

ADJOURNMENT.

The Council, at 5.25 o'clock p.m., adjourned until Thursday, 10th August, at 4.30 o'clock p.m.

Legislative Assembly,

Wednesday, 9th August, 1893.

Report of select committee on Engine Sparks Fire Prevention Bill—Stock Tax Bill: second reading; in committee—Destructive Birds and Animals Bill: first reading—Constitution Act Amendment Bill: re-committal—Adjournment.

THE SPEAKER took the chair at 4.30 p.m.

PRAYERS.

REPORT OF SELECT COMMITTEE ON ENGINE SPARKS FIRE PREVENTION BILL.

MR. PIESSE brought up the Report of the select committee on the Engine Sparks Fire Prevention Bill, and stated that the committee had taken evidence and made recommendations. He moved that the report be printed and lie on the table.

Question put and passed.

STOCK TAX BILL.

SECOND READING.

THE PREMIER (Hon. Sir J. Forrest), in moving the second reading of this Bill, said: There is very little for me to say with regard to this Bill, which is short and clear. In regard to the schedule, both cattle and horses are included in the present Tariff Act, and the reason why the Government have introduced this Bill is really to remove all doubt as to the application of the tax on imported live stock. The Government are satisfied that the present Act includes store cattle, though it is an arguable point, and some persons may not hold the same opinion. It is generally admitted that the

country should receive a revenue from cattle and sheep imported into the colony for slaughtering purposes, and from imported horses. This may be regarded by some as a protective tax, but all I can say is that it has existed a long time, and we are not proposing any material alteration from what was the intention of the Legislature in passing the present Tariff Act some years ago. Clause 3 of the Bill is an important one, because it gives to the Governor-in-Council power to remit the duty on any animals imported for breeding purposes. The duty will be remitted in these cases, as a matter of course, and the Government wish to encourage people to bring in stock for breeding purposes, in order that the breeds may be improved, and for the stocking of land. It is thought better to place cows and ewes in the schedule, so as to prevent the law being evaded by cows and ewes being brought in for slaughtering purposes; and in cases where the Government are satisfied that these animals are intended for breeding purposes, of course the duty will be remitted.

MR. LOTON: I do not intend to offer any opposition to the second reading. The tariff rates in the Bill are the same as in the present Act. No doubt, if we are to go in the direction of protection, I should say the time has come for putting an extra duty on horses and cattle imported. If anyone takes notice of the class of imported animals we are getting, under our present tariff, it will be found that during the past twelve months there have been imported a number of horses which one may fairly term scrubbers—very second and third rate animals—while we have plenty of better ones in the colony that cannot be disposed of. These horses are imported, and have to be sold. Then, as to cattle, it seems to me that self-preservation is one of the first laws of nature, and we have now such facilities of communication by land and sea, that we are fully able to supply ourselves with stock for slaughtering purposes. This Bill will allow stock for breeding purposes to be admitted free, the duty being remitted after collection; and I hope that, while we are dealing with the subject, we shall move in the direction of somewhat higher duties on horses and cattle.

MR. A. FORREST: I should like to ask the Premier whether this schedule

will be also the schedule of the new Tariff Bill; that is, if this becomes law, will this schedule be in the new Tariff Bill?

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

MR. A. FORREST: Then I shall move, in committee, to amend the schedule. I thought that, perhaps, when you brought in a new Tariff Bill the whole of the existing schedules would be altered. However, I agree with the hon. member for the Swan when he says the importation of horses at present is not required, because there are a large number of horses in the colony for sale, and difficult to sell. I shall move, in committee, that the import duty on horses be increased to 40s. a head. As to cattle, the colony has some 20,000 to 30,000 head of fat cattle, which we are unable to dispose of; and if we wish to protect those who have to live in the colony, I should say the import duty on cattle should be raised to 40s. a head. In sheep, the market is glutted; and we have no means of selling the fat sheep that are here, except at a small price. We know that sheep in the Eastern colonies can be bought at a very small price, and I shall move that the import duty on sheep be 4s. a head. I shall also move for an increase on pigs. The Bill was brought in only yesterday. It concerns very important interests, and members here will consider that if they do not protect the products of their districts, this market is certain to be flooded with meat, as it is with other produce at present. We find that for nearly all agricultural produce at present the local markets are glutted, and that stuff is sent here which must be sold at any price. I hope the House will not think that, in raising the duty on imported animals, they will be raising the cost of living, for at present we have a larger meat supply than can possibly be consumed.

THE PREMIER (Hon. Sir J. Forrest): Meat is not very cheap here.

MR. A. FORREST: The reason is the very high freights charged for bringing consignments of stock to market. To bring a bullock from the Northern parts of the colony to Fremantle or Perth costs £6 for freight, and a sheep costs 5s.; whereas cattle or sheep can be brought from Adelaide at a much cheaper rate—I do not know for what reason that is so. If this higher

duty is not imposed, we shall find the cattle and sheep for our central markets will be brought from Adelaide, and our own people will be great sufferers by it. I shall oppose the schedule in committee.

MR. PIESSE: It has been suggested, by those who are interested in the settlement of the land, that the farmers who are coming here from the Eastern colonies should be permitted to bring their horses here free of duty. I see no provision made in this Bill for that; and although there is power given to the Governor-in-Council to remit duties on animals imported for breeding purposes, yet we all know that lately a number of farmers have come here intending to settle on land, and they have seriously complained of the hardship of having to pay the existing duty on horses which they have used elsewhere and want to use here. I am sure that values are so low, in the Eastern colonies, that farmers who are coming away have difficulty in disposing of their stock; and, as an inducement for those farmers to come here, some provision should be made to enable a farmer to bring in, say, six horses for farming purposes. If we remit the duty on animals imported "for breeding purposes only," these words will prevent such men from importing valuable horses to be used on farms which they take up here. As we desire to see farmers increase and be successful in this colony, we should insert a provision in this Bill for enabling the Governor-in-Council to remit the duty in the case of persons bringing in horses purely for farming purposes.

THE PREMIER (Hon. Sir J. Forrest): They would all say that.

MR. PIESSE: I hope not; but if this provision is not proposed by the Government, I shall move it myself, because I think it is a hardship on the farmers who are coming here to make their homes among us, to be prevented from bringing their horses, which they will have to sacrifice in the places they are leaving.

MR. RICHARDSON: We should be careful to remember that there are two sides to this question. It would almost appear selfish to impose higher duties, when we cannot show the consumer that meat is at a reasonable price. In such a question as the food supply, the consumer is entitled to great consideration; but, of course, important interests ought to be

safeguarded. When our self-preservation comes into conflict with the interests of our fellow-citizens, we should be careful to look at both sides of the question. As long as we can show not only that we have plenty of stock in the colony, but also that it is put on the market at a reasonable price to the consumer, then there is sufficient justification for our keeping out foreign supplies; but, until that happens, I do not think we shall be justified in putting on a severe tax. I do not think it has been shown that we have been flooded with an influx of fat stock from Adelaide. When the price rises beyond what may be considered a reasonable figure to the consumer, then I think the duty should not be so high as to exclude the outside supplies. As the hon. member for the Swan pointed out, a higher duty on imported working horses would cull them out and cause a better class of horses to be imported. But when you drift on to the meat supply for the community, you enter on tender ground, and we should be cautious in our legislation.

MR. DEHAMEL: As these duties do already exist, there is the less objection to this Bill for making the duties plain to all, so that no question may arise as to whether certain animals are subject to the duty, or not; but if the hon. member for West Kimberley does propose to increase the amounts, I shall strenuously oppose the increase. I think we ought not to increase the taxes on the food of the people, as we should be benefiting a few, in opposition to the good of the many; and I think that would be an utterly wrong principle. We know these duties were first levied some five or six years ago, to prevent the introduction of sheep from the Eastern colonies into Albany. It was stated to me, over and over again, by members who have heard the member for West Kimberley, that he said the duty was put on to prevent the people of Albany from importing their food from the Eastern colonies. The introduction of cheap meat from the Eastern colonies at that time was a great saving to the people of this colony; and when this stock tax was imposed, the price of food went up, until the railway was opened, and stock was brought down from the South. However, as the tax does exist, there is no serious objection to the Bill, in this House. There is one clause I

cannot see the reason for, and that is Clause 3. We understand the intention of the Government is that all animals imported into the colony for breeding purposes are to be admitted free of duty. If that is the case, why should not the Bill state so plainly? Why not say: "It shall be lawful for the Governor-in-Council, if he shall think fit, to remit the duty on any animals imported for breeding purposes?" Why should not the Bill be distinct and clear, in that respect? It would make the Bill more understandable and more workable. I agree with the remarks of the hon. member for the Williams, with regard to horses introduced by farmers who are coming here to stay. I would like to see all new settlers who are coming here enabled to bring not only their horses, but also their cattle and farming implements and their household goods—their *lares* and *penates*. I cannot see what objection there is to bringing furniture and silver and plate, when people come into this country to settle. Surely the colony would be better off for having the silver in the country than that it should be left in another place. I have now, at Newcastle-on-Tyne, two cases of silver plate which I am not going to introduce here, with the present duty prevailing. I say the colony is poorer by not having that silver and plate which settlers leave outside because of the duty. If the Homesteads Bill is to be a serious affair, for inducing settlement, we ought to say that all the persons who come here should be entitled to bring in all their various belongings, free of duty. I hope the hon. member for the Williams will press the amendment he has suggested. On the other point, if the hon. member for West Kimberley does persist in trying to increase the present duties on imported live stock, I shall certainly join in opposing any increase.

