whiskies and sodas they disposed of, there might be serious troubles resulting from such a rigid construction of the Licensing Act. The law as to selling stamps was the same in all post-office statutes.

MR. LEFROY said the cases were not analogous, for if it could be proved that no payment was made for the liquor disposed of, there would be no conviction; but this clause in the Bill would apply to any person who sold a dozen stamps to oblige a friend, and accepted a shilling in payment.

Question put and passed, and the clause agreed to.

Clauses 101 to 109, inclusive, passed without comment.

Clause 110.—"Damage to be made good in addition to penalty:"

MR. CONNOR asked how this penalty was to be enforced in the case of telegraph lines in the North, when injured by the blacks.

THE ATTORNEY GENERAL (Hon. S. Burt) said the Postmaster General would, no doubt, find a way of punishing the hon. member's aboriginal constituents, if they injured the lines.

Question put and passed, and the clause agreed to.

Clause 111.—"Arrest of offenders:"

THE ATTORNEY GENERAL (Hon. S. Burt) moved that the words "either of the two last preceding," in the second line, be struck out, and that the words "one hundred and seven and one hundred and eight of this Act" be inserted in lieu thereof.

Question put and passed, and the clause, as amended, agreed to.

Clauses 112 to 114, inclusive, passed without comment.

Clause 115.—"Proceedings for penalties":

MR. LEFROY said this clause provided that justices of the peace might deal with offences under this Bill, and he asked the Attorney General to define, in this clause, the exception previously mentioned in the case of a few stamps being sold as a friendly convenience, and not to evade the license. It would be difficult for a justice to adjudicate on a charge of selling stamps without a license, if the clause was to be construed strictly.

THE ATTORNEY GENERAL (Hon. S. Burt) said that, even if a conviction were obtained in such a case, the Government would remit the fine on being informed of the real circumstances of the transaction. He proposed to amend this clause, for another purpose, by striking out the words "complaint for" in the first line, and inserting in lieu thereof the words "proceedings in respect of."

Question put and passed, and the clause, as amended, agreed to.

Clauses 116 to 121, inclusive, passed without comment.

Ordered—That clause 121 be numbered 120, and that the preceding clauses up to 73, inclusive, be re-numbered one less accordingly.

Schedules 1 to 5, inclusive, passed without comment.

Preamble and title agreed to.

Bill reported with amendments.

ADJOURNMENT.

The House adjourned at 5.30 p.m.

Legislative Assembly,

Monday, 24th July, 1893.

Accident to the "Priestman" Dredger: Expenses connected therewith—Mechanics' Institute, Albany, and Moneys granted to public bodies lodged in the National Bank—Use of Karri Timber for Boyanup-Busselton Railway Bridges—Importation of Cattle across the border, and imposition of Stock Tax—Accommodation at Colonial Hospital—Steamship Service to Northern Ports—Renewal of Contract for Fremantle-Wyndham Steamship Service—Arbitrations under Clause 108 of the Land Regulations—Constitution Act Amendment Bill; further considered in committee—Adjournment.

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

PRAYERS:

ACCIDENT TO THE "PRIESTMAN" DREDGER, AND THE EXPENSES CONNECTED THEREWITH.

MR. SOLOMAN, in accordance with notice, asked the Director of Public Works what had been the cost of attempting to lay moorings in Gage's Roads

during the present winter season by the "Priestman" dredge, and also the cost of raising the dredge after she sank, and all expenses in connection therewith to date.

THE DIRECTOR OF PUBLIC WORKS (Hon. H. W. Venn) replied, as follows:—The cost of raising the "Priestman" dredger barge, and recovering cranes, engines, and all the valuable material after she was capsized—when ready to commence boring operations—was £234 14s. 6d.

	£	s.	d.
Hire of lighter	8	0	0
Harbour Master's expenses in recovering old material	43	9	10
Repairs to hawser (Mennock) ...	7	10	0
Hire of steamers	27	2	10
Repairing blocks	0	12	6
Salary of engineer and wages ...	32	19	4
Contract for raising barge and engine	115	0	0
	£234	14	6

ALBANY MECHANICS' INSTITUTE, AND MONEYS GRANTED TO PUBLIC BODIES LODGED IN NATIONAL BANK.

MR. DEHAMEL, in accordance with notice, asked the Colonial Treasurer,—(1.) Whether moneys granted and paid by the Government to any public body for a specific public purpose did not belong to the Government until expended on the works authorised. (2.) Whether, in the event of such moneys having been deposited by such public body in the National Bank of Australasia, the Government were not entitled to demand the payment thereof in full, in accordance with the provisions of Clause XIII. of the Scheme of Arrangement, as sanctioned on the reconstruction of the said Bank; and (3.) whether the Government would require from the said Bank payment in full of the sum of £200, granted and paid by the Government to the Trustees of the Mechanics' Institute at Albany, for the specific public purpose of improving the said Institute; which said sum was deposited in the said Bank by the said Trustees, pending its expenditure on the object for which the same was so granted and paid by the Government.

THE PREMIER (Hon. Sir J. Forrest) replied: The first and second questions are legal ones, which I am not able to give a certain answer to. No doubt public bodies will be able to ascertain their legal position in matters of this kind. In regard to the third question, I shall be glad to see the manager of the Bank, and to assist the trustees of the Mechanics' Institute as far as is possible.

USE OF KARRI TIMBER FOR BOYANUP-BUSSELTON RAILWAY BRIDGES.

MR. PATERSON, in accordance with notice, asked the Director of Public Works whether any "Karri" timber was to be used in the construction of bridges on the Boyanup-Busselton Railway line.

THE DIRECTOR OF PUBLIC WORKS (Hon. H. W. Venn) replied that it was originally contemplated that all timber for lower chords and trusses of 40ft. span bridges should be hill-grown karri, but, on reconsideration, karri would not now be used, but tuart, which was plentiful in the locality, and was probably the strongest timber in the colony, would be used instead.

IMPORTATION OF CATTLE ACROSS THE BORDER, AND IMPOSITION OF STOCK TAX.

MR. CLARKSON, in accordance with notice, asked the Premier—(1.) Whether it was true that cattle for the purpose of slaughter in the local markets were being introduced from beyond the border of the colony. (2.) If true, whether the stock tax was imposed. (3.) If not known for certain at present, whether the Government would take such steps as were necessary to prove the truth, or otherwise, of the report that such was being done.

THE PREMIER (Hon. Sir J. Forrest) replied, as follows:—(1.) The Government is not aware of any cattle having crossed the border from beyond the colony recently. (2.) Instructions have been issued to most strictly enforce the payment of duty on all cattle for, or presumably for slaughter, coming into the colony. (3.) The Resident Magistrate at Hall's Creek, Kimberley Goldfields, has been fully instructed, and is on the alert, and will insist on duty being paid. Only recently 1,000 head of cattle were refused admission until the owners paid the duty.

ACCOMMODATION AT COLONIAL HOSPITAL.

MR. RICHARDSON, in accordance with notice asked the Premier,—(1.) Whether it was a fact that the accom-

modation at the Colonial Hospital was so inadequate that surgical operations had actually to be performed in the ward room occupied by the other patients. (2.) What time must probably yet elapse before the proposed additions to the Hospital were executed and ready for occupation. (3.) Whether some temporary additions could not be promptly executed that would obviate to some extent a condition of things hardly creditable to the chief Hospital of the colony.

THE PREMIER (Hon. Sir J. Forrest) replied, as follows:—(1.) In reply to the first question: In consequence of the absence of an operating ward, surgical operations are performed in a portion of one of the common wards, the portion so utilised being screened off from any patients that may be in the ward. (2.) As to question 2: If the necessary funds are voted by Parliament, and available, the additions immediately required should be completed in about nine months. (3.) As to question 3: As it is intended to commence the permanent additions as early as possible, it is not thought necessary to incur the expense of any temporary additions.

STEAMSHIP SERVICE TO NORTHERN PORTS.

MR. RICHARDSON, in accordance with notice, asked the Premier whether any negotiations were pending between the Government and any of the steamer companies with the object of arranging a service by subsidy for the Northern ports of the colony; and if he considered it probable that some considerable reduction could be effected on the amount of previous subsidies, and also on the schedule rates of freight of cargo and live stock and of passengers.

THE PREMIER (Hon. Sir J. Forrest) replied that negotiations had been taking place, but the Government had not been able to accept the offers made, as both the subsidy and the freight rates were considered excessive. The Government intended to advertise for tenders again.

RENEWAL OF CONTRACT FOR FREMANTLE-WYNDHAM STEAMSHIP SERVICE.

MR. A. FORREST, in accordance with notice, asked the Premier if any arrangements had been made for steamship communication between Fremantle and Wyndham, the present contract expiring in a few days.

THE PREMIER (Hon. Sir J. Forrest) replied that no arrangements had yet been made.

ARBITRATIONS UNDER CLAUSE 108 OF THE LAND REGULATIONS.

