

**Legislative Assembly,***Tuesday, 22nd August, 1899.*

Paper presented—Industrial Conciliation and Arbitration Bill, first reading—Constitution Acts Amendment Bill (with Appropriation Message), first reading—Roads and Streets Closure Bill, first reading—Insect Pests Act Amendment Bill, first reading—Return ordered: Loan Works, Cost—Return ordered: Metropolitan Waterworks, Particulars—Papers: Petition of Railway Engine Drivers, etc., motion adjourned—Dividend Duty Bill, third reading—Public Service Bill, second reading—Dog Act Amendment Bill, Legislative Council's Amendments—Excess Bill, second reading, in Committee, reported—Electoral Bill, second reading (moved)—Municipal Institutions Bill, in Committee, Clauses 1 to 106, progress—Police Act Amendment Bill (Betting), second reading moved—Adjournment.

The **SPEAKER** took the Chair at 4:30 o'clock, p.m.

**PRAYERS.**

**PAPER PRESENTED.**

By the **PREMIER**: By-laws, Municipal Council of North Fremantle.

Ordered to lie on the table.

**INDUSTRIAL CONCILIATION AND ARBITRATION BILL.**

Introduced by the **PREMIER**, and read a first time.

**CONSTITUTION ACTS AMENDMENT BILL.****APPROPRIATION MESSAGE.**

A Message from the Governor, recommending an appropriation, having been received and read,

The **PREMIER** introduced a Bill "to consolidate and amend the Constitution Act 1889, and the Acts amending the same."

Bill read a first time.

**ROADS AND STREETS CLOSURE BILL.**

Introduced by the **COMMISSIONER OF CROWN LANDS**, and read a first time.

**INSECT PESTS ACT AMENDMENT BILL.**

Introduced by the **COMMISSIONER OF CROWN LANDS**, and read a first time.

**RETURN—LOAN WORKS, COST.**

Resolved, on motion by **MR. VOSPER**, that there be laid upon the table of the House a return showing: 1, All the works (giving details) authorised under

the Loan Acts not yet in hand, or in hand but not yet completed; 2, The estimated cost of authorised works not yet in hand, and estimated amounts required to complete the works in hand; 3, Works authorised to be constructed out of revenue funds with amounts appropriated for same; 4, Works authorised to be constructed from revenue now in hand but not completed, and the amounts required to complete same.

**RETURN—METROPOLITAN WATERWORKS, PARTICULARS.**

Resolved, on motion by **MR. WOOD**, for **Mr. Quinlan**, that there be laid on the table of the House a return showing: 1, The amount of water rates collected in each ward in the city this year; 2, The amount of arrears owing in each ward; 3, The amount collected in each ward on water per meter, in excess of rates for 1898-1899 up to June of this year; 4, The amount, if any, for excess water struck off the books for the two months ending December, 1898, on account of alteration of striking rate from 1st January, 1899, and amount collected for water consumed in those two months; 5, The amount collected for building purposes for the twelve months ending June, 1899; 6, The number of meters fixed in the city at present; 7, The amount collected for rents of same this year, and the amount still owing for 1898 and 1899. The number of meter agreements, since alteration in price of water, signed by consumers up to date; 8, The amount collected as special fees in excess of rates, and the amount still out-standing, arrears included, on all notices delivered to persons in restaurants, boarding-houses, owners of horses, gardens, etc.; 9, The amount paid by the City Council for water and other charges in the city for the ratepayers; 10, The cost of all stationery for 1899, including postage up to June this year; 11, Since the price of water was raised, the difference in the first three months of this year to the previous three months of 1898, in the average consumption of water per day in gallons; 12, The amount of water consumed by the lifts in the city for the Board's financial year, and the sum received for same; 13, The amount received from the Government for water, rents, and other charges in all Depart-

ments for the Board's financial year; 14, The whole cost of construction of works for supplying Subiaco with water, the number of services connected in the whole district, the amount received for same, including rents and minimum charges; 15, The number of pipes laid in the Leederville district up to the present, and the cost of same; 16, The number of application forms signed by residents in the district for water up to 31st July; 17, The amount received from the Victoria Park and Canning Districts for charges connected with the water supply for the last financial year; 18, The amount paid in salaries, including members of the board and all officers connected therewith, temporarily and otherwise, their names, salaries received, how and when appointed, up to the end of the financial year.

PAPERS—PETITION OF RAILWAY  
ENGINE DRIVERS, &c.

MR. HOLMES (East Fremantle)  
moved :

That the petition presented to the Commissioner of Railways by the engine drivers, firemen, and cleaners, setting out certain alleged grievances and complaints, be laid upon the table of the House, together with all official departmental papers and reports upon the subject matter of the petition written since the presentation of the petition.

He wished it to be distinctly understood that he had no desire to annoy the Minister or any person or individual attached to the Railway Department. His object was to get at the bottom of certain dissatisfaction that was known to exist in one branch of the Railway Department, the Locomotive branch. A few days ago he asked the Commissioner of Railways if a petition had been received; and, if so, if any or what inquiry had been held in regard to the matter. The reply was that a petition had been received, and would be dealt with. He did not consider that answer satisfactory, and consequently he gave notice that the petition be laid on the table of the House. Since he had asked the question he found that out of 442 officers and men attached to the Locomotive branch, no less than 427 had signed the petition; that only 15 men had not signed it, being away at their duties and unable to do so. There was no doubt that dissatisfaction existed in the department, but who was to blame

he would not say at present. Unless the matter was dealt with satisfactorily, at no distant date it would result disastrously to the department and the country. Things had arrived at such a pitch that the bubble must burst, one of these days, and the Government would find themselves in a serious difficulty. He wished to avoid this trouble, by having an inquiry into the matter and seeing if anything could be done to put things right. It might be argued that the men who had signed this petition were only engine drivers, firemen, and cleaners; but these men were entitled to justice the same as other people. A driver, in his opinion, occupied a most responsible position, and at one time or other all of us had to trust our lives and property to engine drivers. He had much confidence in the drivers of the trains, and he had nothing to fear when travelling. In his opinion the express service from the goldfields to Fremantle, and the express services in other directions, and the passenger service between Perth and Fremantle were a credit to any country or any railway department. A man could join the passenger express at Kalgoorlie in the afternoon and order his conveyance to meet him at 8.50 the following morning at Fremantle, and with few exceptions the train would arrive at the destination to its advertised time. The passenger trains between Perth and Fremantle ran to the minute. His (Mr. Holmes's) only complaint was that he often happened to be a minute late, and was left behind. All this went to prove that the engine drivers and men connected with the trains understood their work and carried out their duties in a satisfactory manner.

THE PREMIER : That meant good management.

MR. HOLMES said he was not condemning either the management or the men, but when 427 out of 442 men employed in the Locomotive branch, signed a petition setting forth certain grievances, hon. members must admit that the men must have something to complain about. He hoped it would not be thought that, because he complimented one branch of the Railway Department, he was satisfied with the general way in which the department was administered. When the right time came, he would have something

to say about the general administration of the railways. If the information he had in his possession was correct, though he was not going to use it until confirmed, he could safely say, there were many startling disclosures to be made as to the railway service of the colony; but he would deal with those matters when the time arrived. His only object in moving the motion was to see that justice was done to all; to see that punishment was meted out to those who deserved it, and praise given to those to whom it was due. He did not care whether it was the General Manager, the Superintendent, or a driver or a fireman or a cleaner: if a man had a grievance, he should be heard and dealt with in the proper manner.

**THE COMMISSIONER OF RAILWAYS** (Hon. F. H. Piesse): The hon. member, in his earlier remarks, said he did not wish to harass him (the Commissioner) in connection with this matter. The hon. member did not harass him in any way; for if there was any information he could give the House in connection with the Railway Department, he would be only too glad to give it. As to the matter brought up in the motion, when the question was asked the other day if a petition had been received, at that time he had not received the petition, although he knew of its existence; and the reason why he had not received the petition was that certain inquiries had to be made by the General Manager before the petition could be forwarded to him (the Commissioner). On the morning of the day on which he replied to the question, he (the Commissioner) received the petition; but he had not then time to read through the correspondence that accompanied it, and in reply to the hon. member he said he had received a petition and that it would be dealt with. At that time he had made up his mind that it would be necessary to appoint a board of inquiry to look into this matter, but he was not prepared to give that information at the time. Since then, however, the Government had decided that, as the matter was of great importance, and involved perhaps serious conclusions which might interfere with the general working of the railway system, it would be necessary to take some action as to the removal of the discontent that might exist throughout the Loco-

motive branch. Therefore the Government had decided to appoint a board of inquiry, and a commission would be issued to-morrow appointing a board of three persons to inquire into this and other matters in connection with the Railway Department. Information had already been forwarded to those concerned, intimating that this would be done.

**MR. LEAKE:** Was it to be a departmental board?

**THE COMMISSIONER OF RAILWAYS:** No one connected with the department would be on the board. The gentlemen had been selected from outside, and the names were, Mr. Speight, Mr. George, M.L.A., and Mr. Roe, the Police Magistrate of Perth. These were gentlemen in whom not only the men had confidence, but the Government and the House also. He might say that no one was more anxious than he to have this matter cleared up. All he regretted was that the secretary to the men had been rather impatient in pressing for a reply, because the secretary knew that he (the Commissioner) was dealing with the matter as quickly as possible, and was only waiting for further information to enable him to come to a decision. No one knew better than he (the Commissioner) did that the railway men were to be relied on; and he really must say the remarks that had been made by the member for East Fremantle, in regard to the character of the men and method of doing business in connection with the Locomotive department, were borne out, and he re-echoed those remarks. As a rule, the service was most satisfactory, and the men gave every satisfaction. With a large body of men there would always be found difficulties arising that would have to be settled. If there was dissatisfaction, no one regretted it more than he did, and no one would be more glad when it was cleared up. All the evidence that could be brought forward would be produced, and no doubt would result in clearing up the difficulties. With this information before the House, the hon. member would perhaps not press for the papers to be laid on the table, because it was desired that as soon as possible the papers should be in the hands of the commission which was to be appointed. There was nothing in the papers he was afraid of. With the assurance which he

had given, he hoped the hon. member would withdraw the motion and let the matter remain in the hands of the Government, because he (the Commissioner) was just as anxious as anyone else to have an inquiry into this matter.