MR. MONGER: I shall support the second reading of the Bill, and also support any amendment in the direction proposed by the hon. member for West Kimberley. My reason for doing so is the action taken by the other colonies, with reference to any stock which may be brought over the borders. If the time ever arrives, as I dare say it will, when this colony will have a surplus of live stock, and requires to export the surplus

to New South Wales, Victoria, or South Australia, we will have to pay to those countries a heavy tax on all stock so sent. We should treat those other colonies in the same way that they treat outsiders. I am sorry I cannot agree with the hon. member for the Williams, for if we give free land to the farmer, we give him all he is entitled to. We are nearly all farmers, in this House, and we are individually entitled to as much consideration, when we import horses, as the new settler who is coming here from Victoria or any other colony, to settle on our lands; and if we are going to allow a refund of duty to new-comers, on all the horses, cattle, sheep, and pigs they bring into the colony, I contend I am entitled to a similar privilege if I import such animals. I am asked, by an hon. member, whether I am a new settler. I reply that I do as much good to the country as a new settler. I shall support any amendment having for its object the increasing of the rates in the schedule of this Bill.

Question put and passed.

Bill read a second time.

#### IN COMMITTEE.

Clauses 1 and 2:

Agreed to without comment.

Clause 3.—Governor may remit duty:

MR. PIESSE moved, as an amendment, to add the words, "or on any horses, to the number of four, introduced by any *bonâ fide* settler when arriving in the colony." He said every inducement should be held out to new or intending settlers, by permitting them to bring in their working horses free of duty, as those animals were difficult to sell in other colonies, which farmers were leaving on account of the depressed state of agriculture. It had been represented to him by new-comers that this concession would be a great assistance to them, and would tend to develop the country. Although the duty on imported horses was only £1 a head, still this was a serious item to a farmer when bringing in his working team, and having to incur all the other expenses of settling on new land. If the offer of free land was intended as an inducement, why not go a little further and allow a farmer to bring in his horses that were necessary for working the land?

THE CHAIRMAN said the amendment should be proposed as a new clause.

MR. RICHARDSON said that any farmer desiring to bring in horses for working his land would import mares, and the Bill would enable this to be done by providing that the duty on animals imported for breeding purposes might be remitted.

MR. R. F. SHOLL supported the amendment, and said he had heard the same complaint in the case of small farmers leaving other colonies to come here, and being debarred from bringing in their horses and agricultural machinery unless they paid duty, thereby compelling them to sacrifice those things by selling at a very low price in the places they were leaving. If allowed to bring in their working horses, and indeed their whole farming plant, free of duty, this concession would give a greater stimulus to agricultural settlement in this colony than any Homesteads Bill. *Bonâ fide* farmers would then be induced to settle on the land, and not that class of new settlers who perhaps would never have seen a plough before taking up these free homestead farms which the Government proposed to offer. The suggestion of the hon. member for the DeGrey did not meet the case, because the object should be, not merely to allow mares to be brought in free, but also all the working plant of a farm.

MR. CLARKSON said it did seem hard to impose a duty on stock imported by farmers for working their land, but it would be difficult to regulate the admission of stock free of duty. Stock were generally imported in large numbers by horse dealers, and he had heard dealers declare that they sometimes sold the stock in this colony for less than the cost of landing them. If a beginning were made in allowing free importations, as suggested, there would be no end to the demand for remissions of duty, and the new settler would want to bring in his household furniture free. It was a dangerous question to meddle with. A farmer could bring in mares, under this Bill.

MR. A. FORREST said the power to remit duty on animals imported for breeding should be sufficient. Any settler bringing in horses for farm work would bring brood mares. Any man coming into the colony with a team of working horses, intending to settle on land, might get some distance up the country, and then

sell his horses and drays, and go himself to the goldfields. There would be no check on the number of horses and implements which might be brought in free, and then sold, if the duty were remitted on these things as suggested by the mover and others. He did not see why a farmer should receive more concessions than were allowed to other persons.

THE COMMISSIONER OF CROWN LANDS (Hon. W. E. Marmion) said it was peculiar that privileges were desired for new-comers which were not granted to persons already in the colony. It would be almost impossible to make distinctions between a man who arrived to-day and one who arrived yesterday, and if the live stock and implements of a new settler were to be admitted free of duty, the same concession must be made to all persons in the colony. Why should not all persons be treated alike in this matter? With regard to furniture, what would be the difference between the man who arrived here six months ago, and had to buy furniture in the open market, paying a higher price on account of the duty, and another man coming in during the next six months, and claiming to have his stock and furniture admitted free of duty? Such distinctions would not work. The new-comer who desired to settle on land should not be helped in this exceptional way, but they might agree to help him in other ways, without creating such distinctions.

MR. LEFROY sympathised with the mover of the amendment; but, if the thin end of the wedge were let in as now proposed, all other persons who desired to start here in any occupation would be asking to have their working plant admitted free. The horses which a farmer would bring in were his tools of trade, so to speak, but other persons would want their business tools and appliances admitted free, in like manner. This exceptional treatment would lead to evasions, because horses brought in by new arrivals might soon be turned into cash. The country was not overstocked with horses at present, and the duty might be remitted to the new-comer on the mares he brought in, upon the condition that if he retained the mares during twelve months for his own use, the duty which had been collected in the first instance might then be remitted to him.

THE PREMIER (Hon. Sir J. Forrest) said the wishes of the hon. member for the Williams might be met in the way provided in the Tariff Act of Victoria, which excepted stallions for stud purposes, also horses, not exceeding four in number, which for the previous six months had been the *bonâ fide* working stock of any person coming in to settle on lands of the colony. The effect of adding this provision to the Bill would be that any man having his stock in another colony, and transporting them to this colony, would be allowed to bring his working team of horses with him, free of duty. When dealing with the schedule of the Bill, he would move the insertion of that provision.

MR. A. FORREST asked what guarantee there would be of the *bonâ fides*.

THE PREMIER (Hon. Sir J. Forrest) said the plan worked in Victoria, by the Government accepting a guarantee, and he did not see any other way of doing it.

MR. A. FORREST said there were many ways of evasion.

THE PREMIER (Hon. Sir J. Forrest) did not suppose the Collector of Customs would pass persons as being *bonâ fide* farmers, unless assured they were such. The farmer would have to declare he had had the horses in use six months before, and that he was coming here to settle on lands of the colony. If the committee would not accept that provision, he did not see any other way of meeting the views of those hon. members who desired to admit working horses free.

MR. A. FORREST did not see why the same privilege should not be extended to other persons already settled in the colony, who might want to import horses for their own use.

MR. PIESSE said that, in excepting horses that were imported for breeding purposes, there would be no guarantee that the horses would be so used. In regard to admitting implements, that matter would have to be dealt with later on. It was a question that must be faced, because many new settlers were coming here from the other colonies to take up land, and it was a great loss to them to have to sacrifice their implements in the place they were leaving, on account of the duty charged when entering this colony. As to the working horses, he would gladly

accept the amendment suggested by the Premier.

MR. MOLLOY would vote against the amendment under discussion, because it meant that new-comers were to be exempted from duties which persons already in the colony were required to pay. He would oppose that principle, and vote for the clause as it stood.

MR. LOTON said this discussion showed the danger of trying to legislate for any particular class of persons. If, in revising the tariff, they were to go on that system, he did not see any end to the exceptions. If it was necessary to levy duties, levy them; if the tariff was too high, reduce it; but let the tariff apply to the whole people alike, whether here now, or coming here afterwards.

MR. DEHAMEL could not agree with the last speaker, for they were running up the public debt, and wanted to encourage population to come here. This remission of duty to farmers would be a means of encouragement. Was it without precedent? He hoped that all the articles brought in by a farmer—his horses, implements, furniture, and so on—would be admitted free into this colony, as in Canada, which was attracting population by every inducement. Therefore, he hoped the amendment suggested by the Premier would be moved when the schedule was reached.

MR. HASSELL could not agree with the last speaker. He would vote for the clause as it stood; and if any increase of duties were proposed, he would also vote for the increase.

MR. CLARKSON said they were doing everything for the new-comer, who would not make half so good a settler as some of the men already on the land, who were not to be helped in this way. He had heard of some disastrous experiments in the settling of new men on the land. Why should the present settlers be compelled to pay for the duty on any horses and machinery they wanted, by having to pay the market price in this colony, while exceptions were to be made in favour of new-comers?

THE PREMIER (Hon. Sir J. Forrest) said that, as to offering inducements for attracting people to take up land in this colony, the idea of some persons seemed to be that they should keep the country for themselves. The hon. member for

Toodyay asked, why give this privilege to new-comers only? The new-comer would have already paid for his team, and would also have to pay the freight for coming to this colony, and be put to great expense in removing from one colony to another. This class of man, having a team in another colony, would break up his home, and come here, and be put to great expense in doing so; and his introduction into this colony should be made as easy as possible, by every inducement being held out to him. The area of land here to be occupied was so vast, that if every individual now in the colony were to settle on the land as a cultivator, they would not be sufficient. He wanted to see tens of thousands coming here, induced by the prospects offered. It was not many years since the Legislature voted large sums to pay the passages of people who would come here; and in the Loan Act of 1891 this House passed a vote for £50,000 to be spent in paying the passages of people to come here. He never heard the opinion expressed before that they should not offer inducements for more people to come here. The idea of some persons here was that nothing should be done to induce people to come here; and he must take exception to any remarks of that kind.

