorney General.

DEBATE—ADDRESS-IN-REPLY.

Motion to Adopt.

Amendment, No-Confidence.

Debate resumed from the opening day, 8th October.

Mr. T. H. BATH (Brown Hill): It will be well at the outset, before I address myself to the motion which is under discussion, and in view of the fact that we have not had a similar length of adjournment such as usually takes place on the opening of the session, to preface my remarks by intimating that it is my intention at the termination to move an amendment to the address moved by the member for West Perth. The amendment will be in the nature of a direct challenge to the position taken up by the Government on present political issues. When Parliament adjourned a little more than a fortnight ago it was with the evident intention not of giving hon. members of this Assembly, or the Ministers directly responsible to the Assembly, an opportunity of reflecting upon or reconsidering their position, but rather with the idea of giving to members in another place, who had acted in a very defiant manner, an opportunity of reconsidering their attitude on the measure placed before them, in the hope that they might be led to regard it, when Parliament re-assembled, with more favour. That perhaps may have been justifiable from the point of view of the present Government, but I

submit that the proceedings which have taken place since that date partake not of the nature of Responsible Government, not of the nature of government by those who have a full sense of their responsibility not only to the members of this House but also to the people of the country, but rather of something which has arisen from a disordered imagination; or, if I may put it in language which will express itself more explicitly to members, something of the nature of a variety entertainment in which lightning-change artists have been the leading characters of the scene. It is only three weeks ago that the Premier, certainly in dignified language, breathed defiance against the members of the Legislative Council, and while in the interval we were led to expect it was with the hope of members of the Legislative Council, against whom that defiance was hurled, taking a more reasonable view, yet we now find that a change has been effected by the members of the Government generally, and that to-day, instead of defiance, we have the Premier and his colleagues going before them like Shylock, with bated breath and whispering humbleness, saying "Fair sirs, you scuttled us three weeks ago, practically you called us dogs, and for this courtesy we will turn round and do precisely what you please." We have also had another spectacle during this three weeks, and it leads one to believe that we have been the victims perhaps of some malicious imp rather than responsible members of Parliament, for it is only a month ago that we had the hon. member for West Perth addressing the electors of his constituency at street corners, and in halls when they were available, uttering threats of slaughter against the land taxation measure introduced by the Government. He said that the measure was all that was bad and objectionable, and in no circumstances would he be induced to support it. Although that candidate was the nominee of the National Liberal League, which practically acts as mentor of the Government, we had Ministers going before that constituency and bringing out a candidate of their own to oppose the new member for West Perth. The latter gentleman, how-

ver, was elected by the district. We heard that the member for West Perth, or we saw it in print, made these statements with regard to the measure:—

"The proposal for the land tax had never been put before the electors, and he contended that before the Government proposed such a tax, which would press unduly on the towns, they should have received a mandate from the country to do so."

The following extract from his speech was also published:—

"He was opposed to a land tax generally, and more particularly opposed to the present proposal."

When we turn to the report of the speech made by the hon. member when returning thanks to the electors. We find that he report stated:—

"If his opponent had been beaten it was not because of the man, but because the electors had expressed an emphatic protest against the land tax. He interpreted his victory to mean that the land tax should have been placed before the country as a whole, and the Legislative Council would be justified in again throwing the Bill out."

His unfortunate opponent, the man who stood for the principle of land taxation, with the support of the Government, returned thanks, and according to the report of his speech stated:—

"The fight had been a clear-cut issue, and he took it that the electors of West Perth had expressed an emphatic opinion on the land tax. (Cheers.) In fact he thought he had some claim on the electors for having given them an opportunity of expressing their opinion."

The electors returned the man who pledged himself to oppose the land tax, and then a few weeks later in this House that hon. member turns round and not only supports the measure which he then objected to—

Mr. Draper: That is not correct.

Mr. BATH: That is absolutely correct, and the extracts I read prove it. The member for West Perth not only opposed the tax on the hustings, and—

Mr. Troy: It is a disgrace.

Mr. SPEAKER: Order!