MR. DEHAMEL: I rise to move the resolution standing in my name: "That in future all notices sent out by the Lands Department under the provisions of Clause 108 of the Land Regulations, for the determination by arbitration of the value of improvements effected by pastoral lessees on lands subsequently granted by the Commissioner for Crown Lands to other parties, shall fix an hour, as well as the day and place, for holding any such arbitration." The object of the motion is to ensure that, when notices in future are sent out under this clause to the parties concerned, the time of the meeting of the arbitrators shall be named in such notices, as well as the place where the arbitration is to be held.

THE COMMISSIONER OF CROWN LANDS (Hon. W. E. Marmion): Agreed to.

MR. DEHAMEL: Then, as it is agreed to, it will be unnecessary for me to say any more. But I may point out that in the past the omission of these particulars from the notices has led to a very great injustice. There was a case at Pinjarrah the other day, arising out of the purchase of 100 acres out of a pastoral lease belonging to a Mr. Heron. Both parties fixed upon their arbitrators, and the Commissioner of Crown Lands sent out a notice that the meeting of the arbitrators would take place on such a date, but omitting to mention the hour. The result was that one of the parties, not knowing the hour of meeting was half an hour late, and the matter was decided in his absence, and he thus suffered an injustice. Of course the Commissioner of Crown Lands, having now stated that this will not happen in the future, it is unnecessary for me to say any more.

Moton put and passed.

CONSTITUTION ACT AMENDMENT BILL.

IN COMMITTEE.

This Bill was further considered in committee.

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

MR. RICHARDSON suggested that this clause and the following one (dealing with the division of the electorates) be referred to a select committee, which appeared to him the only satisfactory way of arriving at an adjustment of the differences of opinion that at present existed, both as regards the boundaries of the proposed divisions and the number of members to be given to each. If his memory served him rightly, the original distribution had been fixed by a select committee last session.

THE PREMIER (Hon. Sir J. Forrest): Only as regards the boundaries.

MR. RICHARDSON said that the present Bill was an amendment upon the Bill of last session, as regards the number of members which it was proposed to give to the Legislative Council, and therefore it was necessary to reconsider this question of the distribution of seats. The proposed arrangement contemplated in the Bill as it stood, certainly, did not give satisfaction to a considerable section of the House, as it was considered that the proposed distribution did not give as fair a representation as was desirable. He therefore thought the best way to arrive at a satisfactory arrangement would be to refer the clauses in the first instance to a select committee.

THE CHAIRMAN said, as the Bill was now in committee, the proper course for the hon. member to adopt would be to move, when the report of the committee was made, that the order of the day be discharged and that the Bill be referred to a select committee.

MR. RICHARDSON suggested that progress be reported, so as to have the Speaker in the chair

THE SPEAKER said the Bill being in committee, he could see no opportunity of having it referred to a select commitee until they went through the Bill. He would recommend that they should now go through the Bill, and when that was done, and the Chairman reported the Bill, and the question was put that the report be adopted, an amendment could then be made to refer the Bill—either the whole Bill or any particular clause of the Bill—to a select committee. If there was a general consensus of opinion that these clauses should be referred to a select committee, the better way would be to let them pass now *pro formâ*, without discussion, on the understanding that when the Bill was reported it should be referred to a select committee for the purpose of dealing with these clauses.

THE PREMIER (Hon. Sir J. Forrest) said the Government would have no objection to the matter going to a select committee; at the same time he did not think a select committee would be more likely to alter the distribution of seats to any great extent. The Government had considered the question very carefully, and he did not think they would be able to better the arrangements proposed by the Government, either as regards identity of interests or geographical position. However, he was quite content that the matter should be thoroughly discussed by those who were interested in getting a larger representation for the Northern portion of the colony. At the same time, he must say it must not be thought that the two or three members representing the North were more interested in the North than many other members in that House, representing Southern electorates; in fact, he thought the members of the present Government were more interested in the North than almost any Northern member, with perhaps one exception. They might, therefore, depend upon it, that the Government had the interests of that part of the country at heart as much as they had the interests of any other part of the country; and, if they were to deal with it according to their own interests, they would be inclined to give the North more than its fair share of representation. He thought the present distribution provided in the Bill was as equitable a distribution as could possibly be made, regard being had to the interests of the whole colony.

MR. SIMPSON said the Premier had failed to grasp the question. No reference whatever had been made to any personal interests to be served either by members of the Government or any other members in connection with the distribution of seats. The objection was simply as regards the representation of

the various industries of the colony. So far as he could gather from the tone of the Premier's remarks, they were intended to show that the individual members of the present Government were more personally interested in the North than those who were opposed to the distribution of seats proposed in the Bill. That was an aspect of the question which had not occurred to those who were suggesting a reference of this matter to a select committee.

MR. R. F. SHOLL said it was not a question of whether the members of the Government were more interested in the North than other members—they might be able to find that out by calling for a return. That was not the question. He thought the members for the North had a perfect right to use what little power they had to secure for that part of the colony its fair share of representation under this Bill, even in the face of the great opposition of the Premier.

THE PREMIER (Hon. Sir J. Forrest): No opposition at all.

MR. R. F. SHOLL thought the Northern members were quite entitled to do all in their power to see that the Northern portions of the colony were equitably represented.

THE PREMIER (Hon. Sir J. Forrest): According to population?

MR. R. F. SHOLL said he was not talking about population, but about an equitable distribution of seats, and fair representation for the North as well as the South.

MR. CLARKSON thought the Northern districts would be well represented as the Bill stood at present. Surely they did not wish for further representation than they had. If they did, he for one should strongly oppose it, and he thought a great many others would do the same.

MR. LOTON thought it was very desirable that these electoral divisions should be thoroughly considered by a select committee in the first instance, and, on the understanding that this was going to be done, he would not at the present moment express his opinion or offer any opposition to the passing of this clause.

MR. R. F. SHOLL said he thought the proposed increase in the representation in the Legislative Council was out of all proportion with the proposed increase in the number of members for the Lower House. He should therefore move that in Clause 5, the word "twenty-one" be struck out, and "seventeen" inserted in lieu thereof. He did so because this question was fully considered by that House, and accepted by the Government last session, when the number was fixed at 17 for the Upper House. But now, without any reason at all, the Government proposed to increase the representation in the Upper House by giving it 21 members, instead of 17. He was only moving this amendment in order to elicit some discussion on the subject.

THE PREMIER (Hon. Sir J. Forrest): Is that all?

MR. R. F. SHOLL said that was all. The Government seemed to think that members were prepared to take everything for granted, and to swallow every measure they put forward simply because the Government put it forward. This Bill, in its amended form, had been placed before them without members being told any reason why the Government had altered their opinion since last session, or why the members of that House should alter their opinions.

THE PREMIER (Hon. Sir J. Forrest): I told you that the other day.

MR. R. F. SHOLL did not think so. The hon. gentleman said something about a difficulty with regard to providing for the retirement of members, but, for his part, he did not see there was much difficulty about it. He did not see why one or two members for different provinces should not retire, after a certain period, and go to a fresh election, without complicating matters at all. Take the Metropolitan province, for instance, why should not some of the members for that division retire one year and go to election, and the members of some other division do so next year? The Premier seemed to desire that the members for each province should retire altogether, after the lapse of two or three years; but, for his part, he did not see that it was necessary there should be an election for all the provinces at the same time.

THE PREMIER (Hon. Sir J. Forrest) thought he had explained, when moving the second reading of the Bill, that the reason why the Government proposed to have 21 members for the Upper House,

instead of 17, as in the Bill of last year, was that they considered a House of 17 members would be too small. It had been found by those who had worked the present Upper House during the last two years, and by those who were members of the House, that it had not been at all as workable as it might have been, by reason of the paucity of members.

MR. R. F. SHOLL: Not because the number was too small, but because you nominated the wrong members.

THE PREMIER (Hon. Sir J. Forrest) said the Government had done the best they could, and he must join issue with the hon. member on that point. No doubt a small number of people in any assembly was not so good as a larger number. There was no logical reason at all that he knew of why an Upper House should have a smaller number of members than a Lower House, except the difficulty in a country like this of getting a sufficient number of suitable persons to fill these positions. In England, he believed, the Upper House was almost equal in numbers to the Lower House; and there was no reason whatever that he was aware of why they should not have an equal number for the two Houses here, except, as he had said, that we were numerically a small colony. Probably another reason why in the other colonies they had not so many members in their Upper Houses as in the Lower Houses was the question of the payment of members, and it was easier to pay a few than to pay many. Logically there was no reason why an Upper House should necessarily have a smaller number than the Lower House. With regard to arranging the electoral divisions, there was a difficulty in doing it, except somewhat on the lines suggested by the Government. Perth and Fremantle, under the existing Constitution, he believed, were included in one electorate, but he thought when the Upper House became an elective chamber, that arrangement would not work well. There would always be a struggle between these two towns, each the centre of political activity, as to which should return representatives, and there would be a fight at every election as to which of the contending parties should have the supremacy. To avoid that, it was now proposed to put the two into separate divisions, the Metropolitan Division to include the Perth, East Perth, and West Perth electoral districts, and the West Division to comprise the Fremantle, North Fremantle, and South Fremantle electoral districts. The same principle had been adopted in regard to other divisions, in order, as far as possible, to avoid giving any undue preponderance to the more populous localities. For instance, in the South-East Division, one electorate eastward of the Darling Range, and one westward of the Darling Range, were associated with Albany. Albany, having a larger population, would have had an undue preponderance of influence if included by itself, and therefore it was proposed to associate Williams and the Plantagenet electoral districts with it. Then with regard to the East Division; that certainly contained a large number of people, but their interests were very much the same—the Moore, Swan, Toodyay, Northam, York, and Beverley. Then there was the Central Division, which might be called a pastoral division—although there was difficulty even there, because the town of Geraldton would always have a preponderating influence. But he thought the people of Geraldton and the Irwin would not be satisfied to be included in a Southern division, and therefore those places had been grouped in the Gascoyne and the Murchison. With regard to the North Division, he did not think anyone could quarrel with that arrangement. When they considered the number of districts included, and the number of their population, he thought that part of the colony would be very well served by three members in the Upper House. It would be seen that the colony was pretty fairly divided into seven divisions, each of which would return three members; and that was the reason why the Government increase the number from 17 to 21. It allowed each division to be represented by the same number of members, and it made the House a little larger than was proposed in the former Bill; and he could not help thinking that the larger number was an improvement. Therefore he could not agree with the proposal to reduce the number to 17. He could not see that any good object would be attained by it, if we could get a larger number of members to come forward to serve their country. He should like to hear some reason given for the proposal to reduce the number. Perhaps the hon. member who had moved

it thought there was more wisdom in 17 than 21.