MR. TRAYLEN said they were assuming too much, in taking it for granted that every new-comer was an undisguised blessing to the country. Admitting that he was to some extent, yet there must be some expense incurred for every additional person coming here, so that the net gain of each new immigrant was not great. The Premier was a little astray in saying that those who opposed this amendment did not care about offering inducements to new-comers. It was just a question as to the kind of inducement they should offer. He would vote against the amendment.

MR. CLARKSON said the Premier had misunderstood his previous remarks. He did not object to offering inducements for attracting more people to come here, as was shown by the support he had given to the Homesteads Bill, and especially to the financial clause for lending money to help new settlers. He contended that any remissions of duty should apply equally to new-comers and to old ones,

whereas the amendment was exclusively in favour of the new-comer. They were already offering land free to the new-comer; they were now asked to admit his horses and implements and furniture free of duty; and they would be asked next to spoon-feed him.

MR. HARPER said a great fuss was being made about very little, for a very small percentage of the horses introduced by farmers were geldings, and the mares could be admitted free. If a gelding got injured during the voyage, it would be worthless for working afterwards, whereas a mare that got injured could be used for breeding purposes. Any farmer intending to come here would be careful to exchange his geldings for mares, before leaving his previous district. The amendment would have very little effect either way.

MR. SOLOMON said the object of the Homesteads Bill was to increase the productions of the soil, and that Bill treated every man alike; therefore, why should they not be on the same footing, in this instance? If a man coming here now were to take up a farm six months hence, he would be precluded from importing any live stock free of duty, but the man arriving six months later could bring in his stock free of duty.

Amendment, by leave, withdrawn.

Clause put and passed.

Clause 4 agreed to.

Schedule:

MR. PLESSE moved that the following words be inserted after the word "Horses," in line 1: "but excepting stallions for stud purposes, and also horses, not exceeding four in number, which for the previous six months have formed portion of the *bona fide* working team of any person coming into the colony to settle on the lands of the colony." He appealed to hon. members to help the new settlers coming in with stock which they had used elsewhere, and thus remove one of the chief complaints made against this colony. Even the colony of Victoria, with its high protective tariff, allowed farmers to bring in, free of duty, 10 horses *bona fide* for purposes of farming. It might not always be practicable for a farmer to exchange his geldings for mares when leaving another colony to come here.

THE ATTORNEY GENERAL (Hon. S. Burt) said the question was coming

down to one of geldings only. If a new settler brought only mares they could be admitted free of duty, which could be remitted on a declaration being made. Therefore the only question remaining was as to admitting geldings. He would appeal to hon. members on behalf of the new settler, and say that if the new settler could bring in his working stock at a less duty than had been paid by the settlers already here, then let him get off as much duty as he could. This amendment was on the true principle of not taxing a man at all. There was no great number of horses in the country for equipping the incoming settlers. Horses were particularly scarce in the Eastern districts. New settlers having got horses broken in, and horses that they were accustomed to—their Molly and Polly and Dobbin, familiar pets, he knew them—did not like to part with them; and if taxed for bringing these animals to their new homes in this colony, the tax would stick in the settlers' gizzards. Therefore he would support this amendment to the extent of admitting the new settler's gelding free, along with the settler's mares. It was simply a question of admitting the one gelding in a working team. A farmer would not be likely to have a team of four geldings; his team would be mares in most cases, and the gelding would be an occasional exception, which they might pass. Hon. members knew this was the dearest colony in the group to live in, and some hon. members were talking of making it dearer still. He was in favour of making it cheaper, to the extent of admitting one gelding free of duty.

MR. R. F. SHOLL said it did not follow that mares imported would necessarily be intended for breeding purposes, and a settler would be put in an awkward fix if required, under this amendment, to make a declaration that he imported his mares for breeding purposes, when in fact he wanted them to do farm work.

MR. LEFROY said that Clause 3 of the Bill, giving power to remit the duty on animals imported for breeding purposes, was sufficient for the purpose. He assumed there would be discrimination used in remitting the duty, as between a horse-dealer and a farmer. The Bill as it stood would induce new settlers to

bring in mares and dispose of their geldings.

MR. QUINLAN had frequently heard of grandmotherly legislation, but the amendment appeared to him to be tin-pot legislation. It would be necessary to prove that the person bringing in horses had been a farmer; but horses were plentiful in this colony, having greatly increased during the past two or three years, and could be got in the Eastern districts at very reasonable prices. Clause 3 was sufficient.

MR. PIESSE objected to the term "tin-pot" legislation. The amendment would benefit many new-comers by enabling them to bring into this colony the working horses which they had used elsewhere, and though the amount of duty on horses was not large, the remission of it in favour of new settlers would make this colony more attractive to them.

MR. DEHAMEL said the remission of duty in the case of new settlers would not make a loss of £50 a year to the colony, while this extra inducement would increase the number of settlers.

THE ATTORNEY GENERAL (Hon. S. Burt) said the Canadian Government offered free passage to British farmers who would go to Canada, and free grants of land on arriving there; and, more than that, their neighbours would plough some land for the new settler, and even put in a first crop for him. The Scotch crofters who emigrated to Canada, under this system, were made so welcome by their countrymen already settled there, that the new arrivals often found some land ready ploughed, a crop was put in, two or three horses and cows were found for them as a start, and it was even said they were presented with a sum in the bank. This was what Canada did for its new settlers, as he was told by the emigration officers whom he met in London.

MR. LOTON said that if this colony had an excess of revenue it could afford to be generous. It was not in that position at present, and hard times might have to be faced. On the broad ground of treating all alike, under the tariff, he opposed the amendment.

Amendment put and negatived.

MR. A. FORREST moved, as an amendment, to increase the duty on horses from 20s. to 40s. per head.

THE CHAIRMAN said it was not competent for an hon. member to propose an increase in the duty. He ruled the amendment to be inadmissible.

MR. A. FORREST said it was useless to have put the Bill before the House, if the duties could not be increased.

THE CHAIRMAN said it was competent for an hon. member to propose to reduce a charge, but not to increase it, as laid down in the Standing Orders.

THE PREMIER (Hon. Sir J. Forrest) said it was also provided in the Constitution Act, which was stronger than the Standing Orders.

THE CHAIRMAN read out section 67 of the Constitution Act.

MR. A. FORREST said that, as it was not in order to propose an increase in the duty, he would move that the Bill be read that day six months.

THE CHAIRMAN said this motion was out of order, in committee.

MR. A. FORREST said he would move it as an amendment on the motion for the third reading.

THE CHAIRMAN said that if the hon. member did not approve of the item in the schedule, he could move that it be struck out.

Schedule put and passed.

Preamble:

Agreed to.

Title:

THE PREMIER (Hon. Sir J. Forrest) moved, as an amendment, that the word "all," in the second line, be struck out, and the word "certain" be inserted in lieu thereof. He said the word he proposed to alter was a clerical error.

Amendment put and passed, and the title, as amended, agreed to.

Bill reported with amendment.

#### DESTRUCTIVE BIRDS AND ANIMALS BILL.

Received from the Legislative Council, and read a first time.

#### CONSTITUTION ACT AMENDMENT BILL.

The Order of the Day for the third reading of this Bill having been read,

MR. LOTON moved that the Bill be recommitted.

Question put and passed.



## IN COMMITTEE.

Clause 1.—Short title, commencement, and division :

THE ATTORNEY GENERAL (Hon. S. Burt) moved, as an amendment, that the word "three" be struck out of the second line, and the word "fourteen" be inserted in lieu thereof. He said the Government had come to the conclusion that there might be some difficulty in keeping the two Houses of Parliament alive, after the passing of this Bill; for after the 18th of October next the Legislative Council would have to be elected, and this clause provided that the Bill should come into operation on that date. But the Government found that it would be impossible to complete the electoral rolls for the Legislative Council in a week or two, this work being likely to occupy some months; and as a Registration Bill had also to be brought in and passed, and, further, as Parliament might have to be called together again in some unforeseen emergency, it was now proposed, in effect, to keep alive the present Council until the issue of writs for the election of a new Council. The electoral provisions for the Council would come into force on the 18th October, and the Government would work under those provisions; but in order that the present Council might not die out on the 18th of October next, and in order that there might still be a Parliament capable of being called together in emergency, if found necessary, it would be requisite to extend the life of the present Council until the issue of writs for the election of a new Council. Then, as to the Legislative Assembly, this Bill provided that the Assembly should be elected on a different franchise, and the constitutional course would be to have a new election as soon as possible after the passing of the Bill. But it was considered to be inconvenient, and perhaps difficult, to have the elections for the two Houses going on at the same time. Therefore, the Government intended to have the Council elections first, and the Assembly elections afterwards. He intended to propose the insertion of a new clause, under the heading of "Part II., Legislative Assembly," in these words:—"This part of the Act shall come into force on and after the dissolution of the present Legislative Assembly."

And, in order that it might not be supposed the Government would delay the dissolution of the present Assembly, he would add to the new clause these words: "Which shall not be delayed beyond"—a date which the committee would be asked to fix. The amendment he now moved was, in effect, to insert "section 14"—this being the new section he proposed to add under Part II.—in lieu of section 3, in Clause 1, as printed.

