alter any of the provisions of this Act. Provided always, that it shall not be lawful to present to the Governor for Her Majesty's assent any Bill by which any change in the Constitution of the Legislative Council or of the Assembly shall be effected, unless the second and third readings of such Bill shall have been passed with the concurrence of an absolute majority of the whole number of the members for the time being of the Legislative Council and the Legislative Assembly respectively."

Then Section 37 of the Constitution Act Amendment Act 1899 provided:—

"If any person while holding an office of profit under the Crown, other than that of an officer of Her Majesty's sea or land forces on full, half, or retired pay, be elected a member of the Legislative Council or of the Legislative Assembly, he shall, if he takes the oath or makes the affirmation hereinbefore prescribed, be held by so doing to vacate his said office."

Clause 18 made a change in the Constitution Act by permitting a member of the Legislative Council or Legislative Assembly to hold an office of profit under the Crown. Would Mr. Speaker rule that this Bill was in accordance with Section 37 of the Constitution Act Amendment Act, 1899 ?

Mr. SPEAKER: The question raised by the hon. member did not apply in this instance. This clause was merely defining the Constitution Act, and was not amending it.

Mr. Angwin: Then this clause did not amend Section 37 of the Constitution Act 1899 ?

Mr. SPEAKER: No; it merely defined it.

Question passed; the report adopted.

ADJOURNMENT.

The House adjourned at twelve minutes to 12 o'clock (midnight), until the next Tuesday.

Legislative Council.

Tuesday, 17th December, 1907

The PRESIDENT took the Chair at 2.30 o'clock p.m.

Prayers.

PAPERS PRESENTED.

By the Colonial Secretary: Reports from State Mining Engineer on Black Range District.

QUESTION—FREMANTLE DOCK SITES, REPORTS.

Hon. C. SOMMERS asked the Colonial Secretary: 1, Have any reports been made by the Engineer-in-Chief on the sites suitable for a dock both above and below the bridges at Fremantle ? 2, If so, will the Colonial Secretary lay the same on the table of the House ?

The COLONIAL SECRETARY replied: 1, Yes. 2, Yes.

STANDING ORDERS SUSPENSION.

To expedite Business.

The COLONIAL SECRETARY (Hon. J. D. Connolly) moved—

That in order to expedite business the Standing Orders relating to Public Bills and the consideration of Messages from the Legislative Assembly be suspended during the remainder of the session, so far as is necessary, to enable Bills to pass through all their stages in one sitting and Messages to be taken into immediate consideration.

This was the usual motion to suspend the Standing Orders so that we could deal promptly with Bills and Messages. It did not follow that each Bill would be

passed in a day; in the usual course four days were needed. The motion referred more particularly to Messages from another House, agreeing or disagreeing to our amendments.

Hon. R. F. SHOLL opposed the motion, and hoped members would put a stop to hasty legislation. It was becoming fashionable with Governments to hold back all contentious measures till just before the end of the session, knowing that country members, who during the session had wasted most of their time in travelling long distances between the House and their homes, were tired and anxious to get away. Hence the Standing Orders were suspended so that Bills might be rushed through without due consideration. The Notice Paper showed how many important measures had yet to be considered and it was proposed to prorogue this week. He appealed to country members, with whom he sympathised, to oppose this motion. This was a House of review. Amongst the measures proposed were Bills involving a loan expenditure of about 1½ or 2 millions. It would be better if country members did not attend in the early part of the session. They came from the goldfields, from Geraldton, and other far-distant constituencies, to find there was no work to do; and they had at once to return home. If they wished to keep up the status of this House and to justify its existence, they would, even at some personal inconvenience, vote against the suspension of the Standing Orders. Better adjourn before Christmas and meet again next month, so that the work of the session could be finished without undue haste.

Hon. T. F. O. BRIMAGE: There was much in Mr. Sholl's argument, especially in view of the little business done during the session.

The Colonial Secretary: The hon. member had not done much.

Hon. T. F. O. BRIMAGE: At times he had travelled between 400 and 500 miles to attend the House, only to find that we sat for a couple of hours and adjourned till another day. At Show time we met on Tuesday, adjourned over Wednesday, and came back on Thursday for a couple of hours. In the early part of the session some consideration should be shown for country members. We were now meeting at 2.30 instead of 4.30, and the necessity for suspending the Standing Orders was not apparent. There was always this rush towards the end of a session, and important measures were passed without due consideration.

Hon. W. T. LOTON would not oppose the motion, which was usually passed two or three days before the end of the session. The position appeared to be getting worse every year.

Hon. R. F. Sholl: Should there not be an improvement?

Hon. W. T. LOTON would attempt to improve it by other means. For some months we had done practically nothing, it was now announced that we should prorogue within two or three days, and in the interval we were expected to pass important measures which there was scarcely time to read, much less to consider. With the exception of the Appropriation Bill and the Estimates, he advocated throwing out every new Bill that came before us, even Bills that had been read a first time.

Hon. R. F. Sholl would support the hon. member in that.

Hon. W. T. LOTON: The Government could bring in the rejected measures at the beginning of next session, six months hence. Half the financial year had elapsed so that even if the measures in question were passed, nothing could be done in consequence until the next session of Parliament. He was prepared to throw out, with the exceptions mentioned, every one of the new Bills, including the Loan Bill. No harm could be done to the country by giving members ample time for considering these measures. It was intended to construct a number of spur railways, and apparently to borrow money for this purpose. There was no possibility of going on the London market now to borrow money, and there was consequently no reason for the measures to be rushed.

Hon. R. F. Sholl: There was no possibility of carrying out the hon. member's desires, as he would realise when he looked at the sops on the Notice Paper.

Hon. W. T. LOTON: If members accepted sops, he could not help that. It

was time the House took a drastic course with regard to a number of these Bills.

The COLONIAL SECRETARY: The suspension of Standing Orders did not mean that a Bill would go through without consideration. It was competent for the House to oppose the motion for the advancement of more than one stage of a measure at one sitting. Let each Bill be dealt with on its merits.

Question passed, the Standing Orders suspended accordingly.

URGENCY MOTION—AGRICULTURAL RAILWAYS INQUIRY.

Hon. J. W. WRIGHT (Metropolitan): I wish to move the adjournment of the House to bring forward a matter of urgency.

The PRESIDENT: The hon. member desires to move the adjournment of the House on a matter of urgency, and has presented the following motion:—

> "That an Address be presented to His Excellency the Governor to appoint a Royal Commission to inquire into and report upon the construction of the Katanning-Kojonup, Wagin-Dumbleyung, and Goomalling-Dowerin Railways, as agreed to by this House on the 28th August last."

By Standing Order 58 it is necessary that the motion must be supported by four members rising in their places and indicating their approval thereof.

Four Members rose in their places accordingly.

The COLONIAL SECRETARY: On a point of order, the Standing Order sets forth that this must be a matter of urgency. I contend it cannot be held that the hon. member has brought forward a matter which is one of urgency. All that is meant by the motion is that the House should, without notice, agree to a certain motion. There is a distinct difference between asking the House without notice to do that, and the calling of the attention of the House to a matter of urgency. Another point I would ask your ruling on is whether the motion is in order inasmuch as, if carried, it will commit the country to a certain expenditure by the appointment of a Royal Commission; therefore I contend the motion should not be brought before the House.

The PRESIDENT: On the first point I rule that as to a matter of urgency, if four members stand up in their places they signify that the matter is one of urgency, and the question has to be discussed as such. As to the second point with regard to the motion meaning, if carried, a certain expenditure by the appointment of a Royal Commission, the terms of the motion state that it is only in the opinion of this House that an Address should be presented to the Governor to ask for the Commission. I rule that the member is quite in order.

Hon. J. W. WRIGHT in moving the adjournment of the House said: I will be as short as I can in dealing with this question, seeing that the session is drawing to a close; but I have brought this matter forward as a matter of urgency as I consider the Government and the Colonial Secretary are flouting the wishes of this House. On the 14th August last I moved that an address be presented to His Excellency the Governor to issue a Royal Commission to inquire into these railways. On the 20th of the same month the Hon. Mr. Pennefather moved an amendment. The questions were discussed on the 27th and 28th, and the amended motion was passed by this House. On the 17th September I asked the Colonial Secretary if the Government had considered the resolution of the House passed on the 28th August in favour of the Commission, if so when would the Commission be appointed, and if not when would the matter be considered. I also asked him what was the cause of the delay in appointing the Commision. The Colonial Secretary answered that the matter was receiving the consideration of the Government, and that a decision would be arrived at without delay. That was on the 17th September. Again on the 21st November I asked the Colonial Secretary what progress was being made in reference to the Royal Commission promised on the 28th August. The Colonial Secretary asked that notice should be given. I gave notice and on the 26th November the Colonial Secretary said the Government con-

sidered the present time most inopportune for the appointment of a Commission to inquire into the railway system as the officers were then busily engaged in a comprehensive scheme of reorganisation, and the Government thought if the Commission were appointed the result would be misleading as it was during a period of transition. That answer really only applied to the amendment of the Hon. Mr. Pennefather, which referred to the inquiry of the Commission as to the whole of the working of the Government railways. The answer altogether practically ignored the question of the construction of the agricultural railways. Then I asked him a question, whether the time was inopportune for an inquiry into the construction of the agricultural railways, and he demanded that notice should be given of the question. On the 3rd December I asked him if the Government would advise His Excellency the Governor to issue a Royal Commission to inquire into the construction of these railways, and he replied that the Government had no objection if Parliament so desired. I spoke to the Colonial Secretary about that, and his answer led me to think this House had nothing to do with Parliament, or that he was trying to force me to go to another House where the Government held power, and to bring the matter before them. This would have meant bringing forward the same motion in that House that was thrown out in a previous session. There are two methods for obtaining a Royal Commission; one being through the Lower House, and the other by an address directly to the Governor from this House. Members will agree with me, that, seeing the answers which have been given and the way the Government have shuffled out, their desire is merely to flout the wishes of this House. The Commission is essential, chiefly to inquire into the construction of the agricultural railways. We know the Government tendered against the contractors for these railways, and we have been told thousands of times that they constructed the works for less money than the tender. In the report of the Commissioner of Railways, however, I find by the figures he has given that not only have they carried out the construction of these lines to suit themselves, but they have also spent £16,000 more than the money tendered for by the contractors. Knowing they have not carried out the plans and specifications tendered upon, this Commission should be appointed, and once for all settle this question, whether day work by the Government or contract, is superior. I do not wish to take up the time of the House, but will leave the decision of the question in the hands of members.

Hon. R. F. SHOLL (North): When this matter was before the House originally, I opposed it because of the amendment which extended the scope of the inquiry to the working of the State railways generally. My reason for opposing that was because I thought the work would be too expensive, and that to have a thorough inquiry into the working of the railways would require the importation of experts from abroad. My opinion was that the whole scheme for the Commission was too great. I would have been quite prepared to vote for an inquiry as to the construction of the agricultural lines, because I think that was a matter which should have been inquired into. This was so for various reasons, one being to obtain the actual cost, and another to obtain the opinion of an impartial Commission as to the most desirable routes, without giving attention to political influence. Finally there was the question whether the lines were constructed in the proper localities. I was in a minority on that occasion, but the majority carried the resolution, and I think the minority should now agree to support the status of the House. If we carry a resolution for a Royal Commission or a select committee, it is the duty of the minority to help the majority to insist on the appointment. I must agree with the mover that the House has been flouted with regard to this Commission, and I think we should insist upon the rights and privileges of this House being upheld, and refuse to allow them to be ignored. I second the motion.

Hon. J. W. HACKETT (South-West): On a point of order, is this a mere debate of a general character resulting in no definite resolution except one relating to the adjournment practically to be substituted by another, namely one relating to the appointment of a Royal Commission?

The PRESIDENT: I will read Standing Order 58 under which this motion has been made:—

> "A Motion without notice, that the Council at its rising adjourn to any day or hour other than that fixed for the next ordinary meeting of the Council for the purpose of debating some matter of urgency, can only be made after petitions have been presented and Notices of Questions and Motions given and before the business of the day is proceeded with; such motion can be made notwithstanding that there be on the paper a motion for adjournment to a time other than that for the next ordinary meeting. The member so moving must make in writing and hand to the President a statement of the matter of urgency, and such motion must be supported by four members rising in their places, and indicating their approval thereof. Only the matter in respect of which such motion is made can be debated. Not more than one such motion can be made during a sitting of the Council."

I take it the motion of urgency is a formal way of bringing forward a debate on the subject mentioned.

The Colonial Secretary: Can there be a debate on the question?

Hon. J. W. HACKETT: The motion is only to introduce a debate and call attention to the fact that the Colonial Secretary has refused a Royal Commission or something of that kind.

The PRESIDENT: It is a formal way of using the motion for adjournment, in order to bring on a debate upon this subject.

Hon. J. W. HACKETT: This motion then is out of order, because it asks the House to agree to a certain question dealing with the policy of the Government. The motion should be one for adjournment, but the hon. member goes beyond and substitutes a motion dealing with the Ministerial policy of the country.

The COLONIAL SECRETARY: I do not wish to question the President's ruling, but I did not see the motion before it was read to the House. While not disputing in the least the right of the hon. member to move the adjournment, or the right under Standing Order 58 to discuss any question if he is supported by four other members; but this motion goes beyond that. In the first place it says "That the House at its rising shall adjourn till 4.30 on Wednesday," and then it goes on—"to debate a matter that an Address be presented to His Excellency," and so on. In the first place it is a motion for adjournment, and secondly it is an attempt to bring on a motion without notice. If that be allowed, any member could bring on a motion by moving the adjournment of the House, and could put through a motion in a few minutes. I do not know whether it is the intention of the mover to debate this subject; but I would like the President to say whether after moving the adjournment of the House the hon. member can place another matter before the House?