MR. MORAN (East Coolgardie): Having been communicated with by the railway employees at Kalgoorlie in reference to this matter, he felt perfectly satisfied as representing those men, all of whom were interested in the question, that the commission of inquiry into their grievances would give satisfaction to those concerned. Some time ago when a grave trouble arose in connection with the Railway Department, the employees at Kalgoorlie, who might have taken another course if they had followed certain counsels from outside, decided to act loyally by the public and not to aggravate the trouble which had then occurred. These were a body of men who, as he could assure the House, worked longer hours than any other servants of the Government, and were doing their work satisfactorily under great disabilities; indeed they were working very much in the same spirit as was the Commissioner of Railways himself, who was known to be one of the hardest-working servants of the public. Out of 442 employees, there were 427 who had signed this petition; and the least the House could do was to recognise their loyalty as public servants by granting an inquiry when a serious grievance was found to exist. The assurance given by the Commissioner of Railways would be received with satisfaction by those men; and seeing that the commission was to comprise Mr. Speight, an expert in railway matters; Mr. George, member for the Murray, whose knowledge and fairness in connection with questions affecting working men were well known throughout Australia; and Mr. Roe, the Police Magistrate, whose experience in sifting evidence and whose general knowledge well qualified him for the task; the commission so constituted might be relied on to make a thorough inquiry. When the report was presented in due course, the Commissioner of Railways could consider the suggestions made, and endeavour to give effect to them with the same alacrity which he had shown in appointing this commission of inquiry.

MR. LYALL HALL (Perth): It was not desirable that the motion should be withdrawn, for the whole cause of complaint arose, he believed, from the importation from England of a young and inexperienced man to take charge of a department in the railway service. There was a tendency, on the part of certain heads in Government departments, to pass over our own young men; for when any appointment had to be made to a position of importance, instead of appointing someone already in the service, the tendency was to seek some outsider from England, Ireland or Scotland. It was time this House put down its foot and stopped this kind of thing, by insisting that our own young men, when they were known to be competent, should be entitled to first consideration when opportunities of promotion occurred in the service. He hoped the papers in connection with the matter would be laid on the table, so that members might obtain the information desired.

THE PREMIER (Right Hon. Sir John Forrest): It was to be hoped hon. members would not ask for papers to be laid on the table at the present time; and he would also urge members not to discuss this matter now, for that course might prejudice, one way or the other, the inquiry which was about to be made. When appointing a tribunal to which an important matter was to be referred, the less that this House said about the matter, before the tribunal had made its inquiry and presented its report, the better it would be in the public interest. The Government would be only too glad to place the papers on the table if that course were desirable. The papers would be on the table after the tribunal had dealt with the question, and that appeared to him the better course to take; for if the papers were now laid on the table, the matter would be discussed in the public Press, and the inquiry would be likely to be prejudiced. In appointing an independent tribunal, we should wait until its report was presented before discussing the matter, for to discuss it now might result in a good deal of harm. He hoped the motion would be withdrawn, on the assurance that the commission would be appointed to-morrow, and would have full power to call for persons and papers, and indeed

would have all the powers of a Royal Commission.

MR. LEAKE (Albany): Neither the mover nor any member of the House desired to prejudice the inquiry; and his object in rising was to suggest that this debate should be adjourned for a week or so, and in the meantime there would be opportunity of seeing what was to be the scope of the commission, and whether it was intended the report should be presented in time for Parliament to consider it during the present session.

THE COMMISSIONER OF RAILWAYS: In three or four weeks.

MR. LEAKE: Then the suggestion was reasonable that this debate should be adjourned, because royal commissions, as a rule, took three or four months before reporting.

THE COMMISSIONER OF RAILWAYS: This commission would be empowered and would be asked to proceed immediately.

MR. LEAKE: That was very satisfactory; and the fact of a gentleman of Mr. Speight's experience in railway matters being a member of the commission was reassuring to the House. Still, members did not know at present whether the inquiry was to be limited to this petition.

THE COMMISSIONER OF RAILWAYS: Three other matters would be inquired into also by the commission.

MR. LEAKE: By adjourning the debate for a week, members would know exactly the position of the matter, and the motion could then be withdrawn. According to information which he had, a petition similar to this, if not identical with it, was published in a local newspaper four or six weeks ago; so that, as far as the contents of the petition were concerned, members could get them. He assumed that the mover intended to base a substantive motion on the matter afterwards.

THE PREMIER: When the report was presented would be the time to do that.

MR. LEAKE said he hoped the mover would not press the motion to a division this afternoon. He (Mr. Leake) moved that the debate be adjourned for a fortnight.

MR. HIGHAM seconded the motion.

Motion for adjournment put and passed, and the debate adjourned.

## DIVIDEND DUTY BILL.

Read a third time, and transmitted to the Legislative Council.

## PUBLIC SERVICE BILL.

### SECOND READING.

Debate resumed on motion by the PREMIER for the second reading, moved at the last sitting.

MR. LEAKE (Albany): I do not intend to oppose the second reading of this Bill, though I must confess that my opinion of it is practically identical with that expressed by the Premier when he moved the second reading. I think the Bill is premature. The right hon. gentleman did not seem to be at all enamoured of the measure, and I quite agree with him. At the same time, I do not see that there is any reason why we should reject the principle of the Bill, and throw it out altogether; but I should like the measure to be referred to a select committee of the House, with the idea that, after the report has been presented, we should go into Committee on the Bill with a view of giving practical effect to the select committee's suggestions. There is too much of the iron-bound rule about the measure, to suit my fancy; and, moreover, it will be an entirely new departure in this colony. Big and heavy machinery is brought to bear, consisting of an £800 chairman, with two colleagues of £600 apiece; and altogether it seems to me a very cumbersome contrivance.

MR. A. FORREST: The board will want some clerks too, I suppose.

MR. LEAKE: Yes; there will be a big staff as well. It seems to me that a fair experiment might well be made departmentally, by creating an advisory board, if it may be so called, consisting of the chief officers of the different departments, to deal with this question of civil service promotions and appointments. If such a course as that were pursued for, say, 12 months, Parliament could find out how the machinery would work; and then, after practical experience, the board would be able to make proper suggestions to the House as to the lines on which any necessary legislation should proceed. It has been admitted, I think, by the Premier, that in every instance where public service boards have been appointed in the colonies,

difficulties have been experienced in working them; therefore we have no particular board which we can take as a model. If so, it behoves us to be somewhat careful, especially when we find that the initial cost will be rather large; that at least £2,000 a year in salaries is secured to the board by this Bill; and that, in addition, we may of course expect that the departmental expenditure will be considerable. I understand from the speech of the Premier that promotion will proceed by hard-and-fast rules, or nearly so; and, if that be true, I should like to point out to hon. members that the civil service will be confronted by the danger of being controlled by men who are practically useless. I do not desire for a moment to reflect upon the civil servants of the colony, for I know that among them are many very able and efficient men; but it is a great misfortune that an able and efficient man should either be blocked by reason of some stupid person being immediately before him, or that by the same cause he should be forced out of the service. We ought to encourage merit and ability. That is the first consideration.

THE PREMIER: The Bill will not attain that end.

MR. LEAKE: No; that is what I say; and hon. members should pause before they consent to pass this Bill through Committee, for I am sure we have not sufficient information on the subject. I should like to know the opinion of the Under Secretaries, or of the civil servants themselves, upon the measure. It is a matter which affects them, and I am sure their opinion might at least be taken, though not necessarily followed. No doubt they could throw considerable light upon the Bill. For some years I was a civil servant, and had men under me in my office; and it was always my custom to recommend for promotion those who I thought were best fitted for the billets. If a man did not suit me—well, I got rid of him or suggested that he be got rid of.

MR. A. FORREST: You sent him on to another department?

MR. LEAKE: That is not a bad practice, sometimes, and I believe it is a practice frequently adopted in the civil service; but, fortunately, in my department special qualifications were required, and people of that sort could not usually be sent to me, although now and again

I got somebody because he was not wanted somewhere else. However, all these facts help to show the necessity for closer inquiry into the probable effect of such machinery as by this Bill we propose to set up; and that hard-and-fast rule is one which, I think, should be deprecated, or, if not deprecated, should be regarded with the greatest circumspection. If a man has an able youngster in his office and wants to keep him, that youngster must be promoted; and if we do not apply that principle in this Bill, we shall, ultimately, have in the civil service nothing but a lot of drones. There was a suggestion made by the member for Central Murchison (Mr. Illingworth), that the eight-hours system should be incorporated in the Bill. I would urge the hon. member not to press his suggestion; but I think that, acting upon his request, the Administration might consider whether or not they could make the hours of attendance in public offices from 9 till 5.

MR. ILLINGWORTH: I do not want a cast-iron rule.

MR. LEAKE: Oh, no; I say it is a suggestion which might be made to the Administration. Whilst on this subject, I should like to warn hon. members and the public generally against attempting to go up the stairs of a public office as the clock strikes 4, as the attempt is positively dangerous, owing to the stampede made by the clerks in their anxiety to reach their homes.

MR. VOSPER: If you go a quarter of an hour earlier, you will find them ready to knock off work.

MR. LEAKE: They are all anxious to be off as the clock strikes 4; and I have once or twice run the risk against which I am warning hon. members, in attempting to go up those stairs when these gentlemen were coming down. They do so with singular regularity and speed.

MR. ILLINGWORTH: What about going up in the morning?

MR. LEAKE: Oh, they go up in a procession.

MR. RASON (South Murchison): I welcome the Bill, and congratulate the Government upon its introduction. I think a Public Service Board, if properly administered, will be of great value to this colony, and a great boon to the public; and that it will be welcomed by

the civil servants themselves. If I may digress for a moment, I should like to say that I wish the Government had gone even further, and had introduced a Superannuation and Guarantee Bill—a Bill by which civil servants would be compelled, by small deductions from their salaries, to provide a fund from which retiring allowances could be paid, and from which defalcations might be made good. The member for Albany (Mr Leake) has referred to the supposed fact that this Bill will render promotion solely contingent on length of service. I have read the Bill carefully, but can see no such provision.

MR. LEAKE: I only referred to what the Premier said as to the probable effect of the Bill.

MR. RASON: I see nothing in the Bill itself which would render that method compulsory, and I think any properly constituted board, when making promotions in the service, would take into consideration merit and length of service combined—certainly not length of service only. I am afraid there are in the service positions which call for a discharge of merely mechanical duties, and in filling up those positions, probably length of service only need be taken into consideration; but there are other appointments in the service requiring special ability, and in the filling up of those positions any board would undoubtedly take merit into consideration before anything else. I hope, however, that if the board be constituted, no officers at present in the service will be appointed members of the board; not because I think there are not men in the service eminently qualified to discharge the duties, but because I fear that such men would take with them pre-conceived ideas, prejudices, and opinions formed from long association; whereas the board should administer absolutely the same equal justice to every individual. I see the Bill empowers the board to appoint examiners to examine candidates wishing to enter the service. I should like to say that I hope those examiners will not fix too high an educational test. Though I have no wish to decry the advantages of higher education, still, the men we desire to see in the service of this colony are men who have had a good practical education, such as will enable them efficiently to discharge their duties.