MR. R. F. SHOLL would have preferred to see the amendment put on the Notice Paper. It would have been better, also, if the Government had shortened the life of the present Assembly, and sent the members to ask their constituents whether the present Bill was approved by them, as this was a Radical measure, which had not, as far as he knew, been approved by the constituencies.

THE PREMIER (Hon. Sir J. Forrest) said some months would be required for preparing the electoral rolls, under the new franchise, and as it would be unconstitutional for the country to be without a Parliament for several months, and there was no knowing what emergency might arise, it might be necessary for the Government to call Parliament together for some urgent business of importance. Therefore it was proposed to prolong the life of the Legislative Council until the new writs were ready to issue. If this course were not taken, the country might be nearly six months without a Parliament, and this would be altogether unconstitutional.

MR. TRAYLEN commended the Government for their wisdom, in the course now proposed.

MR. R. F. SHOLL asked what necessity there was to fix a date, as the Government could dissolve Parliament at any time.

THE PREMIER (Hon. Sir J. Forrest) said a date was not necessary, but the Government would ask the House to fix a date, in order that the dissolution might not be delayed too long.

MR. MOLLOY said the opinion of the country, on this matter, was unmistakable. It was necessary that the new electors who would be enfranchised under this Bill should have the earliest opportunity of giving effect to their wishes, in a general election, and the amendment proposed by

the Attorney General was very reasonable. If, however, the making up of the electoral rolls were hurried unduly, many persons whom this Bill was intended to enfranchise might be left off the rolls.

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

Clause 3.—Commencement of Part I., and Incorporation :

THE ATTORNEY GENERAL (Hon. S. Burt) moved, as an amendment, that the clause be struck out.

Amendment put and passed, and the clause struck out accordingly.

Clause 4.—New Legislative Council :

THE ATTORNEY GENERAL (Hon. S. Burt) moved, as an amendment, that the first four lines be struck out, and that the following words be inserted in lieu thereof:—"The Legislative Council, as constituted by this Act, shall take the place and have all the powers, functions, and privileges of the now subsisting Legislative Council, which shall cease to exist from and after the issue of the writs for the first general election of members to serve in the Legislative Council hereby constituted."

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

Clause 6.—Electoral Divisions :

MR. RICHARDSON moved, as an amendment, that, in accordance with the recommendations of the select committee, the word "seven" be struck out of line 1, and that the word "ten" be inserted in lieu thereof. He said he had reason to anticipate considerable opposition from some sections of the committee, and possibly from the Government also. A moiety of the Press of the colony, at any rate in the South-Western Division, appeared also to be against this recommendation of the select committee which had revised the electoral divisions; and certain newspapers had been doing their best to discredit that committee, and make it appear to be asking for something that was ridiculous and absurd. The newspapers marshalled a lot of figures, and tried to prove the absurdity of the position taken by the select committee, by pointing to the contemptible number of voters residing in the districts to which the committee proposed to give more representation. But notwithstanding the figures and the ingenuity with which they were handled—more ingenuity than

honesty—they were so transparent as to deceive no intelligent person. In fact, the construction put on the question, from the voter's point of view, appeared to be utterly absurd and untenable. It was said the Northern District had only 185 voters, and the Central District had only 499, and yet that these districts had the audacity to claim a representation equal to that of Perth and Fremantle, having 1,560 and 1,112 voters respectively. The inference was that whatever other inhabitants these vast districts had besides those enrolled as voters, those other inhabitants were not entitled to be considered. But the select committee were not seeking to make this a question of North against South. They desired to see the country districts, the producing portions of the colony, the backbone of the colony, represented in the Upper House, as being the conservative Chamber, and a check on hasty legislation. The committee did not ask that the North should have a preponderating voice in the Council. In fact, the committee did not care how the increased representation was allotted, so long as it represented the country districts as the producing portions of the colony. That portion of the population which ought to be considered, and ought to have a voice, was the adult male population, the taxable persons; and though an adult male might not be a voter, he was a contributor to the revenue. The Northern District, which was said to have only 185 voters, had 2,962 males over 21 years of age, and those men were represented by only 185 voters, or one-sixteenth of the adult male population of the district. Coming to the Metropolitan Division, there were only 2,762 male adults, and yet to this district were given three representatives, in the Bill. Therefore the furthest Northern district had a less representation, on the basis of adult male population, than was given to the Metropolitan District on the same basis. The Central District had 2,884 adult males, as compared, say, with Fremantle West, which had only 2,171 adult males; therefore by comparison of the taxable portion of the community, there were actually more people in the two Northern districts, with their less representation, than in the principal city electorates, with their greater representation.

Another phase of the question was this: if only those who happened to be on the electoral roll, having a household qualification, were to be reckoned, what became of the great majority who were not householders, as in the case of those engaged in the pearling industry at the North-West? This mode of representation would leave the pearling industry without representation. Coming to the Eastern Division, an important one—it comprised Northam, York, Toodyay, the Swan, part of the Victoria District, and Yilgarn—this large district had 3,766 male adults. Of these, only 1,132 were registered as voters, and they were to have only three representatives. Thus the Eastern Division had more adult males unrepresented on the rolls than the whole number of adult males in the Metropolitan Division. And yet, when the committee proposed to alter this unfair representation, they were said to be giving to the country districts, and especially to the Northern districts, too much representation. He maintained that the recommendations of the committee were based on a far juster basis of population than that proposed in the Bill. The committee had proposed to divide the Eastern Division into two electorates, giving two representatives to each, making four, instead of three as in the Bill; and that division was justly entitled to the increase. There was another phase of the question, for with reference to the North it was said the committee proposed to give it six representatives, which would be more than it was entitled to on the basis of voters on the roll; but this argument referred to the far North, beyond Roebourne, because the nearer Northern district included the important town of Geraldton, and extended Southward pretty nearly to Perth. The basis of representation being a household qualification, the town voters would swamp the country voters in an electoral district, because so large a proportion of the rural population did not live in houses. The gold-diggers, for instance, would not have votes, they not being householders. The practical effect of all this, in the Central district, meant three representatives for the town of Geraldton, the country voters being swamped; and, without disparaging Geraldton, he said that town would have far more voting power than the rest

of the large country district in which Geraldton was situated. Hence he maintained that the whole of the Northern country districts would be represented by three members and not by six. The Plantagenet Division, in the same way, would be swamped by the town voters at Albany. Therefore, reckoning the town-elected members at three for Albany, three for Geraldton, three for Perth, and three for Fremantle, there would be twelve town-elected members, whose views would be diverse from those representing country electorates. And as the Legislative Council was intended to be a check on the hasty legislation of the Lower House, and as considerable pressure was often brought to bear on the town and city members in times of agitation, which pressure the country members did not feel, the town members were often pressed to vote in such a way that their cooler judgment might not approve, and these members, therefore, could not act as a check on hasty legislation as effectively as country members with their freedom from popular pressure could do. For these reasons, and many others, the country districts should be strongly represented in the Upper House, and their voting strength should not there be so weak as to be swamped by the votes of town-elected members. It was desirable to make the Upper House, by this Bill, even more of a popular Chamber than the Lower House; and, without setting the country against the towns, the fact remained that their interests were diverse, and often clashed. This Bill, instead of discouraging centralisation, would be encouraging it. What was the cause of the trouble in Melbourne? It was the giving of over-representation to the cities, and the country as a whole had had to suffer for this mistake. Now, the cities of Victoria were practically in a state of insolvency, and the country districts were proving to be its only backbone. He quoted an extract from a leading article which had appeared in the Melbourne *Argus* newspaper, in support of this contention, and went on to warn the Government that if they promoted centralisation in this colony, by giving to the towns a preponderating power in the Upper House, the same disastrous consequences might ensue in this colony. He appealed to hon. members to recognise

that the recommendations of the select committee were based on reasonable grounds, and that the apportionment of members would be juster and fairer if based on the proportion of adult taxable males.

THE PREMIER (Hon. Sir J. Forrest) regretted that the Government were unable to support the view set forth by the hon. member, while feeling sure that the hon. member was trying to do the best for the portion of the colony represented by him. [MR. R. F. SHOLL: For the whole colony.] As to setting the towns against the country districts, he had sat in that House and in the old Council many years, but had never noticed the members representing the Metropolitan or the central portion of the colony—the towns of Fremantle and Perth—speaking or voting in any way contrary to the interests of the country districts. Whenever a measure affecting country interests had been brought forward, it had been supported by town representatives. While admitting that the scheme of representation proposed by the Government was not as perfect in every particular as he could desire, yet the objects of the Government were, firstly, to distribute the electoral divisions in such a way as to represent the varied interests; and, secondly, to allot the same number of members to each division, this latter being an important consideration, though not so important as to dominate other considerations. It would be convenient to have one and the same number of members for each electoral division, so that the same proportion in each division should retire every second year, thereby sending to the country, for a fresh choice, seven members each second year, and reconstructing the whole Chamber every six years.

MR. RICHARDSON said that would occur only in the first six years.

THE PREMIER (Hon. Sir J. Forrest) said that would be the regular and invariable course, continuously. He had not calculated how ten divisions would work, but regular elections of seven members, every second year, would be convenient and simple; otherwise it would be impossible to deal with any large public question at one time. Therefore it should be arranged, if possible, that one-third of the members of the Council should retire for each constituency at the same time

every second year. Looking at the distribution of seats for the Upper House, hon. members should necessarily glance also at the subdivisions for the Lower House; and he thought the hon. member for the DeGrey (Mr. Richardson) must admit that in the distribution of the three additional seats for the Upper House, the representatives of the larger towns did not in any way try to press their claims to any great extent. In his own opinion, the subdivision for apportioning the additional members, even for the Lower House, was not all that could be desired, as some parts of the colony had greater representation in the Lower House than other parts. For instance, taking the North and Central divisions for the Upper House, to which six members were to be given, as proposed in the Bill, in the Lower House those divisions would have 12 members, and that was a large representation in proportion to the population, being as 12 to 21.