The PRESIDENT: My ruling is that the motion is simply to draw attention to a certain matter; but the hon. member cannot submit a substantive motion. The motion for adjournment can be used only to draw attention to a certain question.

The COLONIAL SECRETARY: I certainly wish the point made clear, that the motion is simply to draw attention to a subject and not a motion to appoint a Royal Commission. Let me say I cannot compliment the hon. member on his courtesy to me as Leader of the House. When a member intends to move the adjournment of the House—of course I do not question his right to do so—it is a recognised rule that the Leader of the House should be acquainted of the fact; but the hon. member had not the courtesy to mention the matter to me. I was here for a considerable time before the House met and so was the hon. member, but he did not carry out the usual procedure and mention the matter to me as Leader of the House. I contend the hon. member had no need to move the adjournment

and waste a certain amount of time at this late period of the session, because after the answer was given to him he had ample time to bring this matter forward. In fact the hon. member says that on the 3rd December he asked the question whether the Government intended to give effect to a motion carried in this House to appoint a Royal Commission, and my answer was "yes, if Parliament so desires."

Hon. R. F. Sholl: What do you mean by "Parliament"?

The COLONIAL SECRETARY: The Parliament of Western Australia consists of two Houses, the Legislative Council and the Legislative Assembly. What I wish to point out is that on the 3rd December I asked, the member to give notice of a motion so that he could have carried it through, in which case there would have been no justification for the member to move the adjournment of the House to-night.

Hon. M. L. MOSS (West): As one of those who voted against the amendment moved by Mr. Pennefather, I wish to say that the point the Minister makes is this. He says that after a resolution is carried by this Chamber asking for an inquiry in a particular way, the position the Government can assume is that a request by this House need not be complied with unless both branches of Parliament agree and ask for a Royal Commission. It is quite obvious that if the Legislative Assembly pass a similar resolution, it would require the most courageous Government indeed to decline to carry out the wishes of that House until the Legislative Council have given their agreement to it. It is quite unnecessary, when this Chamber asks for a particular thing to be done, for the Government to require the endorsement of another place. In another place, where the Government hold their position by virtue of the fact that they have to be supported by a majority of the votes, if a resolution is passed for a select committee or a Royal Commission, the request of the House is immediately complied with. I do not care much whether a Royal Commission be appointed or not, although I am opposed to the granting of Royal Commissions and I am pledged to oppose them on all occasions; but I rise to enter my protest in this matter. I think in the future the position of this House will be seriously jeopardised if we agree to what has fallen from the Colonial Secretary. When a resolution of the House—particularly a resolution such as this— is carried after two or three days' debate the Government should act on the resolution immediately.

Hon. J. T. Glowrey: Carried in a thin House.

Hon. M. L. MOSS: That is no argument. Let me tell the member that if the House were thin and the resolution was placed on the Votes and Proceedings of the House, it was the duty of the Government, if in their opinion it was a snap vote that carried the resolution, to have immediately given notice of motion to rescind it. While the resolution remains on the Minutes of the House the Government should comply with it. I think the member has good ground for complaint. On the 23rd August Mr. Pennefather's amendment was carried, and Mr. Wright on several occasions has asked for this Commission to be appointed. On the 3rd December I do not think it was a fair reply to say that the request would be granted if Parliament desired, or to paraphrase it, "We declined to act on a resolution of the Legislative Council; but if the Legislative Assembly agrees we are prepared to do what is asked; if the Legislative Council has a resolution on its Minutes we are prepared to disregard the wishes of that House; we can only agree to the course if Parliament says 'yes.'" I do not think that is proper treatment. While I voted against the resolution, I rise to protest against the treatment meted out to this Chamber.

Question (urgency motion) put, and negatived on the voices.

BILL—GAME ACT AMENDMENT.

Read a third time and transmitted to the Legislative Assembly.

BILLS (3)—FIRST READING.

1, Wonnerup-Nannup Railway; 2, Nedlands Park Tramways; 3, North

Fremantle Tramways ; received from the Legislative Assembly and read a first time.

BILL—BUNBURY HARBOUR BOARD.

First Reading.

Received from the Legislative Assembly and read a first time.

The COLONIAL SECRETARY moved that the second reading be taken after Order 9.

Hon. R. F. SHOLL: This was farcical. Probably there were documents embodying the powers of this board, and yet it was not considered necessary to give members time to consider them, and it was expected that we could pass the second reading to-day.

The COLONIAL SECRETARY: This motion was to suit the convenience of members. It was intended to move the second reading later in the sitting, and then have the debate adjourned to give members ample time to digest the facts placed before them.

Motion passed, the order postponed.

BILL—ELECTORAL.

Second Reading.

Resumed from the 13th December.

Hon. J. M. DREW (Central): When I moved the adjournment of the debate it was in order to look through the Bill. It seems to me the measure effects some improvements, supplies many difficulties, and removes many defects and inconsistencies in the existing legislation; but at the same time it seems to me that it contains a number of blots which should be erased before the measure becomes law. It is not my intention to delay the House. I shall simply refer to the different clauses to which I wish to direct attention. Clause 40 stipulates that only the names obtained as the result of an electoral census shall be used for the purpose of preparing new rolls. It may easily happen that an elector may be temporarily absent when the police officer comes round to take the census, and the elector may thus be disfranchised. In the original Act it was provided that not only should the census be utilised to prepare new rolls, but also any other available source, including municipal and roads board rolls. There is no such provision in this Bill. By Clause 81 it is provided that any candidate may withdraw his nomination by lodging with the returning officer notice in writing of such withdrawal at any time not later than seven clear days before polling day. It seems to me to be very unwise to permit a candidate to withdraw his nomination without some penalty. It may be advisable to have such a provision but the candidate withdrawing his nomination should incur some penalty. Otherwise the provision is calculated to lead to bogus candidates nominating, with the result that the *bona fide* candidate is put to some expense in making preparation for an election, and the Government are involved in expense in making preparation for the printing of ballot papers and for holding the poll. I suggest that the person who nominates and afterwards desires to withdraw shall forfeit one-fifth of his deposit, that is about £5. In Clause 90 it is provided that the electoral officer shall supply postal vote officers with postal vote books in the form numbered 21 in the schedule. In my experience at the last election, although these postal vote officers were well supplied with books for the Assembly, they were not, in a great many instances, supplied with forms for the Legislative Council. They were duly appointed, but they had not the machinery to record the votes. I trust the Colonial Secretary will see that when the Legislative Council elections are held the officers appointed for taking postal votes are supplied with the necessary machinery for so doing. It is provided in Clause 127 how votes shall be marked. The preferential system of voting is no doubt very much to be desired; everyone would like to see that the candidate who is returned is returned by a majority of the electors; but it seems to me that though this is purely optional, it will lead to no end of confusion, and as Mr. Moss points out, the candidates putting up at the next Legislative Council elections will suffer. I suggest that if the clause is adopted the

elector shall mark his vote on the ballot paper by placing a cross opposite the name of his candidate, and then he may afterwards place 2, 3, 4, or 5 and so on opposite the names of the other candidates This would bring the system into line with the Commonwealth system, and also the municipal and roads board systems, where a cross is usually adopted. Clause 180 provides that "bribery" particularly includes the supply of food, drink, or entertainment after the nominations have been officially declared. It is a drastic clause. A candidate travelling in a train with an elector and supplying him with a glass of beer, or with the wing of a chicken or with a cigar, would be guilty of bribery. There is no qualification whatever. In the old Act it was stated that if food, drink, or entertainment were supplied with a view to influencing the elector then the person supplying the food would be responsible; but here it simply states that bribery particularly includes the supply of food, drink, or entertainment after the nominations have been officially declared. It seems to me to be a provision that will be more honoured in the breach than the observance. Clause 181 Subclause 5 provides, that any person who, between the issue of the writ and the close of the poll, publishes or exposes, or causes to be published or exposed, to public view any document or writing or printed matter containing any untrue statement defamatory of any candidate and calculated to influence the vote of any elector, shall be guilty of undue influence, and shall be liable to a fine of £200 or one year's imprisonment; and as Mr. Moss pointed out, a magistrate or two justices of the peace have to decide whether it is defamatory or not, though in connection with a libel case, even the Judge has not the power to say whether a certain writing is libellous. He may say it is not a libel, but he has to leave it to a jury to decide whether it is or is not defamatory. Here we are placing it in the power of a magistrate, who may be influenced by political bias, to determine this great question. Mr. Moss referred to Clause 194, which provides that any person who makes or publishes any false and defamatory statement in relation to the personal character or conduct of a candidate shall be guilty of an offence, and shall be liable, on conviction, to a penalty not exceeding £100, or to imprisonment not exceeding six months. Even what a magistrate would deem to be slander could be punishable under this clause; but we all know that during election times all sorts of wild statements are made of which very few take notice. If it is proposed to put this provision into force the enlargement of the gaols must speedily follow. The provision for numbering postal ballot papers absolutely does away with secret voting. Not only is the front of the ballot paper numbered, but also the counterfoil; and during the count both counterfoils and ballot papers are carefully examined, so it is easy for the returning officer and the scrutineer, by keeping count of the numbers, to discover how certain persons voted. [*Hon. M. L. Moss*: We cannot avoid that.] It was not provided for in the old Act. I do not think they were consecutively numbered. Clause 95 provides that the returning officer upon the receipt of any postal votes must retain them in possession and, during or immediately after the close of the poll in the presence of the scrutineers, proceed to open them, and if satisfied by comparing each counterfoil with the roll that the person named is entitled to vote, shall, as he takes out each ballot paper from its envelope, without unfolding it, deposit it in the ballot box. The returning officer and scrutineers not only see the postal vote with the consecutive number on it, but also the counterfoil with the consecutive number on it, so it does away absolutely with the secrecy of the ballot so far as postal votes are concerned. These are all the points I wish to place before the House. I do not feel inclined to support the Bill unless there is some indication that these very drastic clauses will be removed.

Hon. W. KINGSMILL (Metropolitan-Suburban): I realise as anyone must who reads the Bill carefully and compares it with the Act in existence that in many respects this measure is an improvement on the present law, and I am in no way flattering it by saying so much, because

I have learned from actual practice what the deficiencies of our present law are. However, I cannot shut my eyes to the fact that there are several features in this Bill to which I absolutely cannot give my support, and I shall endeavour as briefly as possible to enumerate them to the House. In the first place this perhaps is not altogether the fault of the Bill, for with a measure comprising 212 clauses and dealing with one of the most complicated of questions, it might be expected that this House should have more time to consider it; and when we also take into account the history of this measure, it will be admitted that this additional time for considering it might, without injustice to another place, have been easily given to members of this House because this measure was introduced last session in another place, and when the unexpected prorogation took place the measure and several others lapsed. At that time this measure had been very fully discussed in another place; therefore would it have been advisable and tactful on the part of the Government if the Bill had been introduced first into this House in the present session? I venture to say that in common with other measures of a lengthy and complicated nature, this Bill would probably have been referred to a select committee, which committee would have done justice to the measure, and it would have been thereby improved. This House has been treated somewhat cavalierly in this respect, and such treatment does not endear the measure to members. One of the principal faults in the Bill is that the system of postal voting which obtains under our present Act is practically perpetuated in this measure. As to the evils of postal voting, anyone who has had experience can speak concerning them; and these evils arise from endeavouring to achieve the impossible task of keeping the same system of postal voting for universal adult suffrage as to one House and property suffrage as to the other House. Postal voting as it appears in this Bill is necessary and suitable for Council elections; but does not the very phrase "adult suffrage" mean personal voting? I maintain that where postal voting is granted, the privilege should be so hedged round that electors shall be taught that postal voting is not to be looked on as an easy alternative to personal voting, but that it is to be used in the utmost emergency. If that were so, many of the evils of postal voting would disappear. If the system as in the Commonwealth Act had been embodied in this Bill, then in applying postal voting to Assembly elections there should be two distinct systems for two distinct Chambers, because they have two distinct qualifications and the surrounding conditions are entirely distinct. Our present system of postal voting is necessary and advisable for Council elections, because where property owners have the power of voting once in every province where they hold property, it must be impossible for them to vote personally in each of those provinces; therefore electors for the Council should be provided with facilities for voting by post. But on the other hand where a voter resides within the electorate for which he votes, it should only be on proof by him that the emergency is a real one and will prevent his presence at the poll that he should be allowed to vote by post. That would be a commonsense application of the system of postal voting. It may be impossible to make the Bill suitable in this respect, in the short time at our disposal; but I hope that in any farther measure of this kind to be brought forward, such provision will be made. As Dr. Hackett has said, the Commonwealth system of voting for the Senate is essentially different from that for the House of Representatives, because firstly before a person can go to any officer appointed to take postal votes, for getting a vote, the voter has to obtain from the returning officer a certificate that he is entitled to a postal vote.

The Colonial Secretary: That would be too cumbersome in elections for this State.