Mr. BATH: He not only opposed the land tax on the hustings, but he also took the almost unprecedented course of making a long speech on the third reading of the Bill in order to show his opposition to the measure. Now we find the gentleman who has acted in this manner not only supporting the tax, but actually being used by the Government to move the Address-in-Reply. The *Morning Herald* says that this is the greatest feat of changing, of somersaulting, in the history of politics, and that it practically establishes a record for Australia. I came to the conclusion, when I sat here yesterday afternoon and heard the member make the change he did in his opinions, the lightning change in his attitude, that he had established a record for the world. I thought this until I remembered, however, that some hundreds of years ago, John Dryden, the poet, had some similar type of politician in his mind when he wrote—

In the course of one revolving moon
Was chemist, fiddler, statesman, and
buffoon.

Here it has taken one revolving moon for a gentleman pledged up to the hilt against the land tax, and returned by the electors to come here and oppose the tax, now supporting it. There is no consideration for the morality and honour of Parliament when members of the Ministry who opposed him at the elections now use that gentleman's services in order to move the Address in Reply to the Governor's Speech.

The Premier: Is it not a usual thing for a new member to do that?

Mr. BATH: It is not usual to get a new member who is opposed to a vital principle in the Government platform to move the Address-in-Reply, and especially when that Address-in-Reply comes as a result of a conflict of opinion between the two Houses of Parliament, which has made this new session of Parliament possible. Not only has there been this change of attitude on the part of the member for West Perth; but we also have a complete change, a somers-

sault in fact, on the part of the Government. It is only a few days since a member of the Upper House, Mr. McLarty, in the course of a speech made at the Northam Show, practically gave a hint to the Government as to the attitude they should adopt. In the course of that speech Mr. McLarty referred to the fact that he was one of those responsible for the then political situation; but he said there was a possibility of the proposals of the Government receiving more favourable consideration, if they would accept his view—if instead of introducing the land tax which had been rejected by the Legislative Council they would introduce an income tax, which would provide an opportunity for lightening the land tax.

The Premier: What he said was that the measure was not far-reaching enough.

Mr. BATH: What he said in effect was that the Government should introduce an income tax in order that they may lighten the land tax.

Mr. Taylor: To make it acceptable to the Upper House.

Mr. BATH: But Mr. McLarty was not the first to hint in that way to the Government, and the fact remains that since this House was prorogued less than three weeks ago, all sorts of influences have been at work to stave off the possibility of an appeal to the people of the State. Members of the Upper House have been approached and told, "If you reject this Bill again, it will mean that there will be an appeal to the country; and as there is a possibility that the Labour Party may be returned to power, then you will have a land tax which will be administered more rigorously and under which you will not be let off so leniently as under the measure proposed by us." There have also been covert hints in the newspapers—probably inspired from the right direction—as to the conduct of the members for the West Province in jeopardising the construction of the dock for Fremantle by their continued opposition to the land tax.

The Premier: What do you say—gave a hint to the newspapers?

Mr. BATH: A hint was given in the papers, probably inspired from the right source.

The Premier: What justification has you for that?

Mr. BATH: From the attitude adopted by the members for Fremantle. Ho members on this side who represent Fremantle constituencies can give the Premier testimony as to the statements which have been made reflecting on the attitude in the House in regard to the Fremantle dock. The position is that instead of the Government maintaining the attitude they took up on the occasion of the prorogation, we have had all the attempts on their part to avert by every means in their power the possibility of there being an appeal to the country. It reminds me of the old story of the American who went out with a gun and found a coon in a tree. The story has that the coon said, "Don't shoot; I come down." In this case the coon represented by the Legislative Council said "Don't raise the gun: if you do I'll come down and knock the stuffing out of you."

The Premier: And the Government replied, "Instead of giving you one barrel we will give you two."

