

THE PREMIER: At 3s. an acre that would be £750.

MR. ILLINGWORTH: Was the fencing to be part of the improvement?

THE PREMIER: No. The Bill provided that the land must be fenced besides.

MR. ILLINGWORTH: The Premier had suggested an amendment previously that if an amount equal to the value of the fencing and other improvements had been expended on the land, no fine would be imposed. Supposing a man had spent 3s. an acre on five acres out of 1,000 acres, would he be free from fencing all the land?

THE PREMIER: The fencing would have to be done as well.

Amendment put and passed.

Schedule as amended agreed to.

Second Schedule:

THE PREMIER moved that after "subdivision," the word "fences" be inserted; that after "wells," the word "reservoirs" be inserted; that after "dams," the words "dwelling houses, sheds, barns and other farm buildings," be inserted.

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

New Schedule:

HON. H. W. VENN moved that the following schedule be inserted after the second schedule: "Under five thousand acres one penny in the £, over five thousand acres one half-penny in the £."

Amendment put and passed.

Third, Fourth, and Fifth Schedules—agreed to.

Title—agreed to.

MR. OLDHAM: When would it be competent to move that the Bill be re-committed?

THE CHAIRMAN: On the report stage.

Bill reported with amendments.

THE ATTORNEY GENERAL moved that the consideration of the Committee's report be made an order of the day for to-morrow.

MR. ILLINGWORTH moved, as an amendment, that the date be the next Tuesday.

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

Ayes 6

Noes 9

Majority against ... 3

AYES.
Mr. Gregory
Mr. Illingworth
Mr. Monger
Hon. H. W. Venn
Mr. Wallace
Mr. Oldham (Teller).

NOES.
Sir John Forrest
Mr. Hall
Mr. Hubble
Mr. Lefroy
Mr. Pennefather
Mr. Plesse
Mr. Throssell
Mr. Wood
Mr. Rason (Teller).

Amendment thus negatived.

Ordered, accordingly, that the report be considered on the next day.

PATENTS, DESIGNS, AND TRADE MARKS BILL.

WANT OF QUORUM—ADJOURNMENT.

THE ATTORNEY GENERAL rose to move the second reading of the Bill.

MR. ILLINGWORTH called attention to the state of the House.

THE DEPUTY SPEAKER, after the bells had been rung and the usual interval had elapsed, finding there was not a quorum of members present, adjourned the House till next day.

Legislative Council,

Thursday, 17th August, 1899.

Papers presented.—Motion: Circuit Courts Act, not in operation—Evidence Bill, third reading—Weights and Measures Bill, Recommendation, reported Resolution: Ivanhoe Venture G.M. Company, Compensation; Division—Sale of Liquors Amendment Bill, second reading—Public Education Bill, first reading—Resolution: Women's Franchise, Division—Adjournment.

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

PRAYERS.

PAPERS PRESENTED.

By the **COLONIAL SECRETARY**: 1, Report of Board of Management of Perth Public Hospital; 2, Report of Board of Management of Fremantle Hospital.

Ordered to lie on the table.

MOTION—CIRCUIT COURTS ACT, NOT IN OPERATION.

HON. A. P. MATHESON (North-East) moved :

That, in the opinion of this House, it is desirable that the Government should take immediate steps to give effect to the Circuit Courts Act, 1897.

The Circuit Courts Act was passed in December, 1897, two years ago, the measure having been introduced by the Premier, and the then Attorney General (Hon. S. Burt) moved the second reading, and explained the objects of the Bill. They were, in short, that sittings of the Supreme Court were to be held in Circuit Court districts every three months; the Governor was entitled to issue a commission authorising a Judge of the Supreme Court or a Commissioner to hold sittings; and every person in such district committed for trial by a magistrate or justices had to come up for trial at such Court. The Bill was one for which the whole country had been unanimously shouting at every public meeting on the goldfields and in some of the country districts; and members were urged to impress upon the Government the advisability of such a law being passed. The Bill was passed, and his (Mr. Matheson's) constituents expected that at once steps would be taken to make the Act effective. That was nearly two years ago; but, from that date until the present, no steps had been taken to make the Act effective. Only two days ago a Bill was before this House for the more speedy trial of accused persons, which dealt exclusively with Perth. The Government were entirely ignoring the claims of the country districts to have their criminals tried in those districts, and were solely considering the interests of the metropolis. The argument could not be raised that expense had been the reason for neglect on the part of the Government, for when the former Attorney General moved the second reading of the Circuit Courts Bill, he dealt very specifically with that question, and stated the object of the Bill was to save the expense of bringing cases to Perth, and the Premier supported the then Attorney General in that view. A select committee was appointed in another place to consider the measure, and that committee reported unanimously in favour of the Bill. The second reading

of the measure was moved in this House by the Hon. R. S. Haynes, who laid great stress on the demands of the public for the Bill. The hon. member made use of these words :

The demands of the public are clear that these Circuit Courts should be established. . . The Bill has passed in another place. It has been much debated, and it has been specially asked for by the district of Coolgardie, and no opposition whatever has been offered to it.

One or two trivial amendments were made in the Bill, and eventually it became law, to the intense satisfaction of all people living in the country districts. From that day to the present the Government had taken no steps to make the Act effective, and as far as he could see, on the face of it, no steps were likely to be taken to make the Act effective.

THE COLONIAL SECRETARY (Hon G. Randall): There was some serious defect, he was informed, in the Act which was passed two years ago. If a Circuit Court was declared, there was no power in the Act to alter that circuit, and in those circumstances it was thought inadvisable on the part of the Government to declare circuits. It was the intention of the Government to introduce a Bill this session, amending the Act which was passed two years ago; and in those circumstances perhaps the hon. member would withdraw his motion.

Motion, by leave, withdrawn.

EVIDENCE BILL.

Read a third time, and returned to the Legislative Assembly with amendments.

WEIGHTS AND MEASURES BILL.

RECOMMITTAL.

Order of the day, for third reading, read.

THE COLONIAL SECRETARY moved that the order be discharged, and that the Bill be recommitted for the purpose of reconsidering Clause 9. It was thought that if certain words remained in this clause, possibly titles that had been granted to land might be questioned; and it was intended to introduce a Bill, not this session but at a later date, for the purpose of dealing with the measurements of land. He proposed, when in Committee, to move that all the words after "inch" in the second line of Clause 9, down to the proviso, be struck

out; also to make a small alteration in the proviso by striking out the words "by links and chains." Probably the yard measure, which was in the custody of the Perth Corporation, might prove to be correct; but there was room for some little doubt on the matter, and the Lands Department did not wish to have the titles to land, which had been issued, subject to any question. The Bill dealt particularly with weights and measures, and therefore a great deal of harm would not be done by striking out the reference to measures of length.

Question put and passed, the order discharged, and the Bill recommitted.

IN COMMITTEE.

Clause 9—Computations from the standard yard:

THE COLONIAL SECRETARY moved that all the words after "inch," line 2, down to and inclusive of "rods," line 4, page 3, be struck out; that "herein," line 5, page 3, be struck out; that "in this Act," be inserted between "contained" and "shall"; and that "by links and chains," line 6, be struck out.

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

Bill reported with further amendments, and report adopted.

RESOLUTION—IVANHOE VENTURE G.M. CO., COMPENSATION.

The Legislative Assembly's Message, requesting concurrence in a resolution approving of the Governor's recommendation that an appropriation be made out of the Consolidated Revenue Fund of £2,500 to be paid to the Ivanhoe Venture Gold-mining Company, was considered.

IN COMMITTEE.

THE COLONIAL SECRETARY (Hon. G. Randell): It was not necessary to go into the history of this case. He believed one hon. member was better able to place the matter before the Committee than himself; for though not sure whether that hon. member had been engaged in the case, the hon. member was cognisant of its history. The position taken by the Government in this matter was, from his point of view, a correct one; for the Government intended to place the responsibility of the resolution on the Parliament of the country. The circumstances were pecu-

liar, and the Government would not have been justified in taking the responsibility of giving this money, apart from the consideration by the Legislature. A motion was introduced into the Legislative Assembly with the view of appointing a Select Committee, and such committee was appointed, to consider all the circumstances attending the case of the Ivanhoe Venture lessees. Certain conclusions were arrived at by them. The committee was appointed on 27th July, 1898, and members would find a reference to it in the printed volume of *Hansard*, page 676; and on 7th September the committee reported, as would be found on page 1,518 of *Hansard*. He believed all members had that report. It would be found in the Votes and Proceedings for 1898, paper No. 13A. The report wound up by saying the Select Committee considered the case deserved the favourable consideration of the Government. After much discussion in the Lower House it was agreed, or at any rate understood, that the Government would advise the appointment of a Royal Commission to take expert and other evidence bearing on the case. As set out in Message No. 5 of the Legislative Assembly, a Royal Commission was appointed on 25th November, and it reported on 6th December that the actual gross pecuniary loss to the company was assessed at £5,037 11s. 9d., and it recommended the Government to reimburse the company to that extent. It was observed that the gross loss might be reduced by certain contingencies, if they arose. The sum was considered so large that the Government did not feel justified in paying it, although by the motion of the Legislative Assembly they were authorised to do so; and considering that the Legislative Council had not been consulted in the matter, he was of opinion the Government took a right course in this case. The Commission reported that it considered there was no legal obligation on the part of the Government to reimburse the lessees. The Commission found that the lessees considered themselves entitled to relief, and that by the interpretation of Clause 36 of the Act, alluvial diggers were allowed to enter upon a lease and take, not only the gold which had to be raised, but that already won. He was only expressing the feelings of a large number

of the citizens of the colony as well as members of the House when he said we were perfectly aghast at the idea that the gold which had been obtained from the mine at the expense of the lessees and banked on the land should be taken by alluvial diggers, and the claim allowed after a contest in the Supreme Court. The feeling he had at the time was that a robbery had been committed, and it seemed to him monstrous that the employees of the company having become acquainted with the facts regarding the lease, and knowing the interpretation placed upon the law, should take advantage of the knowledge thus acquired and set up a claim not only to the mine but to the gold raised previously, and actually bring their own bags to take the gold away from the mouth of the mine. That occurrence created a considerable amount of dissatisfaction throughout the colony, and there was then an appeal to the Supreme Court, the result being that the lessees got the worst of it, and not having sufficient funds to continue litigation they were unable to appeal to the Full Court. Perhaps, moreover, there might have been a little doubt as to the issue, and they did not care to incur a further liability in that direction. A judgment had been given recently in a case stated to be on all-fours with that of the Ivanhoe Venture lease—namely, the case which came down from Peak Hill or one of the Murchison gold-fields—and the decision was exactly in the opposite direction to that in the Ivanhoe case.

HON. R. S. HAYNES: Were not the unsuccessful litigants in the Peak Hill case appealing to the Privy Council?

THE COLONIAL SECRETARY: That was a point he was not sure about, but he was not so informed.