Hon. W. KINGSMILL: I have said that it would be so. The system of preferential voting proposed to be introduced is, as members will admit, theoretically one of the best and most reasonable propositions that could be put forward; but as it is proposed in the Bill it

will achieve neither one thing nor the other. It has been claimed, as I understand, that this provision is put in for teaching the electors, and so is made optional; but I maintain it will have a directly opposite effect, because only those voters who understand what preferential voting is will risk the making use of it, and those voters who do not understand it will leave the new system alone. To make preferential voting optional, as in the Bill, will cause an immense number of informal votes. You cannot get electors to vote preferentially unless you force them, because those voters who need to learn what preferential voting is will leave it alone; and the system will absolutely be nullified if it comes into law as an option to be used or left alone. I have studied Clause 64, which provides that three weeks' notice shall be given of intention to issue writs in the case of general or periodical elections, and I am at a loss to find any sufficient motive for this provision; because in the case of ordinary elections which occur through effluxion of time, that notice is unnecessary, as all electors who take an interest in the matter will know the time when writs are about to be issued, and those electors who do not know will have the fact impressed on them day by day through the newspapers, so that all electors will know approximately to a day or two when the writ for any particular election is to be issued. In the case of a dissolution, which occurs invariably in the middle of a session, the twenty-four days which must be lost owing to this provision will be taken out of time which the country can ill spare, if the public business is to be carried on in a proper manner. I hope that in Committee Clause 64 will disappear, because I cannot conceive why it was put in the Bill. There are other minor features in the Bill which it is not necessary to mention; but one I would like to mention is that in the claim form for both Assembly and Council, a heavy burden is thrown on the attesting justice of the peace, because he has to certify not only that the claimant has signed the claim in his presence, but also that the claimant has satisfied him as attesting officer that he possesses the qualification. I maintain that is not a fair burden to cast on the attesting officer, and when it becomes known that the responsibility is shifted from the person making the claim to the justice or officer who has to attest the claim, a very unfair use may be made of it. I think that form of claim should be altered to the present form. Again, as to postal voting, I must say a word as to appointees to be named throughout the State as officers before whom postal votes may be taken. A great difference is made between this Bill and the Commonwealth Act, for in the Commonwealth Act the appointees are statutory, that is to say certain persons being civil servants and therefore debarred from taking any active part in politics are the persons before whom postal votes may be taken. On the other hand, under our system, as I know from actual experience, the Minister controlling the Electoral Department is bothered for weeks before a coming election to appoint persons who, on inquiry, may turn out to be partisans in the highest degree; and I may say it is hard indeed to know whether in remote districts any particular person named is a political partisan or not. When one party has got a person put on the list as an appointee for taking postal votes, the other party will go to the Minister and say, "Put Jones on too, for he is a most violent partisan and will make things level as against the other party." That has been done; but in many cases appointments have had to be cancelled, upon information received later. That is another point on which we may well follow the Commonwealth example.

Hon. M. L. Moss: The appointee is partisan in any case, but one appointee will show it more distinctly than another appointee may do.

Hon. W. KINGSMILL: I say it is an unfair burden to throw on the Minister. We can put in the Bill the qualifications of the persons who shall take postal votes.

The Colonial Secretary: They are in already, to a great extent.

Hon. W. KINGSMILL: If the Minister limits them to the extent I have suggested, I shall be with him.

The Colonial Secretary: It is done as far as possible.

Hon. W. KINGSMILL: Exactly. The Minister is giving away the case. It is evidently the wish of the Government to make postal voting as easy an alternative to personal voting as is possible. I maintain that attitude is absolutely wrong. When we have universal suffrage—and I believe in universal suffrage so long as we have a second Chamber—we should surround postal voting with stringent regulations, so that it shall not be considered as an easy alternative to personal voting. With the reservations which I have mentioned, and some others which I have forgotten, I intend to give the Bill a qualified support.

Hon. S. J. HAYNES (South-East): I can only say it seems to me too bad to bring down an important measure like this at the fag end of the session; and I protest against this being circulated amongst members without giving them time for more than a superficial glance at its provisions. A measure like an Electoral Bill requires the most careful consideration possible; and if it is rushed through, we shall no doubt see the country put to considerable expense by the adoption of new electoral machinery, with the result that another Electoral Bill will be brought in during next session. Such measures should be circulated much earlier in the session, so as to allow every member to read them thoroughly, and if necessary to amend them intelligently. At the same time, I recognise that the present electoral law is very imperfect, and needs considerable improvement; and this Bill is certainly a step in the right direction, for it contains improvements on the existing Act. I quite agree with every word the last speaker has said with respect to postal votes. While protesting against the Bill being circulated so late in the session, nevertheless in view of the improvements it contains, I shall be constrained to vote for the second reading, reserving to myself the right to do the best I can, in a hasty, unsatisfactory and slipshod manner, to criticise it in Committee.

Question put and passed.

Bill read a second time.

In Committee.

Clauses 1 to 16—agreed to.

Clause 17—Qualification of Assembly electors:

Hon. J. W. LANGSFORD: By Subclause 3 any member of the Assembly and his wife might claim to be enrolled for the district represented by such member, and when so enrolled be deemed to reside in such district. Whence was this taken? It was a peculiar privilege to grant to one section of the community. He moved an amendment—

That Subclause 3 be struck out.

The COLONIAL SECRETARY: The subclause might be said to confer on an Assembly member no greater privilege than was already enjoyed by a Council member. The vast majority of the members of this House had property in the provinces they represented, and were therefore entitled to vote therein, though some of them did not reside in their provinces. Assembly members had to reside in Perth for six months in the year, and were therefore struck off the roll in their own districts, where they would prefer to vote.

Amendment passed; the clause as amended agreed to.

Clauses 18 to 24—agreed to.

Clause 25—Copies to be kept for public inspection:

The COLONIAL SECRETARY moved an amendment—

That the words "province and" be inserted after "every," in line 1.

"District" referred to an Assembly electorate. Council rolls also must be kept for inspection. Under the Bill there would be only one roll for each province. There was now a roll for each district in the province.

Amendment passed; the clause as amended agreed to.

Clauses 26 to 39—agreed to.

Clause 40—Names to be inscribed from existing rolls, etc.

Hon. M. L. MOSS: Under the Act of 1904 it was the duty of every town clerk and clerk of a roads board to send a copy of his rate roll to the electoral reg-

istrar for the district, and it was the duty of the registrar to put those persons possessing the necessary qualifications on the roll. That was a very excellent system, and there was no reason why it should have been omitted from the Bill. He would move later on for the inclusion of a new clause for the continuation of this system.

The COLONIAL SECRETARY would have no objection to the addition of the clause provided it applied only to the elections of the Legislative Council. It would lead to no end of confusion if it applied to the Assembly.

Clause put and passed.

Clause 41—Addition of names:

Hon. R. D. McKENZIE moved an amendment—

That the following words be added to the clause: "and the lists of municipal and roads boards ratepayers transmitted to the registrars in accordance with Section 46."

The COLONIAL SECRETARY: That would be consequential on the amendment suggested by Mr. Moss. He had no objection.

Amendment passed; the clause as amended agreed to.

Clauses 42 to 45—agreed to.

Clause 46—Objections to claims:

Hon. J. T. GLOWREY moved an amendment that in Subclause 2 the following be inserted after paragraph (g):

Provided that the registrar shall place a mark in the prescribed manner against the claimant's name when enrolled, and no person whose name is so marked shall be entitled at any election to obtain a ballot paper and record his vote unless he has delivered to the presiding officer a declaration duly made by him in the form numbered (10) in the schedule.

This proviso appeared at the end of Subclause 3, but the right should also be given to electors to see that the mark was placed against the name of the person to whom objection had been taken.

The COLONIAL SECRETARY: Clause 46 dealt in the first part with the case of an elector lodging an objection against a claim. It was provided in that part of the clause that if an elector objected, and the case was not heard before the issue of the writ, the claim went on the roll as if he had not been objected to. The latter part of the clause provided the same machinery that the registrar, if he though fit, might object to any claim going on the roll; if the claim were not heard before the issue of the writ the name was put on with a certain proviso. The proviso was that the registrar should place a mark against the claimant's name, and that when it came to the exercising of the vote the returning officer should insist upon the elector making a statutory declaration. Unless he did this the elector, whose name had been objected to would not be allowed to vote. It was now sought to give the same privilege to a private objector as to the registrar. It was unnecessary to do that, for when a sufficient reason was brought before the registrar he would object, and therefore would put a tick against the voter's name. The registrar was not likely to pass a claim if there were any doubt about it.

Amendment passed; the clause as amended agreed to.

Clauses 47 to 62—agreed to.

Clause 63—Writs for general election to issue within seven days:

The COLONIAL SECRETARY moved an amendment—

That in Subclause 1 the words "For every general election the Governor may, not later than seven days after the efflux of time in the case of biennial vacancies in the Council," be struck out and the following inserted in lieu: "For every general election the Governor may, within the time prescribed by the Constitution Act Amendment Act, 1899, in the case of the biennial vacancies in the Council, and not later than seven days."

In the drafting of this clause the Upper House elections were somewhat lost sight of. Section 5 of the Constitution Act provided that the writs for the biennial elections for the Legislative Council should issue not later than the 10th day of April and that the writs should be of May and the old member would be returnable not later than the 21st day

tain his seat until that date. The reason was obvious, that there should be a continuous Council. As the clause was drafted it would clash with the Constitution Act, and notwithstanding that the Constitution Act provided that the writs should issue not later than the 10th day of April, according to the Bill they need not issue until seven days after the 21st day of May.

Amendment passed.

The COLONIAL SECRETARY moved a farther amendment—

That in Subclause 2 the words "within three days" be struck out, and "forthwith" inserted in lieu.

Amendment passed.

Hon. M. L. MOSS: Had the Colonial Secretary conferred with those responsible for drafting the measure, as to the authority that existed with regard to the appointment of a clerk of writs? Also on the point that the Bill gave power to appoint a clerk of writs but no power to remove him from his office?

The COLONIAL SECRETARY was advised by the Crown Law officers that it was not necessary to insert a power of removal, as the power of appointment carried with it the power of removal. As to whether there was power to appoint a clerk of writs, he was informed by the same authority that there was power.

Clause as amended agreed to.

Clause 64—Notice to be published:

Hon. M. L. MOSS moved—

That the clause be struck out.

The COLONIAL SECRETARY: Although this clause was inserted by another place that was no reason for saying it was bad. It gave a better opportunity for persons to get on the roll.

Hon. M. L. MOSS: No one objected to anyone getting on the roll properly, but what was objected to was people getting on the roll improperly, and if 21 days' notice of intention to issue a writ were given people might get on the roll improperly.

The Colonial Secretary: Make it 14 days.

Hon. M. L. MOSS: If a court for deciding on the claims could not sit, the names were placed on the roll, and names might have been struck off one day and claims put in the next day. The rolls might be stuffed to such an extent that we would never get a pure roll.

Hon. J. T. GLOWREY hoped that the clause would be struck out. Anyone who had had experience of fighting an election would realise to what abuse the clause was open. Hundreds of names could be put on at the last moment.

Hon. S. J. HAYNES supported the striking out of the clause.

Clause put and negatived.

Clause 65—agreed to.

Clause 66—amended on motions by the *Colonial Secretary*, by inserting after the words "political grounds" in Subclause 2, the words "or by a decision of the court of disputed returns"; by the striking out of "or" after "office" in line 2 of Subclause 3, and by inserting after "office" in Subclause 3 the words "or a decision of the court of disputed returns."

Clause as amended agreed to.

Clauses 67, 8, 9—agreed to.

Clause 70—Date of polling:

Hon. F. CONNOR: Under this clause, which provided that the polling day must be not more than 30 days after the date of nomination, many electors in the Kimberley district would be distranchised because the postal votes would not reach the returning officer before the polling day.

The COLONIAL SECRETARY: It was provided that any elector could vote after the issue of the writ. That might be 60 days before polling day. That should be sufficient time.

Hon. M. L. MOSS: There was a possibility, owing to the postal ballot papers missing a mail, of an elector in the Kimberley district or in some outlying districts in the North, being disfranchised, because the papers might not reach the returning officer before the polling day. He intended to move to amend Clause 91 where the matter could be better dealt with.

Clause passed.

Clauses 71 to 74—agreed to.

Clause 75—Extension of time :

On motion by *the Colonial Secretary*, the words "subject to the provisions of Section 8 of the Constitution Act Amendment Act, 1899" were inserted at the beginning of the clause, and the clause as amended was agreed to.

Clauses 76 to 82—agreed to.

Clause 83—Deposit to be forfeited in certain cases :

The COLONIAL SECRETARY moved as an amendment—

That in Subclause 1, line 5, the words "or if more than one, by the successful candidate who obtained the smallest number of votes at the election" be struck out.

When the provision for dual electorates was struck out in another place these words were retained by an oversight. They had no longer any application.

Amendment passed.

Hon. W. PATRICK : What would be the position if by the death of a member of the Upper House there was an election for two candidates for the Legislative Council at the one time ?.

The COLONIAL SECRETARY : There should be two elections ; one the ordinary election and the other an extraordinary election to fill the vacancy caused by the death.

Hon. M. L. MOSS moved an amendment—

That in Subclause 2, line 1, the words "On the withdrawal of his nomination by any candidate, the deposit shall be repaid to him and," be struck out.

If these words were struck out, Clause 81 should have added, the words, "but in such case the deposit shall be forfeited." There had been instances where persons had nominated, and after putting the opposing candidate to considerable expense had withdrawn before the day of election to get back his £25 deposit. This amounted to blackmailing in some cases. Therefore if a candidate nominated and did not go to the poll he should pay the penalty of £25.

Hon. E. McLARTY : It might be hard in the case of a candidate who intended to nominate, but for reasons which arose later found himself unable to do so. He should not have to lose his deposit.

Hon. J. M. DREW suggested that a candidate withdrawing after nomination should receive four-fifths of his deposit. That would penalise him to the amount of £5.

Hon. M. L. Moss : That would be no penalty in such a case.

Hon. C. A. PIESSE could not go so far as Mr. Moss, but would make the candidate forfeit half his deposit.