MR. RICHARDSON said it would be as 12 to 23 for the Lower House.

THE PREMIER (Hon. Sir J. Forrest) said it would be as 12 in the North was to 21 in the South, making 33 altogether. In fact, there would be one member for the North to  $1\frac{3}{4}$  for the South. He agreed that the Eastern Division, which was to return seven members to the Lower House, would not be so well represented in the Upper House as he would like to see, as it would send only three members to the Council, as compared with seven sent to the Assembly; whereas the two Northern divisions, having six members each in the Lower House, would send three each to the Upper House. The Southern parts of the colony would have a better proportion in the Upper than in the Lower House, by sending an equal number to each House. The reason was not far to seek, for if a representative were given to the districts eastward of the Darling Range—to Albany, the Williams, and the Plantagenet—unless they were mixed with those on the South-West coast, they must receive rather more representation than perhaps they were relatively entitled to, with the present population; but it should be remembered that the districts to the eastward of the range were fast increasing in population—[MR. R. F. SHOLL: Decreasing!]  
—and it was hoped that the progress and development of the

lands would take place particularly in that direction. Already there were a great many people living along the Great Southern Railway, as permanent settlers, in comparison with the number a short time ago. Admitting that the plan submitted by the Government was not all he could desire, he preferred it before that proposed by the hon. member for the Gascoyne. He did not like the plan of having many electoral divisions, the desire of the Government being to have electorates for the Upper House extending over considerable areas, so that what might be called parochial politics should not play a prominent part in elections for the Upper House.

MR. RICHARDSON: Only about a hundred million acres in each of them.

THE PREMIER (Hon. Sir J. Forrest) said he could not accept the contention that the town of Geraldton would be able to swamp all the rest of the Central Division, bearing in mind the number of settlers on the Gascoyne and further northward, also the rising towns on the Murchison Goldfields, which would soon assume big proportions. It was argued also that there was a large rural population in that district, but he had yet to learn that rural electors all voted in one way. There were the Greenough, the Irwin, the Upper Irwin, with all the country at the back of Geraldton, being farming districts, and he did not expect the electors there would all vote for or against the town of Geraldton, or vote in the same way. The same argument was applied to the town of Albany, but he could not concede that Albany would be able to control the election of members for the South-Eastern Division; for although persons who were closely connected could act together in elections, yet the town voters could not do as they liked in such extended electorates as were proposed in the Bill. He commended to hon. members the divisions proposed in the Bill. When the Bill was before the House last session, 17 members were proposed for the Upper House; but the present Bill would increase the number to 21 members, in order to make the plan more workable, and in order that the seven electorates might have three members for each.

MR. R. F. SHOLL said he had expected the Government would take this course, yet

he regretted they had not agreed to support the fair and reasonable recommendation of the select committee. The hon. member for the DeGrey had very ably knocked into a cocked hat the misleading arguments put forward by the members for Perth. It was easy for the electors who resided in Perth and Fremantle to get their names placed on the rolls, but in the remote parts of pastoral districts this was most difficult to do. The men engaged in the pearling industry were continually shifting from place to place, yet that was an industry which might fairly have a representative. The Northern portion of the colony, the most valuable part, and comprising certainly three-fourths of the whole area, was apportioned into two electoral divisions, to which the Bill would allot only six members. But besides the representation of population, the colony's industries should be represented; and, taking the industries of these two divisions, the exports from them were more than half the exports of the whole colony. Yet the Bill proposed to give to those districts and their large industries only six members in the Council, as compared with 15 for all the other parts. The annual report of the Collector of Customs showed that the total exports of the colony for 1892 amounted in value to £882,148, made up of eucalyptus and sandalwood oil, valued at £1,430; gold, £226,294, and one-half of the quantity came from the Northern areas; guano, £4,389, all from the North; pearl shell, £79,259, also from the North, and this industry would have no representation at all; copper, £8,696, all from the North; lead, £150; tin, £13,843, all which he allowed to the South, though some was exported from Cossack; sandalwood, £43,870, all which he allowed to the South, although a considerable quantity was shipped from the Geraldton and Gascoyne districts, but he did not include Geraldton as a portion of the North, in this comparison; skins, £36,657, all allowed to the South; timber, £78,000, allowed to the South; and wool, £326,703, of which he claimed three-fourths for the two Northern districts. These figures, apportioned as he had stated, would show that one-half the value of all the exports from the colony were sent from the two Northern electoral divisions. Were they to consider these industries and exports of

no value? He maintained that these two Northern electorates, as proposed in the Bill, would not have sufficient representation as compared with the Southern portion of the colony. The pastoral districts included some of the best agricultural country, also rich mineral fields, the pearling industry, and the guano industry, all exporting large amounts. Therefore, the basis of population should not always be taken as a guide, especially for apportioning the representation in the Upper House. With reference to the towns swamping the country districts, most of the people in the country districts would not be qualified under this Bill. As to the gold-diggers, very few would have a vote; so that, really, the selection of candidates to represent those districts would virtually be made by the population in the towns. The Upper House should represent property, and therefore industries should be considered as well as population. If the Government proposal were carried, it would cause dissatisfaction in the Northern parts; for, being so far removed from the seat of Government, they would feel that they did not get that consideration which they deserved. The Bill, if passed, would have to be altered again very soon, or the agitation against this legislation would become so strong that the Northern people, including Champion Bay, would consider seriously whether it was worth while to be connected with districts which showed so little sympathy towards them.

THE COMMISSIONER OF CROWN LANDS (Hon. W. E. Marmion) said he was amused at the remark as to great dissatisfaction being manifested in the North, if the Bill passed in its present form. Not many people were there to make a noise, if they tried; but what about the dissatisfaction in the centres of population, if the recommendations of the select committee were to be carried into effect? The hon. member who spoke last might possibly have forgotten that in Perth and Fremantle were centered more than a third of the whole population of the colony; and these people, when they raised their voice, could make it heard and felt; and if the recommendations of the select committee were to be carried into effect, their voice would certainly be heard. [MR. R. F. SHOLL: If they were like the hon. member,

they would.] Take one recommendation of the select committee: they recommended that Roebourne and Pilbarra and Ashburton should send two members to the Upper House; but, taking the basis of those qualified to vote under the existing franchise, if those places were entitled to two members, Fremantle would be entitled in the same proportion to 29 members, and Perth would be entitled to 48. Then what became of the argument about a fair proportion of representation? And what became of the Northern noise? That kind of argument was simple nonsense, and those who used it knew it to be so. The Northern advocates ought to be perfectly well satisfied with the representation proposed in the Bill, a representation which was more than fair. They should thank their stars that the South was represented by fair-minded men, who were also interested in the Northern districts, and were willing to give it more representation than it was entitled to on the basis of population. It seemed to him almost a waste of time to discuss this point further. The Northern parts ought to be satisfied, and to be gratified with the representation proposed in the Bill. [MR. SIMPSON: Thank you for nothing.] He ventured to predict that before many years were over the representation now accorded to the Northern districts would be extensively and considerably altered. Let them not rashly draw the attention of the populous towns in the Southern parts, where the numbers and the power were located, to the fact that the Northern districts were numerically so small, because if in the future the South desired to turn the tables against the North, they could do it easily.

MR. CLARKSON said the hon. members who represented the Northern areas should be well satisfied with the Bill. [MR. RICHARDSON: We want to give you another member.] The hon. member for the Gascoyne laid great stress on the comparative exports from the Northern areas, but ought not the Southern areas to be credited with a great deal of produce which, though not exported, was consumed in the colony? That view of the case appeared to be lost sight of, simply because the Southern districts were not credited with the value of this produce in the official statistics of produce exported. The Northern districts carried

on stock farming; the pearling industry was not likely to last many years; the gold-mining population could not be looked on as permanent; therefore the proposals of this Bill appeared very reasonable.

MR. SIMPSON said they had just heard from the hon. member for Toodyay, representing also the Yilgarn goldfields, that his constituents were a shifting population. The remarks of the Commissioner of Crown Lands were mostly noise. That hon. gentleman was always tremendous—more in his noise than in his logic. That hon. gentleman had entirely lost sight of the fact that this was either an unjust or a deformed Bill. For instance, that hon. gentleman was content to sit as a representative of Fremantle, one of three, whose representation was on a certain basis, three out of 33; Perth had the same number, and the two towns had six members out of 33 proposed for the Lower House; but for the Upper House this Bill proposed that Perth and Fremantle together should have six in 21, as compared with six in 33 for the Lower House. Therefore, he asked, which was the just and honest proportion? Was the one proposed for the Lower House a slip, or was the one proposed for the Upper House a mischance? The Premier imagined that by subdividing the colony into seven electorates for the Upper House, the sentiments of the electors would be less parochial than if divided into ten electorates. For himself, he knew of no system by which this could be put to the proof. Speaking in the interests of the whole colony first, and of particular districts afterwards, he maintained that it would be wise and useful to carry out the suggestions of the select committee. It was recommended that the separate representation of Fremantle in the Upper House should be taken away, and be allotted to country districts—he did not care where, so long as they were country districts, because Perth and Fremantle would always be represented in Parliament, whether they had local members or not, as so many members of both Houses resided in those towns.