HON. R. S. HAYNES: There would be an appeal, he understood.

THE COLONIAL SECRETARY: From no papers he had looked through had he been able to gather that such an appeal was contemplated. It had been contended that the Peak Hill case was not exactly on all-fours with the Ivanhoe case. A statement had been made—and it was claimed to be on good authority—that the decision now given was exactly in accordance with the views held by the Government at the

time the Ivanhoe Venture case occurred. There could be no question that the lessees of the mine did obtain a lease from the Mines Department, and they believed the lease was their property. The lessees developed the mine, and got down to what was termed "cement," which had been ruled by a Judge of the Supreme Court to be alluvial. Those were shortly the facts of the case, and no one really who had read the documents, as he hoped hon. members had done, and if they had not, would do so, had any doubt that the lessees had suffered injury. The Commission, which held a very exhaustive inquiry and called expert evidence of a valuable kind, consisted of two members of this House associated with two members of another place, assisted by the Police Magistrate (Mr. Roe), and the Secretary of the Crown Law Department (Mr. Sayer). These six gentlemen after very careful consideration, had made a recommendation to the Governor.

HON. R. S. HAYNES: Two members of this House?

THE COLONIAL SECRETARY: Yes; Mr. Briggs and Mr. McLarty. The two members of the other House were Mr. Conolly and Mr. Wilson. After exhaustive evidence had been taken, and careful consideration had been given to the matter, the Commission recommended what was contained in the Message before hon. members, that £5,037 11s. 9d. was the actual loss sustained by the company, and the Government should reimburse the company to that extent. This matter received the serious consideration of the Government, because a great principle was involved, a principle of serious concern to the country which might prove to be a precedent which it would be very awkward to follow, as claims might be made upon the Government in different directions; and the Government felt that it would be impossible for them to provide so large a sum as £5,000 for reimbursing the leases of this company; therefore the Government decided that the matter should again be remitted to Parliament for members to consider the question in all its bearings, and the Government left the matter entirely in the hands of hon. members. As the representatives of the country, this was only right, and hon. members, as business men, might be expected to

take into consideration the whole of the circumstances, and to bring their business experience to bear on the subject. The Government could safely leave the matter in the hands of the Parliament of the country to give a proper decision on this important matter. This company had sustained a loss which had virtually, he believed, ruined several of those connected with it, but he only knew two of the shareholders.

HON. F. T. CROWDER: All were West Australians.

THE COLONIAL SECRETARY: As the hon. member reminded him, all the members of the syndicate were West Australians, which made it more difficult for the Government to deal with the question, desiring as we did the advancement and welfare of our fellow colonists. But the subject was harder to deal with because we sympathised with the members of the syndicate, being friends and residents of this colony, in having such a heavy and severe blow inflicted on them. The members of the syndicate selected the mine and obtained a lease, and they worked it for the advantage, not only of themselves, but the country at large. It was an exceedingly unfortunate thing that the outcome of the proceedings should have resulted in such a serious loss to the company. He hoped hon. members would take the matter into their serious consideration; and he felt sure they would justify the Government in the position which had been taken up in having submitted this matter to the consideration of the Legislative Council. This matter could in no way have been brought before the Council for consideration except by message from His Excellency the Governor, therefore the Government were obliged to take this step, so that the matter should have thorough consideration. The Government could safely commit the matter to members, as they would do justice to the question; and although it might be desirable to avoid anything which might appear as a dangerous precedent, still he hoped members would consider the whole of the circumstances the company were placed in, through, he might again repeat, a misconstruction of the law, or from a bad law, or the decision of the Supreme Court of the colony. These persons were deserving of consideration at

the hands of the Parliament of the country. He moved that the resolution contained in the Message be agreed to.

HON. F. M. STONE (North) regretted that he had to oppose the motion, because it was a hardship on the shareholders of the company that they should have been put to any loss in regard to the legal proceedings which had been taken in connection with the lease; but what hon. members had to look at was that, by passing this recommendation, the Parliament would be establishing a dangerous precedent. As the Colonial Secretary had stated, this case was on all-fours with the Peak Hill case, and in the Peak Hill case he (Mr. Stone) was concerned, in the first instance. The Judge before whom he argued the matter decided against him, and he (Mr. Stone) advised the parties to proceed further. They did so, but through another solicitor. The parties were successful when they went to the higher Court, and the law was held to be good.

HON. R. S. HAYNES: They had a better lawyer.

HON. F. M. STONE: The lawyer for the company adopted his (Mr. Stone's) argument, and was successful before the higher Court. The law as laid down in the statute was held to be all right, that the alluvial men had no right to the alluvial gold on the lease. The Ivanhoe Venture syndicate, unfortunately for themselves, were unable, for want of funds, to go to a higher Court; but were we to vote a large sum of money to this syndicate because they were unable, through want of funds, to go to a higher Court and get a decision in their favour? It would be a dangerous precedent to establish, because it was not as if the law was bad, for the law was all right—that had been decided. He could not see any argument in allowing this sum of money to be paid to the Ivanhoe Venture company. If the law had been bad, perhaps there would have been some reason for paying the Ivanhoe Company a sum of money to reimburse them for the loss sustained; but it was through want of funds that the company were unable to get a decision in their favour. How many cases of hardship were inflicted through want of funds? Oftentimes litigants were prevented from going to a higher Court for want of funds.

HON. F. T. CROWDER: There was no dual title in such cases.

HON. F. M. STONE said he could give numbers of cases. He knew of one case in which he was concerned himself and in which a syndicate lost a considerable sum of money. That syndicate would have been laughed at, in those days, if it had gone to the Government and had said that through the Mining Regulations the syndicate had lost a considerable sum of money and the sale of the lease, therefore wished to be compensated. The syndicate of which he was a member took the proper course and went to the Court, and fought and fought until they won the case. Unfortunately when the syndicate did win, they could not get any benefit from the verdict. Why should Parliament establish a very dangerous precedent, which we should be doing if we said that any litigant, who through want of funds was unable to go to the Supreme Court to obtain a decision, could come to Parliament and asked for compensation? If, through any fault on the part of the Government, or through any bad law, a person suffered an injury, then perhaps there would be some argument in favour of granting compensation, but such was not the case. It was purely through want of funds that the Ivanhoe Venture Company lost the gold on their lease, and in those circumstances he could not see why we should compensate them to such a large extent. There was another matter he was not satisfied about. To whom would the money go if it were voted? It was known the company were in liquidation; liquidators had been appointed: was this money going to the creditors of the company, and if so why vote money to the creditors?

HON. C. A. PIESSE: That had nothing to do with the justice of the matter.

HON. F. M. STONE: If the money was to go to the creditors, the persons who had suffered the damage would not derive any benefit. The Committee should be placed in possession of the facts of the case; we should know to whom the money was going, because the creditors were not the litigants and not the losers. The leaseholders were the persons who lost. If the money was to go into the hands of the creditors, the Committee should not vote it.

HON. R. S. HAYNES: The creditors lost their asset through a wrong judgment, if it was a wrong judgment.

HON. F. M. STONE: The creditors would have to put up with that as other creditors had to do. Often a person went into Court and was ruined through litigation. Did the creditors of that person then go to Parliament and say that through a bad law the person had lost money? To his mind Parliament was establishing a very dangerous precedent; and although he sympathised very much with those gentlemen connected with the syndicate, he did not see any reason why the Committee should vote the money. A Commission had been appointed to find out to what extent loss had been sustained, and the result of the investigation was that if effect was to be given to the resolution of the Legislative Assembly, the Commission was unanimously of opinion that the lessees should receive so much. We had never passed a resolution in this House saying that the lessees should receive compensation at all; the resolution was passed in another place. The Commission did not recommend that a sum of money should be paid; but it said that if it was intended to give effect to a resolution, a reimbursement should be made. He understood the Commission was appointed to investigate what losses had been sustained by the company, and the Commission said that to give effect to the resolution, it recommended so and so. A case had not been made out why we should establish such a dangerous precedent.

HON. F. T. CROWDER (South-East): The Government were to be congratulated on the steps they had taken in regard to this matter, inasmuch as they left it to be decided by both Houses of Parliament instead of paying the money themselves, as they could have done. The Ivanhoe Venture Syndicate in good faith applied for and were granted a lease. They worked it for two years, during the latter part of which time they raised a considerable quantity of gold, he believed, placing it at the mouth of the shaft. At the end of that period they struck, at the bottom of the shaft, what was supposed to be alluvial, but it was a disputed question. Acting on the knowledge gained, the working men on the mine—who were employed by the syndicate for two years

at a wage of £4 10s. a week—not only jumped the claim, but actually pegged out the shaft of the mine, that had been sunk at a cost of £3,000, and seized the dump at the mouth of the shaft, bringing carts upon the place and taking it away. They thrashed off the lease the men who would not join them, and from this dump which they carried away gold of the value of £2,500 was afterwards extracted. The company at once appealed to the Warden, who, after careful inquiry and hearing the evidence, gave a verdict against the jumpers. The alluvial men, however, still stopped at the place, and they publicly burnt the Warden's injunction. The case was then brought by the company before the Supreme Court, and Mr. Justice Hensman held that the men were perfectly justified in taking up the position they held. His Honour also gave all the gold, including that raised during the two years, in the dump, and the gold won and paid away in wages. Of course the company appealed, and offered to do no work nor enter upon the mine provided an injunction was granted against the alluvial men, preventing them from further touching the mine; but this was refused by the Court. The appeal was adjourned for something like six months, during which time the alluvial men were entitled to take all the gold out of the mine. Owing to want of funds the company went into liquidation, and although the liquidator tried all he could to raise funds to prosecute the appeal, he failed, the consequence being that the mine and everything belonging to it was forfeited. Before the mine was sold the liquidator applied to the Court for a stay of proceedings, as he knew the Peak Hill case was coming on shortly. In the Peak Hill case, in which the appeal was on exactly the same points as those raised in the Ivanhoe Venture case, the Court held that the alluvial diggers had no right whatever to interfere with the working of the leaseholder, and had no claim to any of the gold found by the leaseholder while the leaseholder was operating any part of his lease. That established the fact that, owing to a mistake made by a Judge in Court, the Ivanhoe Venture Company had been deprived not only of their mine, but of the gold, amounting to something like £4,000, and, moreover, they were deprived of the

£50,000 for which the mine might have been sold. Altogether the owners of the lease had been treated in a very hard way. Although these people had suffered to a very great extent, the colony at large had gained materially, as it would be impossible for there to be a dual title to such property in future, and the question which created such an outcry at home in regard to gold-mining in Western Australia had now been set at rest. Having carefully read the evidence of the Select Committee, and of the Commission, he asserted that both Houses without fear might grant the £2,500 asked for. As to the point raised by Mr. Stone, that he was not satisfied where the money would go to, it was pointed out in the other House that £450 would be utilised for the payment of debts, the balance being left to the shareholders to re-purchase the mine. He believed the mine was under offer to them and that they would buy it. It was all very well for Mr. Stone to say he sympathised with the company, but a bare statement of sympathy was worth very little to people when they were in trouble. The amount proposed to be granted to the company could be given without any fear that a precedent would thus be created, for he failed to see how such a case could possibly arise hereafter, as there would be no dual title.

