

without calling hon. members, and would take it that members were satisfied with the boundaries of their districts, unless they heard from them to the contrary.

ADJOURNMENT.

The House adjourned at ten minutes past 3 o'clock p.m.

Legislative Assembly,

Manday, 5th December, 1892.

Postponement of Repayment of Midland Guarantee—Scale of Tolls on Midland Railway—Increase of Train Service on Midland Railway—Further Construction of Road at the Greenough—Lengthening of South Jetty, Fremantle—Establishment of Agricultural College and Experimental Farm—Message from His Excellency re Bonus for Shaft-sinking on Goldfields—Safety of Defences Bill: Legislative Council's Amendment—Public Institutions and Friendly Societies Lands Improvement Bill: second reading—Police Act, 1891, Amendment Bill; in committee—Excess Bill, 1891: in committee—Constitution Act Amendment Bill: further considered in committee—Adjournment.

The SPEAKER took the chair at 7-30 p.m.

PRAYERS.

MIDLAND RAILWAY COMPANY: POSTPONEMENT OF REPAYMENT OF GOVERNMENT GUARANTEE.

MR. DEHAMEL: I wish to ask the Colonial Treasurer whether the Government have arranged with the National Bank of Australasia to allow the repayment of the £60,000 advanced by the said Bank to the Midland Railway Company to stand over for six months? And if so—

- (a.) From what date?
- (b.) Upon what terms? and
- (c.) Whether such arrangement (if any) is verbal or in writing?

THE PREMIER (Hon. Sir J. Forrest): The Government has arranged with the National Bank of Australasia to allow the repayment of the £60,000 advanced by the Bank to the Midland Railway Com-

pany, on the guarantee of the Government, to stand over for six months from the 6th November last. The Government has guaranteed the interest at the rate of six per cent. per annum. The arrangement was in writing, and the correspondence is herewith attached:—

Premier's Office,
Perth, 5th November, 1892.

SIR,—With reference to the £60,000 due to your Bank by the Midland Railway Company on the 6th, and for which this Government is guarantee, I beg to inform you that I have been asked by the Midland Railway Company to renew the guarantee "for such reasonable time as will enable the Company to provide for the repayment."*

2. I will therefore be obliged if you will forbear to press for the payment of the amount for a further six months, and in consideration of your doing so the Government will guarantee interest upon the amount at 6 per cent. on the principal amount of £60,000 from the 6th inst.

I have, &c.,

(Sd.) JOHN FORREST,
Premier.

The Manager the National Bank of Australasia, Perth.

*Vide letter of November 3rd, 1892, already in printed correspondence, Par. 3.

The Honorable the Premier, Western Australia.

The National Bank of Australasia,
Perth, 7th November, 1892.

SIR,—I beg to acknowledge your letter of 5th inst., informing me that the Midland Railway Company have asked you to renew the Government Guarantee for £60,000, due 6th inst. to National Bank of Australasia, for a further term of six months. The Guarantee to bear interest at the rate of 6 per cent. per annum from the proposed date of renewal.

In reply, I beg to inform you that this Bank will agree to the extension of the Government Guarantee for the six months, on the above terms.

I have, &c.,

(Sd.) H. R. ENGLAND,
Manager.

SCALE OF TOLLS ON MIDLAND RAILWAY.

MR. LOTON, in accordance with notice, asked the Commissioner of Railways,—(1.) Whether the scale of tolls for the conveyance of passengers and goods on the Midland Railway was approved of by the Government? If so, what were the reasons that induced the Government to approve of a scale of tolls so much in excess of that charged on the

Eastern Railway? (2.) Would the Government take the necessary measures to have the scale of tolls reduced?

THE COMMISSIONER OF RAILWAYS (Hon. H. W. Venn): The tolls on the Midland Railway have been considered and informally approved by the Commissioner of Railways. The reason is that the line, being an incompleted one, costing the contractor extra heavy working expenses at two ends of a railway, the Commissioner considered the rates reasonable and fair for such broken service. There is no clause in the contract which says the tolls shall be on the basis of the Eastern Railway; it only says they shall not be less than the Eastern Railway. There is no intention at present, until the line is completed, to insist upon an alteration of the tolls.

INCREASE OF TRAIN SERVICE ON MIDLAND RAILWAY.

MR. LOTON, in accordance with notice, asked the Commissioner of Railways whether the Government intended to urge upon the Midland Railway Company the necessity of running a train in each direction on the line of railway opened, daily or not less than three times per week, as provided under clause 39 of the contract?

THE COMMISSIONER OF RAILWAYS (Hon. H. W. Venn) replied that the Government intended very shortly to call upon the Midland Railway Company to run three trains weekly.

FURTHER CONSTRUCTION OF GREENOUGH ROADS.

MR. TRAYLEN, in accordance with notice, asked the Director of Public Works when a further sum of loan money would be available for the further construction of the road to the Greenough Crossing and the approaches to Walkaway Station.

THE DIRECTOR OF PUBLIC WORKS (Hon. H. W. Venn) replied that the Government was considering the matter, and hoped to make some provision on the Estimates for 1893, either out of the general vote (Roads and Bridges) or by a special vote.

LENGTHENING OF SOUTH JETTY, FREMANTLE.

MR. SOLOMON, in accordance with notice, asked the Director of Public

Works whether any report from the Harbor Master had been received by the Government respecting the lengthening of the South Jetty at Fremantle, used by coasting vessels and lighters; and, if so, was it the intention of the Government, with a view of carrying out any suggestions made, to place a sum on the Estimates for 1893 for such purpose?

THE DIRECTOR OF PUBLIC WORKS (Hon. H. W. Venn) replied that there was no intention on the part of the Government to lengthen the South Jetty at Fremantle, at present.

ESTABLISHMENT OF AN AGRICULTURAL COLLEGE AND EXPERIMENTAL FARM.

MR. THROSSELL, in accordance with notice, moved, "That in the opinion of this House the time has arrived when, in the interests of agriculture, the Government should take steps to establish an Agricultural College and Experimental Farm." He thought it would be generally admitted that one of the growing and most pressing wants of this colony, at the present time, was some means of providing what he might call a system of higher education in agriculture. This had already been recognised in some degree, by that House, during the present session, in the motion it had already passed in favor of disseminating more practical and scientific information with regard to the agricultural industry. He thought that the establishment of an Agricultural College was another step in the same direction, and a step that must result in very beneficial results. He did not propose for a moment that in this colony, at present, we should embark in any costly scheme, involving the erection of elaborate buildings, and an expensive establishment; on the contrary, he thought we should be content with making a small beginning, and attaining practical results, by such methods as were well within our means. He thought the time had arrived when at any rate we should make a beginning, more especially in view of the scheme of agricultural settlement which had been brought forward by the Government. Combined with agriculture they should also do all they could to encourage fruit culture. He thought nothing would tend more to the progress and pros-

perity of the colony than the development of these industries on some systematic and intelligent, and at the same time, practical basis. With this object in view his idea was that an area of suitable land should be secured for this purpose in some convenient locality, than which he thought none would be more suitable than the Eastern Districts, somewhere on the banks of the Avon, in the vicinity of York or Northam. In view of the construction of the railway to Yilgarn, possibly some site (such as the Meckering area) might be suggested on the route of that line, so that those who ran might read. In any case, wherever it might be decided upon to establish this farm, he thought all would agree that it was a very desirable and necessary institution. Living as he did in an agricultural district, and coming in contact as he did with a number of visitors who came here to have a look at the country with a view to throwing in their lot with us if satisfied as to the capabilities of the colony, he had often been struck by the fact that one of the first inquiries made by these visitors was whether we had not some place where they could have a practical demonstration of what the soil and climate of the colony was capable, under proper management. The admission, however humiliating, had to be made that we have no such a place in the colony. They all knew that in the other colonies institutions of this kind had been established, and been attended with the most gratifying success. Some of our own West Australian boys had already been sent to these institutions, in the absence of an establishment of the kind. This showed that there was a growing want for an institution of this character in our own colony, where the youth of the colony who intended to apply themselves to agriculture could have a practical training, and where our farmers could see with their own eyes what the land was capable of, under judicious, systematic, and scientific treatment. In fact it seemed to him that if we expected to have the agricultural industry successfully developed we must have resort to an institution of this kind, and the sooner the better we took some practical steps in that direction. There was a general inquiry now for such an establishment, and he believed that if the Government took the initial step by placing a small sum