THE COMMISSIONER OF CROWN LANDS (Hon. W. E. Marmion) said that, as to the last argument, it could be easily answered in this way. The hon. member for Geraldton and the

hon. member for the Gascoyne both resided in Perth, but were they found fighting for the interests of Perth and Fremantle, in that House? No, they were fighting for the interests of the constituencies they represented, and they ignored the interests of Perth and Fremantle.

MR. SOLOMON said that, granting the exports from the Northern districts were considerable, yet what was the value to the country of those lands? Only a few shillings per thousand acres were paid in rental to the Government; whereas a small area in the settled districts or towns returned more to the Government than thousands of acres in the North. The Fremantle electorate, as defined in the Bill, extended 25 miles from end to end, and in that area were some valuable tracts of country. Not only the suburbs, but the allotments in the town, were increasing in value; and it was not fair to Fremantle for members representing the North to propose that the Fremantle district should not send representatives to the Upper House. Were there not industries in the town, such as foundries, tobacco factories, and others? And were they not trying to foster those industries, so that labour might be employed? It was in the centres of population that the numbers were increasing, for was not there a cry that people could not be got to go into the country districts, but preferred to settle in the towns? He felt sure the Government would receive that amount of support, on this question, which their reasonable proposals deserved.

MR. DEHAMEL said he intended to support the Government on this question. It was settled, the other night, that the number of members for the Upper House should be 21, which could be conveniently divided by seven, giving three members to each division. That was a common-sense way of treating the subject, and he would support the Government proposal; whereas, on the recommendation of the select committee, there would be three members for one constituency and two for the others. It would be awkward for members to have a different tenure for different constituencies.

MR. MOLLOY said that, taking the view that property was to be represented in the Upper House, and taking it that Perth and Fremantle contained

one-third of the population of the colony—he asserted that these towns had more than one-third of the wealth of the colony—he failed to see that they would be getting an undue proportion of representation, under this Bill. Considering the proportion which Perth and Fremantle contributed to the revenue, they were entitled to the representation proposed in the Bill, and no more equitable division could be desired. He was one of those who considered that there was no necessity to have an Upper House as a check on what was called the hasty legislation of the Lower House.

MR. LOTON said the main object to be attained in arranging the constituencies to be represented in the Upper House was to place it within the means of the electors to elect men not wholly representing the particular districts for which they were elected, but as far as possible they should represent, and have a full general knowledge of, what was required in the interests of the whole colony. That being so, would they be more likely to obtain such men by dividing the colony into a large number of electorates, or into a smaller number? They should recognise the claims of those parts of the colony where the majority of the population resided. The figures quoted by the hon. member for the DeGrey could not, on sound grounds, be refuted, as to the claims of the particular districts to be thoroughly represented. They had the right to the representation which that hon. member claimed for them. But to look at those claims from that standpoint alone was not sufficiently wide; for the colony contained both producers and consumers, the latter being mainly in the centres of population, and the consumers must have, and were entitled to, representation. The different interests of the colony comprised the Northern interest, mainly pastoral, the mining interest, the agricultural interest, the pearling interest, and the manufacturing interest. If they could arrange to have each of those interests represented, he would be inclined to do so. But if such arrangement were made, would the men concerned in those interests elect only such members as resided in, and were particularly identified with, each of those electoral divisions, knowing what were

their special wants? Did the people do that now? Constituents found a difficulty in obtaining local members, and from the force of circumstances they frequently had to elect, as representatives, the men who resided in or near the centres of population. It happened also that those members who represented such constituencies, while not residing in them, had in many cases as large interests in those constituencies as the people residing there, and in some cases larger interests. What he wanted to see was the entire colony represented, and not men from particular districts. Let there be men in the Upper House who knew something about the various districts of the colony, and not mushroom legislators. He would like to see members having interests in various parts, so that they would see that the districts where their interests lay were properly cared for. Even if the change recommended by the select committee were made, the probability was that the members so elected would mostly be inclined to fight for the interests of their particular districts, rather than for the interests of the whole colony. He preferred to support the Bill.

MR. LEFROY said he ought to be one of the first members to disapprove of the divisions laid down in the Bill, because the towns appeared to have an undue share of the representation in the Upper House; but it seemed to him, after reflection, that the Upper House was to mainly represent property, and as such it did not much matter where the members came from or what part of the colony they represented, as they would sufficiently protect the interests of property, whether representing divisions in the North or in the South. The Northern parts had always received indulgent consideration in Parliament. A large amount of money had been spent there, and a few years ago a very large amount was expended in the Kimberley District, to such an extent that there was a fear that Kimberley was going to ruin the colony. Those interested in the Northern districts need not now fear that their interests would not be duly protected by members representing the Southern districts. The recommendations of the select committee did not appear to be an improvement on those in the Bill.



MR. RICHARDSON took exception to the doctrine that the Upper House was to represent property, and property only. It was to be elected on a property qualification in order to give a more Conservative tone; but he expected that it would endeavour to protect and conserve the interests of the whole colony as much as the Lower House would do. Those members would betray their trust if they did not safeguard, not only the interests of property but the interests, the well-being, the safety, and the prosperity of every individual in the colony. If they did not do so, they should be wiped off the face of the earth.

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

Ayes ...	...	...	7
Noes ...	...	...	16
<hr/>			
Majority against ...	...	...	9

AYES.  
Mr. Harper  
Mr. Monger  
Mr. R. F. Sholl  
Mr. H. W. Sholl  
Mr. Simpson  
Mr. Traylen  
Mr. Richardson (*Teller*).

NOES.  
Mr. Burt  
Mr. DeHamel  
Sir John Forrest  
Mr. A. Forrest  
Mr. Hassell  
Mr. Lefroy  
Mr. Loton  
Mr. Marmion  
Mr. Molloy  
Mr. Pearce  
Mr. Piesse  
Mr. Quinlan  
Mr. Solomon  
Sir J. G. Lee Steere  
Mr. Throssell  
Mr. Clarkson (*Teller*).

Amendment negatived, and the clause passed.

Clause 7.—“Qualification of Members of Legislative Council:”

MR. LOTON moved, as an amendment, that the words “twelve months,” in the second line, be struck out, and the words “three years” be inserted in lieu thereof. He said there was to be no qualification except residence in the colony for a member of either House, and a member might be elected to either House without being even an elector himself. It was desirable, in a House where measures had to be reviewed, that each member in it should, in addition to any experience he might have had in other parts of the world, have had some experience of the politics and the requirements of this colony; therefore this amendment proposed a longer term of residence, by increasing it from one year to three years. The amendment would not debar a candidate from obtain-

ing election to the Lower House, as provided in another part of the Bill.

THE PREMIER (Hon. Sir J. Forrest) said the Government were not prepared to accept the amendment. The principle they proposed was that the electors should be the judges of the fitness of any candidate seeking election; and there was no more reason for requiring a man to be long resident in the colony before he could be elected to the Upper House than for election to the Lower House. In the Commonwealth Bill that was passed by the representatives of the various colonies at the Convention in Sydney; it was agreed by a majority that the representatives of the Senate should have resided five years (he believed that was the period) within the Commonwealth, which meant in any part of Australia, and that the representatives of the Lower House should have resided three years within the Commonwealth, before being eligible. Personally, he voted against that provision, but it was carried by a majority; his own opinion being that a residence of twelve months should be sufficient. A man had to win his spurs before he could obtain election for a constituency; and if a man occupied a responsible position, as a general rule he would have earned it. If elected as a representative, that fact would show he was the best candidate then before the constituency, and that the electors had confidence in him. It was wiser that this principle should be acted on. He believed that none of the other colonies required a longer residence than twelve months. It was best to throw on the electors the responsibility of choice.

MR. R. F. SHOLL: Then why make it twelve months?

THE PREMIER (Hon. Sir J. Forrest) said it was considered expedient to make this condition, though personally he did not put much stress on it. A man should certainly have some experience in the colony, but the fact of his being in it twelve months would not do much good, though the condition pleased many persons. The amendment was prohibitive and unnecessary, and would cause dissatisfaction.

MR. R. F. SHOLL said a man should have been long enough in the colony to identify himself with its interests, and to be capable of judging as to its real

interests, before being eligible for election ; and, that being so, was a residence of twelve months sufficient? He did not think so. Seeing the Radical proclivities of the Government, he was only surprised that the Bill did not propose to turn everything upside down. His experience of members of the Government individually was that they were most Conservative, at heart ; but, in obedience to popular clamour, they were going to sacrifice the welfare of the colony and their own interests.

THE PREMIER (Hon. Sir J. Forrest) : We will be in very good company.

MR. R. F. SHOLL affirmed that if this Bill became law, the Government which proposed it would have committed political suicide, for before many years were over, they would find others sitting in the seats of power.

THE PREMIER (Hon. Sir J. Forrest) : Where will you be then ?

MR. RICHARDSON believed the principle of the amendment was good, whereas the Premier's argument was that a perfect stranger to the colony should be just as eligible for a seat in Parliament as a man who had been in the colony long enough to learn its circumstances. If a new man had sufficient gift of the gab to ingratiate himself with the electors—a new broom swept clean—and if he came here with a little reputation, or had a taking way, the people might elect him on the strength of his promises, before they found out what he was ; whereas if the same man had to be here two or three years before being eligible for election, the people would find out what kind of man he was. Three years might keep a good man out rather too long, and if two years were proposed as an amendment, there might be more support for it. However, he would support the amendment which had been proposed.