MR. R. F. SHOLL thought the hon. gentleman himself had given a very good reason why we should not increase the number, when he referred to the difficulty of finding a sufficient number of members to fill the two Houses. Even with the present small number of members in the Upper House, there was a large percentage of them away, and there was a great difficulty in selecting new members.

THE PREMIER (Hon. Sir J. Forrest): No, no.

MR. R. F. SHOLL: The hon. member might say "No no;" but he said "Yes, yes." Two members had resigned quite recently, and the Government had great difficulty in filling up one of the vacancies.

AN HON. MEMBER: Hundreds want it.

MR. SIMPSON: They may want it, but they are not wanted.

Mr. R. F. SHOLL (continuing) said, no doubt that, under an elected Upper House, the constituencies would see that their representatives attended to their duties, and did not absent themselves; but now they thought they could do what they liked, either attend to their duties or neglect the business of the country. In any case, there must always be a difficulty, with a small population, as admitted by the Premier himself, to obtain a sufficient number of suitable men to fill both Houses. For that reason he thought we should reduce the number for the Upper House from 21 to say 17.

Mr. RICHARDSON did not know that there was very much objection to the proposal of the Government to increase the number to 21, but he submitted there was very great objection to the way in which the electoral divisions had been arranged. If there was any strong desire to have a larger number of members than 17, he would suggest 20 instead of 21, and that the colony should be divided into ten provinces, each returning two members, instead of seven, returning three. He thought they would be likely to arrive at a fairer distribution in that way, and it would simplify matters. Certainly the proposed arrangements in the Bill were most inequitable. If there were more provinces among which to distribute the seats, they would be more likely to arrive at an equitable arrangement, as it would be easier to arrange conflicting interests than by having seven provinces comprising so many different districts whose interests were not identical.

MR. SIMPSON said the Premier, when he asked the opponents of the present scheme to give reasons why the number of members should not be increased, as regards the Upper House, had asked a question which he (Mr. Simpson) could not answer; but, so far as he had been able to watch the hon. gentleman's legislative career he was always ready to pay much attention to the experience and example of other countries. It was a singular thing, however, that in this instance the hon. gentleman proposed to make an entirely new departure on his own account, for the proportion he suggested in the relative number of members for the two Houses was such as was unknown in any part of Australia at the present day. In South Australia the numbers were 24 for the Upper House and 54 for the Lower House. In Queensland the proportion was as 38 was to 72; in New South Wales it was as 76 was to 141; in Tasmania the proportion was as 18 to 36, and in Victoria it was as 48 was to 95. So that in proposing a proportion of 21 to 33, the Government were making an entirely new departure, and proposing something that was unprecedented in Australia, at any rate. He had a distinct objection to this large proportion of members for the Upper House, because representation in that House was based, so far as the electors were concerned, entirely and solely upon a property qualification, according to this Bill. The electors for that House were absolutely compelled to be property holders, and, by increasing the number of representatives there, it would be providing seats for men who had been rejected on a wider franchise, for the Lower House. That was his idea, as to how this increase of members would practically work. Another objection he had to the proposed distribution of seats was that it would give an undue preponderance in the representation of the colony to Perth and Fremantle. He admired the energy and the enterprise and the political activity of these two towns; but he meant to say this: we had not yet arrived in this colony at that stage when representation should be based purely on population. He thought it would be very much better,

in the interests of this colony, if we were prepared at the present time to establish our system of representation upon our industries.

MR. MONGER: Then you wouldn't get many at the North.

MR. SIMPSON said the hon. member had lost sight of the fact that the great industry of this colony had its seat at the North, namely, the pastoral industry.

MR. MONGER: Owned by the South.

MR. SIMPSON: The hon. member said, "owned by the South." That might be so; but the people of the South were not prepared, for the sake of their own personal interests in the pastoral industry at the North, to sacrifice the true principle of representation. He did not, in objecting to the representation proposed to be given by this Bill to Perth and Fremantle, mean to imply that those towns would exercise any undue influence by their representatives in the House; but he meant to say this—and he had heard it echoed from both sides of the House—that at the present time Perth and Fremantle were represented by every member in the House. He believed that wisdom would be arrived at by a reference of these clauses to a select committee, and he thought if the conclusions arrived at were based on the principle he had suggested, it would establish our Upper House—that chamber which was supposed to be a check upon crude or hasty legislation—on a basis of reason and of usefulness to the country.

THE PREMIER (Hon. Sir J. Forrest) said the reasons why the Government had not chosen to make so many electoral divisions for returning members to the Upper House as had been suggested by the hon. member for the DeGrey, was that they considered that the Upper House should be representative of larger areas than the Lower House. That was a principle which he believed was adopted in all the colonies. At one time, in South Australia, the Upper House was elected by the whole colony as one electorate. They had altered it now, but he believed there were only four divisions in that colony at the present day, each division returning six members. The reason for this was obvious. In the more popular Assembly the members were returned for small localities, to represent local interests, each member being expected to look after the local affairs of his own district—the town clock and the town pump, and things of that kind; whereas in the Upper House they looked for men to represent wider areas and larger interests. Any man of merely local reputation, with a ready gift of the tongue to air a petty grievance might be elected for the popular Assembly, but the chances were that the larger electorates returning members to the Upper House would wish to have men representing larger interests than petty parochial affairs; and this end was more likely to be secured by having these men returned by large areas, where purely local interests would have no sway. Therefore, if it was proposed to alter the number of electoral divisions, he should prefer to see the number reduced rather than increased, and the area represented larger rather than more circumscribed, as suggested by the hon. member for the De Grey in his proposal to have ten divisions instead of seven, while at the same time reducing the number of members.

MR. DEHAMEL said he agreed with the Government that it was advisable to have the same number of representatives for each division, and for that reason he thought it would be better to reduce the number to 18 rather than 17, so as to give three to each of six divisons, or two to each of nine divisions.

MR. R. F. SHOLL, with leave, withdrew his amendment.

MR. DEHAMEL then moved that "eighteen" be substituted in lieu of "twenty-one."

MR. MOLLOY did not think it would matter much to the various electorates whether there were to be 18 members of the Upper House or 21, and he for one would certainly vote for the retention of the number provided for in the clause, namely 21, especially in view of what had fallen from the Premier as to the class of men who were likely to be elected to the Lower House, which was to be open to every agitator with a petty local grievance, without much regard to the sacred rights of property, which was to be represented by the more respectable Upper House. He considered it an insult to the electors of the colony to say that the only qualification they looked for in those whom they elected to represent them in the Lower House was that

they should have a glib tongue and be able to agitate any petty grievances.

MR. RICHARDSON said he felt inclined to ask the House not to go to a division upon this question, as it would tie the hands of the select committee very much. The committee might have to consider whether it would be better to have four electorates, or five, or six, or seven, and a corresponding proportion of members; but if they were tied down to 18 members, it might interfere very seriously with the arrangement of the electoral divisions. He thought it would be better not to fetter the select committee in that way.