Hon. F. CONNOR remembered a case where three candidates stood, and one of the three wanted £100 to withdraw from the contest. A candidate who nominated should go to the poll or pay the penalty of £25.

The COLONIAL SECRETARY : In the Act a candidate nominated could not withdraw. There was not much objection to the proposed amendment, because a candidate would have time to make up his mind up to the day of nomination.

Hon. M. L. MOSS : Another objection occurred to him. Suppose that in an election for the Central or North Province three candidates were announced ; then one candidate might retire after a number of postal votes had been received, and this would have a considerable effect on the principle of majority representation which the Bill aims at by preferential voting. That candidate might nominate for the very purpose, and withdraw to get back his £25. This illustration should induce the Committee to penalise the candidate who nominated and did not take his chance at the poll.

Amendment put and passed.

Hon. M. L. Moss : An addition to the clause might be made on recommittal.

Clause as amended put and passed.

Clauses 84, 5, 6—agreed to.

Clause 87—Withdrawal or death of candidate after nomination :

The COLONIAL SECRETARY moved an amendment—

That the words "or the candidates remaining are not greater in number than the candidates required to be elected, he or they as the case may be,"

be struck out, and "such candidate" inserted in lieu.

This was consequential on striking out the provision as originally intended for constituencies having more than one member.

Amendment passed; the clause as amended agreed to.

Clause 8—Failure of Election:

The COLONIAL SECRETARY moved amendments—

That in Subclause (1) the words "wholly or partially" be struck out, in Subclause (2) "wholly" be struck out, Subclause (3) be struck out.

Amendment passed; the clause as amended agreed to.

Clause 89—agreed to.

Clause 90—Postal vote books:

Hon. F. CONNOR: It should be permissible for presiding officers, when printed forms were not available, to accept postal votes on written forms.

The COLONIAL SECRETARY: While such a course might be at times expedient, it might also be urged as a reason for using written ballot papers, and that could not be permitted.

Hon. F. Connor: Then the postal voters would be disfranchised if the forms were not provided.

The COLONIAL SECRETARY: The Bill made it the duty of the Chief Electoral Officer to supply books of forms, and he was not likely to neglect that duty.

Hon. M. L. MOSS: Just before an election a large number of postal vote officers was appointed. In a district like Kimberley, it would be almost impossible for such forms to reach the officers in time from Perth. Each resident magistrate ought to have in his office an abundant supply of books, and should be instructed to supply them to every newly-appointed postal vote officer in the district, without waiting for them to come from Perth.

The COLONIAL SECRETARY: That suggestion would be brought under the notice of the Chief Electoral Officer.

Clause put and passed.

Clause 91—Directions:

Hon. M. L. MOSS moved an amendment—

That the words "or to a presiding officer at any of the divisional polling places" be added to Subclause 6.

That would enable the postal vote papers to be handed either to a returning officer or to a presiding officer. Hitherto postal votes, unless they reached the returning officer before he commenced his count, were rejected; and in large districts they could not reach him soon enough. Let them be handed to the nearest presiding officer, be put by him in the ballot box, and counted with ordinary votes. In a close contest twenty or thirty postal votes might decide the issue.

The COLONIAL SECRETARY: In an extraordinary election for, say, Kimberley, to which presiding officer must a Perth voter send his paper?

Hon. M. L. MOSS: In that case he must send it to the returning officer. By Clause 89 any elector had a right to vote by post if he expected to be more than seven miles from a polling-place on election day. As the Bill stood, if he was more than seven days from Hall's Creek and voted by post, the vote would not reach the returning officer at Broome till after the result was known. If the amendment were carried, the vote would be counted by the presiding officer at Hall's Creek.

Hon. J. M. DREW supported the amendment, which, however would make other amendments necessary, there being no provision for counting postal votes except by the returning officer at headquarters in the electorate.

Hon. F. CONNOR: In the North, during the off season, when there was only one steamer every two months, a postal vote could not reach the returning officer in time, even if it were posted at the earliest possible moment.

Hon. G. RANDELL: The amendment should be inserted after "returning officer," or made a separate subclause.

The COLONIAL SECRETARY: Better make it a separate subclause. The presiding officer would not have any official existence till polling day.

Hon. M. L. MOSS: Clauses 101 and 102 showed that the amendment was in order.

The COLONIAL SECRETARY: If the amendment were passed the clause could be recommitted. Provision should be also made for cases in which large numbers of postal votes failed to reach their destination. One was just as inconvenient as another. If the clause were accepted as it stood the Bill could be recommitted after if it was found the clause was not framed properly.

Hon. M. L. MOSS: If the words "presiding officer" were used, the clause would be perfectly safe.

Hon. F. CONNOR: Postal votes could only be counted when the general count was being taken, and it therefore did not matter what the official was called.

Amendment put and passed; clause as amended agreed to.

Clause 92—Mode of marking ballot paper:

Hon. J. M. DREW moved an amendment—

That in Subclause 3 *the words "the numeral* 1*" be struck out, and "cross" inserted in lieu.*

He had no objection to the preferential system of voting, for it was desirable that legislation of that description should be introduced. We should make an effort, however, to prevent the electors from being confused. By putting a cross opposite the name of the candidate whom they desired to cast their first vote for, it would be much better than if the number were inserted as suggested by the clause.

The COLONIAL SECRETARY: It must be remembered that the clause referred to postal voting, and the objection could not be sustained. The person who made the postal vote wrote the names of the candidates in the order of his choice, and therefore it did not matter whether a numeral or a cross were put opposite the name of the first choice.

Hon. J. M. DREW: The object of the amendment was so far as possible to bring the system into line with the Federal and the municipal electoral systems. It must be admitted that it was not so necessary in the case of a postal vote as in a general vote, but it would be well to have the system uniform.

Hon. M. L. MOSS: There were so many different methods of voting that the Labour Party and the National League would have to start electoral colleges in order to teach the people how to vote. The electors were now becoming accustomed to the municipal and roads board elections system, which were the same as the Federal system and that which was at present in existence for State elections, and there was sure to be a lot of inconveniences and many mistakes when the new system was introduced. Next year he had to go up for election and he trusted there would not be three candidates, for if so there would be a considerable amount of confusion as to the vote. The amendment, however, would not tend to simplify the position, therefore he would oppose it.

The COLONIAL SECRETARY: However the arguments used by the hon. member might apply to the general ballot, they certainly did not to the present clause, which dealt with postal voting. In most cases in connection with the postal voting the preference system would not be used at all. It would be well for the hon. member to withdraw the amendment.

Amendment, by leave, withdrawn.

Clause put and passed.

Clause 93—agreed to.

Clause 94—Postal vote officer not to visit electors:

Hon. M. L. MOSS moved an amendment—

That the clause be struck out.

The clause sought to prevent a postal officer from visiting an elector to take his vote. When reputable people were appointed to take these votes, there could be no objection to them going round and taking the votes of the electors. It was possible to instance extravagant cases, but generally speaking the officers had done their work very well. He admitted candidly that partisans of both sides had been appointed, and there seemed to have been no hesitation on the part of the officials to appoint these officers from both sides in politics. The innovation

of prohibiting the officers from visiting an elector was not a good one.

The COLONIAL SECRETARY: If the amendment were carried it was doubtful whether a postal officer could go to a residence and take a vote, for the preceding clause gave him no power to do so. He would not object to the amendment if it applied only to the Legislative Council, but there was a very grave objection to an officer going round visiting the electors in connection with the Legislative Assembly elections. It was never intended in any case that the person should take a vote at other than his place of residence or place of business.

Hon. J. M. DREW: It was to be hoped the amendment would be carried, for under the Act the position had been grossly abused. The officers had been partisans of one side or the other, and had ridden round the country canvassing the electors. One of the reasons why the new measure was introduced was to get a clause of this kind inserted.

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

Ayes	4
Noes	16
Majority against ..	12

Ayes.	Noes.
Hon. J. T. Glowrey	Hon. T. F. O. Brimage
Hon. R. Laurie	Hon. E. M. Clarke
Hon. M. L. Moss	Hon. J. D. Connolly
Hon. F. Connor (*Teller*).	Hon. J. M. Drew
	Hon. J. W. Hackett
	Hon. S. J. Haynes
	Hon. W. T. Loton
	Hon. E. D. McKenzie
	Hon. W. Patrick
	Hon. C. A. Piesse
	Hon. G. Randell
	Hon. C. Sommers
	Hon. J. A. Thomson
	Hon. G. Throssell
	Hon. J. W. Wright
	Hon. G. Bellingham (*Teller*).

Amendment thus negatived; the clause passed.

Clause 95—Duty of returning officer in regard to postal votes:

On motion by the *Hon. M. L. Moss*, clause amended consequentially by inserting in line 1 of Subclause 1 and in line 1 of Subclause 2, after "returining officer," the words "or presiding officer as the case may be."

Clause as amended agreed to.

Clauses 96, 97—agreed to.

Clause 98—amended consequentially by inserting in line 5 after "returning officer" the words "or presiding officer."

Clauses 99 to 113—agreed to.

Clause 114—Persons present at polling:

Hon. G. RANDELL: Although this clause was an exact copy from the present Act, it did not seem clear whether the presiding officer could remove from the polling place a person who had voted.

The COLONIAL SECRETARY: If Clause 126 did not cover the objection raised he would re-commit the clause if necessary.

Clause passed.

Clauses 115 and 116—agreed to.

Clause 127—How votes to be marked:

Hon. J. M. DREW moved an amendment—

That in line 1 *the words "the numeral* 1*" be struck out and the words "a cross" be inserted.*

The COLONIAL SECRETARY: So long as the presiding officer or returning officer was satisfied of the intention of the voter the voting paper would not be regarded as informal.

Hon. J. M. DREW: It was a matter of importance that a voter's first preference should be made with a cross, and he could mark his subsequent preferences with numerals.

Hon. W. T. LOTON: It would be better to leave the clause as it stood and allow numerals to be used to indicate the opinions of the voter.

The COLONIAL SECRETARY: By Clause 139, Subclause 2, the trouble the hon. member foresaw was remedied. A ballot paper in which the first preference was indicated by a cross would not be informal.

Hon. M. L. MOSS: It would be best to leave it as it stood in the Bill.

Amendment by leave withdrawn.

Hon. M. L. MOSS moved an amendment—

That the word "may," in Subclause 2, *line* 4, *be struck out, and "shall" inserted in lieu.*

This was to make preferential voting compulsory. The sooner the people were educated to preferential voting the better, if we were to have the system at all; but if one half of the electors voted preferentially and the other half neglected to do so, we could not get anything like a proper choice of representatives.

Hon. C. A. PIESSE supported the amendment.

The COLONIAL SECRETARY: The matter was fully considered before the Bill was introduced, and it was thought advisable not to make preferential voting compulsory for the present. It would be well to leave it optional, and if people chose to avail themselves of it they could do so. Certainly it would not be advisable to have it compulsory at the first elections, because it would lead to a great many informal votes. Later on, when the people had got a grasp of the system, an amendment could be brought in to make it compulsory.

Hon. M. L. MOSS: It should be optional in regard to postal voting, but otherwise it should be compulsory. If we were to make it compulsory later on, we would be educating the people to one system to-day, and then two or three years hence would teach them another system by which they must vote preferentially.

Hon. G. RANDELL: The proposal should have a trial; but he decidedly objected to being compelled to vote for a man for whom under any consideration he would not vote. A compulsory system of preferential voting would make him do so. We should not adopt any system of compulsory voting. There was no disposition to adopt such an interference with the liberty of the subject.

Amendment (compulsory) put and negatived.

Clause put and passed.

Clauses 128 to 132—agreed to.

Clause 133—Count of the votes; how conducted:

Hon. M. L. MOSS: This clause prohibited anybody but scrutineers and officers from being present at the count. The existing law provided that any persons approved by the returning officer could be present. If we passed this clause as it stood, it would preclude candidates from being present at the count. Occasionally there were such crowds of people outside a hall where the count was taking place, that it was impossible for a candidate to get inside the hall at the declaration. Nothing unseemly had taken place through candidates being present at the count.

The COLONIAL SECRETARY: The words of the original Act were altered because they were too wide. No one would object to candidates being present at the count if the hon. member would limit it to that.

Hon. M. L. MOSS: It was customary for reporters to be admitted to the count; and that was why in the original Act it was left to the discretion of the returning officer. However, he was satisfied to leave it at candidates. He moved as an amendment—

That the words "the candidates and" be inserted at the beginning of Subclause 2.

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

Clauses 134 to 161—agreed to.

Clause 162—Voiding election for illegal practices:

Hon. M. L. MOSS moved an amendment—

That the last paragraph be struck out.

The clause provided for the voiding of elections in the event of bribery or corruption on the part of a successful candidate; one paragraph providing that an election should not be so voided where it was shown that the illegal practices had not been with the consent or cognisance of the successful candidate. The last paragraph, however, destroyed this provision by leaving discretionary power in the hands of the court to void any election if in the opinion of the court the absence of illegal practices would have resulted in the return of another candidate. It was unfair to a candidate who after conducting his campaign with scrupulous honesty was returned at the head of the poll, that at the discretion of the court and because of illegal practices by

others without his knowledge or consent, the election should be voided. After the 1904 elections successful candidates were unseated not because of corrupt practices by the candidate, but merely because some persons had voted after being more than three months out of a district. That position might recur time after time, and in those circumstances it was not right that a court should have the power to void an election when a majority of electors had pronounced in favour of a candidate. Those responsible for the illegal practices being rightly liable to prosecution, that should be sufficient.

The COLONIAL SECRETARY : The paragraph should be retained. The discretionary power would be exercised by the court only where it was of the opinion that the illegal practices had affected the result.