Mr. BATH: The coon said, "Throw away the gun, or I'll come down and knock the stuffing out of you." Probably the Legislative Council knew better than we did that the Government's gun was only a toy gun, after all, and not meant for business purposes. In connection with this matter, to show the change of attitude which has been adopted by the Premier and his colleagues, on the occasion of the rejection of the land tax by the Legislative Council the Premier made a statement in this House. That statement was not made on the spur of the moment; it was made as the result of due deliberation; it was a typewritten statement, and therefore must have been given mature consideration before the Premier made it to this House. After referring to the attitude adopted by the Legislative Council, he said:—

"Whatever may be the outcome of this trouble, whatever cost the country may be put to, whatever loss the State may suffer in consequence, I wish to emphatically place the responsibility on the shoulders of those members of all

other place who have rejected the fiscal policy of the Government, and the expressed desire of the people's House. (General applause.) I recognise the difficulty of dealing with such a situation, where the members of the Legislative Assembly can be penalised by the action of others who cannot be sent to their electors. At the same time, it is impossible that we can tamely submit to an act which reverses the relationships of the two Houses, revolutionises the Constitution, and places the Assembly and the Ministers of its approval at the mercy of the second Chamber, whose functions should rather be that of a House of review than that of a Chamber where the fiscal policy of a Government may be dictated. It is impossible to consider the vote of last night as anything but a rebuff to this Chamber ; and having considered the matter with a full sense of the responsibility attached to my office, and realising that my first duty was to preserve the honour and dignity of the Government and the Assembly, I lost no time last evening in waiting on His Excellency the Governor, and unreservedly placing in his hands the resignation of myself and my colleagues. I have received this morning an intimation from His Excellency that he is unwilling to accept my resignation, he being of opinion that the Government retain the confidence of this House. (Government applause.) In response to my request His Excellency also declined to grant a dissolution, as he considered that so long as there was a reasonable possibility of a constitutional solution of the difficulty, he did not feel justified in taking such action as would undoubtedly result in a serious dislocation of the business of the country, and that there appeared to be a reasonable expectation that the Legislative Council would accept the expressed wishes of the Legislative Assembly if again submitted to them. Under the circumstances I feel it incumbent on me to fall in with his Excellency's wishes."

It will be remembered that the Premier then said it was impossible that we could

tamely submit to an act which reverses the relationship of the two Houses and revolutionises the Constitution. He went farther, and said it was impossible to consider it as anything but a rebuff to this Chamber, and that his Excellency the Governor had agreed to prorogue Parliament on the understanding that there might be a possibility of finding a constitutional way out of the difficulty, that there appeared to be a reasonable expectation that the Legislative Council would accept the expressed wishes of the Legislative Assembly. That is the whole kernel of my objection to the attitude of the Government. There is not the slightest doubt that at the time of the prorogation the Government led the members of this House to believe they were only asking for a fortnight's prorogation in order that they might re-submit the measure that had been rejected by the Legislative Council for the approval of that House, in the hope that calmer and wiser counsels would obtain for it more favourable consideration and might induce the Council to accept it. That was the statement made by the Premier to this House ; that was the understanding upon which we prorogued, and that understanding has been flagrantly violated by the Premier and his colleagues. We not only had this emphatic attitude adopted by the Premier on that occasion, but we had it supported by the Press of the State, by the leading morning paper the *West Australian*, which has been a consistent supporter of the policy of the Government. On the occasion of the rejection of this taxation measure by the Legislative Council, and when three members of that House who had opposed the Bill constituted themselves a committee to advance a justification of the attitude adopted by the Legislative Council, this was the view of the *West Australian*, as expressed in its leading columns on September 20th :—

"It may be assumed that the manifesto of the joint committee was drawn up with haste and insufficient consideration. Otherwise it is difficult to account for the astounding statement, in reversal of all constitutional dicta

and practice, that save that taxation Bills should originate in the Assembly, the powers of the two branches of the local Legislature are 'co-ordinate.' This is a leap backward, indeed, in the stream of time, and to raise such a claim in the 20th century, and of all countries in the world in Australia, suggests a degree of courage which explains in itself the summary rejection of a Bill twice endorsed by the popular Chamber. If it were well founded, not alone constitutional but popular government in any shape would become impossible. Common sense alone would prescribe."