on the Estimates to start with—which might be increased year by year until the establishment became self-supporting—it would meet with the support and approval of the country at large. It was wanted not only to give our boys a practical and intelligent training, but also (as he had already said) to afford visitors ocular demonstration of the capabilities of our soil. No elaborate buildings would be required; he deprecated any very large expenditure in that direction, such as the other colonies had incurred. What was wanted was a really suitable piece of land, conveniently adjacent to a railway, sufficiently near the centres of population to enable those interested in the experiment to go there every day, and, above all things, a thoroughly practical man at the head of the concern. He believed that a suitable area could be procured in the York or Northam district, on the banks of the Avon, for this purpose. Some years back a motion of a similar kind was brought forward by the hon. member for Beverley, but he thought that such a large area of land as was suggested on that occasion, 5,000 acres, was altogether unnecessary. He should think that about 500 acres would be sufficient to start with. He was not, however, now dealing with the question in detail. What he wished to impress upon the House and the Government was that the time had arrived when some attempt should be made in this direction. The Premier told them the other night, on the authority of Dean Swift, that the man who caused two blades of grass to grow where only one had grown before was one of the greatest benefactors the country could have. No doubt there was much truth in that; and what was wanted was the knowledge how to make these two blades grow. This was just the kind of knowledge which an Agricultural College or Experimental Farm would supply. He thought he had said enough, without elaborating the subject, to show the importance of taking the initial step in this direction, and of providing an instructive object lesson, not only to strangers visiting our shores, but also to our own youth who propose embarking in agricultural pursuits, and to show our farmers what may be accomplished by going to work intelligently

and systematically. He had no wish to force the hands of the Government in this matter; his present object was merely to draw their attention to the necessity of some action being taken in the direction indicated in his motion.

MR. CLARKSON thought the object in view was a very desirable one, and he had very much pleasure in seconding the motion.

MR. HARPER said he too had very much pleasure in supporting the motion. He felt sure that if the Government would take the initiative steps in giving practical effect to the resolution, it would prove of the highest importance to the colony. As he remarked the other night, there were many subjects connected with the culture of the soil, and with the diseases of plant and animal life, upon which we required practical information, but which information was beyond the reach of individual colonists. What we wanted was to be able to profit by the experience of other countries who could better afford the time and the money necessary in gaining this practical experience. He thought that information based upon the teachings of experience in the same direction in other parts of the world could not fail to be of the utmost practical benefit to our own agriculturists. He would suggest, as a start, that some really capable person should travel through the country, delivering lectures on such subjects as would be likely to advance and improve our agriculture and to interest our settlers, and put them on the right track.

MR. RICHARDSON was quite in accord with the principle of the resolution, but of course a great deal of latitude must be allowed as regards the details of it. He did not think we were quite ripe or ready—and probably the Government recognised the fact that we did not wish—to launch into any large expenditure, and what he might call a full-fledged Agricultural College, with elaborate buildings and an expensive staff. He thought that would be a little ahead of our present circumstances. At the same time he thought a beginning might be made. Probably, at first, the principal or director of this Agricultural College would be more profitably employed in itinerating about the country, so as to give our various agricultural centres an oppor-

tunity of profiting by his lectures and instruction; and this establishment at first would be in the nature of being merely the nucleus of what in the future might develop into a large and important establishment. He must join issue with the hon. member when he suggested that only a small area of land would be required for this purpose. On the contrary, he thought we should require a very considerable area, to make an experiment of any use and a success. A small area might do to start with, so far as experimental agriculture was concerned; but he thought that, in connection with an institution of this kind, opportunities should also be afforded for obtaining practical information as to the best means to be adopted in the management of stock, and other branches. He also thought it was desirable that this institution should, as soon as practicable, be established on sound commercial principles, and become self-supporting. Unless we could do this, it would be pointed out as a practical failure, for, what was wanted, in addition to affording instruction, was to show our people that agriculture and stock raising, carried on systematically and scientifically, could be made paying concerns.

MR. R. F. SHOLL said the motion was not very explicit, and, so far as that House was concerned, he did not think anyone had any idea at present what the motion involved. It was very vague. He thought that when a member came forward with a proposal of this kind, he should be prepared with some definite scheme and definite information, and to give the House some idea as to the probable cost of carrying out the scheme, the quantity of land required, the best locality for it, and the annual upkeep of such an establishment. Then, again, it must be borne in mind that this colony varied very much both as regards the soil and the climate; and an experimental farm that might be very useful in the Southern parts of the colony would be of no value so far as the more Northern and other districts were concerned. The system of farming that might be admirably adapted for one part of the country would be absolutely useless in other parts. These were questions which the House should carefully consider before asking the Government to incur any expenditure

in this direction. He thought the hon. member, if he expected them to act upon this resolution, should give them something more definite than a bald resolution of this kind. Probably the matter was one that might be referred to a select committee, so as to elicit some further and more detailed information, which he thought the House ought to have before committing itself to this proposal.

MR. SIMPSON, while entirely sympathising with a great deal of what had fallen from the hon. member for the Gascoyne, thought that as the resolution was only put forward in a tentative sort of way, and merely as a suggestion to the Government to take some action in the matter, without any wish to commit them to the details of the scheme, the House might consent to the passing of the motion. He was entirely in sympathy with the object in view and with the desire which animated the hon. member who had brought the matter forward.

MR. A. FORREST said it was his intention to support the motion, because he considered it a move in the right direction. They all knew that an establishment of this kind, which existed in South Australia, was one of the most useful and successful institutions in the colony, and one that was bearing good fruit. Some of our own young men had been there, and had come back with new ideas altogether as to farming and agriculture generally. He agreed, however, with the hon. member for the De Grey that the area set apart for this purpose should not be too small, because it was necessary not only to go in for agricultural but also pastoral instruction, so that a lad when he left this institution should be well up not only in matters connected with the farm but also with the station. He should say that at least 5,000 acres would be required. It need not necessarily be all used at the start, but, as their operations extended, so also would they require more land. As to the Meckering Area being a suitable spot for such an establishment, he did not agree with that idea. He thought we ought to go somewhere where there is a better rainfall, either down South or somewhere along the Great Southern Railway, where there was a rainfall that could be relied on, and where agricultural experiments of all kind could be carried

on. He hoped the Government would offer no objection to the resolution, for it was in the interests of the colony that agriculture should be carried on in the most scientific and economical way possible, if we hoped to be able to compete with other parts of the world in wheat-growing and other cultures. The motion had his entire support.

THE COMMISSIONER OF RAILWAYS (Hon. H. W. Venn) would like to say a few words on this subject, and, in doing so, he believed he was to a large extent expressing the feeling of the Government with regard to the matter. The Government were very glad indeed to see the House taking some interest in this question, because for some years past he and others had moved, at different times, in this direction, and suggested that areas should be set apart for this purpose. He thought, however, the resolution should have been a little more definite, so as to give the Government some inkling as to what was really contemplated, and some idea as to the cost, and as to what amount of expenditure the House would be prepared to sanction. If the Government were furnished with the views of the House on these points, and not merely a bare abstract resolution, they would be prepared to bring down some definite scheme for consideration. He had given this question a great deal of thought, himself, and he believed the hon. member for the De Grey had also done so; and the conclusion he had come to was that such an institution as this could not be established and maintained, to be of any practical value, without entailing considerable expenditure. The thing must be done properly, and it must be supported liberally, and they must go to work earnestly, or it would simply result in failure, and the scheme must fall to the ground. If established on a sound basis, he believed such an institution might eventually become self-supporting, though he thought we should not expect that for some considerable time to come. But if the House would be prepared to vote some definite sum—say £2,000 or £3,000, or more—for the establishment of such an institution, and be prepared to further vote an annual sum for its support, the Government would be prepared to bring down some scheme for giving effect to the wish

of the House. But, until they had some more definite expression as to the desire of the House than a bare resolution of this kind, and some inkling as to the expenditure the House would be prepared to sanction, he did not see what practical steps the Government could be expected to take in the matter.

Motion—put and passed.

BONUS FOR DEEP SHAFT SINKING ON GOLDFIELDS.

The following Message was received from His Excellency the Governor:—

"In accordance with the provisions of 'Section 67 of 'The Constitution Act,' the Governor submits the following proposal for the consideration of the Legislative Assembly:—

"That a bonus of £5 per foot be offered to any person or company, who, during the year 1893, shall sink a shaft on any of the declared goldfields of the colony, between the depths of 200 and 300 feet from the surface, in accordance with regulations to be published.

"Government House, Perth, December 5th, 1892."