Hon. J. A. THOMSON : Were the paragraph struck out, it might be possible in a close contest for half a dozen persons, by impersonating electors on the roll, to secure the return of a candidate who otherwise would not be elected.

Hon. W. PATRICK supported the amendment. Elections were held on rolls prepared by the Government and assumed to be correct ; and so long as a candidate had not himself broken the law, he should not be made to suffer.

At 6.30, *the Chairman* left the Chair.
At 7.30, Chair resumed.

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

Ayes	.. .. ..	9
Noes	.. .. ..	8
Majority for	..	1

Ayes.	Noes.
Hon. E. M. Clarke	Hon. J. D. Connolly
Hon. F. Connor	Hon. J. M. Drew
Hon. J. T. Glowrey	Hon. W. T. Loton
Hon. S. J. Haynes	Hon. R. D. McKenzie
Hon. R. Laurie	Hon. G. Randell
Hon. M. L. Moss	Hon. C. Sommers
Hon. W. Patrick	Hon. J. A. Thomson
Hon. J. W. Wright	Hon. T. F. O. Brimage
Hon. V. Hamersley (*Teller*).	(*Teller*).

Amendment thus passed ; the clause as amended agreed to.

Clauses 163 to 170—agreed to.

Clause 171—Power to make rules of court :

Hon. M. L. MOSS : When the three last election petitions were heard, there were no rules of procedure, and the English rules were not suited to the requirements of our Act. As soon as the Bill passed the Government should submit to the Judges a proper code of rules governing the procedure in the courts. He hoped this suggestion would be conveyed to the Attorney General.

Clause passed.

Clause 172—agreed to.

Clause 173—Electoral expenses :

The COLONIAL SECRETARY moved an amendment—

That the word "telegrams" be inserted after "postage," in line 3.

Amendment passed ; the clause as amended agreed to.

Clause 174—agreed to.

Clause 175—Candidates to file account of electoral expenses :

Hon. M. L. MOSS : Three calendar months might suffice in districts served by a railway, but not in the North.

The COLONIAL SECRETARY : Surely three months was long enough in the most remote part of the State.

Mr. F. CONNOR : Three months was sometimes needed to get a letter from Hall's Creek to the coast, in the wet season, when travellers were stopped by floods ; and then one might have to wait another two months for a steamer to Fremantle. Make it six months.

Clause put and passed.

Clauses 176 to 179—agreed to.

Clause 180—Definition of bribery :

Hon. J. M. DREW : An intending candidate giving his opponent a cigar or a wing of a chicken would be guilty of bribery. He moved an amendment—

That the words "with a view to influencing the vote of an elector" be added to the clause.

The COLONIAL SECRETARY : Those words were in the section of the Act, but who was to decide the question ?

Hon. M. L. Moss : The Supreme Court.

The COLONIAL SECRETARY : The clause was too open as it was.

Hon. F. CONNOR : At the last election he fought in the North-West he travelled up and down the Fitzroy River and at that time malarial fever was very bad. He had come across men lying at death's door for want of sustenance, medicine, and drink. They were electors. How could he pass them by ? It was absolutely necessary that the words should be added.

Hon. V. HAMERSLEY : The amendment should be passed. The position of a candidate for a country electorate was particularly affected. For instance, one might be at a homestead, miles away from the next place and electors might travel there from a distance ; but the candidate would be unable to ask them to remain for lunch at the homestead or to entertain them in the most ordinary way.

Amendment put and passed ; clause as amended agreed to.

Clause 181—Undue influence :

Hon. M. L. MOSS moved an amendment—

That Subclause 4 be struck out.

Under the subclause as it stood it was provided that any person who in any way interfered with an elector in the polling booth or while on his way thereto, with the intention of influencing him or advising him as to his vote, would be guilty of undue influence. That was absurd.

Hon. S. J. HAYNES : It would not be wise to strike out the whole clause. At present a great nuisance was caused by electioneering canvassers endeavouring to influence electors to cast their votes in a certain direction by thrusting into their hands when nearing the polling booth, cards bearing the names of certain candidates. This was most annoying especially to ladies who desired to vote, and it should be put a stop to. The extent to which the clause went should be somewhat limited. It would be well if it were amended to provide that no person should be allowed to interfere with an elector who was within 50 yards of the polling booth.

The COLONIAL SECRETARY : There was no real objection to the subclause as it stood. It was taken from the New Zealand Act. Certainly it should be an offence to interfere with an elector in the polling booth, and it was objectionable that energetic electioneering agents should be permitted to interfere with persons going into the booth.

Amendment by leave withdrawn.

Hon. M. L. MOSS moved an amendment—

That the word "either" in line 1, and the words "or while on his way thereto," in line 2, be struck out.

That would penalise persons who interfered with an elector in the polling booth. Very severe punishments were provided in the event of a breach of the provision.

Hon. R. LAURIE : At present no one could interfere with people who were in the polling booth, so it would be just as well to strike the clause out. No two electors were permitted to go into the box together to cast their vote. What Mr. Haynes was driving at was the proper course, that was to prevent persons obstructing the way to the polling booth and trying to influence persons who were going in to vote, to exercise their franchise in a certain way. If he took a number of lady electors to the poll and instructed them how to vote he would be liable to be penalised for it. If he wished to do ladies a service by advising them how to vote we ought to limit the distance from the polling booth.

Hon. S. J. HAYNES : There was usually a kind of ante-room before entering the polling booth; canvassers were allowed in that room and they put cards into the hands of voters showing them how to vote.

Hon. J. A. THOMSON was in favour of the retention of the clause as printed. No doubt this provision was intended to strike a blow at the electioneering tout, who was prepared to waylay the electors proceeding to the polling booth. Members should do all they possibly could to do away with these parasites who clung to candidates. These electioneering touts went a long way from the polling booth to exercise their influence.

Hon. M. L. MOSS: It was not a question of the electioneering tout waylaying people. If a person went in a carriage to bring three or four ladies to the polling booth and on the journey advised the ladies how to vote he would be guilty of corrupt practices and liable to imprisonment.

Hon. J. M. Thomson: The person would be touting.

Hon. M. L. MOSS: What was the use of trying to create an ideal community when there was no possibility. There was no need to stop this touting which did a great deal towards making the polling heavy. He had drawn attention to an innovation which he thought was exceedingly dangerous. He could understand one party in this State which was well organised and did not require any canvassing agreeing to the provision, but there was another section of the community that required all efforts to get them to the poll. The words of the clause were "in the polling booth or on the way there." It might be a mile away. This was an absolute death blow to canvassing on election day.

Hon. J. M. Thomson: Good enough too.

Hon. M. L. MOSS: It was a very bad thing and the result would be that we should not get nearly as many people voting at an election as was necessary in the interests of the public. He wished to use every effort to bring people to the poll. We should do as much as we could to stamp out the electioneering tout. He would not interfere with those who used legitimate means to get people to the poll, for there was an enormous amount of apathy at election times.

Hon. G. RANDELL would like to see the words "either in or while on his way there," struck out, as too far-reaching. We should insert some words to prevent the intolerable nuisance that existed at the polling booth.

Hon. C. SOMMERS: If the clause was passed as printed it would prevent a candidate's friends from putting in a good word for him. He would like to see a new subclause inserted to prevent the soliciting of votes in the immediate vicinity of polling places.

Hon. M. L. MOSS: Last session in dealing with the Municipal Act we passed the following provision prohibiting—

> "Within each polling-place, and within a distance of fifty yards from such polling-place, namely (*a*) canvassing for votes; or (*b*) soliciting the vote of any elector; or (*c*) inducing any elector not to vote for any particular candidate; or (*d*) inducing any elector not to vote at the election. Any person offending against this section shall, for every such offence, be liable to a penalty not exceeding twenty pounds."

We might insert the words "within fifty yards of a polling booth."

Amendment, by leave, withdrawn.

Hon. M. L. MOSS moved an amendment—

That in line 2 of Subclause 4 the words "while on his way thereto" be struck out and the words "within fifty yards thereof" inserted in lieu.

Amendment passed; the clause as amended agreed to.

Clauses 182 to 188—agreed to.

Clause 189—Prohibition of canvassing near polling booth:

Hon. M. L. MOSS moved an amendment—

That in line 2 the words "at the entrance of or within" be struck out and "in" inserted in lieu.

Amendment passed.

Hon. M. L. MOSS moved a farther amendment—

That after "booth" in line 3 the words "or within fifty yards thereof" be inserted.

Amendment passed; the clause as amended agreed to.

Clause 190—Witness to application must satisfy himself of truth of statement:

Hon. M. L. MOSS: Attention was drawn on the second reading to the obligation cast on the person attesting claims. When there was breach of duty the officer was liable to criminal prosecution, and in the absence of any penalty provided for any contravention of the Act there was a general penalty up to £50. In other

parts of the world any person could sign his own claim without having it attested, and we should certainly not put these officers in the position of being liable to this heavy penalty for a breach of this provision. The clause should be struck out.

The COLONIAL SECRETARY: The provision worked well in the Commonwealth Act. It was very important that these witnesses should be quite satisfied that these claims were *bona fide*. Members knew that in some centres when an election came on there were men sitting at the street corners with claim forms, and any person could sign his name to an electoral claim without inquiry being made.

Hon. M. L. Moss withdrew his opposition.

Clause put and passed.

Clauses 191, 192, 193—agreed to.

Clause 194—Defamation of candidates:

Hon. M. L. MOSS opposed the clause, for reasons advanced on the second reading.

The COLONIAL SECRETARY: Possibly the clause might be modified, but we would be going too far to strike it out. Something should be done to stop the vile practice that had grown up of publishing all kinds of statements about people. No one would say that the practice was right or should be continued. There was a proviso that if the person offending had reasonable grounds for believing the statement to be true it was a good defence.

Hon. M. L. MOSS: No one objected to a person being punished for making a false defamatory statement against another, but the complaint was that the question of whether a writing was a libel or not was always a question for a jury, and to intrust it to magistrates in the country with little experience, who might be friends of the candidate just ousted, and to subject the offenders to six months' imprisonment without the opportunity of going before a jury, was a piece of legislation never heard of anywhere where the British flag was flying.

The Colonial Secretary: A proviso could be added giving the right of appeal.

Hon. M. L. MOSS: This was too great an inroad on trial by jury. When public feeling was running high, unjust and hard things were said against candidates, but it was a penalty to which any candidate must submit himself. If wicked or false statements were made against candidates there was ample law to reach the offenders, but the prosecutors must be prepared to go before juries. There were too many summary offences, entrusted to inexperienced men to try, being put on the statute-book. Any attempt in this direction he would resist. This was an inroad not attempted anywhere else, and he strongly resented the inclusion of the clause.

The COLONIAL SECRETARY: Subclause 2 dealt with another matter altogether, and provided that persons making such statements could be restrained from doing so.

Hon. M. L. Moss: That could be done without the clause.

The COLONIAL SECRETARY: There was too much liberty given to people to make such statements at election time.

Hon. J. W. Hackett: Who believed them?

The COLONIAL SECRETARY: The hon. member would not like to hear some of them made against himself. The right of appeal could be given in all cases. A provision to that effect could be put in.

Hon. M. L. MOSS: It was not a question of appeal. Here was an inroad against one of the cardinal principles of the criminal law. The law did not permit a Judge to say whether a piece of writing was libellous. The Judge could say that it was capable of a defamatory meaning being put on it, but whether it was a libel or not was purely a jury matter. In this State where many judicial functions were fulfilled by medical men with a small amount of legal experience, it would not do to allow them to decide these matters. Again, where there was a right of appeal from these summary offences, the Judges seldom interfered with the findings in fact, and whether the writing was defamatory at all was entirely a question of fact.

Clause put and negatived.

Clauses 195 to 204—agreed to.

Clause 205—Persons authorised to witness signatures:

On motion by *the Colonial Secretary* the clause was amended in line 6 by inserting after "police force" the words "electoral census collector."

Clause as amended agreed to.

Clauses 206 to 211—agreed to.

Clause 212—Repeal:

Hon. G. RANDELL objected to whittling away the Constitution by indirect methods. If the repeal of the sections quoted in the clause were agreed to, there would be nothing to prevent similar methods being adopted to repeal Section 46 of the Constitution Act, which was so valued by members of this House. Why was it not proposed to reserve this Bill for the royal assent? The Bill was in effect an amendment of the Constitution, and with one exception, where the Constitution was in any way altered the amending Bills were reserved.

Hon. M. L. MOSS: On the second reading, he had urged that this Bill should not go farther than to amend the Electoral Act of 1904. In a recent case before the High Court of Australia, wherein Chief Justice Cooper of Queensland declined to pay income tax, the question arose of an implied repeal of a section in the Queensland Constitution; but the High Court ruled that there could be no implied repeal in connection with a Constitution Act, that all such repeals must be brought directly under the notice of the people. As Mr. Randell had said, it was inadvisable to alter the Constitution in any way except by a Bill brought down for the specific purpose. In this case, however, it would be unnecessary to reserve the Bill for the royal assent, because Section 73 of the Constitution Act waived the reservation of an amending Bill where the alteration was agreed to by an absolute majority of Parliament on the second and third readings. He moved an amendment—

That all the words between "1904" and "1899" be struck out.

The COLONIAL SECRETARY: The only reason for the clause was that certain sections of the Constitution Act had been embodied in this Bill, and were already passed by the Committee; hence these would be merely a repetition of existing legislation unless the clause were passed. He was advised that the question of reserving the Bill for the royal assent was covered, as explained by Mr. Moss, by Section 73 of the Constitution Act, also by the Colonial States Constitution Act 1907, just passed by the Imperial Parliament. There was no need to strike out the words quoted in the amendment.