HON. D. MCKAY (North): No doubt the case was a hard one, but in all probability other hard cases might be brought forward on the same lines, and he considered that if the amount proposed were granted to the company a bad precedent would be established.

HON. S. J. HAYNES (South-East): The case seemed a hard one for the company, but he could not see his way clear to support the motion.

HON. R. S. HAYNES: Hard cases made bad law.

HON. S. J. HAYNES: It seemed unreasonable to come to Parliament simply because a man was unsuccessful in litigation, owing to what was alleged to be a mistake of a Judge. He (Mr. Haynes) had only just had time to glance at the report of the Select Committee, but he saw that the report, and also the report of the Royal Commission, set forth clearly the opinion that the Government recognised no legal liability in the matter. If the House adopted a motion like this,

it would be the thin end of the wedge for introducing very dangerous precedents, and goodness knew what claims might be put forward before the Government and Parliament, and what moneys would be taken out of the public purse!

HON. R. S. HAYNES (Central) : Perhaps some hon. members thought he was the member referred to by the Colonial Secretary as being able to explain the Ivanhoe Venture case.

THE COLONIAL SECRETARY: The hon. member was, he thought, thoroughly acquainted with it.

HON. R. S. HAYNES: Something about the inception of it was known by him, for he acted for the jumpers, being retained by them in connection with their release from prison. He recommended another gentleman to act in the matter, and that gentleman did so throughout; therefore he (Mr. Haynes) did not know anything beyond what he had seen in the newspapers, and common knowledge. If a person who lost a law suit in the first instance was unable to appeal to the Court, and the judgment enforced turned out subsequently to be not good, he had no right to come to the House and ask for assistance. Had this case been such a one, he would not have supported the motion; but he recognised there was a material difference, and it was on account of that difference he supported the motion of the Colonial Secretary. He would endeavour to show what that difference was, and he thought it would justify the House in passing the motion. He was aware only through the Press of the facts of the case. He was not going to deal with the merits of the case. There was a dispute between the company and some persons who had been denominated "jumpers."

HON. D. MCKAY: They got the "boodle," and they ought to pay the money.

HON. R. S. HAYNES: The company held a lease, and also had a large quantity of gold, gold-bearing mullock, or earth at the surface. It was there, and *prima facie* it belonged to the company. The question in dispute between the company and the men was this: Did that lease belong to the company or the men? Was the earth which had been raised, and was at the pit's mouth, the property of the company or the men? The Court de-

cided in favour of the men. There was a great deal in the Act to support the contention of the men, and he (Mr. Haynes) was not prepared to say now that the decision was not right; and because two other Judges had differed from the Judge who tried the case, that did not prove the first decision to be wrong: the point was debatable still. The decision which the Judge gave was that the subject matter in dispute should be kept intact, so that an appeal could be made to the Full Court; but the men defied the law, and took away the subject matter in dispute. They acted in defiance of the Warden's order, and they defied the Warden. If a person went to the Supreme Court, he could only get an injunction against John Williams and his servants, and if that injunction was obtained, it would not prevent 500 other men saying they were not John Williams's servants. An attempt was made to stop these other men going on to the mine, but the men defied the Warden and his orders. It was sought to pass a regulation under the Goldfields Act to deal with the matter, to temporise, so to speak. Let him call the attention of hon. members to what took place when the Premier went to the goldfields.

HON. R. G. BURGESS: That was afterwards.

HON. R. S. HAYNES: It was in consequence of what had been done that the row took place. The Premier was away, and in order to keep the matter *in statu quo* a regulation was passed. He would like to see all hon. members agree with the statement made by Mr. Stone, that when a person was unsuccessful and did not choose to appeal and obtain a judgment of the Full Court, that person ought not to come and ask for compensation: he was not entitled to it. But when it was seen that had the Ivanhoe Venture Syndicate taken their case to the Full Court the judgment would have proved a barren one, Parliament ought to stand by that company because it was the duty of the Government to have kept order on the goldfields when the Warden gave a decision restraining certain persons from taking the gold. The Government failed in their duty; they were unable to maintain order; if an attempt had been made to maintain order, the action would have

been followed by bloodshed, and it was much cheaper to lose £2,500 than to lose one ounce of blood. The alluvial miners acted very improperly, but he believed the majority of them absolutely believed they were doing what was right, and in these circumstances the law was broken unintentionally, still the law was broken. Party feeling was running very high at this time, and what would have been the use of sending up a bailiff of the Supreme Court to enforce an order of the Court? Would the men have obeyed the bailiff? Look how they treated the Premier. It would have been impossible to have carried out an order of the Court, and on these facts which had been brought before hon. members' notice, the Ivanhoe Venture Company were entitled to compensation. Whatever doubt he had on the matter had been removed by the report of the Commission which consisted of members of both Houses of Parliament, with the Police Magistrate (Mr. Roe) a man of great ability, and Mr. Sayer, of the Crown Law Department. The report of that Commission said that compensation should be made. On the 27th October the Assembly passed a resolution that in the opinion of the House the report of the Select Committee on the Ivanhoe Venture lease disclosed the fact that the company suffered great hardship and total loss of their capital through the disturbances at Kalgoorlie, and the defects of the mining laws of the colony. It was not through the failure of the company to appeal, that the Select Committee reported in the company's favour. The Commission which was appointed reported that it had not been suggested on behalf of the company that the Government was under any legal obligation to make reparation for the loss sustained; therefore it would be seen that it was not in consequence of a legal claim. The Royal Commission recommended that the actual pecuniary loss which the company had sustained, and which was set down at £5,037 11s. 9d., should be paid in full; but the Government—and he had not found the Government unduly liberal yet—in the face of that said they would give the company one-half of the amount recommended. This matter had been before a Select Committee, a Royal Commission, the Cabinet and the Lower House, and was now sent to this

House for consideration. He felt justified in voting in favour of the motion. It was not in consequence of the failure of the appeal, but in consequence of the failure of the Government to keep order that the Ivanhoe Company lost their money and their lease. Personally he knew nothing of the company, or who the shareholders were, or who would receive the money. All he knew was that the company were entitled to the money; and if the company were in liquidation, the creditors ought to get the money, as the creditors gave credit to the company on security of the assets. If that were so, the creditors of the company ought undoubtedly to be paid.

HON. E. McLARTY (South-West): As a member of the Commission which had an opportunity of hearing the whole of the evidence, and the circumstances connected with the case, he felt bound to come to the conclusion that the company were shamefully and badly treated through a defect in the law. The orders of the Warden were disobeyed, and the Government seemed utterly powerless to keep order.

HON. A. B. KIDSON: That was not the defective law.

HON. E. McLARTY: The dual title was not a good law. The Ivanhoe Company, after spending a large amount of money in honestly developing the property, and having proved it to be a valuable property, had their mine rushed by the alluvial miners, and the whole of the property taken from them. Their gold was taken away before their eyes; and although the company appealed to the Government, up to the present no redress had been made. The evidence before the commission was conclusive that the company had been very hardly dealt with, and the commission did not make any recommendation to compensate the owners for the loss they had sustained; for, had the commission done that, they would have had to award five times the amount which they did recommend. The amount recommended was to reimburse the company for out-of-pocket expenses. The commission took expert evidence of mine managers, and men who were competent to judge, and these men assured the commission that the mine had been so interfered with that it would be utterly impossible, even if the lease came back

into the possession of the Ivanhoe Venture Company, to use the shaft. The whole of the money which the company had expended had been literally wasted, and if the company wished to work the mine again, another shaft would have to be sunk. The interests of the country, on the commission, were safeguarded, and the commission arrived at the only fair and just conclusion they could arrive at, which was that the Government should reimburse the Ivanhoe Venture Syndicate for out-of-pocket expenses. He trusted that the motion which was passed in the Assembly would be adopted by hon. members. The Government would have been justified in acting on the recommendation of the Royal Commission, and paying the money at once; but, in deference to Parliament, the matter had been brought before both Houses. The Government decided that half the amount recommended by the commission should be paid to the company. He thought members would see their way to support the motion.

HON. D. MCKAY: Who would get the money, if it were paid?

HON. E. McLARTY: That was not a question for members to inquire into. If the company used the money in paying their debts, no objection could be taken to that course; but, in fairness to the company, and in common justice, the company should be reimbursed for the money they had lost through no fault of their own.

HON. A. P. MATHESON (North-East): The Ivanhoe Company had undoubtedly suffered extremely through the action of the law, as some people put it, or through the action of the Judge, as other people put it. In either case, the company suffered very much, as a matter of fact. Yet he must entirely agree with the views expressed by Mr. Stone, and he had not intended to speak on the subject had it not been that Mr. R. S. Haynes set before the Committee a view of the situation which was not altogether justified or supported by the report of the Select Committee. No doubt the hon. member spoke only on information which he had gained from the newspapers.

HON. R. S. HAYNES: Only?

HON. A. P. MATHESON: The hon. member had not studied the report laid before Parliament. He (Mr. Matheson)

was also surprised to hear the remarks from Mr. McLarty, which showed that that hon. member had forgotten one clause of the report to which he was a party. Clause 14 of the report set out distinctly that

If effect was to be given by the Government to the resolution of the Legislative Assembly, the Commission were of opinion that the lessees should receive, at the hands of the Government, reimbursement of their actual pecuniary loss, and that the lessees should be required to appeal to the Full Court with the view to such loss being reduced by the reversal of the award to the plaintiffs of the value of the gold won by the lessees subsequently to the date of marking out by the plaintiffs of their claim over the lessees' shaft and workings.

HON. R. S. HAYNES: What would the company have received if they had appealed? He (Mr. Haynes) knew the hon. member's constituents.

HON. A. P. MATHESON: We were dealing with this matter on the report of the Commission.

HON. R. S. HAYNES: And as common-sense men.

HON. A. P. MATHESON: It seemed to him that as long as the report of the Commission was in favour of the view held by the hon. member (Mr. R. S. Haynes), he supported it; but when another member put a different phase of the report before the Committee, then the hon. member would not accept it.

HON. R. S. HAYNES: The Commission did not know the constituents of the hon. member as well as he (Mr. Haynes) did.

HON. A. P. MATHESON: It was not a question of knowing any person's constituents. He was dealing with the report of the Commission. If the appeal had been determined in favour of the lessees, there were £902 15s. in the hands of the Court, and the Ivanhoe Venture Company could have got that amount from the Court.

HON. R. S. HAYNES: The other men had received that since.