THE ATTORNEY GENERAL (Hon. S. Burt) said he was sorry to find the hon. member for the Gascoyne (Mr. R. F. Sholl) had placed himself among the unthinking—if the thinking persons were those who did not make a noise. For himself, he must object to that hon. member's statement that the members of the Government were the most Conservative persons he had come across, and yet had introduced this Radical measure ; for the hon. member must know that, before this

Government was formed, and before its members had an opportunity of expressing their views as a Government on this subject, he (the Attorney General) expressed views perhaps more liberal than were embodied in this Bill ; therefore he protested against the hon. member's assumption that the present Government were, by bringing in this Bill, seeking votes or applause, or were yielding to popular clamour. The idea of the Government was that the choice of representatives should be left to the electors ; and, if they liked to make fools of themselves, let them. He thought the electors would not prefer candidates whom they did not know, and he did not think they would elect a man who had been in the colony only twelve months. That might happen in a particular case ; but why put an obstacle in the way ? These things would right themselves. In deference to the hon. member (Mr. R. F. Sholl), the Government had made the term twelve months, in the Bill. The hon. member was never happy unless he was scolding somebody.

MR. LOTON said his amendment did not depart from the principle of the clause, but only extended the term. As in any profession a man must win his spurs, so in politics a new-comer could not know much about the colony in twelve months.

THE COMMISSIONER OF CROWN LANDS (Hon. W. E. Marmion) said the fact that this colony was a part of Australia, and the fact that many persons who had come and others who were coming were well acquainted with Australian ways and had colonial experience, made it unnecessary that so long a term of residence as three years should be required to qualify for election to Parliament. Twelve months would be long enough to prevent a mere bird of passage from obtaining election, but it would be unreasonable to require a native of Australia to live three years in this colony before he could stand as a candidate for election. The suggestion to make the term two years, if it did not take, might be altered to eighteen months, and so on by a sliding scale, which was rather childish. Persons coming here from other colonies might be able to teach those already here, and not require to be taught.

MR. R. F. SHOLL quoted from *Hansard* an extract from a speech made by the Attorney General last year, to the effect that the tendency of party government was for the opposing parties to bid below each other for popular favour; that was the evil of party government, and it was a form of government he had always detested. Yet the hon. gentleman had been saying, on the present occasion, that he had always advocated this form of government.

THE ATTORNEY GENERAL (HON. S. BURT): I say so this year, too.

MR. R. F. SHOLL: He said now he was never Conservative, yet he said last year it was the worst form of government, and parties were always under-bidding one another.

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

Ayes	...	...	...	9
Noes	...	...	...	14

Majority against ... 5

AYES.

Mr. Clarkson  
Mr. Hassell  
Mr. Lefroy  
Mr. Monger  
Mr. Richardson  
Mr. R. F. Sholl  
Mr. H. W. Sholl  
Sir J. G. Lee Steere  
Mr. Loton (Teller).

NOES.

Mr. Burt  
Sir John Forrest  
Mr. A. Forrest  
Mr. Harper  
Mr. Marmion  
Mr. Molloy  
Mr. Pearse  
Mr. Piesse  
Mr. Quinlan  
Mr. Simpson  
Mr. Solomon  
Mr. Throssell  
Mr. Traylen  
Mr. Paterson (Teller).

Amendment negatived, and the clause passed.

Clause 13.—“Qualification of electors.”

MR. SIMPSON moved, as an amendment, that the words “spinster, widow, or *feme sole*” be inserted in the first line, between the words “man” and “of.” He said that, after the first alarm caused by a proposal of this kind had subsided, he was making another endeavour to place on the Statute-book what would be of great advantage to the colony. He welcomed the Bill, so far as it went; and, seeing the close division there was on the question when raised by an amendment proposed the other evening, it would be graceful on the part of the Government to consent now to incorporate this amendment in the Bill. There had not been a single objection from the Government bench against the admission of female voters. From the Premier they had only the statement that this was not done in

England; but it was not a written law of their procedure that they must not do what had not been done elsewhere. But this Bill proposed a principle not yet adopted in England, namely, manhood suffrage. Why was England the first to abolish slavery? Because the abolition was a good thing for the world. As to the ravings of the Commissioner of Crown Lands, it was sufficient for that hon. gentleman that the proposal was new to him; consequently, it must be a sort of infernal machine, that looked very nice on the outside, but had something dangerous within it. The Attorney General had suggested that the matter was introduced as a joke, but it was a joke with a great deal of grim earnestness at the back of it. The Attorney General had also said there were very few widows in the colony, and that if there were any in the hon. gentleman's own electorate they must be black ones. But he would tell the hon. gentleman that in the Geraldton electorate there were 55 widows with property, who would be able to record an intelligent vote on any political question. The principles of the Bill provided that there should be representation to accompany taxation, and that those who were amenable to the laws should have power to elect those who made the laws. The Bill further provided that all ratepayers whose names were on the roll should have a right to vote under the Constitution Act. Then why not admit the women who paid rates? Some reason should be shown for keeping the right from them. Dare any man in that House say that woman's intelligence was lower than man's?—that her influence for good was not more powerful than man's? Who committed the crime in the world—the women? Take the liquor laws: how great would be woman's influence there! In the labour disputes, how good would be woman's influence in dissipating strikes. The friendly societies, also the benevolent and temperance societies, in which woman took so prominent a part, were factors for good in the world. In Prince Alfred Hospital at Sydney there was a large number of female nurses who gave their time without payment. The universities had been opened to women; also the great legal profession, and that wonderful profession, medicine, with undoubted results, and without a single disadvantage to the

human race. This step had proved a practical success, and had established its claim on them as legislators to give women an opportunity to express their political opinions. It had been tried in America, with distinct and undoubted success. It had purified elections there. A gentleman was sent from England to investigate it, and he reported that it had purified elections, and had purified Parliaments. Herbert Spencer had written his opinion as a philosophical thinker, that the concession of the political franchise to women was unquestionably right and good. John Stuart Mill had written:—"The majority of the women of any class are not likely to differ in political opinion from the majority of the men in the same class, unless the question be one in which the interests of women, as such, are in some way involved; and, if they are so, women require the suffrage as their guarantee of just and equal consideration."

THE PREMIER (Hon. Sir J. Forrest) said there had been already two divisions on the question, and he thought all hon. members had made up their minds as to how they would vote on this amendment. The Government maintained that it would be unwise at present to introduce into the Constitution Act a principle which had not been tried in any other colony or in the Old Country. One would imagine, from the hon. member's remarks, that there was so much to be said in favour of his proposal that nothing could be said against it. If so, one must naturally wonder why the principle had not been universally accepted by all British communities—why a principle so good and so estimable, and against which nothing could be said, had not been adopted by the self-governing colonies of Australia and Canada, and by the mother country also.

MR. RICHARDSON: They have not emerged from slavery, yet.

THE PREMIER (Hon. Sir J. Forrest) said this colony was not as far advanced in political intelligence, or even in freedom of political thought, as many other countries in the world. All that the hon. member had said, except as to a portion of the United States, was pure assumption. To give the franchise to women was quite a new idea, in practice. It had not been tried in any British or Australian community. He did not oppose this

proposal upon any principle. His opposition went thus far, that the plan had not been tried elsewhere, and it would be unwise for this colony to rush into it without grave consideration. It had not been asked for by the persons to whom the amendment would give it. It had never been discussed, either by the Press of the colony or in public meetings. The people of the colony, both men and women, had not indicated what their views were, on this important matter. He admitted it was a great and important principle, which might work for good or the contrary. As to the 55 widows who were said to be in the Geraldton district, and were said to be anxious for votes, had the hon. member for Geraldton (Mr. Simpson) been commissioned to represent those widows, on this occasion, in asking the House to make this great concession? There was no reason why the proposal should be pressed, on this occasion; for if the proposal was so good, and rested upon such a true, and sound, and honourable basis, there could be no fear but that the hon. member, in a short time, would be able to get what he wanted, though he (the Premier) could not agree that it was necessary to add this new principle to the Constitution Act at present. He appealed to those hon. members who were supporting the Government in carrying this Bill, to oppose this proposal, and to defer the matter, at any rate, until next session, by which time, if hon. members were in earnest and the people of the country expressed a wish for legislation in this direction, the matter could be then dealt with. As far as the Government were concerned, and excepting some jocular remarks, they had not tried to exercise any influence over hon. members, upon this question; but he now appealed to hon. members not to interpose this provision in the Bill.

MR. RICHARDSON said this might be a political experiment, and for that reason some members were afraid of it; but he asked whether any assemblage of people, comprising women as well as men, was not, as a rule, better and purer and higher in tone, as a result of the presence of women, and was therefore less likely to descend into grossness or looseness? If so, was that influence for good likely to be either dormant or inoperative in the case of politics? There were a few ques-

tions in which it was desirable that Western Australia should be first; therefore, let this House try to give a lead in the direction of good.

MR. CLARKSON said this matter had been considered since first introduced by the hon. member for Sussex (Mr. Cookworthy). No reasonable objection had yet been offered to it, the only objection being that the plan had not been tried in any part of the British dominions. That argument was not substantial, for a beginning must be made somewhere in every question, and why should not this colony start something good? This would certainly be a step in the right direction.