I think the *personnel* of the civil service of this colony will compare favourably with that of any other civil service.

MR. ILLINGWORTH: Hear, hear.

MR. RASON: Still, it is a notorious fact that there are men in the service who are receiving comparatively large salaries for very little work, while on the other hand there are men who are doing a great deal of work for very little pay. If the board be appointed, the service and the public will expect these abuses to be remedied, and that, as the hon. member (Mr. Illingworth) put it, a fair day's work shall receive a fair day's pay; that the State shall both give and receive value. There are men in the service who, I am afraid, look on their appointments as having been so many dispensations of Providence, and who, beyond drawing their salaries, leave everything to Providence—I mean especially the men whose only desire to attend at the office is to get there in time to leave again. The board, if properly constituted and administered, will go a long way to remove the causes of complaint in the service, and will see that merit obtains its just reward. As to the question of expense, I may say the expense of the board will be more than covered by the various economies which will be carried out, and the better service that will naturally follow the initiation of the board. It is because I think a Public Service Board will be of great service to the colony that I shall support the Bill. I may say in conclusion, in regard to the Bill being a novelty in this colony, that although it may be a novelty here, it is not a novelty elsewhere. This Bill has been framed on the lines of the Queensland law; it is almost a copy of that measure, and I believe it has been found to work remarkably well in that colony. There is a Civil Service Board in almost every other colony, and also a Railway Service Board, which I should like to see established in this colony.

MR. WALLACE (Yalgoo): I also hail this Bill with pleasure, and I have only one or two remarks which I wish to make, and they are on the speeches which have been made by hon. members. When other Bills have been before the House, it has been the custom to criticise them on the second reading, and any amendment which it is necessary to make should be made in Committee. The Premier pulled

me up a week or two ago, when I was moving some amendment or making some necessary alterations in Committee, and he said that on the second reading members should criticise. Following out the suggestion of the Premier, there is one little matter in the Bill which I wish to point out, and which will probably receive attention, but before coming to that matter I would like to refer to what the member for Central Murchison (Mr. Illingworth) said, in speaking the other day, about many civil servants being over-worked and many under-worked. The member for Central Murchison advocated an extension of hours from six to eight hours a day. I have found a little inconvenience myself in the offices not being open, perhaps a little earlier in the morning and a little later at night; but I cannot agree with the extension suggested by the member for Central Murchison. Perhaps, when the Bill is in Committee, the member for Central Murchison will compromise and reduce the suggested term to seven hours: then he will get the support of most hon. members. My reasons for making these remarks are that we have a large staff of civil servants who now are working short hours, and whose pay, compared with the salaries received by employees in commercial offices, is small. It must be plain to hon. members that the civil servants are not paid as much as the employees in commercial offices. If it is necessary, in the interests of the public, that the public offices should be kept open for longer hours than at present, I hope members in this House and in another place will use their utmost endeavour to see that civil servants are paid sufficiently for the services they render to the State, for in every department there are scores of civil servants who cannot live on the salaries paid. We find civil servants taking positions as ushers in theatres, conducting totalisators, acting as organists in churches, teaching music, and so forth. I have not the slightest desire to stop civil servants from following these occupations.

**THE MINISTER OF MINES:** You frequent strange places.

**MR. WALLACE:** I do frequent strange places, and I say it is the duty of hon. members to frequent places other than those which they do frequent. I

have no desire to interfere with civil servants, but we have a clause in this Bill which is going to prohibit civil servants from doing work other than that which the department gives them to do, while we have nothing in the Bill that says civil servants shall be paid sufficient money for the work done. What are we going to do? We are going to make a fresh department with more badly paid civil servants; and I may say that many of the prosecutions and embezzlements in the service have been brought about by the poor salaries which the civil servants receive.

**THE PREMIER:** Oh, no.

**MR. WALLACE:** Still I may say that if the departments were well looked after and civil servants well paid probably there would be not so much outside work done by civil servants, because at the present time the majority of civil servants cannot live on the salaries paid to them.

**THE PREMIER:** Civil servants are better paid than employees in private service: that is my idea.

**MR. WALLACE:** I say that is not so.

**THE PREMIER:** Private people work their servants harder and pay them less than the Government do.

**MR. WALLACE:** It would be better for civil servants to work eight hours a day and get sufficient to live upon, rather than to work six hours and live in misery and poverty. I should like to draw the attention of the Premier to Clause 50 of the Bill, which says:—

Every officer shall be bound to devote his whole time to the performance of his official duties, and shall not, without the sanction of the Governor, be allowed to do paid work of any kind for private persons.

**MR. MORAN:** That is the rule now.

**MR. WALLACE:** I wish to point out that that is where I want an amendment or an alteration, and probably the Premier will see what I am driving at. The clause permits civil servants to do other work than their official duties, but only with the sanction of the Governor. This is bound to cause a lot of friction in the departments, and I think civil servants will complain of what may be termed favouritism. Certain civil servants will be allowed to do outside work, they will get permission to do it, while others will not get that permission. This will bring



about the greatest dissatisfaction and will work injuriously to the department. If this clause is not altered, I shall move that the words "without the sanction of the Governor" be struck out, because I think then a lot of dissatisfaction will be avoided and it will save a lot of friction, because it is known that certain civil servants will not get an opportunity of doing outside work, as if they want permission to do this work it will not be given them. It may be that 25 civil servants will obtain permission to do outside work and five others in the same department may not get that permission, which will cause an amount of dissatisfaction amongst the five who are not allowed to do the outside work.

MR. VOSPER: It only means in special cases.

MR. WALLACE: Perhaps it is intended only for special cases, as the hon. member points out, but the special cases should be specified. This clause is that all civil servants are to be prohibited from doing paid work outside, unless with the sanction of the Governor. Unless the special cases in which civil servants are allowed to do outside work are defined in the Bill, there will be a great deal of dissatisfaction; therefore I would like to say that if the Premier does not see fit to make the alteration which I have suggested, I shall move that the words which I have mentioned be struck out. I want to see some decided definition of the officers who will not come under this clause, before I will support it. There was one other remark made by the member for Central Murchison, and one which I think would have been much better left unsaid. Because civil servants are not all teetotallers we should not endeavour to make them sit in their offices from the time they go there in the morning until the luncheon hour, and deprive them from leaving for five or ten minutes to go out for open-air exercise. The remark which was made by the member for Central Murchison was in reference to whisky drinking, and I think the hon. member will be very sorry he made the remark, as it reflects considerably on civil servants in the various departments. Having come in contact with many civil servants, I may say I do not know any against whom that charge can be levelled. The heads of departments recognise that

they do not expect their officers to remain in their offices for the whole six hours. If an officer gets his work done and desires to go out for five or ten minutes, whether it is to get a glass of whisky or to attend a meeting, no doubt the head of the department will not prevent him from doing so. I do not think the hon. member should have made such allusions. There are many little items in the Bill which, when in Committee, I shall ask for explanations of, and I hope the Premier will give those explanations. Probably many points upon which I wish an explanation may appear to be absurd to the Premier, still I shall ask for explanations. I shall conclude by saying that I shall give the second reading of the Bill my support, and I hope the Premier will give any information when it is asked for. Any amendments which I shall endeavour to make in the Bill will be with a view to making the measure more workable than it is at the present.

Question put and passed.

Bill read a second time.

#### DOG ACT AMENDMENT BILL.

##### LEGISLATIVE COUNCIL'S AMENDMENTS.

The Legislative Council having returned the Bill with four amendments, the same were now considered.

##### IN COMMITTEE.

No. 1, Clause 9, line 3, between the words "any" and "adult," insert the word "male":

THE PREMIER moved that the Council's amendment be agreed to.

MR. WALLACE objected to the amendment, as it would deprive the aborigine women of the right which this House had intended to give, in the keeping of dogs.

THE PREMIER: The greater knowledge which some members of the Upper House had in regard to this question, had influenced him in accepting this amendment. He knew also that the keeping of dogs had become an intolerable nuisance in some districts.

Question put and passed, and the amendment agreed to.

No. 2, Clause 11, strike out the whole: Council's amendment agreed to, on motion by the PREMIER.

No. 3, New Clause, to stand as Clause 12—Registering officers to supply metal disc, with date and number of registration and of district to be attached :

THE PREMIER moved that the amendment be not agreed to, as he believed the proposal for each dog to wear a disc attached to the collar would not be practicable in country districts, though it might be in towns.

HON. H. W. VENN opposed the amendment for the same reason.

Question put and passed, and the amendment (new clause) not agreed to.

No. 4, New Clause, to stand as Clause 13, for amending Section 19 of the principal Act, by inserting before the word "tail" the words "scalp, ears, and," and amending the clause consequentially :

THE PREMIER moved that the amendment be agreed to. The object was to ensure that when a reward was paid for the destruction of a native wild dog, there should be sufficient evidence that the dog was really destroyed. From what he knew of the practice as to paying rewards for tails, he believed that in many instances the justices were imposed on; and he had information that the custom was to catch a dog when young, cut off the tail and let the dog go, so that the "business" should not come to an end. The amendment would be a move in the right direction, and he knew that in the case of rewards offered for the destruction of eagle-hawks, the practice was to insist that the talons and head must be exhibited; for although this was troublesome and disagreeable, it had been found necessary to prevent imposition in obtaining the reward.

Question put and passed, and the amendment agreed to

Resolutions reported and report adopted.

Sir John Forrest, Hon. H. W. Venn, and Mr. Illingworth were appointed a committee to draw up reasons for disagreeing with one amendment; and the reasons presented were as follow :—

The proposed new clause would be expensive as well as inconvenient, and would not be likely to be obeyed, and would be troublesome to enforce.

Reasons adopted, and a Message accordingly transmitted to the Legislative Council.