THE ATTORNEY GENERAL (Hon. S. Burt) said he quite agreed that when they had arrived at the number of members to constitute the Upper House, they should then refer the question of the boundaries of the electoral divisions to a select committee. But he thought it was not the province of a select committee to determine the number of members. That was a question for the whole House to settle. Surely no inquiry could be made by a select committee, or information obtained from outside, on that question, which was essentially one for the House to determine. It would be delegating to a select committee a power which should be exercised by Parliament. Therefore he hoped that, whatever might be referred to a select committee as regards the electoral divisions, the House itself would first determine how many members they were going to have in the Legislative Council. When that was done, the Government would have no objection in the world to refer to a select committee the question of the number of electoral divisions, and their boundaries. That was a task which a select committee could pert form well, and which could not withousome difficulty be settled in a committee of the whole House. The clause now before them simply dealt with the number of members to constitute the Upper House; it had nothing to do with the divisions nor their boundaries. As to the proposal to reduce the number of members, he should like the hon. member for the Gascoyne to bear in mind that the larger the number of representatives they had in the Upper House, the more weight that House would carry in the country. At present, no doubt, the debates lagged somewhat owing to the small number of members that took part in them; and it would tend to enliven the debates, and to impart greater activity into their proceedings, if the number were increased to twenty-one. It had been said by some member that there was a difficulty now in obtaining even fifteen gentlemen to accept seats in the Upper House. If that was so—he did not say that it was, himself—it must be remembered that at present there was a high property qualification, and that we proposed in this Bill to do away with that qualification altogether, as regards both Houses, and to leave the only qualification to be the confidence of a member's constituents, not the amount of land he might hold, but the confidence of his constituents. That would surely enlarge the area of selection. The hon. member for the Gascoyne, he observed, was not favourable to that, for he proposed to retain the property qualification for members of the Upper House. If the hon. member did that, he thought the difficulty of finding members would remain; but, let him do away with the qualification, then he did not think the hon. member would find it a matter of difficulty to find members for that chamber. Of course they wanted to make the divisions as large as possible, because the larger the electorate, the less local did the opinions of the electors become; but, for his part, he would ask that the number of members be not reduced, whatever might be done as to the number of the divisions or their boundaries.

THE COMMISSIONER OF CROWN LANDS (Hon. W. E. Marmion) said it seemed to him that the great aim of the hon. member for the Gascoyne and other members who had spoken was, not so much to reduce the total number of members in the Legislative Council as to increase the proportion of representation for what they were pleased to term the Northern interests of the colony. [Mr. R. F. SHOLL: No, not the North, but three parts of the whole colony.] He thought the whole tendency of the hon. member's arguments pointed to that fact. But the hon. member was evidently labouring under a delusion. If he succeeded in lessening the number of members from 21 to 18, did he imagine for a moment that he would be able to

retain the present proportion of representation for the North? Did he think that if the number to be given to the North was six, when the total was 21, that the North would also get six if the total number were reduced to 18? He could see no reason why the Northern districts should have a proportionately larger representation than was accorded them in the Bill; and he would endeavour to show why. The general principle upon which representation was based, not only in this colony but in all parts of the world, was to a great extent based upon population; and it was useless for members to talk about the representation of industries, because industries in this colony were to a great extent centred within the boundaries of Perth and Fremantle.

AN HON. MEMBER: Rubbish!

THE COMMISSIONER OF CROWN LANDS (Hon. W. E. Marmion) said the hon. member who said "rubbish" would have an opportunity of proving it presently. In the meantime he would refer to the Census figures, and he would remind the committee that within the municipal limits of Perth and Fremantle there was a population of 16,694—one-third of the total population of this colony.

MR. SIMPSON: How many male adults?

THE COMMISSIONER OF CROWN LANDS (Hon. W. E. Marmion): How many are there at the North?

MR. SIMPSON: More than in Perth and Fremantle.

THE COMMISSIONER OF CROWN LANDS (Hon. W. E. Marmion): Then the number of families ought to be greater. What was the total population of the whole of the North, to which it was proposed to give as many members as it was proposed to give to Perth and Fremantle, namely, six? According to the Census, the total number for the electoral division of the North was only 3,711, as compared with double that number in Fremantle alone; and the total population in the Central Division, which included the Gascoyne, Murchison, Nannine, Geraldton, Greenough, and the Irwin Electoral Districts, was only 6,600, as compared with a population of 9,600 in the city alone. Looking at these figures, had the representatives of the Northern portion of the colony any reason to complain? What was the object of referring this question to a select committee? Was there any concentrated essence of wisdom in a select committee? The only object there could be was to get a packed committee so as to obtain an opinion favourable to the views of members who thought as the hon. member for the Gascoyne thought.

MR. SIMPSON: I should like to ask whether the hon. gentleman is in order in referring to a packed committee?

THE CHAIRMAN: I do not think there is anything disorderly in the hon. member's remarks.

MR. RICHARDSON: It was a very base insinuation.

THE COMMISSIONER OF CROWN LANDS (Hon. W. E. Marmion): Then he would say that the object was to obtain a majority in favour of their own views. He hoped that did not offend the tender susceptibilities of the hon. member for Geraldton. There was another point he should like to draw attention to: it might be said that the pastoral interests of the colony would not be fairly represented under the proposed distribution of seats. But he would ask members to bear in mind that, with the exception of Perth and Fremantle—which could not be classed as pastoral districts, though there were many people in them who were largely interested in the pastoral industry—but, with the exception of Perth and Fremantle, there was scarcely any other electoral division on the list in which the people were not interested in agricultural or pastoral pursuits. Take the East Division, for instance, which comprised the Moore, Swan, Toodyay, Northam, York, Beverley, and Yilgarn districts; could it be said that those districts were not largely interested in agricultural and pastoral pursuits? Then take the South-West Division, comprising the Murray, Wellington, Bunbury, Nelson, and Sussex districts; were those districts not largely concerned in agricultural and pastoral pursuits? Or the South-East Division, which included the Williams, Plantagenet, and Albany districts; could it be said that those districts were not interested in agricultural and pastoral pursuits? In each one of these divisions the majority of the electors were people

who were engaged in those pursuits. Therefore, how could it be said that these particular industries would not be fully represented in the Legislative Council under the electoral arrangements proposed by the Government in this Bill? He thought, if anything, it would be the towns that would have cause to be alarmed rather than the country. But the good sense, the broad and liberal views, and the political activity which had characterised the representatives of the towns and the people of the towns in the past would, he hoped, characterise them in the future; and they need not fear of being swamped, or having their interests swamped, by any majority in the Upper House who might be more immediately concerned in agricultural and pastoral pursuits.

MR. SOLOMON said he was perfectly in accord with the number of members proposed in the Bill. As to the number of the adult population in the towns of Perth and Fremantle, he found that according to the last census the number returned as being over 21 years of age was 4,913 in Fremantle and Perth, and 18,195 for the whole of the colony. Therefore, if they were to take the adult population as the basis of representation, the towns of Perth and Fremantle alone would be entitled to two-sevenths. The proposed representation, therefore, appeared both fair and just.

Amendment put and passed.

Clause agreed to.

Clause 6.—Electoral Divisions:

MR. R. F. SHOLL said he had given notice of a number of amendments in this clause, but, if it was understood that the clause was only to be passed now formally, and that it was hereafter to be referred to a select committee, he would at present refrain from moving any of his amendments.

Clause put, and passed *pro formâ*.

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

MR. R. F. SHOLL moved to strike out the word "five," in the tenth line, and insert the word "ten" in lieu thereof. He did so for this reason: he thought that before any foreigner should become eligible to a seat in the Upper House he should, at any rate, be able to speak the language of the country; and he did not think that five years would be long enough in all cases for a foreigner to learn the language and to shake off his feelings for his own mother country or his fatherland, as the case might be. He believed that in America, which was a very free and liberal country as they knew, they were very particular in matters of this kind, and did not admit naturalised subjects to the freedom of citizenship until they had been in the country for ten years. He could see no hardship in the amendment. It might seem a long time to have to wait ten years before a man became entitled to become a candidate for election, to assist in making the laws of his adopted country; still it appeared to him that the time proposed in the Bill, five years, was somewhat short. He had no very strong feeling in the matter, but he thought it would be well to call attention to it.

THE PREMIER (Hon. Sir J. Forrest) said this provision would of course apply to all European people, and it seemed to him that if a man came here and became naturalised and practically a British subject—whether he be a German, or a Frenchman, or a native of any other European country, or an American citizen—if the electors wished to have him as their representative, they ought to have the opportunity of electing him. He thought that a residence of five years in the case of a naturalised person was long enough. Ten years would be to make it almost prohibitive. It certainly would not attract many people of that class to come here with any intention of becoming members of Parliament. He did not feel very strongly on the subject, but it appeared to him that five years was not too short.

MR. R. F. SHOLL said he was not very particular about it; he had simply put it forward as a suggestion.

Amendment, by leave, withdrawn.

MR. R. F. SHOLL moved that the following words be added to the clause: —"And is seized at law or in equity of an estate of freehold for his own use and benefit in lands or tenements within the colony of the value of £1,000 above all charges and encumbrances affecting the same, or of the yearly value of £100, and shall have been possessed of such estate for at least one year previous to his election." In proposing this amendment, he might say that he proposed a similar one last session on this particular clause; and he thought it was necessary, if the Upper House was to be a check (as it was supposed to be) on hasty legislation in the Lower House, that those who represented property should have a property qualification. He thought that not only should the electors for this Upper House have a property qualification, but also the members. The Bill already provided that there shall be a high qualification for electors, and, by adopting that principle, he thought they admitted the principle of property qualification for members also, as regards the more conservative chamber. The Attorney General, when speaking in the early part of the evening, suggested that this would keep members out of the Upper House by limiting the area of selection. But he did not think there was much fear of that; he did not think that the property qualification had kept many members out of that House (the Legislative Assembly), and he doubted very much whether this proposed qualification would keep members out of the Upper House.

THE PREMIER (Hon. Sir J. Forrest): Then what is the good of it?