Ordered—That the consideration in committee of His Excellency's Message be made an Order of the Day for Tuesday, 6th December.

SAFETY OF DEFENCES BILL. LEGISLATIVE COUNCIL'S AMENDMENT.

THE PREMIER (Hon. Sir J. Forrest), without comment, moved that the amendment made by the Legislative Council in this Bill (to insert in clause 1 the words "but such permission may be revoked by the Minister at any time")—*vide p. 279, ante*—be agreed to.

Put and passed.

PUBLIC INSTITUTIONS AND FRIENDLY SOCIETIES LANDS IMPROVEMENT BILL.

SECOND READING.

THE ATTORNEY GENERAL (Hon. S. Burt): I rise to ask members to read this Bill a second time. It is entitled "An Act to empower Trustees of certain Public and other Institutions to raise Money on Lands by way of Mortgage." It will be seen by the preamble that we propose to empower the trustees of such associations as public libraries, public

museums, working men's institutes, lodges of freemasons and oddfellows, and also friendly societies established under the Friendly Societies Act, to borrow money on any property they may have acquired by purchase among themselves, and also upon property which the Crown may have given them for the purpose of carrying out the object for which these institutions were established. It very often has happened in the past that the trustees of some of these institutions have made application to the Government for permission to mortgage their lands, for the purpose of improving them; and a difficulty has always arisen in granting this permission, because the deeds of grant under which the property was given to them did not empower them to mortgage the property; and the consequence has been that several little Bills giving trustees this power have had to be brought forward from time to time, and passed by the Legislature. I remember one such Bill in connection with the Albany Mechanics' Institute, another in connection with the Oddfellows' Lodge at Perth, and, I believe, Fremantle; and other Bills have been passed dealing with other institutions in the same way, enabling the trustees to borrow on mortgage. At the present moment other applications of the same kind are before the Government, and it is considered desirable to have one general measure applying to all these cases, instead of bringing in a Bill for each separate institution when it wants to exercise this power. It will be seen by the Bill that in respect of lands which these institutions have acquired by purchase, power is given the trustees to mortgage those lands, with the concurrence of three-fourths of the members of the institution concerned, voting at a properly constituted meeting. But, with regard to land they have acquired from the Crown, it is required that, in addition to the concurrence of the majority of the members, they must also have the consent of the Governor in Council before they can proceed to mortgage the property. I think that with these safeguards we may safely give these institutions power to borrow money by way of mortgage. That is all that the Bill provides for; and I think, myself, it will be a very useful little Bill. I may add that, in committee, I propose to extend this

power—although it may be said to apply to such bodies as it is, but in order to make it clearer I propose to extend the power, specially to agricultural societies, as well as the societies that are now named in the Bill.

Motion—put and passed.

Bill read a second time.

POLICE ACT, 1892, AMENDMENT BILL.

The House went into committee on this Bill.

Clause 1.—Short title :

Put and passed.

Clause 2.—Legalising wheel totalisator on racecourses :

Put and passed, without comment.

Clause 3.—Repeal of section 93 of the Principal Act, relating to sweeps, consultations, lotteries, &c. :

THE ATTORNEY GENERAL (Hon. S. Burt) did not know whether the committee intended to repeal this section or not. Of course if they really meant to do it, it was in their power to do so. But it was as well to draw attention to the subject. This was the section that prohibited lotteries; and, as he had said on a former occasion, it was the law in every English-speaking country, and he did not see why we, in this colony, should depart from the usual law prevailing in all the other colonies as well as in England. It did not prevent lotteries being authorised, but it placed them within the control of the State; and he did not think the committee would be doing a wise thing to remove public gambling from the control of the State. This Bill already permitted the use of the wheel totalisator on racecourses, during race days, and he should think that ought to satisfy most people. But to repeal this clause 93, he, for one, should certainly object to it. He did not want to thrust his opinion down the throats of the committee in any way; he simply rose to point out that if this clause were repealed there would be no law in this colony against lotteries of any kind.

MR. RICHARDSON asked if the Attorney General had any definite amendment to move?

THE ATTORNEY GENERAL (Hon. S. Burt) said no; he should simply vote against the clause when it was put. But he intended asking to report pro-

gress, as he had some other clauses to introduce, with which he was not prepared at the present moment.

MR. RICHARDSON said that until the Attorney General gave them some further information, he thought the committee was in the dark as to the ultimate effect of repealing the clause. They were told that it was the law in other countries, and it seemed to him that we were setting ourselves up as being a great deal wiser than other countries were, if we repealed this law. There must be some good reason for the existence of such a law.

MR. R. F. SHOLL said it appeared from the existing law that they could have as many lotteries as they liked, with the consent of the Attorney General, so long as they were held for Church purposes or charitable purposes. If they could have them for these purposes, he did not see why they should not have them for other purposes, and, for his own part, he could see no harm in making these lotteries, sweeps, and all that sort of rubbish, legal.

MR. A. FORREST said these lotteries, if legalised, would have the effect of keeping a lot of money in the colony. At present, they all knew, a large amount of money was sent out of the country every year for sweeps. People would gamble, whatever you did; it was the same all over the world, and, if you did not allow them to spend their money in the colony, they would simply send it somewhere else, to fill the sweeps got up in Sydney. Did they not see columns of advertisements in the local papers about these sweeps, and did they not know that thousands of pounds were sent out of the colony to New South Wales to help to fill these sweeps? Why should not this money be kept in the colony? It was useless trying to put down these lotteries by enactment. They knew they were carried on in Perth now, and the authorities winked at them. What was the good of having a law that was only winked at? When this clause in the principal Act was passed last session, he did not think anyone in the House, except the Attorney General, had ever read it. It might be unpopular in some quarters for a member to get up and advocate gambling; but he did not mind that. Human life was made up of one big gamble. What was the difference

between gambling on the racecourse and gambling on the exchange, or gambling in business? What was the difference between gambling on a horse and gambling in mines, or gambling in land, or speculating in shares? It was all done in the hope of making money, without working for it. The world was made up of one huge gamble, and, unless you changed human nature, you could not put a stop to it.

MR. LEFROY said that as one who was not a member of the House when this law was passed, he must say it appeared to him rather a strange thing that they should now, only twelve months afterwards, be asked to repeal it. He had searched *Hansard*, and it appeared to him that this clause had passed both Houses without any opposition at all. [AN HON. MEMBER: It was rushed through at the last moment.] He was sorry to hear that. He did not think it was worthy of a deliberative assembly. He hardly thought it was right to say that this particular clause was rushed through, for there appeared to have been considerable discussion upon it. They were told that the same law obtained in England, and also in the other colonies, and surely there must be some good reason for it. The Attorney General, who ought to be the one to advise them on this matter, asked them not to repeal the clause; and he thought some attention should be paid to that advice. It had been said that it was no good legislating against gambling. They might as well say it was no good legislating against drunkenness or any other vice. It was often said that you could not make a man sober by Act of Parliament; and that might be true. But that did not prevent us from legislating on the subject, and punishing the man who got drunk. It was the same against other vices. Society must be protected in some way, and it appeared to him that this gambling spirit, unless it was checked, became a most pernicious habit. This law, which prevailed in the mother country and other countries, must have been carefully thought out in the Legislatures of those places, and he hoped members would pause before they did away with it here. There could be no harm in innocent little lotteries, carried on with small slips of paper, and he understood it was not intended

to suppress these; but it was very necessary that there should be some check upon its going too far, and that the State should have the power to interfere, if necessary, to prevent gambling becoming a national vice. He therefore thought it would be a pity to repeal this section entirely, though he must confess he was unable to see why lotteries should be allowed for Church purposes, and for no other purpose.

MR. DEHAMEL said the hon. member for the Moore (Mr. Lefroy) was not in the House when this section was passed, or he would have known that the Bill was rushed through at the fag end of a long session, and he (Mr. DeHamel) for one had asked that, after the Bill was read a second time and the principle of the Bill confirmed, it should then stand over; and the reason he gave for doing this was that there were not five members in the House who had read the Bill. When an objection was now made to a proposal to repeal this clause, they might reasonably expect to hear some reasonable and solid grounds urged in support of the objection; but all they had heard from the Attorney General was the old parrot-cry that the same clause existed in England and in some of the other colonies; and, because it appeared here, there, and everywhere, we ought to have it thrust down our throats. He was one of those who did not believe in this grandmotherly legislation. We ought to give reasonable people a reasonable amount of liberty of action, and he should have much pleasure in supporting the repeal of this clause.