# EXCESS BILL.

## SECOND READING.

THE PREMIER (Right Hon. Sir J. Forrest), in moving the second reading, said : I regret very much that the sanction of Parliament should have to be asked for the excess of expenditure during the year ending 30th June, 1898, more than a year afterwards. I have had the same story to tell for several years now, and unless the law is altered, or some means are devised by the Auditor General for furnishing the report sooner, the practice must continue. For my own part, I see no reason why the Auditor General should not furnish this House with a report in regard to the reasons for the excesses on the items of the Estimates, and also reasons for the under-drafts in regard to the Estimates, before he publishes his general report on the financial operations of the Government for the year. Of course it is much more convenient to have the whole before you, but it is impossible so long as we end our financial year on the 30th June, and Parliament meets about the same time. Members will clearly see that, after the year is ended, some time is required for the Treasury to present its accounts to the Auditor General; and by law three months are allowed. The Treasury at the present time is in a position to place the Excess Bill for the year ending 30th June last on the table; and, in fact, in a few days I propose to place it on the table, notwithstanding that the House, by the action taken some years ago, will probably not be prepared to discuss it. The Treasury is prepared almost immediately after the 30th June, or at any rate by the 1st August, to place the Excess Bill for last year on the table for the information of hon. members. Members will notice that during the year ending 30th June, 1898, no less than £399,204 15s. 8d. was expended in excess of the votes for the year; and they will also notice there was a sum of £336,643 expended more than the vote in regard to loan items, the greater portion of that being on account of rolling-stock, which came in for payment during the year, and to a larger extent than was anticipated. While we spent £399,000 more during the year, which was a year, as everyone knows, of very large expenditure, members will notice

from the Auditor General's report that a considerable amount was underdrawn. In fact, we underdrew to a larger extent than we expended in excess, the underdrafts being £484,384 8s. 9d. The Auditor General's report is full and clear in regard to the reasons for the excess and the underdrafts; and it is somewhat profitless now to go into detailed remarks on the matter, because the events have passed, and are not now of much interest either to myself or, I expect, to hon. members. We ought to try to deal with this expenditure a little nearer to the time it occurs; and, if the Auditor General could do as I suggest, he would prepare an interim report, dealing only with the excess expenditure and the underdrafts during the session. If that were done, there is no reason why we should not discuss the Excess Bill of 1899 before we separate this session; and this course has been advocated by me for some time past, but the Auditor General has seen difficulties. These difficulties, however, may be overcome. It would be much more interesting to me and to hon. members to discuss financial matters when they have recently occurred, rather than a year or fifteen months after the money has been expended. I move the second reading of the Bill.

MR. ILLINGWORTH (Central Murchison): This question of unauthorised expenditure comes up every year; and, notwithstanding that the year in question was one of difficulty so far as the departments were concerned, we have to face the fact that one-seventh of the whole revenue of the country was expended without Parliamentary authority, and that one-sixth of the money voted by Parliament was not expended in the way which Parliament authorised it to be expended. This has become a serious matter.

THE PREMIER: It was not spent at all.

MR. ILLINGWORTH: Of course, the argument that the money has not been spent at all may be worth something; but what happens? Parliament votes, say £300,000, which has to be expended in a certain direction on works which the country requires; but the Government, in their wisdom, fail to devote the money to those works, and, without any authority from Parliament, expend it in another direction. That is the whole question in

a nutshell, and shows what is always involved in the Excess Bill. The mere question of date amounts to little; but still it is difficult to criticise, when we are told no more can be done in regard to the expenditure, whether that expenditure be right or wrong. I simply want to suggest we are arriving at such normal conditions, that the Government ought to make their Estimates in such a way that those Estimates can be carried out, and see that money voted is expended on the particular works authorised by Parliament. The question of excess expenditure should be grappled with and Excess Bills reduced, if not made to disappear altogether.

THE PREMIER: The excess expenditure was reduced last year.

MR. ILLINGWORTH: We have heard the Premier's excuse, and it is a good excuse, that the Excess Bill is due to the abnormal conditions of this country for many years; but we are getting now to normal conditions, and I strongly urge that the Government should endeavour to confine their expenditure to the money authorised by Parliament. We know that all this money has been wisely and righteously spent, and there is no desire to suggest anything to the contrary; but it is possible the day may come when a less upright and honourable Ministry will be in power; and if the present practice be accepted as a precedent, the whole or a large portion of the money voted by Parliament to be expended in one direction, may be diverted, even to the extent of carrying out works the proposal to carry out which has been rejected by Parliament.

THE PREMIER: There is no fear of that.

MR. ILLINGWORTH: That would, of course, be a risky thing for a Government to do; but if the Excess Bill is not carefully watched every session, it is possible that under a corrupt Government such a thing might occur, and we cannot guarantee that the country will always have the immaculate Administration of to-day. Seeing that the money dealt with in the Bill has already been expended, I only wish to enter my protest against the unauthorised expenditure of public money, and against the diversion of moneys from purposes for which Parliament voted it. It is no excuse for a

Government to come to Parliament and say "Well, we did spend £300,000 of unauthorised money, but we did not spend the £300,000 which was authorised. We did better than that: Parliament authorised us to spend £300,000 in a certain direction, and we did not spend it, but we spent that sum in directions Parliament did not authorise." That is no excuse; but that is what the Excess Bill means, and I hope that in future years the excess expenditure will be very much smaller than now, if not wiped out altogether. The Government are probably as anxious as hon. members to see the Excess Bill disappear, and I hope that now we are approaching more normal conditions, we shall not hear of such measures, dealing with such sums as £200,000 or £300,000.

Question put and passed.

Bill read a second time.

#### IN COMMITTEE.

Bill passed through Committee without debate, reported without amendment, and report adopted.

At 6.25 the SPEAKER left the Chair.

At 7.30, Chair resumed.

#### ELECTORAL BILL.

##### SECOND READING.

THE PREMIER (Right Hon. Sir John Forrest): In rising to move the second reading of this Bill, intituled "An Act to consolidate and amend the law relating to Parliamentary Elections," I have not a very difficult duty to perform, because the Bill will be found to be very simple, and one that will meet all the requirements even of those who are difficult to satisfy. The electoral law of this colony in the past has been a fruitful source of complaint to those who desire to find fault. Persons who had very little knowledge of the Act have condemned it wholesale. But for all that, while not desiring to say that the Act as it exists on the statute book at present is perfect, still I think it is a far better Act than it is generally admitted to be. At all events, it is the law or practically the law of Queensland—not exactly, because the Act has been amended in many details—it is practically the law of Queensland at the present time; and my first intention was to

amend the existing Act, to bring it up to date; and, had I done that, I should probably have been able to frame a Bill which would have met the necessities of this colony. But I remembered that if you give a dog a bad name it generally sticks to him; and I thought that even if the existing law were improved, brought up to date, and made to suit the colony's requirements, there would be found in the country plenty of persons who had been accustomed to abuse the Act, and would continue to do so; and I therefore abandoned the idea of amending the existing law, and determined to bring in an altogether new Bill, based upon an Act which finds so much favour with many, and is very acceptable I believe to the people to whom it applies, namely, the Act of South Australia. I determined to base our law upon that Act. I may say that I made inquiries in Queensland as to whether there were any complaints with regard to their law from the people of that colony, and I was answered in the negative, that the law had been generally accepted by the people of Queensland. However, what is acceptable to the people of Queensland will not necessarily be acceptable to people here; and I therefore determined to introduce a new Bill, and the measure before the House is one which has been adapted from and chiefly based upon the existing law in South Australia. I go so far as to say that this Bill will meet the colony's requirements, and I believe it will be generally approved. Knowing pretty well what is required in respect of electoral matters, I have no hesitation in saying that, when this Bill has been read and closely examined by hon. members, there will not be much fault to find with it. It is very simple, and it carries out the object we all have in view, by giving facilities for registering voters, and by giving to those registered facilities for transferring their votes to other districts when they change their residences. [MR. ILLINGWORTH: Hear, hear.] With those two exceptions, there is very little difference between this Bill and any other Bill which has the same object in view. In reading the Electoral Acts of all the colonies, it will be found that the law is practically the same throughout Australasia, in regard, first of all, to the nomination of the candidates, next in

regard to polling, and then in regard to the scrutiny of votes and the declaration of the poll. Further on, there are penalties for offences, and provisions for dealing with disputed returns, with the right of appeal to a tribunal created to deal with such disputes. Those are clauses usually found in every Electoral Bill; and although different Bills may have different ways of expressing the same provisions, the same object is aimed at, and the same result attained.

**MR. ILLINGWORTH:** What about absent voters?

**THE PREMIER:** I will come to them directly. There is a general impression abroad, caused by persons who do not want to know, or who will not take the trouble to find out, that this colony is singular with regard to absentee voting; that this is the only country where people who are absent can vote. But in the great democratic colony of South Australia, any man, though absent, may vote, for there is a special provision made for a man to vote while away from his electorate; and this Bill, although it does not carry out the plan adopted in South Australia, attains the same result, so that if a person is absent from the place where polling is going on, he can, nevertheless, record his vote, just as he can in South Australia. For my own part I never could understand—and I have asked a good many democrats, or so-called democrats, for I think that is the more appropriate term to apply to them—what was the objection to a man being allowed to vote if he happened to be away from his electoral district; and very few people have been able to answer that question for me.

**MR. LEAKE:** I think the objection was to the plural voting.

**THE PREMIER:** The Electoral Act does not touch that question, for its object is simply to arrange the mode of voting. The Constitution Act regulates the right to vote.

**MR. VOSPER:** You confine the right of absentee voting to property holders?

**THE PREMIER:** Yes, we do; because anyone else, if he transfer himself to another electoral district, can still get the right to vote, and you cannot say, or I cannot make myself believe, that the man who is travelling about is in the same position in regard to voting as the man

who is settled in a place. If a man is travelling about and has no settled place of abode, he has not the same right to have a voice in the destiny of the colony as the man who has a settled abode. Some people will not agree with me, especially those people who are travelling about. In South Australia there is a plan adopted by which a man who is absent can vote. In this Bill there is of course provision for an electoral roll. This is kept by the registrar, who carries out his duties under the directions of, and is responsible to, the returning officer. The returning officer is also responsible to the Minister for the proper performance of his duties. Provision is made in the Bill for the transition period from the old Act to the new. It is that the old rolls in existence, when the Bill comes into force, shall be taken as the basis for preparing the new rolls; and there is a provision that the electoral registrar shall be able to pick out from the rolls the electors of a district—if it happen to be divided in such a way that some electors are left in one district and some are in the old district—and can place them on the new roll. Where there is a new district altogether, the registrar, under the direction of the returning officer, will have the duty of framing the new roll from the old one, so as to frame a roll for the new district. That is the law at the present time, and there is nothing new about that. The same plan is retained in this Bill as is found in the old one, as to municipal councils and roads boards sending in to the electoral registrar lists of the ratepayers in their various districts. One of the most important points, and I think there are only two really important points in the Bill, is in regard to the procedure as to making claims; and the other important point is as to the transfer of claims. The plan proposed to be adopted as to making claims is that any person, if he is qualified under the Constitution Act—and I may say, in passing, that under the Constitution Act any man who has been in the colony six months has the right and is eligible to be included as an elector on the roll—can go to the registrar, or if he does not care to go, he can send through the post a claim filled up, giving particulars as in the schedule, claiming to be a voter for a certain electoral