MR. R. F. SHOLL said the good of it would be this: that you would have members in the Upper House who would have some interest in the welfare of the colony. He was not wedded to the amount of property named in the amendment, £1,000, and he was quite willing to reduce it to the present property qualification for that Chamber. But he did think that there should be some property qualification for members of the Upper House, and that the two Houses should not be elected on the same basis as regards their members. He believed they had property qualification for members of the Upper Houses in most of the other colonies.

THE PREMIER (Hon. Sir J. Forrest): Only Victoria.

MR. RICHARDSON: And Victoria has the best Upper House in the whole of the colonies.

MR. R. F. SHOLL said he had not looked the matter up, but he was convinced in his own mind that it was necessary there should be some property qualification in the case of members of the Legislative Council.

THE ATTORNEY GENERAL (Hon. S. Burt) said the hon. member who had proposed this amendment told them he had not looked the matter up. He should have thought he would have looked the matter up. The hon. member had come there to instruct them as to whether there ought to be a qualification or not, and he thought the House was entitled to ask the hon. member, before he addressed them on a wide subject such as this, to have looked the matter up. Instead of that, he gave them an opinion which admittedly had not been considered by him, apparently, in any way. The hon. member did not even know whether there was a property qualification for members in any of the other colonies or not. But the hon. member must surely be aware that a majority of the present House had decided last year that there should be no qualification for either House in this colony, and that the best thing to do would be to trust the people to elect those they thought worthy of their confidence. He was sure we would have a stronger Upper House, a House that would command more respect, and carry greater weight, and do more good to the country, than a House the members of which would have to find, or pretend to find, a property qualification of £1,000 before they could take their seats. He was very strongly in favour of having no qualification of this kind, for the simple reason that he thought we should get a better House without it, and one that would carry infinitely more weight with the people of the colony generally. A House elected and chosen in a free and unrestricted manner, without limiting the choice of the electors, could make a much stronger stand as representatives of the people than a House the members of which had to be selected from amongst a privileged class. They had already agreed that this would be

so when the Bill came before them last session. He therefore trusted that they would be able that evening to confirm the principle that there should be no property qualification whatever for members of the Upper Chamber.

MR. COOKWORTHY said that at one time he was in favour of a property qualification for members of the Upper House, but, after consideration, he had come to the conclusion that a qualification was useless in the case of the unscrupulous man, and that it only debarred the scrupulous man from entering the House; and he really thought, as the Attorney General had just said, that it was far better to leave it to the electors to choose the man they thought would best represent them.

THE PREMIER (Hon. Sir J. Forrest) said the hon. member for the Gascoyne did not tell the House whether in the other Australian colonies they had a property qualification for members of the Upper House, and as the hon. member seemed to think that they had, he might inform him that in Queensland, where they had a nominated Upper House, the only qualification was that the candidate must be 21 years of age; in Tasmania he had to be 30 years of age, but there was no property qualification; in South Australia it was the same; in Victoria there was a property qualification, of the value of £100 per annum; in New South Wales the Upper House was nominated, but there was no property qualification, and also in New Zealand.

MR. R. F. SHOLL said he was still of opinion that we should have a property qualification for the Upper House. True, the proposal was lost last session, but it was by a majority of one only. He then put before the House the qualifications required in the other colonies, and he therefore thought it would be unnecessary to do so again this session. If we were going to have a conservative Upper House, which we looked for, and a House that would be a check upon hasty legislation, we ought to put members in it who had a stake in the colony. A £25 franchise was hardly a property qualification at all; there was scarcely a man in the colony worthy the name who did not pay £25 a year for his house, or who had not a house of his own; and, unless we also insisted upon a property qualification for members, we should not have men who would be likely to resist the pressure brought to bear upon them by the Lower House, during periods of popular excitement. He had put the amendment forward because he felt strongly on the subject, but if members did not wish to accept it, he had no particular wish to press it.

MR. RICHARDSON said that so far as the political history of Australia afforded them any guide in this matter, he thought it would not be gainsaid that Victoria, which, though probably the most radical colony of the lot, possessed a property qualification for the Upper House, also possessed the best Upper House in the whole of these colonies. It was a House that had done the country some real good service; it had stood by the colony when revolution was in the air, and efforts were made to upset everything that was worthy of being conserved; and its action gained for it universal respect and the confidence of the whole body of electors, He did not think we would go far wrong if we followed the example of Victoria in this respect, and he felt inclined to support the hon. member for the Gascoyne on this occasion.

MR. CONNOR said he had not proposed to speak on this subject, but he hoped the House would bear with him while he brought under its notice how this question of property qualification affected the district which he represented. When the late member, Mr. Baker, was elected he had not the necessary property qualification for a seat in that House, and there was not a man in the whole district who had. Although they were wealthy men in other respects, not one of them could have qualified for a seat as the possessor of landed property in the district. That was the result of property qualification in that part of the colony, and it showed the absurdity of it. He maintained that there should be no property qualification at all, but that the electors should have a free choice to select the man in whom they had the most confidence. Therefore, he could not support the hon. member for the Gascoyne in this matter.

MR. MOLLOY said he should support the clause as it stood. He agreed with the Attorney General that the more unrestricted the choice of the electors the

better House we would have. It did not follow that because a man was possessed of property that he also possessed the other qualifications necessary for making a useful legislator, or that property was the best standard of efficiency for such a position. Some members seemed to make a point of the difficulty of obtaining members for the Upper House at the present time, yet these same members would restrict the choice of the electors by insisting upon their representatives having a property qualification. That seemed to him somewhat inconsistent. Then they heard a great deal about the necessity for having a conservative Upper House, so that property might be protected. Anyone would think that the people of the colony had some sinister design upon property. There were some members who were always ready, when any liberal reform was proposed, to talk about revolution and the danger to property; and it would appear as if some members were apprehensive of our having a revolution in this colony. He was not aware that there had been any revolution even talked about in these colonies, so far as he had read or heard; but it seemed to be the idea in the minds of some hon. members, that every attempt at liberalising the political institutions of the colony must lead to a revolution.

MR. SIMPSON said he agreed with the clause as it stood, except as to one thing: he could not understand why the Government had found it necessary to insist that a candidate for a seat in the Upper House must be 30 years of age.

THE PREMIER (Hon. Sir J. Forrest): It passed last year.

MR. SIMPSON said that did not establish its wisdom. He could see no reason, so far as his experience of life went, for saying that a man was not a fit and proper person to become a legislator until he was 30 years old. He had yet to learn that wisdom only came to men when they attained that age. From his experience of the world, he did not find that the average mortal was much wiser at 30 than he was at 28. If wisdom had not accrued to a man when he was 25, he was not likely to become much wiser at 30. He saw members about him who were as wise and as intelligent, and had as much sound practical sense, when they were 25 years of age as they had now. If the same condition as to age had existed in England it would have shut out such illustrious statesmen as Pitt and Gladstone from entering Parliament. He failed to distinguish the necessity for insisting upon a man being 30 years old before he was entitled to become a member of the Upper House any more than before he became a member of the Lower House. If men did not attain wisdom until they passed the age of 30, they had no business to be admitted to either of the two Houses. What was the difference in the quality of the legislative ability and intelligence required for the Upper House as compared with the qualities required for the Lower House? This was the only objection he had to the clause.

Amendment put and negatived.

MR. SIMPSON moved that the word "thirty" be omitted, and "twenty-one" inserted in lieu thereof.

THE CHAIRMAN ruled that the hon. member was too late with his amendment, an amendment in a previous part of the clause having been disposed of.

Clause put and passed.

Clause 8.—"(1.) The seat of the senior "member of the Legislative Council for "the time being for each division shall "be vacated on the completion of a "period of two years from the date of "election, and also on the completion of "each succeeding period of two years.

"(2.) For the purposes of this section "the seniority of a member of the Legis-"lative Council for any division shall be "determined by the date of his election, "and, in the event of two or more persons "being elected for a division upon the "same day, the member who polled the "smallest number of votes shall be the "member to retire; and, in the event of "an equality of votes, or of an unopposed "return, the seniority shall be deter-"mined by the alphabetical precedence "of their surnames, and, if necessary, of "their Christian names.

"(3.) The Governor may, in Her "Majesty's name, issue a writ under the "Public Seal of the colony, for the elec-"tion of a member to fill any seat vacated "under this section.

"(4.) The writ for every such election "may be issued before the member to "retire shall have retired, and every

"member so retiring shall, if not other-"wise disqualified, be entitled to sit and "vote as a member during the progress "of and until the completion of the "election and return of the member to "supply the vacancy caused by such "retirement."

MR. DEHAMEL moved that sub-clauses (1) and (2) be struck out, and that the following be inserted in lieu thereof:—

"(1.) The seat of one member of the "Legislative Council for each division "shall be vacated on the completion of "two years from the first general elec-"tion, and thenceforward one seat shall "be so vacated every succeeding period "of two years.

"(2.) The seniority of a member of "the Legislative Council for any division "shall be determined by the date of his "election, and, in the event of two or "more persons being elected for a division "upon the same day, the member who "polled the largest number of votes shall "be the senior member; and, in the event "of an equality of votes or of an un-"opposed return, the seniority shall be "determined by the alphabetical prece-"dence of their surnames, and, if neces-"sary, of their Christian names. The "junior member shall be the first, and "the senior member the last, to retire."