THE COMMISSIONER OF CROWN LANDS (Hon. W. E. Marmion) said the hon. member for West Kimberley's reason for voting for the repeal of the clause was because it would prevent money being sent out of the colony to fill sweeps in Sydney. The hon. member must surely know in his heart that, whether this clause was repealed or not, people in this colony would still send their money to the other colonies, just in the same way. He would tell the hon. member why—because the attractions offered were greater. The prizes offered were bigger, and the temptation was consequently greater, in such big sweeps as Tattersall's and Miller's, with which no doubt the hon. member was acquainted, and in

which people of all classes in this colony invested their money—he was sorry to say, with very little success. The hon. member for the Gascoyne said he could not see why lotteries should be permitted for Church or charitable purposes, and not be permitted for every other purpose. That was tantamount to saying that a thing should not be allowed for a good purpose unless it was also allowed for a bad purpose. [MR. SHOLL: No, no.] That was the hon. member's argument in a nutshell. Because we allowed it to be done for religious or charitable objects, we should also allow it to be done for irreligious and uncharitable objects. He could not agree with the hon. member's argument. People attended these bazaars and lotteries with the full intention of spending a little money in aid of a good object, and not for the purpose of gratifying a taste for gambling; and no harm was done. But it was a very different thing to allow lotteries and sweeps to be got up indiscriminately, simply for purposes of gambling. This was the evil which the Act sought to check, and he thought it was very desirable there should be some power given to check it. He thought the Government, in allowing the second clause of this Bill to pass, sanctioning the use of the wheel totalisator on race courses held under the auspices of the West Australian Turf Club, had met all the reasonable wishes of the public, and that there was no necessity for going any further, and giving a free license for gambling in all directions.

MR. RICHARDSON thought some of the arguments which had been urged were somewhat peculiar. One argument was that because it was impossible to stop gambling altogether, no attempt should be made to restrict it, or keep it within reasonable grounds. Gambling was not the only vice peculiar to weak human nature which could not be entirely stopped by legislation; but, if the argument was good in the one case it was good in the other. It was impossible to stop some people from getting drunk, and others from thieving, and others from committing other vices; but, surely, no one in his senses would argue that, for that reason, we should give these people a free hand to indulge in these vices. We should soon have a model

State if we did. And, if we were to allow an unlimited license for gambling, he was afraid the evil would soon grow to such dimensions that the place would become too hot even for those who advocated the repeal of this clause.

THE ATTORNEY GENERAL (Hon. S. Burt) said some members apparently did not understand what the real object of the clause was. It was not intended to prohibit innocent shilling lotteries or 5s. sweeps, got up privately. He did not think these came within the purview of the section at all; and he should like to ask in what way did the clause interfere with the personal liberty of any individual.

MR. MONGER: What about the Commissioner of Railways?

THE ATTORNEY GENERAL (Hon. S. Burt) said the clause did not interfere with the Commissioner of Railways or any other hon. member, who could get up as many shilling sweeps as he liked among his friends. He believed some foolish attempt had been made in one case to start a prosecution, but better sense afterwards prevailed, and no judgment of the Court was taken as to whether the action of his hon. friend came within the four corners of the section or not. This was not what was aimed at by this section. What was aimed at was the prevention of public and unlimited gambling being carried on without check or control. If this section were repealed, what would be the result? Public lotteries would be of everyday occurrence, and people would do nothing but gamble. We should have sweeps, and consultations, and grand distributions of prizes advertised every day. If there was a grand hotel, or some other big building, which the owner perhaps had some difficulty in getting off his hands, up would start a lottery, and deluded people would invest their pound or couple of pounds in it; and we should have nothing but lotteries in every direction. The whole place would be pervaded with a spirit of gambling, and no one would care to do any honest work at all. Did that House wish to remove every restraint away from weak men who were given to this dangerous spirit of gambling? It was not expected—no one expected it—that this clause or any other clause would stop this evil altogether. No one

professed that it would. No one would think of attempting such a Herculean task as that. But that was no reason why we should not endeavor to check the evil, and prevent it from becoming a public nuisance. That was the object of the section. We did not proceed against the drunkard until he made himself a nuisance to the public, and it would be just the same with gambling. But it was necessary they should have power to deal with the evil, just as it was necessary they should have power to deal with drunkenness. Card-playing was prohibited in the Act as well as lotteries, but did they not all play cards as much as ever? [MR. R. F. SHOLL: Certainly not.] Certainly yes. And who would think of interfering? But, who would like to see gambling, in the way of card playing or lotteries, becoming a public pastime in Western Australia, with no check at all upon it? There was nothing to be frightened about in the clause. There was nothing new in it. The select committee of the other House, where this Police Bill was introduced, adopted the clause word for word from the Melbourne Act. Surely there was sufficient gambling going on in Melbourne, notwithstanding this clause. The clause was simply intended to give the Government power to deal with the evil when it developed into a public nuisance, or a menace to public morality. It was not intended to prohibit small private sweeps for a shilling or half-a-crown, but to prevent the spread of a wholesale spirit of public gambling,—a power which existed in all English-speaking communities.

MR. R. F. SHOLL said the Attorney General forgot that West Australians were a very law-abiding community, and, if they found a law on their Statute Book, they liked to obey it, and not make a dead letter of it. This clause either prohibited lotteries or sanctioned them; which was it? If it was the law of the land that lotteries and sweeps were prohibited, then, if the law was infringed, it was the duty of the police to prosecute, and not to wink at this infringement. Whether this was the law in Victoria or anywhere else, so long as it was the law here, lotteries of all kinds should, be strictly forbidden, and the police should be instructed to do their duty, with-

out fear or favor. He did not believe in having Acts on the Statute Book that were virtually a dead letter. For his own part, if these lotteries were to be allowed for Church purposes, they should be allowed for other purposes. He did not see more harm in raffling a pig, or a house, or a grant of land, than in raffling an antimacassar, if people wished to go in for these raffles. Somebody got the pig or the land, and somebody else got the money. That was all. What we wanted in this colony was a law to stop people from sending their money out of the colony, as they did now in thousands of pounds, to fill lotteries and sweeps got up in the other colonies, simply for gambling purposes; and also to prohibit our newspapers from publishing the advertisements of these bogus sweeps. That was what we wanted, and not a law to prohibit little harmless lotteries among ourselves.

THE ATTORNEY GENERAL (Hon. S. Burt) said the clause was not intended to apply to private raffles of that kind.

THE PREMIER (Hon. Sir J. Forrest) asked the House to consider well before they repealed this section. As the Attorney General had told them, the same law existed in other countries, which was some argument why we should have it here. If necessary in the other colonies, he thought it was also necessary here. With regard to the second clause of the Bill, legalising the wheel totalisator, he thought that was simply the amusement of people who went holiday-making, which was only occasionally; but if this 93rd section were repealed, it would permit all kinds of gambling to go on publicly every day, and he could not see any necessity for it. He did not think it was the duty of the State to encourage gambling. He thought there was too much of it in these Australian colonies. In fact it was notorious that almost everyone now were trying to get rich at once, to get rich by chance, and not to get rich by honest work—by industry and perseverance. He had noticed this tendency for many years, and that this feeling was paramount amongst almost all classes of the community. Some went in for mining speculation, and some for sweeps, all with the one absorbing idea of becoming rich at once, without doing any work at all. He thought this

was not a good thing for any community. It was not a good thing for any man to get into his mind that he might become rich at one stroke, by some lucky speculation, in a sweep or anything else, and not by good, honest work. It was not a good thing for the State to encourage such a feeling, and to encourage this gambling spirit, which was already too prevalent in these colonies. He hoped the House would pause and be very careful before they repealed this section of the Police Act, which, as the Attorney General had told them, was a section that existed in all the other colonies, and in the mother country, and in every part of the British dominions.

MR. A. FORREST did not consider that the world was made up altogether of fools and children, and he did not see the necessity for interfering with the way in which people chose to spend their money. No one was compelled to go into these lotteries, and, whether they repealed this clause or not, people would still go in for them, but, instead of spending their money in this colony, they would send it elsewhere, where these lotteries were allowed, whether they were legal or not. He was surprised that even the Premier himself should advocate this interference with the liberty of the subject to spend his money as he thought proper. Look at the way people spent their money upon mining ventures! Why should that be allowed, any more than spending their money upon lotteries or raffles? They all knew that gold mining was only a lottery, and he was sure the Premier would be one of the first to put his £100 in a mining speculation if he thought it was going to turn up trumps.

THE PREMIER (Hon. Sir J. Forrest): That is not gambling; that is developing the resources of the colony.