That was the view of the *West Australian*, a leading journalistic supporter of the Government, on the date the crisis arose. It was then stated that to in any way endorse the view of the Legislative Council would be indeed a step backward in the stream of time; but here we have this backward step taken by the Government in the attitude adopted on the reassembling of Parliament, and the only comment in that paper is a journalistic apology for the attitude of the Government, and nothing but praise for the changed attitude of the member for West Perth. It seems to me there can be no justification at any time, in this House or in those newspapers which have a proper sense of their responsibility as exponents of political affairs, for an unconstitutional step which means a step backward in the stream of time. We had the position put even more plainly by the member for Subiaco. After the three members of the Legislative Council had given their statement to the Press, Mr. Daglish—and I presume he, as Chairman of Committees in this House, may be accepted by hon. members as a constitutional authority—made a statement to the paper which I think members who read it will agree was a clever and able exposition of the constitutional rights of the Legislative Assembly. In the course of that interview he (Mr. Daglish) quoted from Todd's *Parliamentary Government of British Colonies*, and pointed out that in the House of Parliament in the old

country it has been clearly and definitely laid down that—

"All aids and supplies, and aids to His Majesty in Parliament, are the sole gift of the Commons, and it is the undoubted and sole right of the Commons to direct, limit, and appoint in such Bills the ends, purposes, considerations, conditions, limitations, and qualifications of such grants, which ought not to be changed or altered by the House of Lords."

Later on, remarked the hon. member, the same authority stated :—

"The relative rights of both Houses in matters of aid and supply must be determined, in every British colony, by the ascertained rules of British constitutional practice. The local Acts upon the subject must be construed in conformity with that practice wherever the Imperial policy is the accepted guide. A claim on the part of a colonial Upper Chamber to the possession of equal rights with the Assembly to amend a money Bill would be inconsistent with the ancient and undeniable control which is exercised by the Imperial House of Commons over all financial measures. It is, therefore, impossible to concede to an Upper Chamber the right of amending a money Bill upon the mere authority of a local statute, when such Act admits of being construed in accordance with the well-understood laws and usages of the Imperial Parliament."

We have also other authorities practically unanimously bearing out the contentions contained in Todd's *Parliamentary Government*. In the *Law and Custom of the Constitution*, by Anson, we have a repetition of that right claimed by the House of Commons and never denied in the history of that body. Also we have in 1860 the resolutions which were adopted by the House of Commons in order to emphasise and maintain that right :—

"The resolutions were three in number. The first recites that the right of granting aids and supplies to the Crown is in the Commons alone. The second, that although the Lords have exercised the power of rejecting Bills

of several descriptions relative to taxation, by negating the whole, yet the exercise of that power by them has not been frequent, and is justly regarded by this House with peculiar jealousy as affecting the right of the Commons to grant the supplies, and to provide the ways and means for the service of the year. The third, that to guard for the future against an undue exercise of that power by the Lords, and to secure to the Commons their rightful control over Taxation and Supply, this House has in its own hands the power to impose and remit taxes, and to frame Bills of supply, that the right of the Commons as to the matter, manner, measure, or time, may be maintained inviolate."

That is the position in regard to the rights of the Legislative Assembly. We had in that crisis which arose a distinct challenge from the members of the Legislative Council as to the rights of this Assembly. We had from the Council an assertion that not only was it within their power to reject money Bills sent up by this Chamber, but that it was also within their power to suggest amendments and, if their amendments were not adopted, to reject the Bill for that reason.

Mr. Scaddan : Mr. Speaker, there is considerable talk going on on the Government cross-benches. We cannot hear the hon. member.

Mr. Taylor : It is only a caucus meeting.

Mr. Holman : The Whip should do that business in the Lobby.