HON. A. P. MATHESON: Because the Ivanhoe Venture Company did not proceed with the appeal. He knew it was a hardship that the company did not get back the gold which was in the hands of the Court. In addition there was an amount in the hands of stakeholders which was to be held for the company if the company proceeded with the appeal. There was gold to the value of £1,177.

That made £2,000 to come off the amount the syndicate had expended, and the report pointed out that, if the company proceeded with their appeal, they would most probably recover their mine. That left a small balance of about £2,957, of which £2,000 had been spent by the syndicate in extracting gold worth £1,263, this £2,000 being out-of-pocket expense that would have been borne by any company in winning gold, and no syndicate could have made a claim against any Government for that.

HON. R. S. HAYNES: Would the company not have the mine?

HON. A. P. MATHESON: If they had succeeded in their appeal they would have recovered the mine. The only two sums these people were out of pocket consisted of £1,400 legal expenses spent in prosecuting their claim, and £500 to other creditors. It was quite a mistake to say the Government were to blame.

HON. R. S. HAYNES: The arithmetic of the hon. member was federal arithmetic.

HON. A. P. MATHESON: Whether federal or not, it was printed in the report of the Select Committee.

HON. F. T. CROWDER: What about the gold the miners stole from the dump, which was worth £2,000?

HON. A. P. MATHESON: The items quoted were from the report of the Select Committee, who carefully considered the matter. As a matter of fact, the gold Mr. Haynes said the Government allowed the miners to take away was carefully lodged pending the result of any appeal, and he remembered reading in a newspaper that the man who crushed the ore was pledged to retain the gold. If Parliament voted this sum of money it would form a most dangerous precedent, the position being that we should have to compensate people who suffered undeserved misfortune either through bad law, or a bad decision by a Judge. Every day people suffered in the same way. One individual might feel the weight of the law more than another, because he might indulge in an enterprise which brought him under the operation of the law.

HON. F. T. CROWDER: A man expected the Government to protect his property.

HON. A. P. MATHESON: The Government, under the advice of the law officers of the Crown, did their best to protect the property in this case. Al-

though they allowed the miners to take away the gold, the gold was held in trust, according to the report of the Select Committee.

A MEMBER: Only a portion.

HON. A. P. MATHESON: No other sum was mentioned in the report. As far as he could see, the Government did everything they could. The view the Government took of the matter on the 16th December, 1898, fully justified every word that had fallen from him; for the Minister of Mines (Hon. H. B. Lefroy) wrote to the managing director, and paragraph 4 of his letter included the following:

Taking into consideration the precedent that would be established by the Government paying compensation for hardships and losses sustained by a lessee through the operation of a statute, and the effect such action might have in encouraging further demands upon the public purse for similar losses sustained by other leaseholders, the Government have been obliged to come to the conclusion that they would not be justified in acting on the recommendation of the Commission.

THE COLONIAL SECRETARY: The hon. member should read the whole.

HON. A. B. KIDSON (West): Personally, he was exceedingly averse to grants by Parliament; and had the case of the company simply hinged upon the fact that they had experienced an adverse verdict at the hands of a Judge, he would not hesitate for a moment in speaking strongly against the motion and voting against it. The substantial cause of the loss the company sustained arose simply from the fact that, at the time of the disturbances or trouble on the goldfields, the Government were absolutely unable to preserve law and order, with the result that a very considerable loss was sustained by this company, purely through robbery.

A MEMBER: Why did not the company place that before the commission.

HON. A. B. KIDSON: It was not known to him whether the company did so or not. He should think it more than likely they did. He had little hesitation in according his support to the motion.

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

| | | | | |
|------------------|-----|-----|-----|----|
| Ayes | ... | ... | ... | 14 |
| Noes | ... | ... | ... | 4 |
| Majority for ... | | | | 10 |

AYES.
 Hon. H. Briggs
 Hon. R. G. Burges
 Hon. D. K. Congdon
 Hon. F. T. Crowder
 Hon. J. W. Hackett
 Hon. R. S. Haynes
 Hon. A. B. Kidson
 Hon. W. T. Loton
 Hon. H. Lukin
 Hon. E. McLarty
 Hon. G. Randell
 Hon. J. E. Richardson
 Hon. H. J. Saunders
 Hon. C. A. Piesse (Teller).

NOES.
 Hon. S. J. Haynes
 Hon. A. P. Matheson
 Hon. D. McKay
 Hon. F. M. Stone (Teller).

Question thus passed.

Resolution reported, and report adopted.

Ordered, that a Message accordingly be sent to the Legislative Assembly.

SALE OF LIQUORS AMENDMENT BILL.

SECOND READING.

THE COLONIAL SECRETARY (Hon. G. Randell), in moving the second reading, said: This is a Bill to amend the Sale of Liquors Amendment Act of 1897, in which a defect has been discovered. It is known to members that inspectors have been appointed under the Excise Act, and on several occasions cases have been brought forward under that Act, but, in consequence of no provision having been made for inspectors to remove liquor and have it analysed, cases have broken down, and it is intended to cure that by adding in Sections 8 and 11 the words "Inspector appointed under this Act." Perhaps the most important clause of the Bill is Number 4, and members will remember that a question underlying this clause has been the subject of a discussion in the Supreme Court. One of the Judges has said he receives the information of an informer with the greatest care, and I believe the others have said the same.

HON. R. S. HAYNES: That has been said by every Judge.

THE COLONIAL SECRETARY: It is intended to place a police constable or officer of excise in a different position from that occupied by the ordinary informer. Violations of our laws are almost of daily occurrence, especially, I believe, on the goldfields, where a state of things prevails which, if we may believe the statements, is not a credit to the colony. It is known that Sunday trading takes place to a very large extent in the city of Perth, and that our liquor laws are violated frequently; much more, perhaps, by the illicit selling of liquors

than by the action of the publicans. It has been stated that a large majority of the publicans—at any rate, the most respectable of them—are entirely in accordance with this clause, and would like to see it carried into execution. Those who endeavour to conduct their houses properly are placed at a great disadvantage because of the illicit selling of liquor which takes place in various parts of the colony, and, as I have said, especially on the goldfields.

HON. A. P. MATHESON: Perth.

HON. R. S. HAYNES: On the goldfields.

THE COLONIAL SECRETARY: From what has been stated in another place by a member representing the goldfields, who knows what he is talking about, the state of things in regard to illicit grog selling is positively disgraceful. One of the objects of the Bill is to prevent that kind of thing, and it is proposed to admit the evidence of a police officer or officer of excise as not being an accomplice in the illicit sale of liquors, even although he may enter a house and proffer money for the liquor supplied.

HON. J. E. RICHARDSON: He is not an informer.

THE COLONIAL SECRETARY: He is not to be treated as a common informer. It is well known that the persons who indulge in this kind of thing to which I refer are very clever, and it is almost impossible to secure a conviction against them except by such means as may be adopted under the Bill. I presume members are not very much in favour of the man whom we call an informer; but, as I have already said in the House, I think it is to a certain extent necessary to have the evidence of such a person. A man who is violating the law in every way has no right to the sympathy of the respectable portion of the community, and it behoves us to, as far as possible, adopt every means likely to bring about the desired result. The state of things prevailing in some portions of the colony is dangerous to the greatest and highest interests of the country. I know two different opinions with regard to the evidence of informers have been expressed by the Supreme Court.

HON. R. S. HAYNES: No.

THE COLONIAL SECRETARY: I think so; or at any rate one goes to a

greater extreme than the other. But I do not want to dwell upon that because I think we should fall back upon our own good practical sense. When we find people adopting all sorts of expedients to defeat the operation of the law, and their acts result in demoralising the community, we should adopt extraordinary measures, if necessary, to prevent offences of the kind. I will not assert for a moment that police constables or inspectors of excise are immaculate, but occupying, as they do, a public position, and having been selected for their integrity, sobriety, and trustworthiness, we may safely give them this power, and enact that they shall not be considered accomplices when they lay an information against a person who is violating the law. The clause reads thus :

In respect of a charge against any person for the selling or disposing of liquor without being licensed thereto, the evidence of any member of the police force or officer of excise, who may have bought or received liquor from or paid for liquor to the accused person with the view to the prosecution, shall not be deemed the evidence of an accomplice.

I do not know that I need say much more. The amendments of the Act already in existence which are included in Clauses 2 and 3 will meet with the approval of hon. members. There may be a difference of opinion as to the second clause, but in its present shape the clause is the result of careful and deliberate consideration in another place.

HON. R. S. HAYNES: Is it?

THE COLONIAL SECRETARY: I believe so, and I have read the debate which took place.

HON. R. S. HAYNES: The mountain and the mouse.

THE COLONIAL SECRETARY: I am entirely in favour of the clause as it stands at present, and I believe it can only result in good to the community. I hope Mr. R. S. Haynes is going to support me in passing the clause. That gentleman has the interest and welfare of the community at heart, and I must appeal to him and other members to vote for the Bill. I move that the Bill be read a second time.

HON. F. T. CROWDER (South-East): I have pleasure in supporting the second reading, and am prepared to support any measure having for its object the stopping of sly grog-selling. We are

aware that at the present moment sly grog-selling is carried on to such an extent on the goldfields that licensees of hotels cannot get a living. That is a bad state of affairs. Time after time prosecutions have been carried out, but appeals have been brought before the Supreme Court, and the Supreme Court have not upheld the convictions on account of informers. I am somewhat doubtful if Clause 4 will have any effect on the judges at all, but I hope it will. I am of opinion the judges will regard informers as they think fit. The Colonial Secretary referred just now to Sunday trading in hotels; that hon. member at all times seems anxious to do away with Sunday trading. If hotels were open on Sunday there would be no sly grog-selling. It is because people are prevented from getting a drink on the Sunday that they go to sly grog-shops. Especially is this the case on the goldfields. The miner has a holiday on the Sunday, and if he wants a drink the hotels are closed against him; he has to go to a sly grog-shop to get a drink. According to Clause 4, the evidence of any member of the police force, or officer of excise, who may have bought or received liquor from, or paid for liquor to, the accused person with the view to the prosecution, shall not be deemed the evidence of an accomplice. I should like to know whether these officers have to go in uniform to these places, because if so, I doubt very much if a conviction will ever be obtained. Knowing the state of affairs on the goldfields in regard to the selling of sly grog, I am quite prepared to support the Bill in the hope that it will tend to stop the evil at the present time.

HON. R. S. HAYNES (Central): I am glad this Bill has come before the House, because it gives us an opportunity of seeing how Bills are drafted, and I must really now enter a protest against the way in which Bills which come before this House are drafted.

THE COLONIAL SECRETARY: This Bill has been amended in the other House.