MR. A. FORREST (continuing) said no one objected to people putting their money into mines or any other form of commercial gambling, and he saw no reason why they should be prevented from putting a pound or two into a raffle.

MR. DEHAMEL said he had been surprised to hear the Attorney General say that the Police Act of last session did not apply to private gambling or private sweeps. The hon. gentleman seemed to treat the proceedings that were

recently initiated against the Commissioner of Railways as having been ill-advised; but he (Mr. DeHamel) thought if those proceedings had gone on they would have resulted in a conviction, under this Act. Here were the words of the clause: "If any person establish, commence, be a partner, or be otherwise concerned in"—in what? A public lottery, or any particular lottery?—No; "in any lottery, or any scheme by which prizes, whether of money or of any matter or thing, are gained, drawn for, thrown for, or competed for by lot," etc., every such person, being duly convicted, shall be liable to a penalty. Then there was a proviso that nothing in the Act should apply to lotteries got up for the distribution of any property amongst the owners thereof. It could not have been contended that a sweep got up on a racecourse was exempted from the operations of the clause. The clause said distinctly that any person concerned in any lottery—whether a Minister of the Crown or not—was liable to conviction. He would also call attention to clauses 85, 86, 87, 88, 89, 90, and 91 of the Act, every one of which was directed against gaming; and the striking out of this 93rd clause would do no harm, nor give any encouragement to any obnoxious or noisome gambling of any sort.

MR. CLARKSON confessed that he felt rather in a haze about this matter. The Attorney General told them the clause did not apply to shilling or five shilling sweeps; if so, he should like to know where they were going to draw the line. Were they going to sanction 5s. sweeps and prohibit £5 sweeps? If the principle was wrong in one case it was wrong in the other. Some people could better afford to lose £5 than others could afford to lose 5s. It seemed to him a distinction without a difference, and, on the face of it, he could not understand it. He really could see no objection to a man investing his money in the way he thought proper, and if he chose to put £1 in a sweep, or £100 in a mining speculation, in the hope of winning a fortune, he thought he had a perfect right to do so, and he could not see why he should be allowed to do the one thing and not the other.

MR. SOLOMON thought this colony must have been looked upon as a great gambling colony when this clause was

allowed to pass. But was it so? He did not think it was. What reason had been assigned for inserting the clause? Simply because it was in force in Victoria, a colony with a large population, and known to be strongly imbued with this gambling spirit, and because in that colony people had been duped and swindled through the delinquencies of others. But what amount of immorality had been caused in this colony by lotteries, to warrant such a law being passed here? There was no comparison at all between this colony and Victoria in this respect. He failed to understand why these lotteries should be sanctioned, by permission of the Attorney General, if held for the benefit of a Church, and disallowed and made illegal in other respects. Surely, if there was some inherent evil in them, the principle was equally bad in all cases. In country places a long way from Perth, where the Attorney General's permission could not be easily obtained, these raffles could not be legally held at all; but in and about Perth they could be held as often as people pleased. This was neither fair nor just, and he thought the best thing to do would be to sweep away these restrictions altogether. He did not see why, because a colony like Victoria had adopted this law, it should be forced upon us, with our small community, here.

MR. TRAYLEN said he should very cordially support the Government in this matter. He believed that in inserting this clause in the Police Act they gave expression to a sentiment which seemed common throughout English-speaking countries. It was not merely in the Act of the colony of Victoria that a similar clause was to be found; it was also in the English Act and in the Acts of other Australian colonies, and he was not quite sure whether America had not joined with us in this respect. The sentiment which found expression here in this clause had been expressed very concisely, by other authorities, and they put the arguments against gambling so succinctly that he might be allowed to refer to some of them. "Gambling," one said, "is an express train to ruin." "Gambling," said another, "is play in name, but crime in reality." "He who gambles," another said, "picks his own pocket." Another authority said: "The man who takes a

wager when he has won it, is simply thieving by consent of the loser—he has no right to anything of his neighbor's without giving value for it—a present only excepted." Another said: "Gambling is but one remove from theft, and both are the offspring of covetousness." These sentiments so aptly represented his own views that he thought, without further argument, they amply supported him in voting with the Government.

THE ATTORNEY GENERAL (Hon. S. Burt) asked leave to report progress, as he desired to amend the clause a little, and also to introduce one or two other clauses.

Agreed to, and progress reported.

EXCESS BILL, 1891.

This Bill passed through committee, without comment.

CONSTITUTION ACT AMENDMENT BILL.

On the order of the day for the further consideration of this Bill in committee,

MR. R. F. SHOLL said: I do not think it is competent for us to go on with this Bill now, as some of the clauses have been referred to a select committee, and we have not yet got the report of the committee.

THE PREMIER (Hon. Sir J. Forrest): We have prepared our report.

MR. R. F. SHOLL: I do not think so. I placed before the hon. gentleman to-day some telegrams which I had received protesting against some of the boundaries, and I do not think he has submitted those telegrams to the other members of the committee.

THE PREMIER (Hon. Sir J. Forrest): I don't know that I am bound to. We had finished our labors.

MR. R. F. SHOLL: I think it was the hon. gentleman's duty to submit those telegrams to the select committee. At any rate, I shall protest against the select committee reporting this evening, as they were only ordered to report next Wednesday.

THE SPEAKER: The clauses referred to the select committee related only to the boundaries described in the schedules, and there is nothing to prevent the House going on with the remaining portions of the Bill, until at any rate we get to the schedules.

MR. HARPER, in accordance with notice, then moved, That the committee be instructed that they shall have power to insert the following additional sub-clause to clause 20—(dealing with disqualifications of electors):—"Is in the service of any branch of the Railway Department, and does not hold any office of the Civil Service of the Crown. Provided, nevertheless, that this provision shall not apply to any person in the service of the Railway Department prior to the passing of this Act." The hon. member said: Most of us are aware that, in the other Australian colonies, very great trouble has been incurred, for a good many years past, in connection with the management of the Government railways. So great was the trouble, about eight years ago, that the colony of Victoria, finding their railways drifting into insolvency, established a new system of management, which they thought would meet the difficulty. The amount of political patronage at the disposal of the Minister of Railways made the system in vogue so much the sport of politics and of financiers that enormous sums were squandered and the whole service became demoralised, and drifted into disorder. In that condition of affairs, the Government passed a Bill by which they intended to take the control of the railways out of the hands of the Minister, and place it in the hands of an independent Board of Commissioners. To carry this out, they engaged, at a very high salary, a gentleman occupying a very high position in connection with English railways, and the results of the new system, for the first few years, were excellent. But it gradually developed the same old evils; that is, political pressure was now brought to bear upon the Commissioners, and the result was so demoralising that the whole system has broken down in Victoria. So great, however, was the desire throughout Australia for some improvement in the system of railway management, that nearly all the colonies followed the example set by Victoria, in placing their railways in the hands of Commissioners, instead of political Ministers; but the system has more or less failed in them all. Everyone who has watched the course of these events recognises that the evil is to be found in the political power wielded by the railway employes,

who virtually have become masters of the situation, and the result is that the railway business is run largely in the interests of the employes, and the State consequently suffers. The clause I have on the notice paper is intended in some measure to obviate this evil in our own colony. The simple meaning of it is, that after the passing of this Act, any person hereafter entering into the service of the Railway Department will be prohibited from voting at any election of a member of this House. This may, perhaps, seem rather a stringent provision, and in some sense a retrograde one; but it is in the interest of the State that some check should be put upon the political power which this class has acquired in the other colonies. It must be borne in mind that the railway business is the chief or main commercial business of the State; and as the function of the State is not to administer commercial concerns, but to administer the law, to administer the Government of the country, the result is that when the State undertakes the management of commercial undertakings, there is generally an enormous waste of money, and loss and injury to the State. There is also a principle involved, which I hope members will carefully observe, and that is that the country, under the existing law, when sending members to this House prohibits them from having any voice in any undertaking in which they are pecuniarily or personally concerned; and this clause which I ask the House to agree to is only carrying out the same principle, namely, that the men who are employed by the State in the conduct of its commercial business shall not have a voice in the administration of that business. I believe that in Victoria there are something like 13,000 employes on the railways, who are on the electoral roll, and it has been found in many electorates that these men completely dominate the voice of the other voters, and, through their connection with the trade unions, they exercise an enormous influence in politics, with the result that Ministers have to subserve the interests of the State in serving the interests of their constituents, to the great injury of the interests of the State. I am informed, on good authority, that in the colony of Victoria it is almost impos-

sible to discharge a railway employé, even for drunkenness, because of the enormous influence the men have over the administration of the service. I cannot help thinking that, while we are now engaged in dealing with the franchise, it would be very much to the interest of the State if we took some steps to protect that interest as far as possible from the evils and the dangers I have referred to. Prevention, we are told, is better than cure; and it is much easier to prevent this injury to the State now than to cure this evil hereafter; and I hope that the Government will carefully think over this, and not be too ready to overlook the baneful effects which may arise in the future from placing our railways in the hands of the servants of those railways, very much to the detriment and injury of the interests of the State.