district. That claim need not be signed, as has hitherto been the case, by a justice of the peace or any other person named in the Act, for it can be signed by anyone as a witness; but the person who signs as a witness must be satisfied, by inquiry or otherwise, that the particulars stated in the claim are true. If the witness fails to do that, and certifies to a thing being true, and it is proved that he has not taken the necessary precautions to inquire from the claimant or otherwise as to the truth of the particulars, he is liable to a penalty of £50; the same penalty as a justice of the peace or other officer is liable to under the existing law, if he certifies to a claim that is untrue, that is if he is neglectful in the performance of his duty. On the other hand, if a claimant makes a statement in his claim which is untrue and false, he is liable on conviction to imprisonment for two years. That is the same law which exists in South Australia at the present time. I do not remember the penalty in this colony at the present time, but there is a penalty of imprisonment in this colony for the same offence. When a claim is made it is sent to the registrar, and as soon as the registrar receives it, he inserts the name on the roll in the alphabetical order of the initial of the name, and puts against the entry the date. The claim is immediately registered, and six months after the date the person applying has the right to vote. If an election takes place before six months have expired, the voters' list does not include the name of the claimant. That is exactly the law in South Australia at the present time. It will not be necessary for claimants to go before the revision court: it is only necessary for a claimant to make a claim, and six months afterwards he will be able to vote, unless in the meantime a revision court, which is only held once a year, is held and objection is taken to the name and it is struck off. But if no revision court is held before six months have passed, the claimant will be able to vote; and should he remove his residence during the six months, or should he remove his residence any time after six months, he can easily get transferred from his district to the new one in which he resides. I may say that during the six months the claimant is on the list, before he can vote the registrar will make inquiries as to the

correctness of the particulars stated in the claim. If a person desires to be transferred, whether it be at any time during the six months or any time after the six months, all he has to do is to make out an application in the form of the schedule and have it signed before a witness; then all he has to do is to send it, or give it, to the electoral registrar of the district to which he wishes to be transferred; but he must reside in the new district one month before doing that, to show his *bona fides*; and I think one month is a reasonable time that a man shall reside in a district to which he wishes to get transferred. I do not think that is the law in South Australia, but it is the law in most of the other colonies, I think; certainly it is the law in New South Wales, and I think in Victoria, only there the residence must be for three months. After being one month in the district, a man can apply to be transferred. For instance, if a man is on the roll in Perth, and he wishes to go to Coolgardie, after residing one month in Coolgardie he can apply at once and obtain a transfer from Perth to Coolgardie: without any trouble at all, he can fill up the form and have it signed before a witness, and the electoral registrar at Perth will be communicated with, and inform the registrar that the man is registered in Perth. Then the person who wishes to be transferred can be at once registered in Coolgardie; his name is struck off the Perth list, and the matter is completed. That is practically the form that exists in South Australia, although we have elaborated a little, and made it more clear than perhaps it appears in the South Australian Act. The Act in South Australia is drawn very crisp and short, and although it is well understood, it leaves a lot to be inferred. We have perhaps made our Bill a little more clear. The only difference between our law and that of South Australia is that an elector has to reside one month in a new district before he can apply for transference; besides that, he cannot apply if there is any writ out for election in the district. For instance, if a writ has been issued for an election in Coolgardie, no man can get transferred between the time of the issue of the writ and the return of it, so that the vote cannot be used for election purposes.

MR. ILLINGWORTH: Is not that clause sufficient in itself for all purposes?

THE PREMIER: No; we think—and it is the same in almost all the colonies with the exception of South Australia—that a man should reside some time in the new district before he gets transferred; and I think it is a reasonable proposal, because what is to prevent any man, or a large number of persons, being transferred just before a general election comes on, for some political purpose? Persons could be transferred and go up to a district, stay a few weeks and come back again; so that we have put in the provision for one month's residence in the new district. We want the *bona fide* residents in the different electorates to have the right of electing their representatives. We do not want a number of persons rushing into a place, and overridding the inhabitants of the district.

MR. ILLINGWORTH: An alluvial rush, for instance.

THE PREMIER: I do not think such a thing will occur, but we have made provision for it. We want the people residing in a district to exercise the right of sending in a representative, and one month is not too long for a man to reside in a new district; it is a reasonable time. If a man has been in a district a month he can get transferred. If a man resides a month in a new district he has shown a certain amount of *bona fides*, if he has not got any, and we do not want to put any more restrictions on him. These are the two principal provisions in the Act which I think require amendment. We wish to make it easy for a person to get on the roll, and there is nothing easier than for a person to make an application if he has been six months in a district. If a person, a month after sending in a claim, removes to another district he does not lose the month. I may point out that in the event of anyone having been registered in Perth for one month, and therefore had five months to run before voting, if that person were transferred to Coolgardie, the date would run from the original date, so that the person would only have five months more to run to qualify. The person would not lose the month that he had lived in Perth: he would get credit for that, as the six months would date from the original date.

MR. ILLINGWORTH: A person must have been six months in the colony, though.

THE PREMIER: That is provided for in the Constitution Act. Then there are six months that you must be on the roll before voting.

MR. ILLINGWORTH: Twelve months altogether.

THE PREMIER: Twelve months in the colony before voting; but a person can certainly obtain a vote in 12 months. If a man applies for a vote, if he has been six months in the colony, he can certainly get a vote, even if he changes his place of residence a dozen times, that is if he takes the trouble to transfer his name. The only difference between this Bill and the South Australian law is that in South Australia a man has not to remain six months in the colony before applying; but that is not the case in any other colony. In South Australia they have a very settled population; there are no great goings or comings. There the population is rural to a large extent, following rural pursuits, and there is no great movement of the population. It is very different in this colony. We may have a large influx of population here in the next month—perhaps thousands of people. A great change has been going on in this colony for a long time, and it would be unreasonable to expect the people who have just come to the country to take the same interest in it, or have the same regard for it, as people who have lived here for a lengthened period. Surely no one could say it is an unreasonable proposition that a man should be in a country 12 months before being able to exercise the right to vote for a member of Parliament. In the older parts of the world one has to remain longer than that. In the United States it is six or seven years.

MR. VOSPER: That only applies to aliens, though.

THE PREMIER: To aliens? It is easy to say that English people are aliens to Americans, but are they? Anyone who looks upon the United States can see that the people of that country and ourselves are of the same race, and have the same language, the same common history, and the same instincts; for we are one people—there is no doubt about that. No one can say that the American people and the

English people have not the ties of kindred. But, at any rate, there are greater restrictions in nearly every country in the world in regard to the franchise, than those proposed in this Bill. Although we are of the same race and the same kith and kin as the people residing in the other Australian colonies, leaving out that altogether, still I say, on the ground that a man should know something of the country in which he lives before taking a prominent part in its government, we are not asking too much—and I certainly am not prepared to go back one jot at the present time—we are not asking too much that a man shall be 12 months in the colony before receiving the vote. It is open to every man who comes here, if he is a British subject, to become a voter in 12 months' time, and if he is a reasonable person he certainly ought to be satisfied. That has not been the case in the past. The complaint has been that a man has had to wait 18 months or two years, and sometimes people have said they cannot get on the roll at all. At any rate, that complaint will be altogether removed when this Bill becomes law. Then there are the revision courts. These are practically the same as under the law at the present time. There is no difference as far as I know, apart from that of expression, except that there are four revision courts at the present time, causing a considerable amount of trouble and inconvenience, whereas there will be only one revision court once a year under this Bill, and hon. members will see there is no necessity to have more, because the revision court will not deal with applications, but only with objections. It will have nothing to do with putting people on the roll, as at present. Under the existing system the revision court has to pass everyone who tries to get on the roll; but, as I say, under this Bill the revision court will have nothing to do with putting people on the roll. Its duty will be to retain people on the roll wrongly objected to, either by the registrar or any other person. That will save a lot of trouble and it will be much more simple. It will get rid of all the difficulty occasioned by persons who make claims being called upon to attend quarterly meetings to substantiate their claims if any one objects. If any one makes objection in future, it will

be only once a year. The registrar has power, as well as other people, to make objections, but unless objection is made, no one's name on the roll can be interfered with. There is a little difference in regard to nominations proposed in the Bill. Under the existing law a candidate nominates himself. Following the plan adopted in South Australia, although I must say I do not see much in it, for I think it is not a very bad plan for a man to nominate himself, because he knows it is done—we propose that a candidate shall be nominated, and that no nomination shall be valid unless the person consents to be nominated. You cannot go and put a person up without his consent. He has to consent, and to inform the returning officer, either in writing or by telegram, that he is willing to be elected. The nomination paper has to be signed by two persons.

MR. ILLINGWORTH: Ten in Victoria.

THE PREMIER: The hon. member can move that it be 10 here, if he likes. It is not a matter of principle, the only thing being that perhaps it is sometimes a little more difficult to get 10 men, especially if they are not on the spot. However, the South Australian plan is what we have followed. We propose to follow our existing law with regard to deposits in relation to nominations, namely, that nominations shall be accompanied by a deposit of £25.

MR. VOSPER: What is the deposit in South Australia?

THE PREMIER: None at all, I think, but in every other place there is a deposit. In Victoria it is £50. We propose to keep to the £25 deposit, but to make the system a little more easy in regard to tender, in that we propose to allow bank notes to be tendered, which have not been allowed hitherto, the only legal tender hitherto being sovereigns, or else a deposit from a bank, marked "deposit receipt," or a Treasury receipt. We propose to make sufficient receipt from the bank in favour of the returning officer. If you could get the bank to mark your cheque, the bank would give you the notes. There is no difficulty in outlying districts, because you can go to the Colonial Treasurer, and he will telegraph to the returning officer, as is often done, informing him that he



has the money, and therefore the law has been complied with. As to absent voters, we propose to retain the law exactly as it is in this colony at the present time. The arrangements for the polling and for the return of the voting papers to the returning officers are exactly the same as at present. We have adhered to our own law in that respect, and have not followed the law existing in other places. In South Australia a man is allowed to only vote in one place in his district. There polling places are established, not by regulation but by law, and a man has to poll in the place where his name is registered; but we have not followed that in this colony. If you are a voter in a district you can vote in any polling place in that district. In regard to the counting of votes, we have not followed the plan which is almost universal in the other colonies, where each presiding officer counts his own votes. In this colony the conditions are such that I think it is scarcely advisable to adopt that system at the present time, because the secrecy of the ballot would be impaired. I know of plenty of places in this colony where such might be the case. I could take you to, say, a large mine or timber station, where there are many people employed, and if the votes were counted there, the counting might disclose that a large number of miners or of timber men had voted against the views of their employers, and friction might result. The plan we adopt is that all the ballot boxes are taken to a central station and the papers are there mixed up together before being counted, thus destroying any chance of anyone knowing how any class voted. The only objection to that is that sometimes, of course, it will cause some delay, and especially has this been the case with regard to elections for the Upper House, the distances being sometimes hundreds and hundreds of miles. We propose to get over that in this way. Every returning officer of a district is, of course, deputy returning officer for the province, and he has his own district. Take, as an example, the district of Gascoyne. The returning officer may have half-a-dozen presiding officers all over his district. These presiding officers will have to send in their boxes to him, and he will count the votes for the Upper House elections in