HON. R. S. HAYNES: Unfortunately I did not notice the drafting of a Bill which passed this House previously in reference to this same subject, and which we are now asked to repeal. One has to exercise great care in dealing with these Bills, and I may say that this

measure is one of the clumsiest pieces of drafting which could be found on the statute book of any legislature in the world. Let me say at once that I hope hon. members will acquit me of wishing to refer personally to any member of the Government. The first Act introduced on this subject was entitled the Wines, Beer and Spirit Sale Act of 1880, and every Bill that came in after that, amending that law, was entitled the Wines, Beer and Spirit Sale Act Amendment Bill. That title is given to Acts which were passed in 1884, 1887, 1890, 1891 and 1896. Even this very session Mr. Stone brought in a Bill to amend the Wines, Beer and Spirit Sale Act of 1889. But what do we find? Some genius—I will not call him an evil genius—drafts a Bill under 61 Victoria, No. 21, and calls it an Act to amend the Wines, Beer and Spirit Sale Act of 1884, and says in that Bill that it shall be called the Sale of Liquors Amendment Act, throwing us right off our guard. Anyone who looks up the statutes is completely thrown off his guard. When once a Bill is brought in and passed, and amending Bills are introduced, the same title should be continued. But, in connection with this legislation, the Sale of Liquors Amendment Act has been included, whereas it has nothing to do with the matter. This session we have a Wines, Beer and Spirit Sale Act Amendment Bill, and a Sale of Liquors Act Amendment Bill, which is an amendment of the Wines Beer and Spirit Sale Act. I say it is a clumsy piece of drafting. This miserable production which we have before us now is not to be a part of the Wines, Beer, and Spirit Sale Act of 1880. What is it to be? There is not much in the second and third clauses, but when we come to the real reason why the Bill was brought forward, we find this clause, and I will treat hon. members to a reading of it.

THE COLONIAL SECRETARY: The Bill was brought forward chiefly for Clauses 2 and 3.

HON. R. S. HAYNES: Inasmuch as the Bill is incorporated with the prior Act, there is no necessity for those provisions. Let me read Clause 4. Whoever drafted the Bill—

HON. A. B. KIDSON: Ought to have a putty medal.

HON. R. S. HAYNES: Ought to have free drinks for the remainder of his life. The clause says :

In respect of a charge against any person for the selling or disposing of liquor without being licensed thereto.

Will any hon. member tell me what that means? I may ask the Colonial Secretary, who often sits on the bench, what the words, "being licensed thereto," mean.

THE COLONIAL SECRETARY: To sell liquor.

HON. R. S. HAYNES: By virtue of what? Then the clause goes on to say :

The evidence of any member of the police force or officer of excise, who may have bought or received liquor from or paid for liquor to the accused person with the view to the prosecution, shall not be deemed the evidence of an accomplice.

A constable goes in and buys liquor on Sunday; he is an accomplice, but that clause does not touch him at all. The very object which the clause ought to be passed for, it does not touch. Clause 4 deals with the evidence of an accomplice, but it is not to be deemed the evidence of an accomplice. Let me explain what the law is at present, and the Supreme Court never departs from this law. The evidence of an accomplice ought not to be received by a jury in estimating the guilt of a person, unless it is corroborated in some particular as to time, place, or person. The Judge cannot withdraw the case from the jury on that ground, and if they convict, their conviction is good: there can be no objection to the conviction on the ground that there is no corroboration of the evidence of the accomplice. The Judges who have expressed that opinion are not open to doubt. Their names are Lord Denman and Baron Huddleston. While a Judge has to tell the jury that the evidence of an accomplice must be corroborated, he need not, when the case comes before the Full Court, accept that view of the case himself, but he can accept the evidence of the accomplice; therefore, the Judge says in effect, "I do what I ask the jury not to do." That is how the law lies. Is it advisable that the evidence of an accomplice should be received in a case?

HON. F. T. CROWDER: You cannot stop sly grog-selling without it.

HON. R. S. HAYNES : Then the morality of this country is at a very low ebb, because there is no law like this in any other country. I am prepared to support the second reading of this miserable Bill, and I call it a miserable Bill for the way in which it is drafted, on condition that the Colonial Secretary will allow it to go either to a select committee, so that the clause may be put into shape and the evident intention of the measure, that a constable who gives evidence shall not be deemed to be an accomplice simply because he purchased the liquor, carried out; or to put the Committee stage of the Bill off to some future date, so that an amendment can be drawn to put the Bill in order. I may ask the Colonial Secretary to have somebody on the premises to redraft Bills which come to this House.

Question put and passed.

Bill read a second time.

THE COLONIAL SECRETARY : It would be unwise to send the Bill to a select committee; but to give Mr. R. S. Haynes time to give notice of an amendment, I move that the Committee stage be taken on Thursday next.

Question, that the Bill be considered in Committee on Thursday, 24th August, put and passed.

PUBLIC EDUCATION BILL.

Received from the Legislative Assembly and, on the motion of the COLONIAL SECRETARY, read a first time.

At 6:30, the PRESIDENT left the Chair.

At 7:30, Chair resumed.

RESOLUTION — WOMEN'S FRANCHISE.

Debate resumed from 16th August, on motion by HON. F. M. STONE to consider resolution transmitted from the Legislative Assembly for concurrence. —

That, in the opinion of this House, early provision should be made for conferring the Parliamentary suffrage upon women.

IN COMMITTEE.

HON. F. T. CROWDER (South-East) : In rising to speak to the motion now before the House, I do so with some diffidence, inasmuch as it is held by people who favour the granting of the franchise to women that those who can-

not support them are wanting in due respect for the sex. If any hon. members hold that opinion I will ask them, once and for all, not to include me in such a category. [HON. D. K. CONGDON : Hear, hear.] Because I can assure the House that I yield to no man in the high respect in which I hold both the moral and intellectual power of woman, nor can I conceive how it should be otherwise; for, knowing as we do the suffering to which women are born, if we pause for one moment to think, we cannot fail to respect them. I look upon the respect I feel for woman as a sacred inheritance; and it is because I cherish that feeling so highly that I cannot bring myself to help forward, by my vote, the dragging of the whole of the womanhood of Western Australia through the mire of a public election, and that at the bidding of a few advanced thinkers. Perhaps the opinions I hold in regard to woman and her duties may be considered by some to be rather antiquated; but, such as they are, they grew with me in a home where the women were not only intellectual, but were happy and contented, and that, too, without the aid of the franchise. I consider that woman's first duty is to her home; and a good woman who loves her husband, her home, and her children, will find the whole of her time fully occupied in attending to her domestic duties, and will have no time to spare for political work.

HON. R. S. HAYNES : Does not her husband owe the same duty to her?

HON. F. T. CROWDER : In what way?

HON. R. S. HAYNES : To spend the whole of his time looking after her?

HON. F. T. CROWDER : And so he does.

HON. R. S. HAYNES : Not always.

HON. F. T. CROWDER : So far as I am concerned, I may say that I have a perfect horror of the would-be political woman, the woman who considers her duty towards her home begins and ends in sleeping and eating underneath the roof, and who leaves to the tender mercies of the paid servant what should be the sacred duty of looking after the children, in order that she may go about attending meetings and sowing the seeds of discord throughout the ranks of her fellow women. Surely this is not the position

we desire to see women take up? If we believe, as I am convinced we all do, in Holy Writ, we must believe that woman was created as the helpmate of man—not as a competitor with him in the race of life. Every man, I take it, believes, or likes to believe, that women are innocent, that women have no knowledge of the dark and seamy side of nature; and in that belief lies woman's greatest power over man. Strike at that belief, and you strike immediately at the power that woman holds; and I maintain that the dragging of women into political life will have the effect of striking that blow, and that woman will then find, when it is too late, that men treat her and look upon her as they treat and look upon their fellow men. I hold therefore that by natural laws woman is physically unfitted to compete with man. She is also unfitted to take up a political life.

HON. R. S. HAYNES: They are lawyers in America.

HON. F. T. CROWDER: There are lawyers here, worse luck.

HON. R. S. HAYNES: But are any of them females?

HON. F. T. CROWDER: I cannot agree with the remarks made by the Premier in the Town Hall some weeks ago, when, in stating that he was in favour of the woman's franchise, he said he hoped the Bill would be passed because it would be a means whereby women could take some of the positions held by men. Now that would be a very good thing to my mind if women, when they cut men out of employment, were to receive the same wage as the men were receiving. But what do we find, not only in this colony but throughout the world? Men are displaced by women, for what consideration? Why, for half the wages that the men had previously been earning.

HON. R. G. BURGESS: Women have to make a living.

HON. F. T. CROWDER: To my own knowledge, in many places where men were once employed in this colony at a wage sufficient to keep themselves and their wives, they have been ousted from their employment by women, who have to be content with a pittance on which they cannot live respectably. Similar events have caused no end of trouble in England, and have been the

cause of so many young men leaving the country that, at the present moment in England, there are something like two million more females than there are males. A further remark to which I must take exception, was made at the Town Hall meeting by a lady who is respected, I believe, by everyone in this colony—a remark to the effect that women were looked upon in the same light by men as idiots, criminals, and felons. I take it that if a man had made that remark on the platform he would have been hooted out of the Town Hall, and justly so. It is not a fair or proper conclusion to draw that, because some men are of opinion that woman ought not to have a vote, they therefore look upon her as a felon or a criminal; and no logical reason can be advanced for that conclusion. Women are respected. I have found throughout my life, which has not been a short one, that, wherever I have gone, women are respected by the men; and such a thing as looking upon or treating them as criminals or felons, never enters men's minds. When I heard that my friend, Mr. Stone, was about to introduce the motion sent down from another place, I looked forward to a speech such as we are in the habit of hearing when that hon. member brings forward a motion, or speaks in favour of any principle, in which he thoroughly believes. But as I listened to him, I could not help feeling that his lips were speaking and that his heart was not behind his words. There was nothing throughout the whole of that speech which would convince anybody that it was necessary to grant the franchise to women. Absolutely the only point my hon. friend made was that women who held property and paid rates should be represented. Judging from the way he spoke I must remind him of the old saying that

A man convinced against his will
Is of the same opinion still.

And although he says he is not ashamed to admit he has changed his mind, I think the feelings of his heart are opposed to the thoughts he has expressed. He asked, why should not women have a hand in the making of laws under which they are governed? If we look back over the past 50 years we shall find that, without any help whatever from the women, and without the women being

granted the franchise, laws have been passed placing them in almost every instance on an equality with men; and I reckon that is right. But there are several laws in regard to which women are not on an equality with men. Last session, when the Divorce Bill was before the House, I pleaded very hard for members to support me in a motion that, in so far as divorce was concerned, women should be placed on an equality with men, but I regret to say the motion was not carried. I am face to face to-night with members who refused on that occasion to grant equality, but who now are in favour of women's suffrage. How they can justify their action of last session and the vote they intend to give to-night is a Chinese puzzle to me.

HON. J. W. HACKETT: The action taken by the House was not upon the point of equality. Had it been, the proposal would probably have been carried.

HON. R. G. BURGESS: That would have been granted.