Mr. BATH : On the occasion of the prorogation the Government took up a constitutional attitude in defence of the rights of this Assembly. I agreed with the Premier in the stand he took on that occasion. I did not agree with him as to the manner in which he proposed to deal with the position, but there was no member in this House who could have differed from the Premier in the clear and explicit statement he made as to the clearly-defined rights of this Assembly in regard to taxation proposals. There could have been no alternative other than a dissolution, but for the Government to

re-introduce the measure precisely as it left this Chamber on the former occasion, and to test once more in a contest with the Legislative Council as to whether the Legislative Council would again reject it. [*The Premier :* What is the difference now ?] There was no other course open consonant with the maintenance of the rights of this House which could have been adopted, and the Premier in tamely submitting to the dictation of the Legislative Council and in deferring to the expressed opinion of members on the Government benches that it was absolutely undesirable to have an election, has been guilty, not only of an absolutely undignified attitude, but of something even worse ; he has been guilty of bartering away for the temporary convenience of members supporting him rights which have been asserted by centuries of conflict and which have been won through rivers of blood.

The Premier : Rivers of blood ?

Mr. BATH : Yes ; rivers of blood. The Premier, if he knows anything of constitutional history, knows that our forefathers have fought and thousands of lives have been lost, in order to secure this very right which we have recorded in all books on constitutional history. It was on this very point, on the right of the House representative of the people at large to initiate and carry taxation, that all constitutional conflicts of history have been fought and won. This privilege we enjoy, this right we enjoy, not because we are a Parliament in Western Australia, not because it has been passed by this Parliament previously in its history, but because it has been passed by that grand old Parliament the House of Commons, centuries ago, and asserted with no uncertain voice every time the right has been assailed. The only logical position which the Premier can assume after this cowardly surrender to the Legislative Council is that he shall hand in his resignation and that of his colleagues as Ministers responsible to this House, and that he shall hand over to Mr. Connolly, the representative in the Legislative Council, the right to select his Ministers, his Treasurer and his colleagues, from the members of the Legislative Council ;

and let the financial policy of this country be dictated from the Legislative Council instead of from the Legislative Assembly which is supposed to be responsible to the people. That is really the essence of the cowardly attitude adopted by the Government on the present occasion. Not only is it a complete surrender to the Legislative Council, not only have we had them parading the fact in the Press that the Legislative Council come off the victors on the present occasion, but we have had even a meaner and more despicable move brought into play to bring about the present position and to avoid that thing which is dreaded above all others—I will not say by the Premier but by some of his colleagues—that is, an appeal to the constituents on this or any other question. We have been told that if we had appealed to the country the Labour Party would have had everything to gain and nothing to lose, and that by reason of this fact there could be no shadow of justification for an appeal to the country. I think that when a question of this nature, a question of a conflict between the Assembly and the Council on the constitutional prerogatives of this Assembly is at stake, we want some higher and more worthy arguments advanced in opposition to any proposal for an appeal to the country. Indeed, I will say that if it be true that an appeal to the country would mean that the Labour Party would gain seats, then it is all the more reason why there should be such an appeal—[*The Treasurer : Naturally*—because after all surely it is on the electors of this State that we rely for an opinion on the political issues at stake ; and the Treasurer should be the first to admit that if the electors of this State desire a change in the constitution of this Assembly, then they should have the opportunity of effecting that change. There can be no possible avoidance of the issue, at least in the mind of the Treasurer, no matter what possible inconvenience or what possible chance of disaster there may be in an appeal to his constituents. Indeed we have had right throughout the whole of this crisis, this conflict, and absolute in-

difference on the part of the Government and their supporters to what the people of the country think. There have been efforts to find out what this member or that member of the Legislative Council thinks on this question, whether this member or that member of the Legislative Council would be prepared to support the measure or would agree to it if the Government introduced it, but there has been no attempt to appeal to the opinion of the people of this State ; there has been no appeal by the Premier and his colleagues at public meetings in any part of the State to the people as to their views on this question. We know that in the old country there is a good and time-honoured custom by which the Prime Minister of Great Britain periodically goes to the people in some part of the country and pronounces his policy on some political subject of the day ; and in a crisis such as this we would find Ministers alert in the different parts of the State, not holding social soirees at show functions where they can gather together the select, and where Ministers have a chance of presenting themselves with certificates of merit and of cordially congratulating themselves on what they have effected—not acting in this way, but appealing to large public gatherings in the open where the people have the right to ask questions and criticise, and where the proposals of the Cabinet on any great issue, such as they have recently had in regard to the conflict with the House of Lords, may be submitted to the people of the State, not necessarily for their arbitration, but certainly giving them a chance to show their approval at large public gatherings. We have had no attempt on the part of Ministers to do anything of this nature. The whole of the past fortnight has been kept absolutely secret by them. We have had no inkling of what their intentions were, other than the hint so covertly conveyed by the Hon. E. McLarty at Northam. The result is that when the time comes for the Parliament to be assembled we are faced with this shameful surrender of the privileges of this House at the behest and dictation of the Legislative Council. No wonder