the same manner as for the Assembly elections, and then telegraph the result to the central returning officer. That will get over all the delay that has been experienced, sometimes, away up in Kimberley, or even in the Ashburton or Gascoyne, from which, a steamer not coming along, we are not able to get the results of the elections for a long time. The delay under this Bill will only be that in sending the boxes to the central place. That never takes more than one or two days even in the most remote districts, and in most places it is done in a few hours, the distance generally not amounting to more than 40 or 50 miles. I think the plan we adopt will be suitable to our requirements. Of course it could be arranged that every presiding officer should count his own votes; but I feel sure the secrecy of the ballot in many places would be impaired, if that were done. That is my only reason for not doing it. If members will think that out for themselves, we can talk it over in Committee. There are advantages both ways, and also disadvantages. Thinking it over, I have come to the conclusion that under our present requirements it would be better to get all the ballot boxes sent to one centre and the voting papers mixed up and then counted, by which means the secrecy of the ballot will be better maintained than by the other plan. We propose that the writs, or any other document required, the return of the poll, or anything else needed under the Bill, may be transmitted by telegram in the same way as at present. Offences and penalties are dealt with very precisely, I think more precisely than under our existing law; but the object and the result are the same. There is also a table of electoral offences and punishments; and we have introduced into this Bill provisions dealing with disputed returns. It is much better to deal with disputed returns and provide a court to deal with them under an Electoral Act, as is done elsewhere, rather than under other Acts. We have not followed the practice of South Australia in regard to this tribunal, which in that colony consists of members of Parliament sitting with a Judge. It seems to me the more members of Parliament keep out of the settlement of disputed returns, the better for all concerned. I can imagine a trusty friend or supporter

of mine, or a colleague, might be involved in a disputed return on the settlement of which I should have to sit with a Judge. I do not think that would tend to good feeling and harmony, or result in justice being done. It is better, therefore, that members of Parliament should not form the tribunal, but that such disputes should be dealt with by a Judge of the Supreme Court. For these reasons, the Bill adheres to our practice, which is to refer disputed returns in the way indicated to a court, constituted of a Judge of the Supreme Court. The Bill provides that all electoral papers if marked "electoral" may be transmitted through the post free of charge, and there are provisions enabling the Governor to make regulations for carrying out the Bill. For the more convenient holding of the first general election for members of both Houses, the Governor may make such arrangements, appoint persons, and fix such dates and periods as may seem to him desirable. It has always been the law in the other colonies, when Electoral Acts have been changed, to allow periods to be shortened in order to facilitate the coming into operation of the Bill as quickly as possible. The last provision is that the Bill is to be proclaimed in this colony so soon as the royal assent has been obtained. I regret very much that it should be necessary to send the Bill to England for the royal assent, but that, it seems, cannot be avoided. In 1895, the Governor was advised by the Attorney General to assent to an Act of this kind, and it became law; but we found out afterwards that under Imperial Acts governing the giving or withholding of the royal assent, the Attorney General was in error. A similar error had been made in several other colonies, and an Imperial Act had to be hastily passed through the Imperial Legislature, validating Acts in New South Wales and other provinces. The Imperial Government promised to submit a Bill, with the object of doing away with the necessity of referring measures of this sort for the royal assent; but, although a Bill was sent from England in 1896 and scrutinised by the then Attorney General (Mr. Burt), and pronounced by him altogether suitable to our requirements, we found, only the other day, that for some reason the Bill had never been passed by the Imperial Government, so that we are now

in the same fix as in 1895. The fact that the Bill has to be submitted for the royal assent will, of course, cause delay, but if we get the Bill through quickly, as no doubt we shall, it will be returned from England at the earliest possible moment. I am not sure whether it is necessary this Bill should go before the Imperial Parliament, but the Constitution Bill will certainly have to do so, and, I believe, lie a month on the table of the House of Commons.

MR. ILLINGWORTH: The Constitution Bill will have to go before the Imperial Parliament.

THE PREMIER: We will, however, get the Electoral Bill back more quickly, because it only has to get the royal assent, to cable which arrangements can be made. I have dealt with most of the points raised in the Bill; and we must never forget we have a complete Electoral Act at the present time, and that nearly all these provisions are now the law of the country, but put in what I think is a simpler and better shape. The clauses dealing with claims and transfers are altogether new, and such transfers are allowed in all the colonies, except Queensland, where there is no provision yet that I am aware of for anyone to be transferred from one roll to another. I have thought of this proposal for a long time although not able to carry it into effect; and it seems to me most reasonable, especially where electorates are close together, as in Perth and Fremantle and other large towns, and where to cross the street may mean to move into another electorate. Under the Bill no distinction is made between electorates close together and far away; and any person who has been six months in the colony may apply, and in another six months get a vote, no matter where he goes in the meantime, and the cost will be no more than that of a postage stamp.

MR. A. FORREST: Why do the Government not provide the stamp?

THE PREMIER: The more the Bill is looked into, the more I think it will be approved of; and while I do not expect hon. members to agree with every provision, I am sure that in regard to claims and transfers, there is really nothing left to be desired. I beg to move the second reading of the Bill.

On the motion of MR. ILLINGWORTH, the debate was adjourned.

## MUNICIPAL INSTITUTIONS BILL.

## IN COMMITTEE.

Clauses 1 to 10, inclusive—agreed to.

Clause 11—Power of Governor to declare Municipalities:

THE PREMIER: Apparently, there was no one in charge of the Bill.

MR. A. FORREST said that he was in charge.

THE PREMIER: The clause provided that a mayor should be termed "the right worshipful." Surely the hon. member did not want to be called that?

MR. A. FORREST: Undoubtedly.

THE PREMIER: From whence was the precedent derived?

MR. A. FORREST: From Melbourne.

THE PREMIER: Was it actually proposed that every mayor in this colony should be called "the right worshipful"?

MR. A. FORREST: Every mayor of a city.

THE PREMIER: What was a city?

MR. A. FORREST: A place with not less than 20,000 inhabitants, and a revenue of £20,000 a year or over.

THE PREMIER: The proposal was ridiculous. The Lord Mayor of London was termed "the right worshipful," but surely no other English mayor had the title.

MR. VOSPER: Yes. Every mayor of an English borough had that title, whether he deserved it or not.

THE PREMIER: Fancy "the Right Worshipful the Mayor of Yalgoo"!

MR. ILLINGWORTH: That could not happen till Yalgoo had 20,000 inhabitants.

Clause put and passed.

Clauses 12 to 24, inclusive—agreed to.

Clause 25—Exercise of the powers conferred on the Governor:

THE PREMIER: What were the powers which the Governor would exercise only upon presentation of a petition?

MR. A. FORREST said he believed the powers were exactly the same as in the existing Act.

Put and passed.

Clauses 26 to 40, inclusive—agreed to.

Clause 41—Disqualifications:

MR. ILLINGWORTH: Being much opposed to woman's franchise, and he supposed he would be so to the end of his days, if we were going to admit the principle of woman's franchise into elec-

tions for Parliament, he could see no reason why we should exclude women from municipal elections.

MR. A. FORREST: Women could vote now.

MR. ILLINGWORTH: There was no disqualification with reference to Parliamentary elections.

THE PREMIER: Yes, there would be.

MR. ILLINGWORTH: The responsibility rested on members who supported woman's franchise, and he simply threw out the suggestion.

MR. A. FORREST: There was no objection to the striking out of the words, on his part. He had objected to the words being inserted, when at the municipal conference in Kanowna, but he found he was in a minority.

MR. VOSPER moved that in line 1 the words "no female" be struck out. Having once admitted the principle of women voting for Parliament, we should carry the principle out to its logical issue.

THE PREMIER: We should go slowly.

MR. VOSPER: We were fond of talking about following the precedent of the British Parliament. Women had seats on county councils, boards of guardians, and parish councils at Home. The ladies on the London County Council were doing a great service, and that should be an indication of what women could do in the municipal councils here. He could not understand the reason for allowing a woman to vote, and not allowing her to be returned as a member of a municipal body.

MR. CONNOR: If the words "no female" were not struck out, the clause would have to be altered consequentially, to suit this amendment.

MR. VOSPER: Perhaps it would be well to strike out the words "no female, no minister of religion."

MR. A. FORREST: It would be better to keep ministers of religion out of municipal councils.

MR. VOSPER: Then he would stick to the amendment as first moved.

THE PREMIER: Although women's suffrage had been introduced into Parliamentary elections, hon. members would notice in the Constitution Bill it was not proposed that women should be eligible for election as members of Parliament.

MR. A. FORREST: That could be inserted in Committee.

**THE PREMIER:** We did not want to go too fast, and he did not think women desired to be elected to Parliament: they had only asked for the vote. No woman he had met had asked for the right of going into Parliament: the women did not want it yet. Everything would come in due time, and that was the reason he did not propose in the Constitution Bill that women should be eligible for election as members of Parliament.

**MR. VOSPER:** Women had been exercising the municipal vote for a considerable time past.

**THE PREMIER:** When women had exercised the vote for some time, then they might desire to be admitted as members of Parliament. Women had been voters for a long time in municipal matters, but he had never heard one woman yet ask to be a member of a municipal council.

**MR. A. FORREST:** In New Zealand.

**THE PREMIER:** Not here. No motion had been moved that women should be admitted as mayor or councillor. He had never heard the matter discussed, and that being so, no one asking for it, there was no reason why the provision should be put in the Bill. Why force on people that which they had never asked for?

**MR. VOSPER:** The women did not ask for seats on county councils and such bodies in England before the municipal right was given there.

**THE PREMIER:** We should not force anything on anyone which they had not asked for, and the women had not asked for this.

**MR. VOSPER:** Consult Mrs. Clarke about that.

**THE PREMIER:** By and by it would be time enough, when women asked to be admitted as mayor or councillor, to give women the right.