THE SPEAKER: I think, before I put this motion to the House, I should say that this is the first occasion, either in the old Legislative Council or in this House, when a motion has been put in this form, that is in the form of an instruction. The reason why I advised the hon. member that on this occasion it was necessary he should do so was that no amendment to a Bill can be moved in committee that is not relevant to the subject matter of that Bill. I did not think that this amendment was relevant to the subject matter of the present Bill; for there is no doubt that this Bill, in its main provisions, is a Bill to extend the franchise, and the motion which the hon. member wished to move was one that would restrict the franchise as regards a certain section of the community. Therefore, I informed the hon. member that the only way in which he could move this amendment was in the form of an instruction to the committee. The question now is, That the committee be instructed that they shall have power to add this new subsection to clause 20.

THE PREMIER (Hon. Sir J. Forrest): I am sorry I cannot assist the hon. member in his intention or his endeavors to insert this new clause in the Bill. As his Honor has just said, the object of the Government in bringing forward this Bill is to extend the franchise, and not to restrict it; and it seems to me that no good argument has been used why per-

sons in the employ of the Railway Department should be placed under any disabilities, any more than those in the employ of any other department of the public service. It is all very well to say that the Railway Department is a commercial branch of the service; but there are many other branches of the service which have for their object the earning of money for the State, and it seems to me there would be no fairness in the proposal of the hon. member. It might fairly be asked, I think, why a person entering the Railway Department should be in a worse position in this respect than the person who enters the Survey branch, as a chainman or an axeman, or the person who becomes a printer in the Lithographic Department. Both have to do laborious work. The very proviso which the hon. member has added to his clause proves the weakness of his case, because in that he provides that this disability shall not apply to anyone already in the service of the department; it is only to apply to those who may enter the service hereafter. I cannot see why those who are already in the service should have a privilege which those who come afterwards are to be denied. When this Bill becomes law, all will have to apply to be placed on the new electoral roll, or, at all events, they will have to be placed on the roll, and you would have to draw a distinction, and an invidious one, I think, between those who had entered the service before this Bill passed and those who had entered it afterwards. No doubt it is perfectly correct that in Victoria and other places, where the Railway Department has grown to large dimensions and employs a large number of persons, difficulties have arisen, and the employés have been able to exercise considerable political influence. But I think the same remark may apply in many other cases, unconnected with the Public Service at all. We all know what trade unions are, and we know what combination will effect. There are many large companies who employ hundreds of persons, who, by combining together, can exercise considerable influence.

MR. HARPER: Upon whom?

THE PREMIER (Hon. Sir J. Forrest): Upon Parliament.

MR. HARPER: How?

THE PREMIER (Hon. Sir J. Forrest): By their votes. Wherever there is trade-

unionism or combination, of course there is political influence. But no one proposes to disfranchise those who belong to these unions, although they may exercise a very powerful influence upon politics. We must deal with these questions in a common-sense way. We cannot each of us get all we like; we have to put up with the best we can get, in the circumstances and the conditions under which we live. I have not the slightest doubt that the hon. member's intentions are excellent, and his object a good one, but I feel certain that his motion will find very little sympathy (at any rate practical sympathy) from the members of this House, or the community at large. I must, therefore, oppose the motion of the hon. member.

POINT OF ORDER.

MR. CANNING: I rise to order. It is not my intention at this stage to address myself to the subject matter of this motion, which proposes to exclude a section of the public from the franchise, but I submit that the motion is not in order, for several reasons, which I will explain as briefly as possible. In the first place, I submit that an "instruction" must be within the limits of the Bill under consideration. This is a Bill for the extension of the franchise; the motion is a motion for a restriction of the franchise, and I think it is laid down that a motion for instruction must be within the limits of the Bill. It is so laid down in *May*, and I think our own Standing Orders are not inconsistent with the ruling laid down both in *May* and *Blackmore*. I will quote from *Blackmore* as being the most convenient for the moment. *Blackmore* says: "Nor can an instruction be given to the committee to deal with a question beyond the limits of a Bill." That is one point upon which I should like to obtain your Honor's ruling. In the next place, —

THE SPEAKER: I think it is advisable to deal with one point at a time. As to the point now raised, I am of opinion that the hon. member for Beverley was perfectly in order in making the motion he did, in the form of an instruction to the committee. An instruction may be given to the committee empowering them to make provision for any matter not relevant to the subject matter

of the Bill. I may mention a case in point, where in the Imperial Parliament it was ruled by the Speaker that without an instruction it would not be competent for the committee on the Sunday Trading (Metropolis) Bill to extend its provisions to the United Kingdom. If any amendment is made pursuant to an instruction which shall not be within the title of the Bill, the committee are to amend the title accordingly, and report the same specially to the House.

MR. CANNING: In that case the title of the Bill was extended.

THE SPEAKER: And so can the title of this Bill be extended, if it becomes necessary to do so.

MR. CANNING: In the next place, I should like to obtain your Honor's ruling on another point. The time for moving an instruction is after the Order of the Day for going into committee has been read.

THE SPEAKER: That is what has been done in this instance.

MR. CANNING: Progress has been reported on this Bill, and, although our Standing Orders are not very explicit on the point, it is clearly laid down in *May* that after a committee has sat on a Bill, and progress has been reported, an instruction cannot be moved.

THE SPEAKER: I think the present motion is quite in order, or I should not have allowed the hon. member to proceed with it. I informed him that it must be moved in this form, as an instruction, as it was not relevant to the subject matter of the Bill. If it had been relevant to the subject matter of the Bill, there would have been no necessity to move it in the form of an instruction.

DEBATE RESUMED.

MR. DEHAMEL: The effect of passing this amendment would be to make two sets of men in the one department, votes being given to one set and withheld from the other. I really think this House will be wasting time to debate the amendment; for it seems to me that if we give votes to certain portions of those in the Railway Department of the Public Service, we are bound to give votes to one and all. We must be logical in all we do; and though I sympathise with the hon. member for Beverley in that which he has sought to bring about, I fear that

the resolution would cut the ground from under his feet, and I am bound in this instance to support the Government.

MR. CLARKSON: I shall support the hon. member for Beverley. I think we are placing power in the hands of a class of men who do not ask for it, and who, in all probability, would not use it aright if they got it.

THE COMMISSIONER OF CROWN LANDS (Hon. W. E. Marmion): I cannot see any reason why one particular class of individuals in the Public Service of the colony should be selected to be branded, as it were, with the stigma that they are unfit to exercise a privilege which another set of men in another department are capable of exercising. Why should they be put in any worse position than other men to exercise this privilege which we are about to extend to so many people in the colony?

MR. CLARKSON: Because they are always moving about; they are a migratory class.

THE COMMISSIONER OF CROWN LANDS (Hon. W. E. Marmion): But it is usually said that people who move about are the very people to pick up ideas and acquire knowledge, as compared with those who are always rooted to one position. That is one advantage of moving about. I think that the men who are employed in the Railway Department of the colony are as a rule as intelligent as those who are occupied in a somewhat similar capacity in other departments.

MR. HARPER: Who said they were not?

THE COMMISSIONER OF CROWN LANDS (Hon. W. E. Marmion): Then, if so, I see no reason why they should not exercise the privilege of voting the same as other persons, and nothing that the hon. member has said will cause other hon. members to see the objection from the same point of view as he sees it. We have a large class of men employed in the Railway Department, and we may have a larger number in course of time, but they are distributed over many districts. They are an intelligent set of men, and as steady, as capable, and as well able to exercise their judgment as the men who are in a similar position in any other department of the Public Service, and there is no more reason why they, because they happen to be a large class working in one department, should be debarred

from exercising the privilege of a vote than should the employés of a large mercantile firm or manufactory residing in Perth or Fremantle. Why should you deprive these men because they belong to the Railway Department? Why not say the same of the Lands Department?

MR. R. F. SHOLL: They are just as numerous.