If members would look at the wording of the sub-sections in the Bill they would see that they were somewhat vague, and, in fact, contradictory. There were three tests applied to settle who was to be considered the senior member for the purposes of this clause—one was to be the date of the election; the second was to be the number of votes polled; and the third was alphabetical precedence of the members' surnames. They were told in the first part of the clause that the seat of the senior member for the time being shall be vacated at the end of two years, and, in the next paragraph, they were told that the junior member, or the member who polled the smallest number of votes, was to be the first to retire. It was a very complicated clause altogether. It was not very material, perhaps, as it was only to apply to the first election, and on that occasion, he presumed, every member would be elected on the same day, so that the question of seniority would not be decided by the date of the election but by the number of votes polled. He thought the amendment he had proposed would put the matter more clear. He proposed, in the first place, that the seat of one member for each division shall be vacated on the completion of two years from the first general election, and that thenceforward one seat should be vacated every succeeding period of two years. Anyone could understand that. Then he proposed that the seniority of a member was to be determined by the date of his election; and that, in the event of two or more persons being elected upon the same day, the member who had polled the largest number of votes should be the senior member; or, in the event of an equality of votes or of unopposed return, that the seniority should be determined by the alphabetical precedence of their surnames, and, if necessary, of their Christian names. He proposed that the junior member should be the first, and the senior member the last, to retire. He was not at all particular whether the amendment was adopted or not, but the clause, as it stood, seemed to him to be rather a flaw in the Bill, and somewhat contradictory, and certainly ambiguous. Of course if the Government liked the clause to go forth as it stood, he was quite content.

THE ATTORNEY GENERAL (Hon. S. Burt) said the Government were not particularly wedded to the phraseology employed in this clause. He had studied what the hon. member proposed to substitute for it, and, although he scarcely liked to say so, he must admit he somewhat preferred the wording of the Bill. But he was not particular about it either. The hon. member said that the sections were contradictory, that the first said the senior member shall retire, and that afterwards it said that the member who had received the smallest number of votes shall retire. If there was any contradiction there, it was very slight, and the hon. member's own clause was more contradictory still. At first it rather took his fancy, but, the more he considered it, the more he disliked it. At the same time, if members thought the amended sections were better than the Bill he should raise no objection to it, though for his own part he liked the Bill better than the proposed substitute.

Clause put and passed, as printed.

Clauses 9 to 11, inclusive:

Put and passed.

Clause 12.—Qualification of electors for the Legislative Council:

MR. COOKWORTHY said he wished to move, in the first line of the clause, that the words "spinster, widow, or *feme sole*" be inserted between the words "man" and "of," so as to make the clause applicable to women as well as men possessing the proper qualification. In speaking to this motion, he wished to remind members that, should the Bill become the law of the land, any man of the age of 21 would have a right to vote. He was not aware that there was any particular wisdom attached to a man who had attained that age—in fact, if they looked back to their own youth they would be reminded of the folly of it. But as it seemed expedient that as soon as a man attained the age of 21 years he should be entitled to a vote, he thought it was nothing but right that women also should have one when they attained the same age—women who maintained themselves and their families, women engaged in business and other occupations; women who perhaps employed the very men who, under this law, would have a right to vote, but who themselves would be debarred from exercising the same privilege. There was nothing particularly new in this matter he had brought before the House; it was only an extension of a principle already recognised in other directions. More than twenty years ago women were admitted to the suffrage as regards municipal elections. They also had a right to vote for members of school boards, and even to sit on those boards, and, in England, they could vote for members of the County Councils; and he never heard, since the franchise was given to them, any objection raised on the ground of their having exercised it unwisely. Such statesmen as Lord Salisbury and Mr. Balfour, Conservatives though they were, had been in favour of giving the suffrage to women; and he noticed that it was proposed to give it to them in New Zealand. Sir Henry Parkes, whose name he had heard repeated in that House as that of a man of great capacity and wisdom, had also expressed himself in favour of admitting women into the franchise. Therefore it could not be said that in bringing this matter forward he had no precedent to support the principle which he was advocating. He contended that if it was deemed advisable that a man, simply because he had attained the age of 21, should have a vote, it was only right and just that it should also be given to women, who had the same property qualification. He was open to conviction, however, and he hoped that those who were opposed to this amendment would give their reasons for doing so, and that those reasons would not be a mere matter of sentiment and prejudice, but some good sound reason, if they could, to show why women possessed of the necessary property qualification should not have a vote as well as men who simply attained the age of 21.

MR. DEHAMEL said he had the greatest pleasure in rising to support the motion of the hon. member for the Vasse. He failed to see, any more than the hon. member could see, why a man who had attained the age of 21, who was just emerging from boyhood into manhood by a legal fiction, should have a vote, while a woman of the maturer age of 40, 50, or 60 was deprived of that vote. He thought that every woman possessing property of her own, and who was unmarried, should have a vote. Married women, he thought, were merged in their husbands; but there could be no valid objection to giving a vote to those who were now allowed to vote at municipal elections and other elections. He challenged any member to give any valid reason or objection against these three classes of women—the spinster, the widow, and the *feme sole*, possessed of property of their own—having the right to vote. He hoped that House would agree to the proposal, and be the first House in Australia to give women the suffrage at a parliamentary election.

MR. R. F. SHOLL said he also had very much pleasure in supporting the amendment of the hon. member for Sussex. He never had been able to make out why women should be debarred from the right of voting for members of Parliament,——

THE PREMIER (Hon. Sir J. Forrest): And become members, too.

MR. R. F. SHOLL: No, he would draw the line there. But he never could understand why women holding property in their own right should not have a vote for members of the Legislative Assembly

or Legislative Council. The principle had been affirmed in permitting them to vote at municipal elections, and he failed to see why they should not vote at parliamentary elections. He thought their votes were more likely to be properly exercised, in the case of women who had to support large families by their own industry, and who had acquired valuable property of their own. He thought such women were more likely to exercise the franchise wisely than some of the pets of the Premier, who might be found hanging about the corner of the Town Hall, waiting for somebody to give them sixpence, to take to the nearest publichouse. He had in his mind several of this class of women, who had supported their families, and had become owners of property, and employers of labour. Yet, as had been pointed out, the men they employed would have a vote, while their employers would not. He thought that it was an inequitable arrangement. He hoped that the common sense of members would induce them to support this amendment. The question of extending the franchise to women was gaining ground all over the world. It was mooted now in England, and, he believed, was favoured by Mr. Gladstone and other leading statesmen. It certainly was gaining ground in the Australian colonies, and he should be very pleased if this colony were to be the first to admit women to vote at parliamentary elections. He should like to hear what arguments could be urged against giving a vote to a spinster who held the necessary property qualification, or to the widow who supported her family, and probably in doing so employed a large number of men who themselves had a vote, or the *feme sole*, who might be separated from her husband, but who also might be supporting her family, and who had property of her own.

MR. A. FORREST said he should have much pleasure, not in supporting but in opposing the amendment of the hon. member for Sussex. He had no doubt in his own mind that the ladies of the district which the hon. member represented took a very active interest in the affairs of the State; they certainly took a very active part in the affairs of their farms, and did a great deal more work, in those districts, than the men did. That was one reason, no doubt, why the hon. member had suggested this amendment, believing that the ladies in his district were as much entitled to a vote as the men. For his own part, he did not believe in ladies mixing up in politics. He though the proper place of a woman, whether she were a widow or a spinster, was to look after her home, and not to be running about all over the place, at elections, seeking perhaps (if she was a married woman) to put her husband into Parliament. He thought this was an attempt at legislating beyond what any other country had yet gone. They all admired the ladies, and no one more than he did, but he thought they had their proper place, and that was to look after their homes, and not mix up in politics. He sympathised with the hon. member for Sussex, because he knew that in that part of the colony the ladies took a most active part in the management of the farms and stations; and, if the hon. member had asked for a vote as a special privilege to the ladies of the Sussex district, probably he would have supported him. But when we went further North, we did not find the ladies mixing themselves up with cattle and sheep and dairy work. They preferred to take their ease, and drive about in their carriages; and that was the part he should like to see them continue to act.

MR. THROSSELL said he should support the motion. He maintained that the hon. member who had brought it forward deserved the thanks, not only of the members of that House, but also of the ladies of Western Australia. He was rather surprised at the ungenerous attitude assumed by the hon. member for Kimberley in regard to this matter, for he believed that at the last municipal election for the mayoralty of Perth, the hon. member was very glad to have the ladies on his side, and he understood they were largely instrumental in putting him at the head of the poll. In his (Mr. Throssell's) own town he was always glad to have the ladies on his side, and he trusted that this graceful tribute paid to them by the hon. member who had brought forward this motion would be endorsed by a majority of members in that House. He would go further than this amendment went; and the day would come, and must come, when every woman

will have the suffrage. When it did come, he believed they would display greater wisdom in exercising the privilege than many of those which this Bill proposed to admit into the franchise. He thought the hon. member deserved great credit for bringing the matter forward, and he should have much pleasure in supporting it.