**MR. JAMES:** The privilege of women being elected as members of municipal councils was enjoyed in the great mother country that the right hon. gentleman liked to follow. Women were elected to parish councils and county councils, and why should they not have the right to sit on municipal councils? Surely it seemed to be unfair to single out the ladies in this particular matter, and say

they should not enjoy that right which every other ratepayer enjoyed. When discussing the extension of the Parliamentary franchise to women, an argument was based on the fact that women had the right to sit on local bodies—parish councils and county councils—and it was pointed out that women sat on these bodies, which were controlled and elected by ratepayers; and if women were ratepayers, no objection could be raised either logically or in good sense or justice against women sitting as members of these bodies. Parliament had determined to give the women of the country the right to vote at Parliamentary elections; and in connection with municipal institutions women had had the right to vote for years past; now, when we were adopting new legislation for dealing with municipal councils, was it right to refuse the women this privilege? It must not be forgotten that the female ratepayers would, for a great number of years yet, be in the minority, and if a female was elected to a municipal council, she must be elected by the votes of the male electors. By passing the amendment perhaps we were limiting the choice, and disqualifying the male electors by whose votes alone a lady could be elected. We ought not to go out of our way for the purpose of placing women under a disqualification which did not exist in the old country. He ventured to submit it was not justified in reason or good sense; certainly it was not logically justified. If we were really not going out of our way to single out women, it might be a different matter; but in this clause we were singling them out, and saying that women should not have the right to sit. The clause said that uncertificated and undischarged bankrupts, persons attainted of treason, or convicted of felony or perjury or any infamous crime, or persons of unsound mind should not sit, and along with these persons, women and ministers of religion were disqualified from sitting. If the male ratepayers wished to elect a lady ratepayer, why should they not have the right to do so? It should not be forgotten that we were giving the voting power, not to the individual, but to ratepayers. The individual did not vote, only the person who paid rates, and the individual who paid rates was *prima facie* entitled to be

elected. He hoped the words would be struck out.

MR. MORAN : We were getting along fairly rapidly with the woman's suffrage question. Only last year this Parliament gave its vote against female suffrage, but this year the same Assembly decided to give the vote to women at Parliamentary elections. He had been against the question up to the present ; but this session he did not vote either for or against giving woman the vote. He had not heard it stated by women that they were desirous of becoming members of Parliament ; women had never put forward the theory that the right to vote for members of Parliament should be extended to the right to sitting in Parliament. Although the Parliamentary rolls were large, it was not proposed to allow women to become entitled to election as members of Parliament ; but because the municipal council rolls were small, the right was given to women to become members of municipal bodies. The hon. member wished women to have that right which he would not give them in a larger case. He thought we had better wait in this matter, and after the ladies had voted at the next election people could see whether it would be judicious to extend the right to them to become judges, premiers, ministers, members of Parliament, and that sort of thing.

A MEMBER : Women were too respectable to become members of Parliament.

MR. MORAN : If they were too respectable to become members of Parliament they were too respectable to vote.

MR. VOSPER : The attention of the Committee might be called to the wording of the clause. It said : "No female, no minister of religion, no uncertificated or undischarged bankrupt, and no person attainted of treason or convicted of felony or perjury, or any infamous crime."

MR. A. FORREST : The same wording was used in regard to voting for Parliament.

MR. MORAN : It was the same in every electoral Act.

MR. VOSPER : The clause continued : "no person of unsound mind, nor any person under composition with his creditors," and so forth. We found females and ministers of religion for the purposes of this clause classed with persons attainted of treason or convicted of felony or

perjury or any infamous crime. We might sort them out. It did not seem fair to the innocent ministers of religion and the still more innocent females, that they should be classed with the others referred to. The words "no female" should be struck out of this clause. In the old country women had served on school boards, on boards of guardians, and as members of the London County Council. It had been admitted that in the old country women were admitted to all municipal institutions, and in every case he had heard of they had acted in a satisfactory way. The ladies had done a vast amount of good work. There should be the power to elect a woman if such a desire existed. Many points of municipal administration affected women even more closely than parliamentary laws were likely to do, because the municipal law exercised more influence over the home than it was probable Parliament would do. In passing a resolution in favour of granting the Parliamentary suffrage to women, we followed the example of the other colonies, and in this case he asked members to follow the example of the mother country. It would be most ungallant to leave ladies in such a category as we had in this clause. He moved that the words "no female," line 1, be struck out.

SIR JAMES G. LEE STEERE : One statement by the hon. member (Mr. Vosper) should be corrected, as the hon. member certainly could not intentionally have made the misstatement ; but in the Metropolitan Municipal Bill, which was passed last session by the Imperial Parliament, women were especially excluded from sitting in the municipal councils created under that Bill.

MR. VOSPER : The London County Council ?

SIR JAMES G. LEE STEERE : Not the London County Council, but municipal councils in the metropolitan district. Further, he (Sir James) did not think women could sit on the London County Council. Certainly, Parliament did exclude women from sitting on the municipal bodies to which he had referred.

MR. JAMES : The hon. member (Sir James) must be referring to the London Local Government Bill.

SIR JAMES G. LEE STEERE : The Metropolitan Municipal Bill.

MR. JAMES: The objection raised in the case referred to by the hon. member, was to allowing women to sit as aldermen.

SIR JAMES G. LEE STEERE: They were not allowed to sit at all on municipal councils, under that Bill.

MR. JAMES: The objection was, he thought, to their sitting as aldermen.

MR. MORAN: The hon. gentleman (Sir James G. Lee Steere) had just returned from England, and knew.

Amendment (Mr. Vosper's) put and negatived.

Clause put and passed.

Clauses 42 to 52, inclusive—agreed to.

Clause 53—Power to corporations to nominate a person to be placed on the roll:

MR. JAMES: Would the member in charge of the Bill say why a distinction was made between what was called a "firm," in Clause 53, and persons who were jointly liable, mentioned in Clause 54? The Bill contained a great number of defects in it.

MR. A. FORREST: Why did not the hon. member point them out?

MR. JAMES: Because he would have to be there all night to do that. Life was too short for him to put right a badly drawn Bill with 463 clauses. He wanted the fact put on record that he did not commit himself to a Bill which contained a great number of defects.

MR. A. FORREST: The object of using the words in question was to enable firms to nominate a person to be placed on the roll, as representing the particular firm in each case.

Clause put and passed.

Clauses 54 to 105, inclusive—agreed to.

Clause 106—Voting by proxy in certain cases:

MR. QUINLAN moved that the clause be struck out, and the following inserted in lieu thereof:—

Whenever at any such election a person is qualified and entitled to vote, and desirous of voting, and resident in the colony, but more than ten miles distant from the place of such election on the day of such election, such person may authorise a proxy or agent, in writing under his hand, duly signed before a witness in accordance with the form prescribed in the Eighth Schedule to this Act, to deliver his vote or votes as declared in the manner prescribed by the said schedule, to the Returning Officer, who shall make a mark on the respective electoral list to signify that such

voter has voted, and shall place the voting paper in the proper ballot-box. Provided always that no vote shall be expected or taken from any person professing to be proxy or agent, or placed in any ballot-box until he has answered the following questions:—(a) Is the person who signed this voting paper, to the best of your knowledge and belief, the person whose name appears as (here specify the name contained in the electoral list) in the electoral list now in force in this municipality (or the ward as the case may be) being registered therein for the property described to be situated in (here specify the property described in such electoral list). (b) Is the said person now, to the best of your knowledge and belief, resident within this colony and more than ten miles from this place? (c) Is the name signed on the voting paper as the name of the proxy or agent delivering the same your name and signed by you, and is the address of such person your address? (d) Has the person whose name is signed to this paper delivered by you as the voter ever revoked the authority given to you to deliver it? (e) Has the person whose name is signed to this voting paper already voted at this election? The proxy or agent tendering such voting paper shall answer the first, second, and third of such questions absolutely in the affirmative, and the fourth and fifth of such questions absolutely in the negative.

The new clause, he said, was to all intents and purposes the same as the section in the present Act, and provided a simple method of voting by proxy. The amendment was also intended to prevent a laxity observable in the application of the present law, which had been abused to a considerable extent. Under the new clause, the signature of the voter would have to be witnessed, and that was not necessary now. The clause as it stood afforded similar facilities for voting as were provided now at a Parliamentary election, and most hon. members must have experienced difficulty in exercising a proxy vote on the latter occasion, however obliging the Resident Magistrate, or the officers appointed by the Governor in Council might be. The amendment did not make any very great change, and would meet the requirements of owners of property, who should have the right to exercise a proxy vote.

MR. A. FORREST (in charge of the Bill): The Bill, as far as practicable, followed Parliamentary usage in the matter of voting at elections, and he felt compelled to oppose the amendment. When this question was before the Municipal Conference at Kanowna, it was proved conclusively that the proxy system

had been abused, more especially in the coastal districts, where it was alleged men were given five shillings for every proxy they could collect, proxies being practically given in blank and even kept over for use in another year. Members of the conference went so far as to state that proxy votes were given on behalf of people who were dead. The vote in favour of the clause, as drafted, was almost unanimous at the Municipal Conference, the goldfields representatives being solidly in favour of the provision. He had had experience of proxy voting, and must admit he had signed papers off-hand without thinking much about the matter. There was no reason why the same principle as was observed in voting for Parliamentary elections, should not be observed in voting for municipal elections; and he was pledged to support this clause as drawn, if only because it had been approved by the majority of the delegates at the Municipal Conference.

MR. QUINLAN: The member for West Kimberley (Mr. A. Forrest) represented the Municipal Council of Perth, but did not represent him (Mr. Quinlan), who had had as much or more municipal experience than the hon. member. The amendment made provision against the abuse of the proxy system, specially laying it down that proxy papers should not be held from one election to another, but should be so drawn and drafted as to be ballot-papers for the one election only. On this point he had the assurance of the Town Clerk of Perth, who was preparing schedules which ought to have been attached to this Bill; and as to the opinion of the goldfields delegates, it was only a little time ago that the goldfields communities became municipalities, and he desired to hear the views of hon. members on the subject.

MR. ILLINGWORTH: The Bill was the product of a conference of the leading municipal councillors of the colony, and he had been disposed to let the measure pass unchallenged; but if it was proposed to make so material a change as suggested by the amendment, it would be advisable to give municipal councillors an opportunity of considering the proposal. He moved that progress be reported.

Motion put and passed.

Progress reported, and leave given to sit again.

#### POLICE ACT AMENDMENT BILL.

##### BETTING SUPPRESSION.

##### SECOND READING (MOVED).

MR. ILLINGWORTH (Central Murchison), in moving the second reading, said: The Bill comes to us from another place, and I have been requested to take charge of it in the Assembly. Hon. members are aware that the Bill, as it now stands, is really the re-enactment of an Act which was passed some years ago, and which was repealed during last session. I understand the repeal has very materially hindered the operations of the police in dealing with the matter of betting in its various forms, and it is now proposed to re-enact the original statute. I desire, however, to make some slight amendments in Committee, and these are amendments which I suggested when the Bill was first introduced some years ago. By Clause 2 it is provided that:

Every person betting or offering to bet, by way of wagering or gaming, on any racecourse, on any grounds where sports or racing are or is being carried on, or in any public place, or in any place to which the public are or shall be permitted to have access, whether on payment of money or otherwise, shall be liable, on conviction, to a penalty of not less than Forty shillings nor more than One hundred pounds.