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

Ayes	11
Noes	10
Majority for	1

Ayes.	Noes.
Hon. H. Briggs	Hon. J. D. Connolly
Hon. E. M. Clarke	Hon. F. Connor
Hon. S. J. Haynes	Hon. J. M. Drew
Hon. R. Laurie	Hon. J. T. Glowrey
Hon. R. D. McKenzie	Hon. J. W. Hackett
Hon. M. L. Moss	Hon. V. Hamersley
Hon. W. Patrick	Hon. E. McLarty
Hon. G. Randell	Hon. C. A. Piesse
Hon. R. F. Sholl	Hon. C. Sommers
Hon. J. W. Wright	Hon. J. A. Thomson
Hon. W. T. Loton (*Teller*).	(*Teller*).

Amendment thus passed; a consequential amendment made; the clause as amended agreed to.

New Clause—Local bodies to furnish names:

Hon. R. D. McKENZIE: A new clause was necessary after the amendment to Clause 41. He moved the following to stand as Clause 46:—

"(1.) The town clerk of every municipality and the secretary of every road board shall in the month of December in every year (*a*) make out separately for every province within the boundaries of which the municipal or road district is wholly or partly situated a list containing in alphabetical order of surnames the names of every ratepayer on the electoral list of such municipality or road district, in respect of property situated within the province, and of every ratepayer whose name would appear thereon but for nonpayment of rates; and (*b*) transmit such list, containing the particulars required in form numbered 8 in the schedule, certified under his hand,

to the registrar or registrars of the province or provinces within the boundaries whereof the municipal or road district is wholly or partly situated.

(2.) The registrar shall enter on the proper roll for the province the name and particulars of the qualification of every person who appears by such list to be entitled to be registered."

Question passed; the new clause added.

Schedule—Forms:

On motions by the *Colonial Secretary*, verbal and consequential amendments made in forms No. 4, 5, 8, 10, 11, and 20.

Form No. 21—Postal-voting ballot-paper:

Hon. J. M. DREW: It would be seen that not only the counterfoil but the postal voting-paper itself were consecutively numbered; and by Clause 95 the scrutineers and the returning officer would prepare the counterfoils for the signature made in the course of declaration by the voter; consequently the secrecy of the ballot would be violated. The ballot papers were also consecutively numbered on the back. There should be no numbers at all on these papers. What useful purpose would numbering serve? He moved an amendment—

That the words "consecutive No. 325" be struck out of the form of counterfoil.

Hon. M. L. MOSS: Though he would do his utmost to secure a secret ballot, it was impossible to comply with the hon. member's request. If ballot papers were to be sent by post, we must be able to trace them. This was the reason. When a postal ballot-paper was taken there was no opportunity of marking the roll. This should be done, because it must be obvious that the person who voted by post would be a long way from where the election took place and at a spot where there was no opportunity of getting the roll which the presiding officer would use at an election. It was a penal offence for a person voting by post to vote in any other way. Seeing that a person who went before an officer to vote by post might be entirely unknown to him, there was no method of challenging the vote. In order to get as near as possible to all the provisions of the law, this method was adopted. With regard to the postal ballot-papers in the Electoral Act, 1904, it was possible to find out how persons cast their votes. As to the general ballot paper, the hon. member said there was no necessity to have consecutive numbers there. There was no counterfoil in this case. All the ballot papers were printed in a book with consecutive numbers, and if 1,000 votes were polled at an election, it was shown that 1,000 ballot papers had been taken out of the book. If that precaution were not taken there would be nothing to prevent a person from getting a number of these voting papers without numbers, and, while the presiding officer had his back turned, putting them into the box and so upsetting the election. If the schedule were altered no guard could be kept over the postal votes.

Hon. J. M. DREW: No good could be achieved by the continuation of the system of numbering the ballot papers.

Amendment put and negatived.

On motion by *the Colonial Secretary*, Form No. 21 amended by striking out figures "88" and inserting "91."

Hon. J. M. DREW moved an amendment in Form No. 24—

That the words "consecutive No. 325" be struck out.

Hon. W. PATRICK: The insertion of the numbers on the counterfoil was a blot on the secrecy of the ballot, and he would support the amendment. Years ago when in Kapunda, South Australia, he had acted as deputy returning officer, and at that poll some 3,000 votes were cast in ten hours. The returning officer initialled the corner of a ballot paper and a clerk ticked the voters' names on the roll. It was utterly impossible to know how a man voted, and he had not heard of a case of corruption. In the present Bill a distinct number was attached to the voting paper, and therefore a returning officer with a good memory would be able to tell how a large number of votes were cast.

The COLONIAL SECRETARY: It could not be held that by leaving the num-

ber on the counterfoil the secrecy of the ballot would be interfered with. No returning officer would be able to carry in his mind all the numbers of the ballot papers and the persons who voted according to those numbers, and then be able to pick out the votes when going through the count. There were many good reasons why the number should be attached to the ballot paper. It might be necessary, for instance, in case of a disputed election, to trace any particular ballot paper. [*Hon. M. L. Moss*: That could not be done by these numbers.] It could only be done by means of the numbers. It had been held that the court could order the ballot papers to be opened.

Hon. M. L. MOSS: The numbers were quite useless for any such purpose as the Colonial Secretary suggested. The only object for which they were attached was to prevent fraudulent ballot papers being put in the box. Mr. Patrick had drawn his attention to the fact that there was a dotted line on the ballot paper where the returning officer placed his initials. That should be a sufficient guarantee that the papers were genuine. In the circumstances, therefore, there was no necessity for the numbers to be attached, and he would support the amendment.

Amendment put and passed.

On motion by *the Hon. J. M. Drew*, a consequential amendment made by striking out the words "consecutive No. 325" in another portion of the ballot paper.

On motion by *the Colonial Secretary*, Form No. 26 amended by inserting the words "not belonging to public bodies" after the word "halls" in paragraph (3), also inserting "election" in place of "electoral" in paragraph (5).

New Form—

Hon. R. D. McKENZIE moved an amendment that a new form be added as No. 8, setting forth the form of certificate to accompany a list of ratepayers (province or district) as being a correct list supplied.

This was consequential on an amendment made before. It was necessary to have some form inserted so that secretaries of roads boards and clerks of municipalities could certify to the list of ratepayers sent in.

Amendment passed; the form added.

Schedule as amended agreed to.

Title agreed to.

Bill reported with amendments.

Recommittal.

Bill recommitted for farther consideration of Clauses 2, 17, 64, and 81.

Clause 2—Commencement:

Hon. M. L. MOSS: It was considered advisable that the clause should be struck out. He had always supported legislation coming into force three or four months after Parliament prorogued, but it was essential that this Bill should come into force immediately after it was assented to. In April next the elections for the Legislative Council would take place, and it would not be right to bring the Bill into force by proclamation in March.

The COLONIAL SECRETARY: There was no objection to the amendment, as it was intended to proclaim the Bill as soon as it received the Royal assent.

Clause put and negatived.

Clause 17—Qualification of Assembly electors:

The COLONIAL SECRETARY: Subclause 3 was struck out by the Committee, and he wished it reinserted. He moved that the following be inserted as a new subclause:—

Any member of the Legislative Assembly, and the wife of any member of the Legislative Assembly may claim to be enrolled for the district represented by such member, and when so enrolled shall be deemed to reside in such district.

The same provision existed in regard to the Legislative Council.

Amendment passed; the clause as amended agreed to.

Clause 81—Withdrawal of nomination:

Hon. M. L. MOSS: It was necessary to insert a consequential amendment in this clause. He moved to add to the clause the words—

And in such cases the deposit shall be forfeited to the King.

Amendment passed; the clause as amended agreed to.

New Clause—

The COLONIAL SECRETARY moved that the following be inserted as a new clause—

Before any warrant is issued under the last preceding section, 14 days' notice of the intention to issue the same shall be published in the Government Gazette.

This clause was struck out by the Committee, but it then provided that 21 days' notice should be given. This would enable claims to be sent in 14 days before the warrant for a general election was held.

Hon. M. L. MOSS: The same objection prevailed against the 14 days as against the 21 days. What concern should we have for people who left it to the last moment to get on the roll? In the case of the Council an elector had two years to think about getting on the roll, and in the case of the Assembly, generally three years.

Hon. S. J. HAYNES: The clause should be struck out. It was not right to ask the Committee to reinsert a clause which had been struck out, when some members had probably gone away.

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

Ayes	..	..	6
Noes	..	..	12
Majority against		..	6

AYES.	NOES.
Hon. J. D. Connolly	Hon. E. M. Clarke
Hon. J. M. Drew	Hon. J. T. Glowrey
Hon. J. W. Hackett	Hon. S. J. Haynes
Hon. G. Randell	Hon R. Laurie
Hon. G. Throssell	Hon. W. T. Loton
Hon. C. Sommers (*Teller*).	Hon. R. D. McKenzie
	Hon. E. McLarty
	Hon. M. L. Moss
	Hon W. Patrick
	Hon. C. A. Piesse
	Hon. J. W. Wright
	Hon. V. Hamersley (*Teller*).

Question thus negatived.

Bill reported with farther amendment; the report adopted.

BILL—LAND AND INCOME TAX ASSESSMENT.

Council's Amendment.

The Legislative Assembly having made 14 of the amendments requested by the Legislative Council, and made amendment No. 7 with a modification, this modification was now considered in Committee.

Council's amendment of Clause 11, Subclause 4—At the end insert "of cultivable land or 2,500 acres of grazing land or of cultivable and grazing land mixed."

Assembly's modification—To add "as defined by the Land Act and its amendments."

The COLONIAL SECRETARY: The Assembly had agreed to the whole of the suggested amendments with this exception, and on this they suggested a modification to make the meaning clearer.

Hon. G. Randell: It was a very proper amendment.

The COLONIAL SECRETARY moved—

That the modification be agreed to.

Question passed, the modification agreed to.

Resolution reported; the report adopted.

Title—agreed to.

Bill reported, the report adopted, and the third reading fixed for the next sitting.

BILL—LAND AND INCOME TAX.

To impose a Tax—in Committee.

Resumed from 13th December.

Clause 2—Grant of Land Tax and Income tax:

Hon. M. L. MOSS had moved an amendment in paragraph (*b*) that the word "fourpence" be struck out and "threepence" inserted in lieu:

Hon. M. L. MOSS now desired to deal with paragraph (*a*).

Amendment withdrawn.

Hon. M. L. MOSS: The proposals he submitted at the last sitting to provide for the collection of only half the tax for the remaining portion of the financial year had been approved by the Parliamentary Draftsman, Mr. Sayer giving the opinion that the amendments would attain the object desired. He therefore moved an amendment—

That in paragraph (a), line 1, after "tax" the words "at the rate of" be inserted.

The COLONIAL SECRETARY: There was no objection to the amendment. It would not clash with the Land Tax Assessment Bill. It was not desired to collect the whole of the tax for this financial year.

Hon. M. L. Moss: But the Treasurer in his public speeches computed to derive £80,000.

The COLONIAL SECRETARY: That was estimated to be derived per annum, but members would find a blank in the Estimates. There was certainly no intent to make the tax retrospective.

Amendment put and passed.

On farther motion by the *Hon. M. L. Moss*, paragraph (b) was amended to the same effect.

Hon. M. L. MOSS: The amendment moved at the previous sitting to reduce the income tax from 4d. to 3d. and withdrawn to allow of his moving the amendments just made, he did not now intend to move because of the amendments just made the Government would only get 2d. income tax and ½d. land tax during this financial year. He would not touch that, because the taxing Bill would come up again next year for revision.

Hon. C. SOMMERS explained that his objection was to the principle of the Bill, and as that had been affirmed by the second reading he would not oppose the measure farther in Committee.

Hon. M. L. MOSS moved an amendment that the following proviso be added at the end of Clause 2:—

Provided that for the financial year ending the 30th June, 1908, one-half only of the land tax and income tax to be charged, levied, collected and paid in accordance with the provisions of this Section shall be levied and collected.

The COLONIAL SECRETARY would not oppose the amendment, but as it would practically suspend the operation of Clause 56 in the Assessment Bill already passed, he would move a farther amendment.

Amendment (Hon. M. L. Moss's) passed.

The COLONIAL SECRETARY moved a farther amendment that the following proviso be also added to the clause:—

Provided also that Section 56 of the Land and Income Tax Assessment Act, 1907, shall not apply to the land and income tax to be levied and collected for the financial year ending thirtieth day of June, One thousand nine hundred and eight.

Farther amendment passed; the clause as amended agreed to.

Preamble—agreed to.

On motions by *the Colonial Secretary*, Bill reported and report adopted.

Bill ordered to be returned to the Legislative Assembly with a request that the amendments suggested by the Council be made; the Committee to have leave to sit again on receipt of message in reply.

BILL—PINJARRA-MARRINUP RAILWAY.

Second Reading moved.