that the Premier and his colleagues held their last Cabinet meeting with every door locked and all approaches securely guarded; no wonder the people were kept outside, because it is proposals such as this that should be kept in darkness, kept in secret; and I say it would be well for the people of this State, for the record of this Parliament, and to save the names of the Premier and his colleagues from future obloquy, if the whole of the proceedings of this Parliament since this taxation was introduced last session could be wiped out by one big, big, black smudge by some kindly censor. It would save this Parliament from a great deal of disgrace in the future, when future generations pass their opinions on us. It has been said that the attitude of the members of this party has been actuated by reason of the fact that there was some possible hope of our securing new seats. As far as my opinion of that goes, I can say that there are none more entitled to win seats on this issue than members of the Labour Party, either on the issue of the imposition of a tax on the unimproved values of land, or on the question of the constitutional portion of the Legislative Council as opposed to the Legislative Assembly. Since there has been a Labour Party in this House we have fought consistently for bringing the Legislative Council more into consonance with the democratic feelings of the people. We have sought to make it more representative of the people at large rather than of exclusive privilege. Also on the question of the imposition of a tax on the unimproved value of land we were the only party at the last election who appealed to the electors on that issue and were returned on it. There were hon. members, for instance, the Honorary Minister (Mr. Mitchell), the Premier, the Treasurer, and others, who were not pledged to a tax on the unimproved value of land, but rather looked askance at it. There was no question that the programme of the Rason Administration, when they were returned to power in October, 1905, was that there was to be no new taxation, and certainly no tax on the unimproved value of land. On the

other hand, as I have said, we the Labour Party have consistently supported that tax; we have been elected on it; and if it came to a question of an appeal to the people of this State for a mandate on any question of the right to impose this tax, the members on this side of the House have a far better and clearer right to appeal on that issue than any members on the Government side of the House. The same may be said of our attitude on the question of a conflict with the Legislative Council; and as an election would have been fought on the two issues, the question as to whether we should have a land tax and the question as to whether the Legislative Council should dominate the politics of this State, the members of the Labour party would have been in a predominant position to appeal to the electors of this State, and were best entitled to secure any majority, or any advantage, if a majority of the people, as we believe they should be, were permitted to vote on these proposals. But I desire to say I took up an attitude as an alternative to that adopted by the Premier a fortnight ago on altogether different and altogether higher grounds. I want to say this about our temporary financial difficulties: I believe we have a country here which can rise above these temporary difficulties, and if we try to put a period to the policy of drift which has landed us in our present position the country will rise superior to it. We have natural resources and advantages behind us in Western Australia which will enable us to rise superior to anything, therefore the financial stringency can only be of a temporary nature. But the question of a conflict of views between the Legislative Assembly and the Legislative Council is one that must have a permanent effect. The Legislative Council have taken up the attitude that they had the right to reject the tax; they asserted they had the right to amend it, and that right was denied not only by the Premier and his colleagues, but it was denied by every member in this Chamber I believe. We should have had a fight on that issue and it was anticipated. We anticipated, although we