With that proviso I am in harmony, but the clause contains another with which I am not in harmony, and I propose in Committee to strike out the words following those I have just read, providing that for the second offence every person convicted "shall be deemed a rogue and vagabond within the true intent and meaning of the Police Act, 1892, and as such may be convicted and punished under the provisions of that Act." I think that is carrying the proposal too far. The Bill is well known to hon. members, and it is unnecessary to say much more on the subject; but I do wish to make one remark while the Bill is before the House, regarding the absolute necessity for the enforcement by the police authorities of the Act dealing with betting. This city is getting absolutely flooded with men who are absorbing a large amount of money, and are, moreover, doing an immense amount of damage.

I want to assure hon. members that during the past week these tickets—I am not sufficiently versed in betting phraseology to know the correct terms in which to describe them—these sweep tickets have been issued to children not older than six years; that they are being issued in this city up till midnight at the present time; and that a large number of so-called tobaccoists and others are engaged almost exclusively in this betting business, contrary to the Act. All that is required is that the existing law be put in force. The head of the Police Department, in the person of the Premier, is not now in the House; but perhaps the Attorney General will note the point I desire to make, that it is time the police took action to deal with this evil that is growing up in the city; an evil which is sapping the very life of our youth, interfering generally with the prosperity of the community, and doing a vast amount of mischief all round us. While I am not disposed to enact that, because a man makes a bet upon a racecourse, he shall be declared a rogue and a vagabond, I do say that the laws of this country with regard to betting are being flouted day and night in this city all over the city, and that it is time the police took some action to put in force the existing law; or, if the Government are not prepared to support the police, and the police are not prepared to enforce the Acts which have been passed, then I say the Government should take steps to repeal those Acts and to let us know exactly where we stand. There is nothing more dangerous and injurious to a State than to have laws on the statute book which are constantly broken; and when it has come to such a pass that children six years of age can purchase sweep tickets, and that men, women, and children are visiting these shops day and night for the purpose of betting, it is time that the police took action to enforce the law in some form—at all events, much better than it is being enforced now. I move that the Bill be now read a second time.

MR. CONNOR: Is it not necessary that the motion should be seconded.

THE SPEAKER: Not when it appears among the Orders of the Day.

THE PREMIER (Right Hon. Sir John Forrest): I think most people will go a good way with the hon. member, though

probably not so far as he desires. We cannot be changing our laws every five minutes—passing a law one year, repealing it next year, and in the following year passing it again. To do that would look as if we did not know what we wanted.

MR. ILLINGWORTH: I propose to strike out the "rogue and vagabond" penalty.

THE PREMIER: I should imagine no one desires that betting should take place at every sport. For my own part, I am much opposed to seeing betting going on in connection with such games as cricket, cycling, football, and other athletic exercises; but there is a wide difference between sports of that kind and the sport of horse-racing. Both here and in the old country, people accustomed to horse-racing like to hear the odds shouted on the racecourse—at all events, most sporting men like that—so long as the practice is confined to a certain portion of the course. To say to people that they shall not bet on a racecourse is practically to tell them they shall not go to races, because betting seems to be part of the system that has grown up, not only here, but everywhere; and we must remember that the use of the totalisator on racecourses has been legalised. A certain amount of gambling does take place at race meetings, and the totalisator has many advantages, the principal one being that a man must have the money before he can "put it on." Personally, I am not prepared to do away with the totalisator, and I would even say I do not think it advisable at the present time to reverse the law regarding betting on racecourses; but I go with the hon. member in regard to everything else mentioned in his speech, and with respect to betting at all other kinds of sports; and I think that, if the hon. member really wants to do good, he can easily carry that moderate proposal. The effect will be to a large extent to put down this evil, which there is no doubt is an evil, for no one can behold this desire to get rich by chance—for it does not mean anything more than that—this desire to win another man's money by a "fluke" or a chance—

MR. CONNOR: Then shut up the stock exchange.

THE PREMIER: At all events, on athletic sports grounds I certainly have a strong personal objection to the shouting of the odds and to betting, for I do not



think these are necessary, and it has never been the custom anywhere until recently. I do not see why the betting men should wish to invade every form of sport and athletic exercise. Let them keep to the sphere they have been accustomed to occupy, and let them not seek to invade sports which hitherto were altogether free from the betting evil. I think we might pass the second reading of the Bill, and deal with its provisions in Committee; and I hope the hon. member in charge of the Bill, in his desire to do what he thinks is right, will not try to get all he wants. He will find it much better to be moderate; to get what he can, and then to try again, rather than attempt to gain all at once and to go away with nothing.

MR. WALTER JAMES (East Perth): The great trouble is that sentiments such as those we have just heard were not expressed last year, when dealing with the very legislation the gross evils of which are now obvious, and which we now desire to repeal. Hon. members will no doubt recollect that last year there was passed an Act repealing the Act which prohibited betting; and the Act then repealed was, I think, only one or two years old. I protested as vigorously as I possibly could, and so did the member for Central Murchison (Mr. Illingworth), against the introduction of that repealing legislation. We protested, and protested vigorously, against any attempt being made to legalise betting; and subsequent experience has fully justified our action. Though I have no particular fondness for horse-racing, I realise that there are large numbers of people who like the sport; and I can quite understand that betting has certain associations which, I think, are not so injurious, so baleful, as to call for its entire suppression. But I do not think the Premier realises the evils which have sprung up in this city of Perth since the legislation of last session. It is a gross and a growing scandal that in this city, in two or three establishments particularly, bets are taken from all sorts and conditions of people; that mere children, boys and girls, domestic servants, can go in and "get the odds" from 6d. upwards. That is done openly, flagrantly, day by day and night by night, in certain tobacconists' shops in this city.

THE PREMIER: Why not stop it?

MR. JAMES: There ought to be a law to stop it.

MR. ILLINGWORTH: The police say they cannot stop it without this Bill.

MR. JAMES: These particular shops, too, are carrying on what are known as "totes" in the most open and flagrant manner, and I should like to direct the Attorney General's attention to this point, as I did in an earlier part of the session, and to ask him: Is the law of this colony sufficiently strong to suppress these sweeps and sweep conductors? If it is not, it must be made sufficiently strong to get at them. I feel, and feel very strongly, that there is nothing more demoralising in our Australian life, that there is nothing which has led to more embezzlement and robbery, than these sweeps and "consultations."

MR. ILLINGWORTH: And to suicides as a consequence.

MR. JAMES: And I shall do my utmost to have them stopped. There may be some hon. members who think that these things should be regulated, but there cannot be one member of this House who thinks it desirable that the present state of affairs should be allowed to continue for 24 hours, when we see these "totes" conducted in the disgraceful and open manner in which they are carried on in Perth to-day. It is humiliating to think that such things should be allowed; and I say to the Attorney General, if our existing legislation is not sufficient to put them down, then for goodness sake let us have legislation introduced that will be sufficient to grapple with this great and growing evil. This Bill, at all events, will stop betting. I am prepared, although I never engage in betting, to fall in with the suggestion of the Premier that certain provision should be made to enable betting to be carried on at racecourses, as there are great numbers of people who frequent races, and I think no one can have the least objection to the manner in which such meetings are carried on—that is, the best of them. Those who take an interest in horse-racing like this betting, and I think provision should be made for the purpose of enabling it to be carried on at the high-class meetings, but not at every race-course without control. As we have a racing body here which controls the rac-

ing community throughout this colony, I certainly think no person should be allowed to carry on betting at any race-course unless on the terms and conditions imposed by the principal racing body in the country—a body which we can trust; and I certainly am not prepared to allow a number of individuals to come together, buy a few acres of land, call themselves, say, "The East Perth Racing Club," and thereby acquire a free right to carry on any sort of betting, and to violate the law which applies to all the rest of the community, but does not apply to such people simply because they have bought a piece of ground and established a race-course. If the Premier will modify this Bill so that betting be allowed only on racecourses under the control of or authorised by the West Australian Turf Club, I shall be very glad to give it my support; but I shall strongly oppose any exemption in this Bill, the effect of which will be to allow any number of individuals to come together, buy a piece of land, call it a racecourse, and then, upon that land, within the fence which they put round it, carry on the betting in the freest possible way, without let or hindrance. That, I think, should be stopped. I ask the Premier and the Attorney General to introduce some legislation which will stamp out these totalisators and the gentlemen who run them, and which if it cannot stamp out, will strictly control these sweeps and "consultations" which are growing to such enormous dimensions in this small colony.

MR. CONNOR (East Kimberley): I do not think I have ever had to listen to such an oration as that which has just been delivered by the member for East Perth (Mr. James), who says we can have betting on large racecourses. I am an advocate for the rights of the people, and I say that what one class of people have a right to every class have a right to the same. Either it is fair to allow everybody to bet, or we should not have betting at all. No particular class should have the privilege to bet. The poorer class, who have not so much money to pay big entrance fees to racecourses, should not be debarred from going to see horse-races and to bet if they so desire. The law should touch everybody or nobody. I think we should have further discussion

on this matter; therefore I move that the debate be adjourned.

Motion put and passed, and the debate adjourned accordingly.

#### ADJOURNMENT.

THE PREMIER moved that the House, at its rising, do adjourn until Tuesday next.

Put and passed.

The House adjourned at 12 minutes to 10 o'clock p.m. until the next Tuesday.

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### Legislative Council,

*Tuesday, 29th August, 1899.*

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Papers presented—Question: Bubonic Plague, Precautions—Divorce Act Amendment Bill, first reading—Customs Consolidation Amendment Bill, second reading; in Committee, Clause 1 to new clause, progress—Permanent Reserves Bill, second reading—Public Education Bill, second reading, in Committee, reported—Truck Bill, second reading, Amendment negatived, Division—Excess Bill, first reading—Adjournment.

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THE PRESIDENT took the Chair at 4:30 o'clock, p.m.

#### PRAYERS.

#### PAPERS PRESENTED.

By the COLONIAL SECRETARY: Return showing appointments made by Metropolitan Waterworks Board, as ordered on motion by Hon. R. S. Haynes.

By the PRESIDENT: Further Supplementary Report by Auditor General, relating to amendment of the Audit Act.

Ordered to lie on the table.

#### QUESTION—BUBONIC PLAGUE, PRECAUTIONS.

HON. A. P. MATHESON asked the Colonial Secretary: 1, If the attention of the Government had been called to the fact that the bubonic plague was prevalent in a virulent form in Mauritius, and