THE COMMISSIONER OF CROWN LANDS (Hon. W. E. Marmion): Yes, but more sensible. At all events, the hon. member may say they do not move about as much; but the hon. member is well aware that all those connected with the Lands Department are fully capable of exercising the privilege of a vote. If you want to give the privilege of voting to men who occupy a certain position in life, I think the men who hold that position, no matter what branch of the Public Service they may be in, have as much right to exercise that privilege as any other.

MR. SIMPSON: I have the greatest respect for any motion brought forward by the hon. member for Beverley, because I know it will show care, thought, and experience; but when I saw this motion on the business paper I was astounded. The idea of disfranchising these men, marking them as helots, as slaves, because they are employed in the Railway Department of the Public Service; the idea of insisting that these men shall not vote because they are employed in one of the services which is connected most intimately with life and property, is one of the most tyrannical ideas I ever heard of. Allusion has been made to the other colonies. When I saw this motion on the paper I took the trouble to turn up a report made by a special commission of the New South Wales Parliament, which recently investigated some charges against the Railway Commissioners. That report establishes beyond question that the Railway Department is the most purely administered of all departments in the State. The result of that inquiry establishes that the men in the railway service give the utmost possible value for the money expended, and that they are a credit to any Government and to any colony. But looking at our own local surroundings, a man has only to go into one of the land-grant railway services and he will get a vote, whereas if

he remained in the railway service of the Government this motion would deprive him of a vote. Surely that seems illogical—absolutely and horridly unjust. But what civil right should a man forfeit because he enters the service of the Government? The Government are trustees for the expenditure of the money contributed by all the residents in the colony, and we presume it is one of their most important functions to select a body of men who will be the most able and most intelligent employés. Will they be likely to get them, if they say, "You may come into the Government service at 7s. a day, but you will lose your rights as citizens." Surely our breed in the colony is of sterner stuff than for a man to sell his birthright as a condition of being allowed to work for the Government at 7s. a day. Another feature of the matter is that in our colony at present, and with proposals that are before the country or likely to be so, it is absolutely impossible for an aggregation of Government employés to have interests which would be so alien to the general interests of the country as is implied in this motion. I am astounded to see such a motion put before this House—I am astounded to see such a motion emanating from a member of Parliament in Western Australia in the year 1892. It will meet with my heartiest, sincerest opposition.

MR. MOLLOY: I understood that this Bill was for enfranchising certain people in the colony, and for giving unrestricted freedom, politically, to the multitude. But we have to-night a motion having for its object the disfranchising of a great many persons who are at present voters in reference to the election of members of Parliament. I fail to see why a certain class of persons engaged in a particular occupation should be political serfs; I fail to see why they should be deprived of their right to give expression to their opinions by recording their votes in electing a representative to Parliament. If they are employed by the Government, I take it that the Government will not pay them for doing nothing; they will have to work at what they are engaged in before they get their wages; and having done that, I fail to see why they should be asked, because they belong to one particular branch of the service, to sit idly by and take no part in the election

of representatives to Parliament, nor why they should not have an opportunity of voting on any public question in the same way as other persons. I consider the railway employés are as much entitled to have the same political freedom as any other branch of the service; and it was very aptly put by one hon. gentleman when he said one might as well propose to deprive all the members of the Survey Department of their right to exercise a vote. The same evil influence, if there be any, might be exercised by other branches of the Civil Service as well as the Railway Department; and the evils which the hon. member declares to have come about in the other colonies might equally come about in any other branch of the Public Service in this colony, as in the Railway Department. For this reason I shall strenuously oppose the motion.

MR. COOKWORTHY: In listening to the debate, one would suppose that the intelligence of the community resided with the working men, and that the mere possession of money belonged to the fool. We all know that the working men employed on the railway are about the flower of the working class, and yet this motion proposes to disfranchise the very flower of the working class. It appears to me to be a proposal unique in itself, and I certainly cannot support it.

MR. RICHARDSON: I am not prepared to say I am in full accord with the motion. I have never thought it out sufficiently, and it requires more consideration than many members imagine. It is a practical motion. I must say that some of the arguments used against it are weak, and it is a much more popular thing to oppose such a motion than to support it. It is unpopular, also, to bring such a motion before this Assembly; and whoever does so is sure to incur a certain amount of odium. But hon. members who talk about the rights of railway employés to have votes, and so on, have overlooked the fact that no one can sit as a member of this House and accept an office of profit under the Crown without first resigning his seat, nor can he take an office under the Government. If it is right that members who sit here and vote on national questions are not allowed to hold an office of profit under the Crown, perhaps it is not illogical to say that those who return members to

this House should be debarred from holding a lucrative office under the Government. We are but the mouth-pieces of those who return us, and if it was considered a wise provision that members of this House should not hold offices of profit under the Government, it may be a wise provision that those who sent them here should not hold offices under the Government. It may be said that the employés in all other departments of the Public Service should also be deprived of their votes; but that is not a practical view of it, because other services do not acquire such an immense power from the force of numbers. The Railway Department is apt to grow to such a large concern that if the employés act together they can so influence elections and so bring political pressure to bear if they choose that they may be an element of danger, and their political power may grow to such an extent that it may be absolutely more than a Minister dare do to offend any of these employés. I ask whether that may not be a source of danger. Hon. members have overlooked the statement made by an hon. member, showing that the employés of the Railway Department in Victoria numbered 13,000, and acquired such a large amount of power as to influence the elections; and it is a fact that, through some of those labor strikes in Victoria, such power was very nearly being exercised in a way dangerous to the community at large. Another argument used in this debate was that the same disfranchisement might as well be enforced against the employés of large mercantile firms. But I think the cases are entirely different, because they are not employés of the Government. We know that the Government is a political machine that has to deal with all sorts of questions affecting various interests; and the comparison with mercantile firms does not hold good. It occurs to me whether the motion is not an argument against the running of railways by the State, more than it is an argument against these employés having votes. It shows that if there is a great danger in allowing them to have a vote, this argument is conclusive against the State management of railways, where political patronage and influence are brought to bear. I am con-

vinced that the time will come when it will be recognised that the State is not the proper machine to conduct our railways.

THE ATTORNEY GENERAL (Hon. S. Burt): I cannot think that the remarks made during this debate, even those made by the hon. member who has just spoken, have done full justice to the arguments brought forward by the hon. member for Beverley in support of his motion. Members who have to depend on the popular vote for election to this House are engaged in a political game, that of continually underbidding to secure election; and if this motion for disfranchising the railway workmen were carried and put into operation, it would be quite impossible for it to remain long in force, for at the next general election those members who would favor the franchise and promise to restore it to the railway workmen would secure re-election, while those of us who said we would not favor it would not be elected. If, for instance, the hon. member for Beverley kept to his declared opinion on this subject at the next election, and had any of these employés in his district, of course he would not be re-elected. The first thing the opposition candidate would do would be to say he would vote for the repeal; and so the game goes on. Therefore such a provision in the Bill could not last. Then, again, a body such as the railway employés would make it a grievance that they were unrepresented; they would say they had an interest peculiar to themselves, and yet were not allowed to vote; and you would have an outcry raised in the country, and plenty of people would be ready to take up their case, saying these railway men were the only body who had no direct representation in Parliament. I can quite appreciate the argument that in Victoria the railway employés are such a large body that they can bring political pressure to bear in so many constituencies that their influence affects the working of parliamentary institutions, and that Ministers of the Crown have to bow before them. Well, it is a part of the political game we are playing; and the only hope is that in this colony we shall find Ministers who will not play a game against the interests of the country. [AN HON. MEMBER: They won't get in.] Of course they won't get in; and directly our opin-

ions run against other opinions and the popular vote is appealed to, then out go the uppermost, and those below us will then be uppermost. So, in popular politics, we must be perpetually cutting down and underbidding one another. It is said these men cannot vote because they are not on the roll; but I say others outside will vote to put them on the roll, and that question will be a test at the elections. Although I see a great deal in the hon. member's arguments, yet in my judgment it is utterly impossible to carry this restriction into effect and continue it; therefore I am in favor of at once opening the door as wide as possible, and educating the electors up to restraining their impulses and keeping within reasonable bounds. As to keeping these people out of the franchise, I submit it is utterly impossible; for if it could be done this year, it would be undone at the next election. Hon. members will recollect what happened at the elections we went through two years ago, when, without any question being before the country at all, and without waiting for the electors to raise the question, many candidates who are now members of this House at once advocated an extension of the franchise to a limited extent as a means of securing election. If that got some of them into Parliament, the next man who wants to get in will bid lower.