were not having the fight in the manner we thought desirable, the manner in which we thought would be more dignified and give this House a clear ground on which to appeal to the country, still we anticipated we were going to have a fight in some form or other when the House assembled again; to have the issue presented to the Legislative Council that the Legislative Assembly clearly and emphatically denied their right either to amend or reject this taxation so long as there is the mandate of the people of the country behind it. That is the attitude that should have been taken up, but we have had a complete surrender. In the future we are bound to have conflicts with the Legislative Council on issues which may not be the same as this, but still as important issues, and the fact that we have surrendered completely, surrendered unconditionally to them on this occasion, will make them more defiant and more determined to resist us on future occasions. We have by our attitude on this occasion weakened our position, and when the time comes, as assuredly it will come when we shall have to fight another place, we have taken the ground from under our feet and given to the members of the Legislative Council a precedent to go on. They will be able to say, "We resisted you on that occasion: the honours are in our hands; you admitted our right to do this by your failure to fight us out on the other occasion and practically have given us the right to do this thing." And therefore these conflicts will not only occur, but they will be increased tenfold by reason of the surrender made on the present occasion. It will have a permanent effect in that way. It would have been better for us to have endured a little longer temporary financial difficulty than have surrendered for all time our rights as a House representing the great body of the people, rather than surrender our rights as the House that has clearly the prerogative to introduce and frame taxation that the people should have to pay. I recognise, in moving this amendment to the Address-in-Reply, that there is no probability of its being carried. The attitude which permeates the hon.

members supporting the Government, and permeates the Government themselves to abrogate their rights in order to avoid an appeal to the people, is not going to induce them to support an amendment which will have the same effect; but I recognise that it is necessary that there should be some party in the House and some members who will stand by in defence of the people's rights in this Chamber, some party to clearly define our position and give the people of the country an opportunity of knowing that such a conflict has been in progress, that our rights have been assailed and we have not defended them. I for one wish to be exonerated at any future time from the charge that I, as a member of the House, have been neglectful of my duty, and have tamely submitted to the assumption by the Legislative Council of powers which they have never had in this or any other Parliament that bases its constitution on the mother of Parliaments, the House of Commons and the House of Lords. There is one other reason why it is essential that this amendment should be moved. If we can find members so forgetful of their responsibilities as the members of this House as to acquiesce in this neglect, this cowardice in regard to the Legislative Council, it means, in order to maintain this Government in power, any other step, no matter how objectionable, will be more acceptable in order to avoid an appeal to the people. If we find members ready to agree to the Government doing this, we shall find some members will be guilty of other dereliction of duty, and guilty in the long run, if not called to task, of violating the honour of Parliament and being guilty of log-rolling, and asking for concessions in return for support, in making terms with Ministers and dictating the terms on which they shall continue their support, the failure to secure which will take their support from them. I feel it is essential that this amendment should have been moved in this form, because, while we could have dealt with the same questions on the Address-in-Reply, they could not have been emphasised in the same way in the minds of the people of the country, nor would the

people have known of the constitutional issue at stake. I only say as far as this session is concerned, it does not augur well for the fame of the sixth Parliament of Western Australia. The defection of the member for West Perth will cause regret in the minds of every member in the Assembly. When I listened to the homily of the member for Murray, and when he quoted to us those words about his aim being his country's, his God's and truth's, I could not help thinking of the effect of those words uttered by a man who had tasted of all the sweets of power, and who had stooped to the most unscrupulous methods in order to reach the reins of power in England, and in his old age, when there was no more opportunity of continuing to hold the reins, when death faced him, when he was a disgraced man, he turned round and uttered the homily to his secretary, Thomas Cromwell. We do not want to follow the advice of the member for Murray, and acquiesce in the same policy, in the Wolseyan policy adopted by the Premier and his colleagues, and wait for their grey hairs for repentance to come, but they would be seized with the responsibilities they owe to the Assembly, and at this late hour they should feel the responsibility that rests on them, and something above the mere holding of the position they occupy as Ministers of the Crown, and the mere temporary inconvenience of an appeal to the constituents, at the eleventh hour they should reconsider their determination, and say that this House should again appeal to the Legislative Council and send them again the Land Tax Bill as we did last session. If they do that they will rehabilitate themselves in the opinion of a great portion of the people of the State. If they do not do that, as I said before, their names will be handed down to the obloquy of future generations in Western Australia. I beg to move that the Address-in-Reply be amended by adding the following words :—