MR. SIMPSON said he should never give a heartier vote so long as he had the honour of a seat in that House than the one he would give that evening in favour of this motion of the hon. member for Sussex. His particular reason for supporting it was that he believed the inclusion of women among the electors would purify our elections; it would make our political meetings respectable, and it would improve the political tone of the whole colony. He must say—he did not wish to talk mere sentiment; this sort of thing was surrounded with sentiment enough in their daily life,—but he must say he did not think the hon. member for West Kimberley really understood what he was talking about, or he did not listen very attentively to the amendment, or he would have known that it did not propose to include married women; therefore the hon. member was altogether astray when he talked about women running about at elections trying to get their husbands into Parliament. The hon. member seemed to have an idea that what was proposed was something quite new, and, because it was new, therefore it was wicked. It was a novelty perhaps, and, if the amendment became law, we would stand before the Australian people as the first Legislature to practically suggest that women should have a vote at parliamentary elections. When it was borne in mind that the right to vote under this clause would only be granted to owners of property, he should have thought that would have peculiarly recommended it to the hon. member for Kimberley. The hon. member said that a woman's proper place was at home. He might have added that a man's proper place was at home, too; it would be much better for him very often if he stayed at home. He did not think the hon. member for West Kimberley, or himself, were seen out much at night, except when Parliament was in session. He remembered when the first woman was ever allowed to vote in Australia, in any form. He was a child at the time, and had the pleasure of seeing her doing it. That was many years ago. Subsequently, women were admitted to vote at municipal elections, and to have a voice in the management and protection of property. Now it was proposed to give them a voice in the election of members for the Upper House, and he thought it was peculiarly right that they should have a voice in that matter, because they were told that the members of this Upper House were to be the trusted battalion that was to protect the sacred rights of property. He had a great reverence for those men whose mission in life was to protect property; we had such a large proportion of the community in this colony who were in favour of the destruction of property. At any rate the Upper House was supposed to protect the rights of property, and as women, he believed, were the most conservative class in the world as regards politics, he thought it was only right and proper that they should have a voice in the election of members who were supposed to represent and protect property. Therefore it appeared to him that, in admitting women into the franchise, we should be not only assisting the Upper House but also elevating and purifying the political tone of the colony; and he was sure we would make our public meetings such as respectable people might go there and listen.

MR. MOLLOY said he had also very much pleasure in supporting the amendment. The only fault he had to find with it was that it did not go far enough. He failed to see the necessity of excluding married women from the same privilege. With that exception, he fully endorsed all that had been said in favour of the amendment. He thought we should respect the opinion of those persons who possessed the necessary qualification—since it was considered necessary to have a property qualification—whether they were men or women. If a woman had the necessary qualification, why should she be debarred from exercising the same right as a man who had attained the age of 21? A considerable number of ladies amongst his constituents had the right to vote at municipal elections, and, during the last eight or nine years

he had had the honour of being supported by some of these ladies, and, in simple gratitude for their support, if nothing else, he felt the greatest pleasure in voting for their admission into the franchise at Parliamentary elections for the Upper House.

THE ATTORNEY GENERAL (Hon. S. Burt) said all this was all very well, so far as it went, but he very much feared that the gallantry of hon. members had somewhat carried them out of the groove in which they ought to run. If they considered for a moment that no one had ever heard of this amendment until it was brought forward ten minutes ago, he thought it could be hardly said that members had been able to give it much consideration. They all must admit it was a question that required some little consideration, even by hon. members who were, on the face of it, inclined to support it; and certainly it required some consideration by those whom they represented outside. Personally, he had no reason to disagree with anything that had been said by those who had expressed their intention to vote for the amendment, and he did not think that the Government as a body had any desire to disagree with anything that had been said. But it did seem to him that they were getting rather too far, if they, that evening, at ten minutes' notice, performed such a stupendous alteration of the law as this amendment contemplated. He had not even seen the words which it was proposed to interpolate in the clause, and he doubted whether those who had seen them understood the full effect they would have upon the clause, and the rest of the Bill. He thought they were rather running away in their admiration of the ladies, and not giving the matter that consideration which its great importance deserved. Some members suggested that it should only be women of property who should have a vote; but how about those who had no property? He supposed that a woman who had no property could give as good a vote as she who had property. There were many other points to be considered, and he did not think it was within their province, without giving the matter more consideration, and without consulting the country in any sense, or a single soul outside that room—he did not think it was within their province to make such an important alteration in the law. In his judgment, they should be doing wrong if they were to pass suddenly, that evening, an amendment to this effect. Let them consider it. Let them take some little time to consider what the effect of it would be. This same section of the Bill was before that Assembly last year, and it had been before the country; and he failed to remember that any single soul, inside that House or outside of it, had ever suggested such a proposal. He did not think that it was a bad one. Personally he agreed with it. But his present opinion was that they should keep it in reserve as a corrective that they could apply at any time if necessary; and, as the country had not considered the question at all, and the matter had received no consideration, he might say, he thought they should defer making this change in the law on the present occasion. At least, he would ask that notice of such an amendment should be put on the Paper, so that the Government might consider how it would affect the Bill. The House could consider it further on the recommittal of the Bill.

THE COMMISSIONER OF CROWN LANDS (Hon. W. E. Marmion) said, without wishing to stop the discussion or to alter the current in which the opinions of members seemed to run, he would follow the Attorney General in his remarks, and ask members to consider what the logical result of adopting this amendment would be. Those who had spoken on the subject appeared to consider it was only desirable that women who had property should have a vote; but members must not forget that they would presently have to deal with another portion of the Bill, relating to the qualification of electors for the Legislative Assembly. If they proposed to give women of property a vote for the Upper House, they must also, to be logical, give the same privilege to other women to vote for members of the Assembly, and place them on the same footing as men. If they gave women the right to vote in elections for the Legislative Council, he failed to see how they could consistently refuse it in the case of elections to the Legislative Assembly.

MR. RICHARDSON said it struck him as a large admission on the part of the Attorney General—in fact, it had helped him to make up his own mind on the sub-

ject; he had been wavering somewhat before—that we should keep this power in reserve, as a corrective, should things turn out bad. It struck him that was a very strong argument in favour of the amendment. If it was likely to prove a corrective when things looked bad, would it not be better to use it as a preventive to stop things from becoming bad, than apply it as a cure when they did become bad? With reference to the argument of the Commissioner of Crown Lands, he did not think much of the hon. member's logic. It was a bit Hibernian. The argument put forward in favour of giving women a vote for the Upper House was that women were essentially conservative, and at present we were dealing with a conservative House; and it did not at all follow that we should apply the same principle as regards the popular House, the Assembly. They did not propose to give every man a vote for the Upper House, as they did for the Lower House. It was admitted that certain restrictions, of a conservative tendency, should be applied in one case which it was not considered necessary in the other. The Attorney General had asked them to halt, because the amendment had been sprung upon them so suddenly. But he would ask, was there a single member in that House, or was there any man who had been engaged in politics, who had not for years been thinking over this question of women suffrage, and pondering over all that had been written and said upon the subject for years past; and if he had not yet made up his mind on the subject,——

THE PREMIER (Hon. Sir J. Forrest): You said you hadn't yourself just now, until the Attorney General spoke.

MR. RICHARDSON: If a man had not made up his mind on the subject yet, it was a pretty clear proof that he had not thought enough about it. For his own part he did not think that any harm could come out of giving women with the necessary qualification a vote for the Upper House; but whether it would be wise to give all women a vote for the popular chamber was opening up a much larger question, admitting of a much greater scope of argument. But he thought they would be setting Australia a very good example if they adopted the present proposal; and he believed if we only led the way in this direction the other colonies would follow us.

MR. CLARKSON felt very much inclined to support the amendment. He was not one of those who would be willing to confer upon a woman an obligation (or whatever they liked to call it) which might draw her away from her proper sphere or position in life, the charge of her home; but it did seem to him rather unreasonable that a widow, or a spinster who had passed that age when women generally find a companion in life, and possessing property, should not have some voice in the making of laws which she was bound to obey, as well as a man was. He should feel safer in the hands of these ladies than in the hands of some of those gentlemen to whom it was proposed to extend the franchise in this Bill, simply because they happened to have been in the colony six months, though possibly during the whole of that time they had been loafing about from one publichouse to another. He should support the amendment if it went to a division.

MR. COOKWORTHY said he must apologise to the House for not having given notice of his amendment.

THE PREMIER (Hon. Sir J. Forrest): Withdraw it, and give notice.

MR. COOKWORTHY: No, he would not withdraw it, because the only argument the Attorney General had used was that they should be doing wrong by doing right. The hon. and learned gentleman said he agreed with the motion, but thought they would be doing wrong to adopt it,—doing wrong by doing that which he admitted to be right. He was very pleased to see so many hon. members prepared to support his motion. The only member he had heard opposing it, with the exception of the Attorney General, was the hon. member for West Kimberley, who had given the best reason why ladies should have a vote, because the hon. member eulogised them as good managers of farms and dairies, and showed they had good business capacities, even better than the men; yet the same hon. member would deprive them of a vote, which he would give to their labourers and men servants.