MR. SIMPSON: If a candidate says he will extend the franchise, to get in, what reason will another man have for saying he will not support the extension?

THE ATTORNEY GENERAL (Hon. S. Burt): I do not catch what the hon. member means. I say this must be the result of any such provision as that which is proposed in the motion, for I am certain the first opportunity would be taken to repeal it, and I think the more we keep this excuse for raising political cries from our proceedings the better it will be.

MR. HARPER: I have to thank the hon. the Attorney General for thinking more of the subject than other hon. members do. I am quite confident, as the hon. gentleman says, that it would be a subject for agitation hereafter; but the position is that in the great colonies of Australia, having railways under their control, it is accepted as a fact that the control is a mistake, financially. They

have altered the form of management from a Minister of Railways to a Board of Commissioners, and now the Commissioners are in their turn being got rid of, and the tendency is to restore the control to Ministers. This state of things cannot go on for ever; and my answer to the objection of the hon. the Attorney General is that surely the united efforts of the Australasian colonies will find some more satisfactory method of working the railways than at present, and when that day arrives there will be no necessity for such a motion as this. That must come; but if we do not protect ourselves against these dangers, against those injuries which have occurred in other colonies, then we deserve to fail. I moved something in this direction a year or two ago, in the way of management of railways being taken out of the hands of the Government, and although I was not supported by many hon. members, that does not deter me from again bringing the matter before this House, and I shall continue to do so as long as I see the country is suffering through the control of the railways being in the hands of the Government. The Commissioner of Crown Lands has evidently not fortified himself on this subject, or he would not have committed himself to making the absurd remark that he could not see any difference between the case of these railway men and the employés in a large mercantile concern. Perhaps a rapid thinker like the hon. gentleman does not deem it worth while to think out this subject; but how would he like a mercantile business of his to be under the control of a body of workmen? Suppose he were at the head of a mercantile department, and the workmen had the power to fix their own wages and the number of hours they would work?

THE COMMISSIONER OF CROWN LANDS (Hon. W. E. Marmion): Very far-fetched.

MR. HARPER: No, it is an exact parallel. A good many members of this House think more of elections than they do of the economy of the railways. It is not my intention to press this motion when I see it is not favorably received; but this result will not deter me from bringing forward what I think is necessary in the interest of the country.

Motion—put and negatived.

The Speaker left the chair.

IN COMMITTEE.

Clauses 20, 21, 22, and 23 were agreed to, without comment.

SIR J. G. LEE STEERE moved that the following new clause be added to the Bill:—"Section 6 of the principal Act "is hereby amended by substituting "the word 'seventeen' for the word "'fifteen,' in line 5 of the said section." He said the section he proposed to amend provided that the Legislative Council should consist of fifteen members; but as the present Bill provided for an increase of three members in the Legislative Assembly, he thought that, in order to maintain a proportion between the two Houses, there should be two members added to the Legislative Council before that Chamber became elective. The number of the Legislative Council was now too small, especially as some members were generally away from Perth.

MR. R. F. SHOLL objected to increase the number of members, saying the nominated Chamber, as then constituted, was more likely to be independent than if the number were increased; and it was essential to maintain the independence of that Chamber under present circumstances.

MR. DEHAMEL said that as the nominated Chamber would become elective within a few months, by the population of the colony increasing to 60,000, it would be better to leave the number of members as at present.

MR. A. FORREST was very much afraid that the Government might use the opportunity of increasing the number by nominating two additional members who might vote for throwing out this Bill when it reached the Upper House. There were 15 good and true men in the Council at present, and he could not see what good could be done by increasing the number to 17.

THE ATTORNEY GENERAL (Hon. S. Burt) pointed out that any increase in the number could not take effect until after this Bill passed through both Houses; also that the increase could not affect the fate of this or any other Bill now before Parliament, as the session would be at an end before this Bill be-

came law. It was thought by some persons that the population of the colony would not reach 60,000 in number by February next, but as the Governor had power to extend the period for electing the Upper House until six months after that total had been reached, there might possibly be one more session of Parliament before the change came into operation, and in that event the proposed amendment would operate by increasing the number of members to 17 for one session under the nominated system. The difference would not be much, one way or the other.

THE PREMIER (Hon. Sir J. Forrest) said the hon. member for West Kimberley must be under some misconception in saying the Government might nominate two additional members who would vote for throwing out this Bill when it came before the Upper House. Surely the hon. member could not mean that, after all the trouble taken by the Government in carrying this Bill so far, they would be so insincere as to nominate additional members to defeat it in another place. If the argument had been that additional members would be nominated for ensuring the passage of the Bill, this reasoning would be intelligible. No doubt the Government would do so, if they had the power, because they were not likely to make a rod for their own backs by appointing members who would oppose the Government. There was no great reason for this change proposed by the hon. the Speaker, because there would be 60,000 people in the colony within a short time, and then the clause would be inoperative. The Government were not particularly strong in the Upper House; therefore he would support the clause for appointing two additional members, and would vote for it.

MR. R. F. SHOLL was aware that this clause could not operate before this Bill passed, but there were other measures which might be affected by it. The intention of the Upper House was to be a check on the legislation of this House, and he thought that the members of the Upper House should be independent men, and not pledged to support the Government. If they were to have an Upper House of that kind, they had better insert a provision for doing away with the Upper House entirely.

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

Ayes	16
Noes	12

Majority for	...	4
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AYES.
Mr. Burt
Mr. Cookworthy
Sir John Forrest
Mr. Harper
Mr. Hassell
Mr. Marmion
Mr. Paterson
Mr. Pearse
Mr. Phillips
Mr. Piesse
Mr. Richardson
Mr. Simpson
Sir J. G. Lec Steere
Mr. Throssell
Mr. Venn
Mr. Clarkson (Teller).

NOES.
Mr. Darlôt
Mr. DeHamel
Mr. A. Forrest
Mr. Lefroy
Mr. Loton
Mr. Molloy
Mr. Monger
Mr. Quinlan
Mr. H. W. Sholl
Mr. Solomon
Mr. Traylen
Mr. R. F. Sholl (Teller).

The clause was adopted, and added to the Bill.

Progress was reported, and leave given to sit again.

ADJOURNMENT.

The House adjourned at 10.30 p.m.

Legislative Council,

Tuesday, 6th December, 1892.

Swan River: Erection of beacon—Land Regulations Amendment Bill: committee—Companies Bill, 1892: recommittal—Perth Gas Company's Amendment Bill: first reading—Export Timber Branding Bill: first reading—Excess Bill, 1891: first reading—Midland Railway: Further proposals from—Adjournment.

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

PRAYERS.

SWAN RIVER—ERECTION OF BEACON.

THE HON. R. W. HARDEY asked the Colonial Secretary what action had been taken by the Government to carry out the resolution agreed to by this Council, on the 26th February last, respecting the erection of a beacon on a large sunken rock in the Swan River, situate about two miles above the Perth-Bunbury Railway Bridge.

THE COLONIAL SECRETARY (Hon. S. H. Parker) replied: No action has yet been taken, but I am informed by the Director of Public Works that the beacon will shortly be erected.

LAND REGULATIONS AMENDMENT BILL.

IN COMMITTEE.

Clauses 1 to 3 agreed to.

Clause 4:

THE HON. J. W. HACKETT asked the Colonial Secretary if he had any idea what the remissions would amount to during the 14 years.

THE COLONIAL SECRETARY (Hon. S. H. Parker) replied that he did not know.

The clause was agreed to.

The remaining clauses were passed, and the Bill reported.

COMPANIES BILL, 1892.

RECOMMITTAL.

On the motion of the COLONIAL SECRETARY (Hon. S. H. Parker) this Bill was recommitted for the purpose of making several consequential amendments. (*Vide* Council Minutes, No. 11 of 1892, pp. 27 and 28.)

The amendments having been made, the Bill was then reported.

PERTH GAS COMPANY'S AMENDMENT BILL.

This Bill was received from the Legislative Assembly, and was read a first time.

EXPORT TIMBER BRANDING BILL.

This Bill was received from the Legislative Assembly, and was read a first time.

EXCESS BILL, 1891.

This Bill was received from the Legislative Assembly, and was read a first time.

MIDLAND RAILWAY—FURTHER PROPOSALS FROM.

THE PRESIDENT (Hon. G. Shenton) reported the receipt of the following Message from the Legislative Assembly:—

"Mr. President,

"The Legislative Assembly acquaint the Legislative Council that they have appointed a committee, consisting of