MR. TRAYLEN said the Premier could have used much more cogent arguments for passing this proposition into law now, than he had used for postponing it for a year. There must be a general election after the Bill passed, and in the next session it might be objected that this proposal, if brought up then, would be again upsetting the political life of the colony.

THE PREMIER (Hon. Sir J. Forrest): Let them wait two or three years.

MR. TRAYLEN said this was exactly what the supporters of this proposal did not want to do. While feeling the importance of the subject, he did not feel able to express in forcible language his feelings on the subject. Women were not despised now, as in the Bible days. They were looked on now as superiors, and they were superiors in a hundred ways. Woman exerted a blessed influence on nearly all that concerned humanity now, and why should some legislators anticipate that women would not use a good and beneficent influence in relation to politics? They had a woman on the Throne. Men understood more about politics than women did; but the great point was this: give woman a vote, and she could exercise greater influence on the community in the direction of temperance. He said: give women votes, because the statutes which men had passed into law were inequitable, and were often degrading, so far as women were concerned. Referring to the statutory penalties for disorderly conduct by female prostitutes, he asked whether the male offenders were not as bad as the females, and why they were not made liable to the same punishment if they wandered about

and behaved roughly. Women should have a chance of effacing these blots from the Statute-book, and of voting for the protection of their own sex. There ought also to be some provisions in the Statute-book that were not there. If he were to refer to certain houses in Murray Street, Perth, what an execrable sum of all infamies was wrapt up in those houses! And women should have an opportunity of saying that such houses should be swept away from the colonies.

MR. MOLLOY said he was more strongly convinced in favour of this principle than when he voted for it previously. He could not regard it as an experiment, for it had been acted upon during a considerable time in the elections for municipal councils, and he failed to see where the difference came in. Judging by the voting of women in municipal representation, it would prove that they exercise the privilege wisely. It was more difficult to obtain a vote from a woman, in municipal affairs, than from a man, because she knew the value of her property, and wished to have it protected, and she practised reticence in respect to her vote, and care in selecting her representative. She ought also to be allowed to give effect to her opinions in the higher sphere of Parliament. It would be oppressive, in some instances, if women were debarred from having their property interests protected—a woman who had property being dependent on herself. She might safely be entrusted with a vote in politics.

MR. R. F. SHOLL said that not a single argument had been used against the proposal. No longer ago than November last, a member of the Government stated that he was in favour of extending the franchise to women. The Attorney General, replying to a question which he put to him in that House, as to whether he would extend the franchise to widows and spinsters, replied: "Certainly." That was on the 29th of November, 1892.

THE ATTORNEY GENERAL (Hon. S. Burt): You have let in the *feme sole* since then.

THE COMMISSIONER OF CROWN LANDS (Hon. W. E. Marmion) said he had been accustomed to hear the remarks of hon. members couched in polite phraseology; but one hon. member, in referring to him, had described certain remarks he

had previously made as "ravings." Possibly he might have said or done something, at some time, to offend that hon. member. He had sat in the Legislature longer than the hon. member for Geraldton, but no hon. member had ever before accused him of raving. That hon. member spoke in an oracular manner, almost as if his speech had been learned by rote, and it was very eloquently expressed. But with regard to the 55 widows with property who had been discovered in that hon. member's electorate, it would be advisable in future for the hon. member's friends to look after him, when he went to Geraldton. It was strange to observe that the mover of this amendment, while anxious to give votes to women having property, had not also given notice to amend sub-section (1) of Clause 21, by giving to every adult female a vote on the same terms as to every adult male, in elections for the Legislative Assembly. No; the hon. member dared not propose that; and would those who supported the present limited proposal go so far as to give full and logical effect to the principle? They were proposing to place some women in a different position from other women, by excluding all those who had no separate property. The good sense of the majority would not allow this novel principle to be introduced into the Bill suddenly, without consideration, and without first eliciting the opinion of the country upon it, or having the opinion of the sex who were to be benefited by it. If the women of the country were to be canvassed on the question, he believed that nine out of every ten would rather not have the right to vote in political elections. Let the women exercise their influence, without the necessity of voting.

MR. QUINLAN said the last speaker had struck the right key-note, in referring to sub-section (1) of Clause 21. In speaking on the question, in a previous debate—and exception had been taken to some of his remarks—he meant to place women on a higher plane than that occupied by men, in saying a woman's proper place was in her home. He had said that with a feeling of the highest respect, knowing they were delicate, weak, and some of them easily led. He did not mean, as the hon. member for Geraldton interjected, that they were to be led astray. Those who believed in the principle

should consistently apply it to all women on the same terms as to all men. When consulting some lady friends on the subject, since the previous debate, he was told he had a good cheek to oppose the granting of a vote to women. As to women taking a managing part in hospitals, a case occurred recently in a Melbourne hospital, where a resident surgeon was wanted, and although some lady doctors were among the applicants for the appointment, yet the managing committee of ladies preferred to appoint a male candidate.

MR. THROSSELL, in supporting the amendment, repudiated the suggestion that the proposal to extend the franchise to women had been first started and supported in that House as a joke. Men of light and leading all over the world had not disdained to take up the subject; and surely it was worthy of being seriously considered in that House. Still he would prefer that the amendment should be withdrawn, for although some time had elapsed since the first discussion on it in that House, yet no outside agitation or outcry had been heard, as a result, in favour of the change. Time was required; but that the extension of the franchise to women would come, he believed assuredly. It would be better for this colony, and for the world, when woman's power in politics influenced the legislation; and that colony which adopted the principle would have no occasion to regret the results. If the amendment were to be pressed to a division, he would consistently vote for it; but he believed it would be wiser, and would strengthen the cause, if the amendment were withdrawn for the present.

MR. LEFROY said the strongest argument against the change was that the women had not asked for it, and it would not be wise to thrust on them a vote which they had not asked for. If, at a future time, the women of the colony asked Parliament to give them a vote, he would be inclined to consent. As to women using their influence against strikes, surely they could do it without having a vote in politics. Women had an equal influence for good, whether they had the political franchise or not. As to women purifying elections, there was a time when the wife of a candidate would give a kiss for a vote. He did not know whether that was a proper way to purify

elections. He hoped the amendment would be withdrawn.

MR. DEHAMEL said that, for consistency, he must vote for the amendment, but he would prefer that, having thoroughly ventilated the subject, and as the Upper House would certainly reject the proposal if passed in this House, under present circumstances, the amendment should be withdrawn. He thoroughly believed in the principle, and he wanted to see the spinsters, widows, and *femes soles* enabled to vote in political elections.

MR. SIMPSON said he would apologise to the Commissioner of Crown Lands for the term he had used, and would be sorry to say anything that might wound the hon. gentleman's tender susceptibilities.

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

Ayes	...	...	...	10
Noes	...	...	...	12
Majority against				2
<hr/>				
AYES.		NOES.		
Mr. Clarkson		Mr. Burt		
Mr. DeHamel		Sir J. Forrest		
Mr. Molloy		Mr. A. Forrest		
Mr. Richardson		Mr. Hassell		
Mr. R. F. Sholl		Mr. Lefroy		
Mr. H. W. Sholl		Mr. Loton		
Sir J. G. Lee Steere		Mr. Marmion		
Mr. Throssell		Mr. Monger		
Mr. Traylen		Mr. Paterson		
Mr. Simpson (Teller).		Mr. Pearse		
		Mr. Solomon		
		Mr. Piesse (Teller).		

Amendment negatived, and the clause passed.

Clause 23.—“Sections 21 and 13 of this Act to take the place of Sections 39 and 53 of the principal Act:”

THE ATTORNEY GENERAL (Hon. S. Burt) moved, as an amendment, that the words “sections twenty-one and thirteen of this Act” be struck out, and that the words “section twenty-one (after the coming into operation of Part II.) and to section twelve of this Act respectively,” be inserted in lieu thereof. He said this was a consequential amendment.

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

Clause 24.—“First Elections under this Act:”

THE ATTORNEY GENERAL (Hon. S. Burt) moved, as an amendment, that the words “Part II of” be inserted between the words “of” and “this.”

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

New Clause:  
THE ATTORNEY GENERAL (Hon. S. Burt) moved that the following new clause be added to the Bill, and stand as Clause 14: “This part of this Act shall come into force on and after the dissolution of the present Legislative Assembly:”

Question put and passed, and the clause added to the Bill.

Ordered—That in consequence of the striking out of one clause and the insertion of another, the Bill be renumbered where necessary.

First Schedule.—“Time when repeal takes effect; extent of repeal:”

THE PREMIER (Hon. Sir J. Forrest) moved, as an amendment, that the words “Nelson, Sussex,” be inserted after the word “Swan,” under the heading “Extent of Repeal.”

Amendment put and passed, and the schedule, as amended, agreed to.

Bill reported with further amendments.

ADJOURNMENT.  
The House adjourned at 11.25 p.m.

Legislative Council,  
Thursday, 10th August, 1893.

Perth-Bunbury Railway: completion of—Post Office Savings Bank Bill: third reading—Post and Telegraph Bill: second reading—Excess Bill, 1892: second reading: committee—Adjournment.

THE PRESIDENT (Hon. Sir G. Shenton) took the chair at 4.30 o'clock p.m.

PRAYERS.

PERTH-BUNBURY RAILWAY—COMPLETION OF.

THE HON. J. W. HACKETT asked the Colonial Secretary:—(1.) What was the date fixed for the completion of the final contract for the construction of the Perth-