THE PREMIER (Hon. Sir J. Forrest) said he would have been pleased if the hon. member had followed the advice of the Attorney General, and given notice

of this amendment, so that they might have an opportunity of considering the question. The Attorney General had told them he had not even considered the effect it would have upon other parts of the Bill. Surely nothing would be lost by postponing the motion for a few days. There was a very inportant principle involved, and it had not been considered by the country. It certainly had not been considered by the Government. He had no idea whatever, until he came to the House that evening, that it was going to be proposed. He did not think it would be wise to deal with an important and novel proposal like this at a moment's notice. He thought it was very desirable that members should have time to carefully weigh the effect it would have upon the measure before the House, before dealing with it finally. One of their rules of procedure provided that no important measures should be sprung upon the House without notice, and no one could say that this was not an important provision, as important as it was possible to conceive. Therefore he thought it was only fair that it should appear on the Notice Paper for some days. Speaking for himself, he had not had time to consider how it would affect the present Bill, and what alterations it would entail in succeeding clauses. He did not see that the motion could suffer in any way by being postponed for a few days, especially if it had so much to commend it as it seemed to have in the eyes of some members. In fact he thought it was due to the country, due to members themselves, and due to the Government, that they should have some notice of an important change of this kind, and not be asked to debate a principle that had not yet been adopted in any part of the British dominions, and be expected to decide upon it at a moment's notice.

MR. R. F. SHOLL said it was all very well for the Government to say that the country had not considered this particular matter. Had the country considered this Bill at all? [THE PREMIER: Yes.] He denied it. The country ought to have had time to consider the whole Bill. Were the members of that House elected under it? No.

THE COMMISSIONER OF CROWN LANDS (Hon. W. E. Marmion): How could they?

MR. R. F. SHOLL: The country had had no opportunity of expressing any opinion upon the present Bill. No doubt it was only right that important amendments should be placed on the Notice Paper; but, to talk about this particular proposal not having been considered by the country, was all nonsense. He thought the country would be unanimous in saying, "Yes, certainly, give women a vote." He knew he would do so. But the mover of this amendment did not go quite so far as that. The hon. member, seeing that they were dealing now with a conservative House, was conservative in his proposal. He hoped the hon. member would not withdraw his motion or postpone it until the Bill was recommitted. If the Government required further time to consider it, let them ask to report progress.

MR. A. FORREST hoped the hon. member *would* withdraw his amendment. If not, he would move, when they come to Clause 19, that every woman in the colony should have a vote, and would put an amendment to that effect upon the Notice Paper; because he saw no reason why, if women had a vote for the Upper House, they should not have a vote for the Lower House. He thought the remarks of the Commissioner of Crown Lands were very much to the point.

MR. DEHAMEL said that members need not be afraid as to the effect which the amendment would have upon the Bill, so far as Part I. of the Bill was concerned, and they were only dealing with that part of the Bill. The only effect would be this: they would have to add the words "or her" in one place in the clause now under consideration; and, in another clause they would have to insert the word "she" in one place, and "her" in another. That was the only alteration it would entail—a few verbal alterations. Surely it did not require the collective wisdom of the Government and the Attorney General to be concentrated for days upon the effect of these half-a-dozen words. The hon. member for West Kimberley told them that if this amendment were carried, he would move further on that all women be allowed to vote. Let him do so. It did not necessarily follow that the hon. member would carry his motion. It would be discussed

on its merits, and be dealt with accordingly. Members were not going to refrain from voting on the present amendment, simply because the hon. member threatened them with another motion. The question was whether his motion would be carried, and that would be for the House to decide. The Attorney General asked them what the poor widow without property would do, as to having a vote? The hon. gentleman drafted the Bill, and he must know that under sub-section 2 of the 12th clause she would have a vote under this Bill. He hoped the hon. member for Sussex would not withdraw his amendment, but divide the committee upon it, and that it would be carried, that evening.

MR. QUINLAN said, inasmuch as the matter was likely to be pushed to a division, he thought it necessary to say a few words. It was all very well for members to display their gallantry and their respect for the ladies. He might say that no one had a greater respect for the opposite sex than he had himself; but when it came to mixing them up in politics, that was another matter, and he for one should oppose the amendment for this reason: his experience of ladies at municipal and other elections had been that they were somewhat weak in mind. [SEVERAL HON. MEMBERS: No, no.] He said so with all respect for the ladies. They were liable to be led away by political agitators, at election times, and persuaded to vote for this or that candidate without due consideration. He did not think the time had arrived for going this far, as yet. He believed in giving ladies a voice in municipal matters.

AN HON. MEMBER: What's the difference?

MR. QUINLAN: The difference was this: municipal government was more concerned with domestic matters and local affairs, in which the fair sex were interested. It was not the same with politics. He was afraid that some of the sentiments he had heard expressed that evening were not uttered so much out of respect for the ladies, or for the general welfare of the country, as for another and ulterior object. His own opinion was that ladies, like cats, were best at home.

MR. LOTON said the subject before them was a very important one. Almost every member who had spoken seemed inclined to support the motion, but he doubted whether any member had been prepared to discuss the question on its merits. The two main principles involved in the Bill before them were the extension of the franchise and the abolition of property qualification. It had been said by one member, if not more than one, that this Bill had not been before the country. If not, whose fault was it? A Bill of a similar nature had passed that House last session, and members had since had every opportunity of putting the matter before their constituents; and if the Bill had not been before the country it was the fault of the people's own representatives. There had been no alteration in the two main principles of the Bill. At the same time, he thought it was due to the Government, who were responsible for the Bill, that they should not go to a division upon this important amendment that evening. He trusted that the hon. member for Sussex would see the reasonableness of postponing it, at all events, so that members might have an opportunity of considering the question, not only as it affected the Upper House but also the popular chamber.

MR. SOLOMON said it was not his intention to say much, but he thought if members would consider they would see that there was a very important principle involved in the amendment. The object of the Bill was to make certain changes in the Constitution, and the main principles of the Bill had been before the country, and also before that House, on a former occasion. But an entirely new element was now sought to be introduced, which he was sure had not been considered either by members themselves or by the country. It was an important and far-reaching one, and he should regret if it were pressed to a division that evening.

THE CHAIRMAN: I am unwilling to check discussion upon any matter that relates to the Bill, but I have come to the conclusion, following upon the rule that no amendment may be moved that is not strictly relevant to a Bill, and that the discussion must be confined to matters within the scope of the Bill—I have come to the conclusion that this discussion is irrelevant, and not within the scope of the Bill.

MR. SIMPSON: Then I beg to move that this House disagrees with the ruling of the Chairman.

THE CHAIRMAN: Will the hon. member bring up his objection in writing?

MR. SIMPSON: With pleasure.

The objection having been handed in in writing,

THE SPEAKER resumed the chair.

THE CHAIRMAN: I have to report that I have ruled that an amendment introduced by the hon. member for Sussex is out of order, on the ground that it imported an entirely new principle into the Bill, a principle that was not within the scope of the Bill. Exception has been taken to my ruling by the hon. member for Geraldton, who has moved that the matter be referred to the Speaker.

THE SPEAKER: The motion was not put to the committee; still I am quite prepared to say at once that I think the amendment of the hon. member for Sussex was in order. If any amendment is introduced into a Bill that is not in accordance with the original title, the title may be amended, and the amendment specially reported to the House. But this amendment of the hon. member for Sussex is, I think, quite admissible, and can be dealt with, if desired, by the committee.

THE SPEAKER then left the chair, and the committee resumed.

THE PREMIER (Hon. Sir J. Forrest) moved that progress be now reported, and leave given to sit again.

Put and passed.

Progress reported.

ADJOURNMENT.

The House adjourned at seventeen minutes to 11 o'clock p.m.

Legislative Council,

Tuesday, 25th July, 1893.

Treasury Bills Bill: third reading—Destructive Birds and Animals Bill: recommittal—Post Office Savings Bank Consolidation Bill: second reading—Supply Bill: second reading; committee; suspension of Standing Orders; third reading—Adjournment.

THE PRESIDENT (Hon. Sir G. Shenton) took the chair at 2·30 o'clock p.m.

PRAYERS.

TREASURY BILLS BILL.

This Bill was read a third time, and *passed.*

DESTRUCTIVE BIRDS AND ANIMALS BILL.

RECOMMITTAL.

On the Order of the Day for the consideration of the committee's report on this Bill being read,

THE HON. J. W. HACKETT moved that the Bill be recommitted with a view, amongst other things, of striking out clause 7.

Question—put and passed.

IN COMMITTEE.

THE HON. J. W. HACKETT moved that clause 7 be struck out.

Question—put and passed.

THE HON. J. W. HACKETT moved, That the following clause be substituted in lieu thereof:—"Any police officer or constable, and any person from time to time authorised by the Governor, may enter upon any land, houses, or buildings whatever, whether occupied or unoccupied, and take, carry away, or destroy any destructive birds or animals found in or upon such land, houses, or buildings. The name of any person so specially authorised as aforesaid shall be published in the *Government Gazette*, and such person shall produce a copy of the said *Gazette* containing notice of his said authority to all persons in occupation of any land, houses, or buildings entered upon by him, who shall require to see the same. Any person obstructing, resisting, or hindering any police officer or constable, or any person so authorised as aforesaid, while acting in the execution of the powers conferred on him by