The COLONIAL SECRETARY (Hon. J. D. Connolly) in moving the second reading said: This is a Bill to provide a short railway in the Pinjarra district. It provides for the construction of fifteen miles of railway commencing at Pinjarra and proceeding in a south-easterly direction by the Marrinup Brook valley. The plans of this and other railways have been on the table of this House for some days for the convenience of hon. members. The total length of this railway is fifteen miles. In asking the House to approve of this and other works which appear on the Notice Paper and of some farther works which will appear on the Paper to-morrow, if they are brought down—if in the opinion of members they are somewhat late in the session, it does not follow that they are entirely rushed on members; because this and all other public works which members will be asked to agree to were put in the first policy speech of this Government as delivered by the Premier at Bunbury in May 1906, and again, they appeared in the Loan Bill which was passed twelve months ago authorising the Government to raise money for certain purposes; these works being included in that Bill. The

Government then received from Parliament authority to borrow money for these several purposes, and in the natural order of things a Bill is brought down for the different measures asking for the endorsement of this House to construct the works. I may say also it does not follow, though something has been said in relation to the money market, that when a railway is passed for construction it will be commenced immediately. We know, as Mr. Loton mentioned, that the money market is not in a very favourable condition, and of course the Government will not attempt to go on the market while it is in its present condition, but will wait some months till the market becomes more favourable, or longer if necessary. The Government will not go on the market to borrow at ruinous prices. The mere passing or non-passing of this Railway Bill does not affect that at all, because members have already given authority to borrow some 2½ millions of money, and this Bill will not give the Government any farther authorisation to go on the market. I mention this so that members may not think this is a work for immediate construction and that we are to go on the money market immediately in its unfavourable state. This railway project has been before the public many years. It was mentioned ten years ago by Sir John Forrest, and since then it has been frequently before Parliament in one form or another. A motion was passed last year in the Legislative Assembly, moved by Mr. J. P. McLarty, to the effect—

> *"That in the opinion of this House, in order to open up agricultural and timber lands lying between Pinjarra and Marradong, the Government should consider the advisability of proceeding with the construction of a railway at an early date."*

That motion was passed. This proposed railway will not open up at present any agricultural land, but will open up some land suitable for fruit growing, and also bring a great amount of land within its influence—bringing a lot of settlers fifteen miles nearer to a railway than they are to-day. This fifteen miles extension from Pinjarra will go into a magnificent jarrah forest, affording access to 160,000 acres a few miles to the east of Pinjarra; and as an indication of the value of this splendid forest, there have been several offers to the Government from private persons to build a railway to the forest, but the offers have been rightly refused. To grant such a concession would give a monopoly to one particular person, whereas by building the line ourselves this valuable forest land will be made available to other persons who want to go into the timber business. There are applications now for permits to work sawmills in that district, which is brought very close to a port of export through the building of the Jandakot-Armadale line. The building of the proposed railway will open up this magnificent forest, and give these saw-millers other than Millars' Company an opportunity of going into the timber trade.

Hon J. W. Hackett: Is the whole of the reserve to be given up?

The COLONIAL SECRETARY: I do not think that is so. A sum of £13,000 has been allocated on this year's Estimates for this line, and there is also provision on the Estimates for rails and fastenings. The ruling grade of the line is 1 in 30, and the weight of rails 45 lbs. The total estimated cost is £24,000, at £1,600 per mile. This line will be a little more expensive than the ordinary agricultural line, because it will go through country where the formation is somewhat expensive, but the other part of the line when built will not be so expensive. The working expenses of the railway are put down at £2,184 per annum, and the revenue to be derived at the present rates for carrying timber is estimated at £3,740 per annum. By opening up this timber country under sawmill permits, it is estimated that 35,000 tons of timber will be carried over the line per annum. A proper classification recently completed of this reserve shows that there is little land suitable for agricultural settlement, though patches are no doubt suitable for orchards; but splendid agricultural land lies beyond the terminus of the railway, where there are settlers whom the line will bring closer to railway communication. Members will see by the map that there is magnificent land at

Marradong and in the Williams district to be served by the railway, and the distance of those people from railway communication will be reduced by one-third when the extra extension is completed. Mr. Surveyor Sainsbury, who carried out the classification referred to, estimates that the jarrah on this reserve averages 14 loads per acre. Accepting this estimate, there will be 2,240,000 loads of timber on the reserve which the railway will open up. Assuming the value at the stump to be a shilling a load, the timber alone on the reserve is worth £112,000. therefore even the timber would justify the Government in building the railway. The line will be a boon to small sawmillers, who now have a difficulty in getting any good forest land. Some 480,000 acres, of which 213,000 are alienated, will be influenced by this railway. Some 43,000 acres of this have been either cleared, or rung, or cultivated, and 30,000 are open for selection in the vicinity of the route, apart from 40,000 acres of pastoral land. Other agricultural land will be made available by resumptions from timber leases in the neighbourhood. As provided under Clauses 4, 5, 6 and 7, land may be resumed within twelve months for agricultural purposes, from holders of not less than 1,000 acres within a radius of 12 miles. This is the usual proviso in all these Bills, enabling the Government to resume blocks that exceed 1,000 acres within 12 miles of the railway. Although the railway will not go direct into agricultural land at the present time, the timber country, which the line will open up, amply justifies the work. If a royalty of only 1s. a load is obtained for the timber it will produce some £112,000. Besides as the timber land becomes clear, being very good land, it will be taken up for agricultural purposes ; and a farther extension of the railway will take it into agricultural land, the intention being to extend it eventually to the Williams district.

Hon. R. F. Sholl : The line will tumble over two or three other agricultural railways.

The COLONIAL SECRETARY : No; it will not. Mr. McLarty and other members familiar with this magnificent country can speak of it from personal knowledge. I move—

That the Bill be now read a second time.

Hon. R. F. SHOLL (North) : When are we to have done with these railways ?

The Colonial Secretary : Never, I hope, until all suitable country has been served.

Hon. R. F. SHOLL : We have had imposed upon us an income tax and a land tax. The Government have been playing high jinks because they require revenue to reduce the deficit. On the first occasion the land tax was thrown out, Parliament was prorogued, and the Government promised to call a special session in February of this year. The special session was not convened. I think they funked the position. At any rate, it was stated in the Governor's Speech that the need for increased taxation was so great that Parliament would be called together to force members, and this House particularly, to pass direct taxation measures with the object of reducing the deficit. The land tax was re-introduced and again rejected, and the Government thereupon started some more high falutin' ; they said they wanted to resign, but all the same they did not want to resign, and they gave out that the Governor had pursuaded them not to do so. They continued in office, and introduced a joint land and income tax, which appeared to be fair, seeing that they wanted revenue for the purpose of reducing the growing deficit. But we find the Government are now bringing in measures which will increase the annual interest bill, and will more than absorb the whole amount to be derived from the direct taxation which we propose to pass this session. It is absurd that such a railway proposal as this should be brought in at the present juncture ; for what ? To open up some jarrah country ! Bless my heart, I think we ought to try to conserve our forests. We have plenty of jarrah country opened up, and the time will come when we will need our jarrah.

Hon. E. McLarty : The sawmillers do not agree with you.

Hon. R. F. SHOLL : I do not care what they think. We know that thousands of loads of jarrah are going out of the country, and what is called the refuse of the timber is being burnt in large quantities at the mills. The time has arrived when we ought to think of what the country will do in the future if we sacrifice our jarrah. Jarrah is not a timber that will grow in twenty, thirty, or forty years ; and we should not build railways for the sake of opening up jarrah country, or as a sop to some particular constituency which the Government think it advisable to conciliate.

Hon. J. W. Hackett : Do not put it so harshly.

Hon. R. F. SHOLL : I will put it as straightforwardly as I can.

Hon. J. T. Glowrey : What are you getting up your way ?

Hon. R. F. SHOLL : I do not ask for anything, and will not ask for anything unless it is deserved ; and if the Government will not give it to me, they will not. But they will never, by giving anything to my constituency, secure my vote for some measure of which I do not approve. The Colonial Secretary said that ten years ago this railway was advocated by Sir John Forrest ; and I say, if it had been required it would have been built long ago. It is evident the Minister does not really believe that the railway is in the interests of the country, or he would have made out a stronger case. He says there is certain pastoral country to be opened up. Anyone who understands the subject will ask, what is the use of pastoral country in a jarrah forest ? If you try to grow stock in a jarrah forest you will find them dwindling away ; and your finances also. When the Government plead for extra taxation on the ground that there is a heavy deficit, and yet bring in measures like this, I reserve to myself the right to vote against the taxation Bills on the third reading ; because, I can perceive that the Government are not serious in their desire to economise, for they bring forward a number of public works proposals that are not justified, and I can only say that they are doing this because we are on the eve of a general election. This sort of thing makes one disgusted with politics. There is so much, I do not like to say log-rolling, but my vocabulary is not large enough to provide me with another word to express my disapprobation of the trend of politics in this country. We have had no information as to the desirableness of this work. All the information given to us is adverse to the line ; for this reason. The great object is to open up jarrah forests. We have plenty of jarrah forests opened up, and the longer we can preserve our virgin forests the better for this country. We shall require the jarrah forests by and by for railway sleepers ; and if we are to run railways for political purposes into our jarrah forests, instead of doing good for the country we shall be doing great harm.

Hon. E. McLARTY (South-West) : I always listen with considerable pleasure to Mr. Sholl, when he speaks on a subject which he understands ; but when he speaks about jarrah forests and the quantity of jarrah now available, he shows that he is not at all in touch with his subject. I remember that some sixteen months ago I was travelling through part of my province with the Premier, on whom a deputation waited to bring under his notice the necessity for opening up fresh timber areas, and stated as an absolute fact that unless new forests were opened up, they would be obliged to close down the smaller mills, because there was no timber available.

The Colonial Secretary : Mr. J. M. Ferguson is prepared to erect a mill if this railway is constructed.

Hon. E. McLARTY : The railway is a small matter after all. The estimated cost is £20,000. I venture to say it will be one of the best paying lines that the Government have for some years past introduced to this House. We have heard from the Colonial Secretary this evening that the Premier estimated the timber to be worth £112,000 at 1s. per load. I would like to tell members that the Premier in dealing only with the flora and fauna reserve there. He does not refer to hundreds of thousands of

acres of the finest jarrah timber in Western Australia. That estimate of the Premier's might well be multiplied by five or six times the amount. I am speaking quite within the mark in saying that, exclusive of the flora and fauna reserve, the forest stretches at least 30 miles to the south ; I cannot say how far to the east, but I have ridden for days and have never seen the end of it : and again, to the west. There have been numerous applications to erect mills in this forest. A few years ago a large firm in Scotland sent representatives here with the intention of opening up a very large district of rich timber land. I went as guide to these people and showed them through the forest. They expressed their astonishment at the quantity of timber available. One of the gentlemen had a measuring tape with him and found that the girth of one tree was 21 feet, while trees of from 15 feet to 16 feet in circumferance were discovered in hundreds. These people were prepared to put down a railway themselves, provided they could get the concession they required. The Government were not prepared at that time to give any farther timber concessions. At the present time there is one timber merchant here who has guaranteed that if this line is put down, and provided he can get a small concession which the Government I believe will give him, he will erect a mill capable of turning out 40 loads per day. We have to consider that it is not only a question of carrying that quantity over the line, but the trade will also be a feature of the South-Western line. The whole of that timber will have to be railed from Pinjarrah either to Bunbury or Fremantle, a distance of some 70 miles. This will mean a considerable sum to the railways. The Colonial Secretary has said there is not much wheat land to be opened up there, and I admit that is so, but there are a good many fertile spots in those hills, which will be brought into use so soon as there are facilities to get to them. When Sir John Forrest was Premier this was one of the railways he had in contemplation, and Parliament at that time authorised an expenditure for the survey of a line to Marradong. The line was surveyed at a cost of £4,800, which I think goes to show that the Government were in earnest about it. It is not intended to follow exactly that survey, because it would be somewhat costly, but a more recent survey has been made of a line only fifteen miles, which goes well into the timber forests. The first seven miles of the line is across a level plain. There are no bridges needed and only two culverts required. Then we have the usual difficulty of getting into the ranges, but the survey shows that this can be overcome without very much trouble. The people of Marradong, who are living in a very fertile part of the country, where there is a considerable extent of magnificent agricultural land, are completely shut out from the markets on account of the long distance they have to cart into Pinjarrah. That town is the nearest place to them and it is 40 miles away. This line will to a considerable extent relieve them for it will overcome fifteen miles of the worst of the road. I have no doubt it will be found necessary before long to extend the line. I am satisfied that when the railway is complete there will be numerous timber millers at work in the forest. There is no other timber forest of such extent and of such quality in any part of the State, and it is within an easy distance of the ports of Bunbury and Fremantle. I expect that within a very short time after the completion of the railway, 400 or 500 men will be employed in that forest.

Hon. J. W. Wright : How long will it take to grow another forest ?

Hon. E. McLARTY : This forest is already grown and the timber is well matured. It is one of the best forests we have, but the timber is now being wasted, as it cannot be cut. This line will be of great advantage to the Murray district. At the present time we find it most difficult to get timber for local requirements. For repairing, fencing, or making new fences, I find it almost impossible to get timber. The same remark applies to the road board who have no material for road making, and they have to patch up the same road year after year ; whereas by

the construction of this line there will be obtainable within four or five miles of Pinjarrah an abundance of the best road-making material available. So far as the remarks of the hon. member are concerned as to the Government giving the railways a sop, no such remark applies to the present case, for this line is looked upon as a right to the district. There is no part of the State where fewer public works have been carried out than in the Murray district. I am supporting this railway because I am confident it will be a paying proposition from the very start, and because it is badly wanted. Mr. Sholl when speaking about the timber forests addressed the House on a subject of which he knew nothing. He would very soon find out that it is necessary to go into fresh forests to provide for the small mill holders who have worked out the ground in many places. There is already a concession in that district which has been taken up by the Combine. That, however, is no argument against the construction of the work, and assuredly the money of the Combine is as good to the Railway Department as that of anyone else. I know many people—not one or two but numbers—who have visited this locality and have made an inspection of the forest, and have expressed themselves as astonished with the quality and quantity of the timber available, and more than one timber merchant has said he would be prepared to build the railway if he could get access and a permit. Members will see that if it is worth while for a private individual to construct a railway for the sake of cutting timber, then it is worth the while of the Government, because there will not be one or two persons benefiting but a very large number. I am quite satisfied I shall not live to see that forest cut out. I have much pleasure in supporting the second reading of this Bill, and I feel sure that, if members give it consideration, very little opposition will be raised to it. The construction of the work is estimated to cost £20,000, which means less than £1,000 a year in interest and sinking fund. That is nothing compared with the profits accruing from the building of the line. I need not labour the question. I appeal to the common sense of members and I am sure the money will readily be voted. It is not like building a railway in a mineral district which serves only one industry, in which case it may be that after a while the field may cease to exist. This line must sooner or later be pushed on to the Williams and it will then open up a large extent of agricultural as well as timber land. I am quite satisfied that the construction of even this first section will be the means of introducing a good deal of settlement. There are in that district a large number of permanent running streams. Recently a quantity of land has been taken up, and, as will be seen by the map, the country is a network of selections for miles on both sides of the proposed railway. Some of the settlers were induced to go there and spend several years in labour on the understanding that the railway which had been surveyed would be built within a reasonable time. It is due to the people that they should have the same facilities afforded to them as we give to other parts of the State.