HON. F. T. CROWDER: I pleaded with the House only to pass the first portion of the Bill, and said we would withdraw the last. [HON. R. S. HAYNES: Hear, hear.] I repeat that I pleaded hard with the House to put women on an equal footing with men, and the House refused. Mr. Stone used as a great argument that women's suffrage was no new experiment, for the franchise had already been extended to women in South Australia and New Zealand. He asked, quite seriously, "Has it been a success?" and he answered the question himself, saying "Yes." I differ from him. So far as New Zealand is concerned I am not going to say anything about it, because I am not well up as regards that colony; but I can speak of South Australia with some confidence. When the franchise to women was granted in South Australia, some held that it was going to perform wonders, that it was going to close clubs, stop drinking and smoking, and I do not know what else. But I would ask whether it has in any way raised the moral tone of the people and Parliament? I say it has not. It is not so many years ago that a candidate who had so transgressed a law that no woman should look upon him with any favour thereafter, was taken in hand by women, and against the vote of

the male population was placed at the top of the poll.

HON. R. S. HAYNES: One swallow does not make a summer.

HON. F. T. CROWDER: The reason given was this: "Poor fellow, we will give him another chance. Perhaps it was not his fault." And so it is with women. She will give a man a chance, but God help the woman who comes before her for judgment! If women's franchise in South Australia has not raised the moral tone of Parliament, and if, as I contend, it has done no good, what has it done? So far as I can find it has done this: it has in many homes raised dissensions and trouble where nothing but confidence and love existed before. Women agitators, like men agitators, cannot keep quiet. It has happened in South Australia that if a candidate has not come up to their ideas of what a candidate should be, through attending a club or something of that sort, and they have found the head of a house supporting him, they have considered it their bounden duty to go to the women-folk of the house and try to get them to vote in opposition to that candidate. That has been done, and very often weak-minded women have given way to the others, the result being strife and disturbance in the household. That is a most undesirable position of affairs. I admit that to-day the same thing applies to men, but with men it does not matter. We, and I think a good many more, do not want our homes invaded when our backs are turned, and pressure brought to bear on women to vote against ourselves.

HON. J. W. HACKETT: That is the dear old husband!

HON. F. T. CROWDER: Yes; the good old husband.

HON. R. S. HAYNES: "Old" husband?

HON. F. T. CROWDER: Mr. Stone asked what harm there would be in giving the franchise to women, and said they need not exercise it; but there is the trouble. I quite admit there are hundreds and thousands of men who, although they have the franchise, do not use it, but if I had my way I would strike off the name of every man who does not record his vote; and not only so, but I would go further and fine him. In South Australia in the first year the franchise was granted, the working men

forced their wives to vote. The more delicately nurtured women of the land would just as soon face the polling booth as they would face the witness-box in a law court, and we know how they dislike that. In South Australia what took place was that the women put in whom they liked, and at the present day the delicately nurtured women who have votes are bound to vote for the sake of their husbands, but they have not been able to win back what they lost through not going to the poll in the first instance. Supposing—only supposing—the franchise be granted to women in this colony, what will it mean? It will mean that the man at the head of a properly organised household will have as many votes as there are females over 21 years of age in his house, because we must remember that the woman is at all times bound to obey her husband, and the children are bound to obey their parents. If the women in the house do not vote in accordance with the wish of the head of the household, there will be trouble.

HON. A. B. KIDSON : If the husbands get the votes, I shall have five.

HON. F. T. CROWDER : If you have five I do not know what the advocates of one-man-one-vote will think of it. Another point is this : Do the women in Western Australia require the franchise? I say they do not. [A MEMBER: Question.] My hon. friend says "Question," but I say the women who do not require the franchise outnumber those who do by ten to one. We have had no expression of opinion from the women up to the present. There was a meeting in the Town Hall, but the days of chivalry are not gone, and the mayor was bound to decide in favour of women's suffrage, although there were three hands to one held up against it. We shall not be justified in granting the franchise to women until we have an expression of opinion on the subject from the people of the colony. Putting aside all other arguments I have brought to bear, the great point to which I would direct the attention of members to-night—and it is the vital point in regard to the question—is that granting the vote to women would be a radical change in the constitution of the colony. As I have said, we have had no expression of opinion whatever from the people of

the colony that they are desirous of having the franchise extended to women, and until we have such an expression of opinion we must be very careful about the way we deal with the question. We are here to stop hasty legislation. The Legislative Councils of the world have never been known to act hastily in a matter concerning the Constitution. Let us look at the history of the struggle for women's franchise in Western Australia for the last three or four years. Year after year a motion has been tabled in another place in favour of granting the franchise to women. On several occasions that motion has been defeated by 16 or 17 votes, and members in another place have not hesitated to speak their minds on the question. But to-day we find, all of a sudden, that the position is reversed, and, instead of 17 votes, as in the past, being against the extension of the franchise, there are 16 in favour.

HON. R. S. HAYNES : It is the march of intellect.

HON. F. T. CROWDER : What has happened during the last twelve months to make hon. members in another place turn a summersault?

HON. A. B. KIDSON : Change of opinion.

HON. F. T. CROWDER : Have women performed some wonderful feat to cause members in another place to believe that what they have said during the last three or four years is altogether wrong? I know of nothing, and can only put the change down to—I do not want to say anything rough—but, to my mind, it is a political dodge.

HON. C. A. PIESSE : What is the political dodge? What is the object?

HON. D. MCKAY : You need not ask, because you know.

HON. F. T. CROWDER : I will tell hon. members what the object is. In another place, members do not know their own strength, and they believe that unless the franchise be granted to women, the votes in another part of the colony will carry the day in regard to the Commonwealth Bill.

HON. C. A. PIESSE : Woman's franchise is desired in that part of the colony.

HON. F. T. CROWDER : We in this House have nothing to do with political intrigue, but are here, as I said before, to stop hasty legislation.

HON. R. S. HAYNES : Something else besides that, surely ?

HON. F. T. CROWDER : If members in another place do not know their own minds and their own strength, we, at least, know our power and our strength. When the Commonwealth Bill comes before us, we will deal with it fearlessly, and in the best interests of the country, and we will be able to do that without dragging those whom we love through the mire of political elections. I speak very strongly and straightly on this point, because I am as convinced as I stand here to-night that if the motion be carried, it will be carried by hon. members who have the same fear as the members in another place. But members have no right whatever to "throw a sprat to catch a mackerel."

HON. R. S. HAYNES : Which is the mackerel ?

HON. F. T. CROWDER : We have nothing to do with political intrigue, but are here to do our duty ; and in dealing with the motion, we should take no notice whatever of the Commonwealth Bill. It had been my intention to move an amendment to the effect—

HON. R. S. HAYNES : Are the days of chivalry past ?

HON. F. T. CROWDER : It had been my intention to move an amendment, to the effect that this House would not deal with women's suffrage until the question has been submitted to the electors of the colony ; but I shall not carry out the intention, because it might cause some confusion. I sincerely trust, however, that hon. members will vote on this question as one of granting the franchise to women, without regarding it as a means of carrying another measure which has been brought under the notice of the House. Hon. members will, I hope, put aside any idea of affecting the decision on the Commonwealth Bill, because the decision on that measure can be arrived at without the aid of the female franchise. It is my hope and trust that hon. members will vote against the motion.

HON. D. MCKAY (North) : I would like to pass one or two pungent observations as to the recent "in-and-out" light that glows, or rather glosses, the minds of some hon. members touching women's franchise. I cannot characterise it as a heavenly light. If I did, I would not be

justified in commenting on it, cynically or inimically. The question of women's franchise is one of two questions long resisted by the Government. The fiat has gone forth, that the question of payment of members is going to be decided by referendum ; and if so, why not the question of the extension of the franchise to women, when all the women in the colony could have a voice for and against ? I do not like to see a question of vital importance temporised and trifled with, by two alarming and dangerous elements, represented to my mind by a sentimental dandy on one side, and expediency on the other, the centre. Is it an exalted position for a modest woman, I ask ? I may say that I do not by any means entertain cramped views or yet fossilized opinions about the capabilities of women, nor do I hold that they are not entitled to the franchise ; but let them have a voice in getting it. Do not let the glorious cause of liberty be made a question of party politics, or sullied or tarnished by ominous, deep, and dark designs, unworthy of its noble traditions. We learn that "righteousness alone exalteth a nation," in view of which we should avoid crookedness. As the question before the House now appears to me, I regret that I am unable to concede to it my concurrence, notwithstanding the able advocacy and gallant espousal of the cause by my hon. friend and learned colleague (Mr. Stone). It appears to me that a question of such importance as woman's franchise has not received in another place the weighty consideration it deserves, and that members of this House are being asked to take a leap in the dark. I cannot help thinking that in another place a plunge has been taken into deep water, before taking careful soundings, and that it would not be showing great wisdom on the part of the hon. members in this House to follow the example. I believe the character and prerogative of this House is expressly to deliberately survey and scrutinise precipitate conclusions, emanating from another place, and especially so when far-reaching social and political change is involved. We have absolutely no conception as to what percentage of the eligible women in the colony are seeking parliamentary franchise, beyond—I say it

with all due respect--a few pronounced women, I am told not ten per cent. What does all that mean? No more and no less than that 90 per cent. are to be manipulated at the sweet will of ten per cent. The idea, to my mind, savours too much of absolute power, and is not in consonance with the sentiment of the people of democratic and liberally governed Australia.

HON. D. K. CONGDON (West): It is my intention to oppose the proposal to alter the Constitution so as to admit of the enfranchisement of women.

HON. R. S. HAYNES: "Emancipation" is the proper word.

HON. D. K. CONGDON: The hon. member may use the word "emancipation," but I say "enfranchisement." From the first time this motion was introduced in another place, some three years ago--

HON. R. G. BURGESS: Before that, surely?

HON. D. K. CONGDON: It is not longer than that since the motion was first submitted by the member for Sussex.

HON. A. B. KIDSON: Oh, yes; much longer.

HON. D. K. CONGDON: Well, ever since the motion was submitted in the other place, I have always felt the greatest aversion to introducing women into public life. I have daughters of my own, and nothing would give me greater pain than to see those daughters coming forward in public places to espouse the cause of some man or woman, and speaking in public concerning them; and if for that reason alone, I should certainly vote against the proposed alteration in the constitution. We all know how prone we are to condone theft in our own families, rather than drag our wives and daughters into public courts to give evidence; and how much more would we object to see them exercising the franchise, and entering public life to jostle among men they have never met before. Like other hon. members, I love women too well to care to see them dragged through the mire in that way, and I hope the vote will not be in favour of the enfranchisement of women.