But we respectfully desire to call your Excellency's attention to the words uttered by the Premier on the eve of the prorogation, namely:—

"His Excellency also declined to grant a dissolution, as he considered that so long as there was a reasonable possibility of a constitutional solution of the difficulty, he did not feel justified in taking such action as would undoubtedly result in a serious dislocation of the business of the country, and that there appeared to be a reasonable expectation that the Legislative Council would accept the expressed wishes of the Legislative Assembly if again submitted to them."—Instead of adopting this course we have regretfully to remind your Excellency that your advisers have departed therefrom, have violated the understanding on which the prorogation was granted, and, instead of re-submitting the Land Tax Assessment Bill as rejected by the Legislative Council, they have mutilated the measure and have submitted therefor other proposals of an entirely different character, and thus have allowed the Legislative Council to usurp the functions of the Government of this State, to the humiliation of your responsible advisers and the subversion of the rights and privileges of the Legislative Assembly.

ADJOURNMENT.

The PREMIER (Hon. N. J. Moore): The hon. member who has just moved the amendment to the Address-in-Reply was only able to hand me the amendment some few minutes before the House met; and more especially as he has announced that it is a direct challenge to the Government, I beg to move—

That the debate be adjourned until tomorrow.

The MINISTER FOR MINES: I second the motion.

Motion put and passed.

Mr. BATH: In order that no wrong impression should arise from the Premier's remarks, I would like to make an explanation. I may say I tried to communicate with the Premier by telephone, as soon as the decision was arrived at to move a motion of no-confidence. I rang him up on the telephone three times.

The Premier : You could have given it to a messenger of the House and he would have brought it down.

Mr. BATH : Twice I was informed that the Premier was engaged, and the third time that he had left for the House. I should like to be exonerated from any action of neglect, or trying to take the Premier unawares. I sought to acquaint him of the fact at the earliest possible moment.

The House adjourned at 5.43 o'clock, until the next day.

Legislative Council,

Thursday, 10th October, 1907.

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

Prayers.

PAPERS PRESENTED.

By the Colonial Secretary : Papers in connection with Timber Tests made by officers of the Railway Department, moved for in the previous session by the Hon. M. L. Moss.

QUESTION—RAILWAY ENGINEER'S VISIT.

Hon. R. W. PENNEFATHER (for Hon. J. W. Wright) asked the Colonial Secretary: 1, At whose instigation did Mr. C. E. Norman, of the Victorian Railway Department, come to Perth early in this year? 2, What was the particular business in connection with the West Aus-

tralian Railways that Mr. Norman was engaged on? 3, How long was Mr. Norman in Perth in connection with this particular business, and what was the total amount paid by the Government for his services? 4, Was Mr. Norman's report (if any) acted upon, or was it considered of little value for the purposes required? 5, If Mr. Norman made a report, will the Colonial Secretary place all papers in connection with same on the table of this House?

The COLONIAL SECRETARY replied: 1, The Government. 2, To decide upon the relative merits of proposals submitted in connection with Railway requirements at Fremantle and access to Victoria Quay. 3, Mr. Norman was in Western Australia for about 17 days, and was paid an honorarium of 50 guineas for professional services, and travelling allowance during the period he was absent from Melbourne. 4, The report was of value in that it endorsed the arrangement which had already been made at Fremantle, and set at rest a question upon which there were great differences of opinion. 5, The Government will have no objection to placing the papers on the table of the House.

BILLS (2)—FIRST READING.

1, Police Force (consolidation); 2, Registration of Births, Deaths, and Marriages Act Amendment; introduced by the Colonial Secretary.

DEBATE—ADDRESS-IN-REPLY.

Third day, Conclusion.

Resumed from the previous day.

Hon. R. W. PENNEFATHER (North): I desire to make some observations in connection with the constitutional attitude of this Chamber immediately prior to the last prorogation. It will be within the recollection of members that the Land Tax Assessment Bill, as then presented to this Chamber, did not meet with the approval of the majority of this House. Immediately after that, the Bill being rejected, a public pronouncement was uttered in another place by the Pre-