On motion by *Hon. R. D. McKenzie*, debate adjourned.

BILL—NARROGIN-WICKEPIN RAILWAY.

Second Reading moved.

The COLONIAL SECRETARY, in moving the second reading, said:—This is a Bill——

Hon. M. L. Moss: It is getting late. Is the Colonial Secretary going any farther to-night?

The COLONIAL SECRETARY: I have no desire to keep members much longer, but I think it would be well for me to make my introductory remarks on this Bill to-night, and then the consideration of the second reading can be resumed to-morrow.

Hon. M. L. Moss: Are you not going farther to-night than introducing the Bill?

The COLONIAL SECRETARY: I do not intend to ask members to agree to the second reading to-night. This is a Bill to authorise the construction of 29½ miles of railway north-east from Narro-

gin and terminating at Wickepin. In introducing this Bill the remarks I made in regard to the Pinjarra-Marradong railway also apply. This is not a new proposal by any means, and I would like members to attentively listen to what I have to say, and I think I will show that this line is justified. The line will open up some of the best country in Western Australia. The remarks I made on the previous line will apply to this railway. It is not a new proposal, but has been before the public constantly for a considerable time. It was mentioned in the policy speech when the Government was formed, and it was included in the Loan Bill of last year, and a loan authorisation was passed for it. There was an amount of £16,000 provided for this particular work on last year's Loan Schedule, besides an amount for rails and fastenings. The Government were prepared to bring this line down last session but a question arose as to the route, and as a certain amount of discussion ensued it had to be delayed. Some people thought the line should start from Cuballing while others thought the starting place should be Wickepin, the objective being the same in both cases. Since then exhaustive inquiry has been made and the people are satisfied that Narrogin is the proper starting point for the line. If it had not been for the discussion about the routes this Bill would have been brought forward and ample information supplied to justify the passing of the measure last year. Narrogin has been decided upon as the starting point after exhaustive inquiry, in the first place partly from a railway construction point of view, and from a railway working point of view Narrogin should be the railway terminus. The line from Collie terminates at Narrogin and by making the junction there rather than at Cuballing it will save the necessity of forming a separate railway junction.

Hon. R. F. Sholl : All the produce will go to Bunbury.

The COLONIAL SECRETARY : Not necessarily. It will be almost midway between three ports. The mere fact of bringing the line nine miles this way would have practically no influence on whether produce went to Bunbury or Fremantle. Another reason why it was decided to commence the line at Narrogin is that it will open up better land by starting from Narrogin than from Cuballing. It will serve a greater number of small settlers while the other route would serve mostly big settlers. No doubt this line will at some future time be carried on to Doodlakine to join the Eastern Railway. The railway will open up a magnificent stretch of agricultural country and in time to come if the line is extended it will serve as a through line from the Collie coalfields to the goldfields. That is an additional reason why we should start from Narrogin so that there would be a continuous line right through to take coal to the goldfields when the wood supplies have become exhausted or wood has become dear.

Hon. R. F. Sholl : But an agricultural line will not carry heavy coal traffic.

The COLONIAL SECRETARY : Yes, slow trains. These were reasons that decided the Government on starting the line from Narrogin rather than from the other place. Narrogin is situated 174 miles from Fremantle, about 160 from Perth, 130 from Bunbury, and 178 from Albany. This will give the choice of three ports to the shippers. The difference in each case will be very small. It will only make a difference of about one-third of a penny per bag on wheat whether it is taken to Perth, Bunbury or Albany, so that shippers have really a choice of the three ports. The weight of rails in this case will be the same as for the last railway mentioned—45 lbs. The ruling grade is one in forty and the sharpest curve has a ten chain radius. The cost of construction exclusive of rails and fastenings will be £533 a mile and the rails and fastenings will cost £700 a mile or a total of £1,200 a mile. This price is slightly in excess of the rate for the agricultural lines that have been built, but that is accounted for by a recent rise in the price of rails. A surveyor is at present engaged in cutting up 200,000 acres of very fine land which has recently been classified. The line will also serve to give railway communication to what is known as the New Jerusalem settle-

ment to the east of Narrogin which is well-known to some members of the House. There is a community there known as the New Jerusalem settlers. They are doing good work and this line will serve to give these very deserving people a means of communication. To show the quality of the land on which these people are settled, they are obtaining 16 to 25 bushels of wheat per acre. They are proving in a very small way that this land can be used for dairying purposes. Mr. Surveyor Breen reporting on the land in the neighbourhood states:

> "The area we are now subdividing and which excludes all land not considered good enough for immediate settlement is 120,000 acres. To this 120,000 acres of good land, all of which is temporarily reserved from sale at present, may be added 20,000 acres already thrown open for selection, making a total of 140,000 acres of Crown lands, south of the latitude of the proposed terminus at Wickepin. The high quality of this land has been known to the land guides and to settlers for years past, but owing to its present distance from railway communication, many desirable settlers from the Eastern States, with money and a good knowledge of farming, while speaking in the highest terms of its quality, have been deterred from selecting."

We know we have the land there and the settlers for it, but people, as Mr. Surveyor Breen states, are deterred from going on the land because of the distance of the land from the railway. People will not go on land if it is very far distant from a railway line, and when cartage is so high that they cannot grow wheat profitably. The Government Land Agent at Narrogin, who has been eight years in the district, and is well-known—he is a son of Mr. Surveyor General Johnston—reporting on this land says:

> "The whole of this area of 140,000 acres and the farther area of 60,000 acres east and north-east of the proposed terminus, which comprises the 200,000 acres being subdivided specially to dovetail with this important railway proposal, will be speedily settled by men of the right stamp, who are arriving daily in search of land, and probably with the completion of the railway 100,000 acres of poorer land, and good land situated outside the rabbit-proof fence would be settled by the free selector in addition to the areas specially surveyed into farms. It can be realised what an impetus the settlement of, say, on a conservative estimate, 300 new families in the East Wickepin district would give to the many Western Australian industries dependent on the agriculturist; but if this railway is not built practically the whole of this 200,000 acres of subdivided land will remain unselected at least as far as wheat growing is concerned."

That in itself furnishes an excellent argument for the building of this small railway. There is at the terminus of the line, irrespective of the other land the railway will open up, 200,000 acres which the land agent at Narrogin estimates will carry 300 families and which he calculates will immediately be settled as soon as the line is built.

Hon. R. F. Sholl: What is the length of the line?

The COLONIAL SECRETARY: It is about 29½ miles.

Hon. R. F. Sholl: What is the aggregate cost?

The COLONIAL SECRETARY: The cost will be about £1,200 a mile including everything. In concluding his report, the Narrogin Land Agent says:

> "Speaking with six years' experience of the several districts along the Great Southern Railway from Katanning to Pingelly, with each of which I have been intimately associated, I say no railway proposal can be put forward in these districts offering greater advantages to the State, in regard to providing land of the quality required in areas limited practically only by the distance to which the Government will extend the line, and capable of providing homes for many hundred settlers, than does the Narrogin-Wickepin proposal, on the surveyed route."

That is the opinion of the land agent in comparing that land with land along the

Great Southern Railway. This land agent is specially qualified to speak as he has been eight years in the district. It is no use subdividing a large area when the Government are not in a position to give the settlers communication. These 200,000 acres are being surveyed and it is intended to cut up into blocks of 500 acres to a thousand acres, and it is not proposed to grant over one thousand acres to any one settler. It is thought that on this fine land we shall be able to settle a number of small farmers and it is calculated they will be able to obtain a good living on an area of the size I have mentioned.

Hon. J. W. Wright : Is it proposed to contract for the railway or do the Government intend to build it themselves ?

The COLONIAL SECRETARY: This land will be sold subject to certain conditions, that each applicant for the land shall not hold more than 100 acres at the present time. If he holds more than 100 acres his application will be refused. That is to ensure, when the line is built, that it will not be mopped up by a man coming along with a lot of boys and taking up a big area. It is intended to settle 300 families on this area if possible. The land at the present time is valued by the department at 7s. an acre, that is 30 miles from the railway, but railway communication will place an additional value on the land, and it is estimated when the line is built that the land will be worth 12s. an acre. That money will go into the coffers of the State. We enhance the value of the land by 5s. an acre, while at present we cannot get people to take the land up. It will be very reasonable to increase the land by another 5s. when the railway is constructed. Assuming that 200,000 acres are taken up at the enhanced price then the land will be worth something like £50,000, which will go into the coffers of the State. I think these facts amply justify the construction of the line. A good feature of the proposal is that the Government have taken the precaution to make certain reserves along this line wherever sidings are likely to be required. Most of the sidings will be on reserves of from 500 acres to 2,000 acres extent. No land will be resumed for these sidings. There are no townships present ; but later on, if a township required these reserves will be cut up a the State will receive the enhanced val We need only remember the time wh the Great Southern line was built, realise what this may mean to the Sta in future. It was not expected that K tanning and Wagin would grow to su an extent. If the company that built t line had reserved big areas at their sidin they would have been able to reap t enhanced values. I have already quot the report of Surveyor Breen on t land, and also that of the land age Mr. Johnston. They are both in favo of the construction of this line ; but make assurance doubly sure, before t introduction of this measure was final decided on a report was obtained a fe months ago from a board consisting the Surveyor-General, Mr. Johnston, t Manager of the Agricultural Bank, M Paterson, and an officer of the Enginee ing Surveys Branch, Mr. Stoddart. The report on the railway is as follows:—

"After careful consideration of t engineer's report on the proposed rout of a railway extending eastward fro either Narrogin or Cuballing, and o personal knowledge of the districts th will be traversed by the suggested ra way, we are unanimously of opini that Narrogin is the better point f departure, and that the proposed ra way should follow the route as survey and shown in red on the attached pla The alternative route leaving Cuballi would practically serve the sa amount of land from an agricultur point of view as the Narrogin on We however advocate the Narrog route for the following reasons: Firstl that it would be a continuation of t Collie-Narrogin Railway, and is grad similarly with the object of future co nection with the Eastern Railway, wi a view to future probable traffic in co for the goldfields. Secondly, if t Cuballing route were adopted, conside able lengths of 1 in 60 grades again the load between Narrogin and Cuba ling would have to be negotiated, whi would considerably militate again profitable and economical work fro

the railways point of view, especially if the coal traffic to the goldfields is developed. Another argument in favour of the surveyed route is that it would be shorter to the extent of about six miles from Collie towards the goldfields."

I have a plan here and there is another on the table showing the country through which this railway will pass. I do not think I need add anything farther. I think I have said ample to justify the construction of this railway. The extracts from the reports bear me out, but if hon. members desire any more information I shall be pleased to give it. There is a mass of information here besides that which I have already furnished to the House to the same effect. I have shown that the railway will open up 200,000 acres of good land, which is now being subdivided, and also 100,000 acres of poorer land situated this side the rabbit-proof fence. The construction of the railway will be a continuation of the policy of settling the land and increasing the area under cultivation. If we are to go on with our land settlement policy, then we must continue to build these light railways whenever we have country. In this connection the country justifies the construction of a railway. As I mentioned in the beginning of my speech, the Government were last year thoroughly satisfied that this area around Wickepin was deserving of a railway, but they did not introduce the Bill last year because there was a certain amount of controversy as to the route, and it could not be decided before the House adjourned. Since then, to make assurance doubly sure, they have had farther reports and have had the line reported on by a board whose report I have just read. This amply justifies the construction of the railway. The usual powers are taken in Clauses 4 and 5 of compulsory purchase, but I do not think they are likely to be exercised in this case, because there are no large estates through which the line goes.

On motion by the *Hon. S. J. Haynes*, debate adjourned.

ADJOURNMENT.

The House adjourned at eight minutes past 11 o'clock, until the next afternoon at 2.30.

Legislative Assembly,

Tuesday, 17th December, 1907.

The SPEAKER took the Chair at 2.30 o'clock p.m.

Prayers.

PAPER PRESENTED.

By the *Premier*: Return of Railway Passes issued to Public Servants, moved for by *Mr. Scaddan.*

BILLS (2)—THIRD READING.

1, Nedlands Park Tramways; 2, North Fremantle Municipal Tramways; transmitted to the Legislative Council.

BILL—BUNBURY HARBOUR BOARD.

Third Reading.

The PREMIER moved—

That the Bill be now read a third time.

Mr. ANGWIN: Before the Bill passed its third reading, he expressed regret that the Attorney General was not present to give a legal opinion on the question raised at the last sitting, that the appointment of a member of Parliament to a position on the Bunbury Harbour Board would be to