HON. H. LUKIN (East): I only rise to reiterate my contention that this question should be referred to the people. It is too great a question to be settled off-hand here, vitally affecting as it does our

whole constitution. We must also recollect we are on the eve of a general election; and, taking these two points into consideration, it would be far better to remit the question to the country. I cannot see the necessity for rushing this matter through in the way now attempted. Women have lived for some hundreds of years without the franchise, and are women still, and I very much doubt if that could be claimed for many of them in a hundred years from now, if the extension of the franchise be generally adopted. If the matter be referred to the people and they elect to extend the franchise, then, however much some of us deplore, there will be no gainsaying the decision; and in all justice, the question should go to the country.

HON. J. W. HACKETT (South-West): I am afraid my friends, Mr. McKay and Mr. Lukin, are following the course of the miry stream they so much deplore, in speaking early and speaking often. So great is their antipathy to the motion that, before the rest of us have had time to open our lips on the subject, both these hon. members make two speeches.

HON. D. MCKAY: I beg your pardon, I have not made two speeches.

HON. J. W. HACKETT: The hon. member spoke one sentence previously.

HON. D. MCKAY: No, sir.

HON. J. W. HACKETT: Then I must have mistaken a former interjection of the hon. member for a speech, his speeches and interjections being usually much about the same length; and I congratulate the hon. member on his pamphlet of this evening. But, seriously, I must congratulate Mr. Lukin, not on his last but his former speech; because I never heard the case against women's franchise put more clearly, succinctly, or definitely than by him the other evening when this question was before hon. members. It is difficult to know whether to begin speaking on this subject with the arguments in favour of it, or with the interjections which have been poured forth, all of which have so familiar a ring. But as Mr. Lukin has touched one or two of the most important points which have to be discussed and decided in connection with the question, I may allude to them first. I understand that Mr. Lukin and also Mr. McKay urge that a vote of the women should be taken before this --

HON. D. MCKAY: Exactly.

HON. J. W. HACKETT: That a vote of the women should be taken before this dangerous and miry gift is forced on them. I cannot understand why, if women are considered fit to decide for themselves with regard to receiving the franchise, they should not be considered fit to decide for themselves with regard to the men whom they are to vote for, and to put into Parliament or to reject. That is one of those pieces of logic which pass my understanding, and so I get away from the argument as soon as possible.

HON. D. MCKAY: It is a question which concerns the women themselves.

HON. J. W. HACKETT: If the women are in the state of absolute tyranny to which Mr. Crowder alluded, and are bound to vote with the master of the household, the referendum would be useless. On the other hand, if the vote be taken, we are face to face with a real and practical constitutional difficulty.

HON. H. LUKIN: It was not my contention that the vote of the women should be taken on the subject.

HON. J. W. HACKETT: I am merely speaking of the position taken, that the question should be referred to a general election before Parliament comes to a decision.

HON. F. T. CROWDER: That is constitutional.

HON. J. W. HACKETT: It is not unconstitutional, certainly; and the objection I am taking to it is not from a constitutional point of view, but from the point of view of policy and expediency. We are on the eve of a general election, and when the new Electoral Bill and Constitutional Bill pass, there is bound to be a general election. If the franchise be tampered with at that election, and women's franchise is carried, there must be a second election immediately following.

HON. D. MCKAY: That would not be done in the case of payment of members.

HON. J. W. HACKETT: Mr. McKay is at variance with his supporters. He wishes the referendum from the feminine side altogether, whereas Mr. Lukin will not hear of that, and the latter is perfectly consistent, because if women are not fit to vote in the one case they are not fit to vote in the other. I am astonished that Mr. McKay would trust

them in one instance and despise their judgment in the other.

HON. D. MCKAY: I do not despise their judgment in any case.

HON. J. W. HACKETT: Why not give them a vote for members of Parliament? If we trust them to vote for themselves, why refuse them a vote for members of Parliament? This is too serious a difficulty to be easily got over. The fact of a double election immediately following leads us—I do not speak for myself, because I have been in favour of woman's suffrage for a long time—but leads many of those who would prefer to send the question to a general election in the usual constitutional method to accept the dictates of equal justice, and grant this vote to women, without going to the trouble and expense of two elections.

HON. F. T. CROWDER: A political dodge.

HON. R. S. HAYNES: It is not.

HON. J. W. HACKETT: I thank the hon. member for the interruption. I do not think there is any dodge in it, or any policy in the dodge. The hon. member (Mr. Matheson)—I regret he is not in the House to-night, as I wish to make a few remarks on what he said on the last occasion when this debate was before the Committee—informed us that the women on the goldfields would shortly outnumber the women on the coast; therefore the shadow of the “political dodge” falls to the ground, and I have yet to learn that the women will be united on one side or the other.

HON. F. T. CROWDER: There are no women on the goldfields.

HON. J. W. HACKETT: The women are largely increasing in numbers there.

HON. F. T. CROWDER: There will be by and by, and you will be sorry for it then.

HON. J. W. HACKETT: I shall never be sorry for anything that the women will do. Mr. McKay, who is a married man, shakes his head at me in a mournful manner. This cry of a “political dodge,” I say, is a political dodge itself. It is intended to throw dust in our eyes, and to draw a “red herring” across the track. Where does the “dodge” lie? Because a certain class of our fellow creatures are entitled to a vote, and have been refused it, therefore they will vote on a certain question one way or another?

HON. F. T. CROWDER: Why have women been refused the vote during the last five years, then?

HON. J. W. HACKETT: Those who trust to women giving a solid vote one way or another will be deceived; the "dodge" will recoil on themselves. When women get into politics they will make almost as many mistakes as men have made; but their vote will ultimately be used in the true progress of social improvement and social enlightenment. I hold the view that the political side will have less attraction than the social side for women. It will not be in regard to systems of voting, or redistribution of seats, but for the purification of the body commonwealth, that women will vote. Another argument has been used by Mr. Crowder: that women have made no claim for this vote. In the name of all goodness, what does the hon. member want when he asks for a demand for the vote?

HON. F. T. CROWDER: The question has not been put before the people.

HON. J. W. HACKETT: When one House has already passed this motion, and another House, if I mistake not, will pass it very quickly, that is sufficient claim for us to pass this motion. Mr. Crowder is altogether astray in his claim that this demand has not been made publicly by women, or that it has not been made in public meetings. So far I find that no less than four meetings have been held in Perth. The hon. member has referred to one meeting in Perth at which perhaps a doubtful decision was given. I was not present at that meeting; but three other meetings have been held, at which practically a unanimous vote in favour of woman's suffrage was carried. Three meetings have been held at Fremantle, at which resolutions were carried unanimously; one meeting has been held at Geraldton, where a similar motion was carried unanimously.

HON. R. S. HAYNES: When was the meeting at Geraldton?

HON. J. W. HACKETT: I can give the date, but it must be at a later period.

HON. R. S. HAYNES: Was it lately.

HON. J. W. HACKETT: Last year; and I may say the question has not gone back in the last year. I can assure my hon. friend Mr. Crowder, two meetings have been held at Bunbury, one at Cool-

gardie, two at Albany, two at York, and two at Northam; and at all of these meetings, with the exception of the one meeting which Mr. Crowder has referred to, a unanimous opinion has been given in favour of women's suffrage. I wish to get through the objections as rapidly as possible. Another objection was sprung upon us by Mr. Matheson, who has fired his shot and run away.

HON. R. S. HAYNES: He will be here when the bell rings.

HON. J. W. HACKETT: Mr. Matheson informed us that it was with the deepest regret, with feelings of real pain, he found himself obliged to vote against the motion, as he was completely in favour of women receiving the franchise; but lately he had discovered, what he did not call but what I venture to describe as a mare's nest, in regard to the Commonwealth Bill. If you want to beat a dog very much, any kind of stick will do; but I think the hon. member might have spared the time of the Committee in alluding to the point he made. As appears in the last clause of the Bill for creating the Commonwealth:—

When a proposed law is submitted to the electors, the vote shall be taken in such a manner as the Parliament prescribes; but until the qualification of electors of members of the House of Representatives becomes uniform throughout the Commonwealth, only one-half the electors voting for and against the proposed law shall be counted in any State in which adult suffrage prevails.

The argument Mr. Matheson employed was this. The adult women in this colony are about one-third, the adult males two-thirds: if only half are counted, the number of males will be diminished in their proportion. That argument is rather an abstruse one, but even in its abstruseness there is no foundation whatever, because this clause deals with an alteration of the Federal Constitution. When an alteration of the Constitution has passed through certain stages, and has received certain sanction, then it may be referred to the people of the Commonwealth and the people of the States, and on the amendment the people vote; but it is provided that it shall only be so until the Parliament of the Commonwealth prescribes a uniform franchise for the whole of the territory. It is almost certain that one of the first acts of the Federal Parliament, perhaps not in the first ses-

sion, at any rate in the second session, will be to provide a uniform franchise, and then this obstacle, which Mr. Matheson finds in the Bill, must fall to the ground. There is a further answer in regard to that. This Federal Constitution is not to be altered at once, we trust; it has cost three conventions and a conference of Premiers, and it is supposed to be fairly perfect. Any alteration therefore must come at a later date, years after it has been in operation; and by that time, if we may judge by the speed with which the proportion of our adult women is catching up to our adult males in this colony, the sexes will be equal. That is only following in the lines of the Eastern colonies; so that from every point of view this bogey turns out to be a bogus "bogey." That is a fair specimen of the argument that is used in connection with this question. As to the general matter, I submit that in this nineteenth century the women are only endeavouring to recover the ground which they lost something like a couple of thousand years ago. It is an undeniable fact that under the Roman law the political position and social position of women were infinitely superior to what they have been until lately.

HON. R. S. HAYNES: Question? Germany.

HON. J. W. HACKETT: What has Germany to do with the Roman law?

HON. R. S. HAYNES: You did not hear what I said.

HON. J. W. HACKETT: The hon. member cannot deny that under the Roman civil law, and in the later days of the Roman Empire, the position of women was far superior to the position women possessed right through the middle ages in Europe. The men had the best of it in the days that succeeded, and those were the days of the feudal law.

HON. R. S. HAYNES: In the days when Rome flourished; in the golden age.

HON. J. W. HACKETT: Woman's position was a good one.

HON. R. S. HAYNES: She was man's property.

HON. J. W. HACKETT: That was in the earlier days. She was not his property, but the children were. What I wish to urge is this: women lost their

position by the introduction of the feudal system, a system that was simply a system of defence, where the strong arm of the knight was all the king counted on to give him a large number of knights and squires behind him. The Roman law opposed that in almost all details. The women of property in feudal times were looked on as those who should serve either to fill the treasury of her paramount lord by being sold to the highest bidder, she and her property; or else being given to some valiant knight in return for stipulating that he should follow his king and master to the battle. Step by step, within the last hundred years, woman has been regaining her position, and my friend Mr. Stone was perfectly right when he said this change must come. As surely as time rolls on in its current, so certainly the right of the woman to the vote, especially when she pays the tax, must be acknowledged and become the law of the land. If we look at the change which has taken place during the last thirty or forty years, we see what woman's position is now compared with what it was one hundred years back. The universities are open to her in most cases; the barriers of the learned professions are falling down one by one before her advance. She has gone further than that, and has claimed a part in the body politic. She has claimed her political rights, and has secured them, and uses them at this moment. She possesses a vote for municipalities—I am not speaking exactly universally, but I refer mostly to the United Kingdom or in the colonies—she possesses a vote for municipalities, for school boards, and she possesses a vote for many other local institutions.

HON. R. S. HAYNES: The county council.

HON. J. W. HACKETT: The most striking instance is that mentioned by my friend Mr. R. S. Haynes. The London County Council is elected by the suffrages of women in exactly the same degree as by the suffrages of men, and I think Mr. Stone pointed out that the London County Council possesses an area of action, a field of operations, infinitely larger than that which women will be called upon to fill in Western Australia. The London County Council, I think, now makes local laws, laws of a municipal character, for something like five million

people, whereas we merely claim the vote for women in a community of 170,000 persons. Lastly, I may point to the demand for the Married Women's Property Act, which was at last conceded by this Parliament a few years ago. When we can see the bare justice, or rather the bare injustice, which was involved in refusing to women the right to their own property, and the complacency with which men argued in another place against that right being granted—or rather, I should say, in the old Council of the colony—and threw it out time after time, we can well understand how the fund of prejudice is sufficient to furnish a basis for the present objection to granting the franchise to women. The right to hold her own property was only conceded to woman in the last few years, and that after a struggle of a most severe character, in which the advocates of the reform sustained defeat time and again.

HON. R. S. HAYNES: And this was the last colony to give it.

HON. J. W. HACKETT: This was the last colony to give it; but I trust it will not be the last to redeem its character by giving them the Parliamentary franchise. Is it a large thing to ask the House to take the further step, after all these municipal privileges have been granted to women, of giving them a vote for Parliament? I have listened with the greatest interest to the arguments urged by gentlemen who took so much interest in this discussion that, after declaring themselves in no uncertain tones against the woman's franchise, they immediately leave the Chamber. [A MEMBER: No, no.] Three out of four who have spoken ran away for fear they might hear the answers to their arguments.

HON. S. J. HAYNES: They may come back.

HON. J. W. HACKETT: They may come back; but they do not wish to hear the other side of the question.

HON. S. J. HAYNES: They have other business to attend to in the House.

HON. J. W. HACKETT: What business?

HON. J. W. HAYNES: At the telephone.

HON. J. W. HACKETT: I withdraw the remark with regard to Mr. Crowder, who has just entered the Chamber, but I press it with regard to the other hon. members, Mr. Lukin and Mr. McKay.

HON. F. T. CROWDER: You evidently waited till I went out before you answered me.

HON. J. W. HACKETT: We have been pausing till your return. I have been listening to what my friend (Mr. McKay) had to say. Was he also at the telephone?

HON. D. MCKAY: He does not go back on what he says.

HON. J. W. HACKETT: Perhaps not, but he goes away from what is said against him. I listened anxiously to what there was to be said against the granting of the vote; and I learned that those of us who have wives and other female relations, have a strong indisposition to see them dragged through the mire of politics. I wish that phrase had been explained. I am getting too far on in life—

HON. F. T. CROWDER: Oh, you will be "hooked" yet.

HON. J. W. HACKETT—to be led astray by phrases; and a figure of speech raises my suspicion at once. I want to know what is "the mire of politics" through which women are to be dragged. Is it to walk up to the polling booth? [A MEMBER: No.] We think a woman is capable of doing the household drudgery of many a man's home; but she is physically unfit, I understand—it is a miry action on her part—to walk to the polling booth.

HON. F. T. CROWDER: We do not want her to be made miry by attending election meetings.

HON. J. W. HACKETT: She need not attend an election meeting, but she can read the report of it, and can listen to the words of wisdom respecting it from her husband's lips. But I want to know, are women physically unfit to be telegraph clerks and typewriters, and to earn their own bread? I want to know whether there is some suspicion of miriness, or impurity, or whatever it may be, in her casting her vote for the man who she thinks would do most good for her country and her family. I am certainly at a loss, when these figures of speech are introduced, to know exactly where they are to lead us, or what is the object of introducing them at all. Let us have plain, Saxon English, and do not let us be led away by phrases.

HON. H. LUKIN: You stop before you come to the real crux of the question. Very few of us object to women having the vote, but we object to what is to follow.

HON. R. S. HAYNES: That they will not return some of us to Parliament? Is that what you mean?

HON. J. W. HACKETT: I suppose what the hon. member means is that women will seek seats in Parliament. [A MEMBER: Hear, hear.] Well, they have seats on education boards and elsewhere, and have not disgraced their sex; and I do not understand how they can disgrace their sex by entering Parliament, if the sense of the community decides that they should do so; because it must be remembered that none but women whom we should be glad to follow would seek a seat, or would have a chance of being elected. Does my hon. friend say that women like Joan of Arc or Catherine of Russia would have been unfit to sit in Parliament?

HON. H. LUKIN: Or the mayoress of Onhunga.

HON. F. T. CROWDER: Catherine of Russia is quite enough for me: the most immoral woman on record.

HON. J. W. HACKETT: No doubt she was; and in that, of course, she differed from the great majority of men. If absolute morality is to be made the test for entrance into Parliament, then I hope my friend will move the motion, and let us see how many in this or in the other House will support him, and will crave that the first stone be cast against them.

HON. F. T. CROWDER: I am not saying anything about that; but you quoted an instance.

HON. J. W. HACKETT: Yes; I gave you two instances: one of a woman of pure and unsullied character, and another of a woman whose individual character was not of the best, but who has a right, for her intellectual powers and her patriotic action in building up and governing a great Empire, to take her place with the foremost men. And I did not mention a third woman as fit to sit in Parliament: I did not mention the name of Victoria, because she does happen to sit in Parliament; and, moreover, every man who casts a vote against women sitting in Parliament, or who works against the

principle, has to reckon with the fact that not in our country only but in Spain and elsewhere, some of the finest sovereigns have been women sovereigns, and as such have had their places in their Parliaments, or in whatever representative bodies those countries may have had.

HON. D. M. MCKAY: Why did they not have women's suffrage in England?

HON. R. S. HAYNES: It was the Scotch members who voted against it.

HON. J. W. HACKETT: Does the hon. member know that there has been almost a majority in favour of the principle on more than one occasion in the House of Commons, and that the most thoughtful men of both parties are in favour of it? The hon. member need not trouble himself. I am sure he will live to see the women's vote carried in the United Kingdom. I must get away from that argument—the miry argument—because I fail to understand it. Another argument I do not understand is that the vote should be refused to women because only some of them are likely to use it. What does that argument mean? That there is a certain proportion of women who are anxious to use the vote; that they are not to be permitted to enjoy it because all women would not use it. And women are told that their place is beside the cradle, looking after their husbands, and attending to their household wants. A large proportion of the women in the United Kingdom—I believe an hon. member was right when he said something like 2,000,000—have no husbands to look after.

HON. F. T. CROWDER: They have driven all the men out of the place.

HON. J. W. HACKETT: The hon. member knows that the natural result of social forces is that the women must outnumber the men.

HON. F. T. CROWDER: But the women in England are taking the men's positions.

HON. J. W. HACKETT: Then where do the men go to?

HON. F. T. CROWDER: They clear off to America.

HON. J. W. HACKETT: It is undeniable that there is a certain proportion of women who, either through choice or through force of circumstances over which they have no control, cannot get households to look after. Yet these women are to be deprived of their votes,

to be deprived of the part they should take in building up their country, however well fitted they may be to do so—and that point has not been argued by any hon. member present—simply because a number of women have to rock the cradle and to mind the baby.

HON. D. M. MCKAY: What do you know about minding the baby and rocking the cradle?

HON. J. W. HACKETT: It is the same thing. They are generally synonymous terms.

HON. D. M. MCKAY: You go and try it.

HON. J. W. HACKETT: I have heard of the process, although I have never had personal experience of it. But let us look at that side of the argument. It is true that women have to mind the baby, to train the child, to infuse the earliest ideas of right and wrong, of high-minded and low-minded actions, into their children; but there they must stop. In other words, what the opponents of the woman's franchise say is this, that the men who are to rule the country are confided in infancy to women who have not got the vote—are confided to those women during the earliest and most impressionable period of their existence; and it is largely, almost entirely, on the influence those women exercise over their boys that it depends whether those boys grow up into worthy and upright individuals, into useful and public-spirited citizens.

HON. F. T. CROWDER: That is true.

HON. J. W. HACKETT: That is true; and yet the hon. member would give a vote to the pupil, and decline to give one to the teacher! What sort of logic is that?

HON. F. T. CROWDER: Perfectly consistent.

HON. J. W. HACKETT: That the person who draws on her character for the training should be considered unfit to vote, while the person who derives most of the good he does in after-life from the influence of that training must be fit to exercise the franchise! What a storm of indignation would be raised if the man were refused a vote! But it is a fact that, whatever a man may be, whatever his personal character, whatever may be the evil influence he may exercise on those around him, that man claims his vote, and he would have the

country ringing with denunciations if that vote were refused him. That is to say, the drunkard, the semi-idiot, the man who came out of gaol six months ago, are all entitled to the suffrage, and we can imagine the tempest that would sweep through the land if it were refused them; but the highest-minded, the most intellectual, the noblest of women, the women on whom the future of the rising generation is to wholly depend—such women are to be treated as having their skirts stained by the miry soil of politics, if they ask for a vote in a matter in which they are at least interested as much as the men. Where does the logic come in?

HON. F. T. CROWDER: You fancy a woman going down to vote in your constituency at Donnybrook! Do you think she would come away clean?

HON. J. W. HACKETT: I think she would. At all events, I am sure she would come away cleaner in mind and in mouth than most of the men who would go down there. I shall not detain the House longer. The argument that women should be confined to their own sphere often amounts to this, that they should be confined to the sphere of frivolity rather than to useful work for their country; and I press that view upon this honourable House, that if women find their careers closed against them in legitimate directions, if useful work is denied to them, if they are what we know they are, if they are women of energy and determination, we know their energy and determination will break out in some direction, and usually take the utterly contemptible form of pleasing the male or amazing the female by social conquests or other achievements of that kind. I do not expect that if this great reform is carried, the world will be regenerated; and I do not expect we shall see a new social system, even years after women get the vote. If women are as Mr. Crowder, Mr. Lukin and others have described them, good cannot fail to come to the people from such women interposing in politics; and even if such be not the case, a community must infallibly gain which consents to such a simple and fundamental act of justice.

HON. R. S. HAYNES (Central): I have always endeavoured as far as I can, when in doubt upon a subject—and I

have had some doubt as to what position I should take on this question—to follow in the footsteps of a person whom the public trust, if I find he has expressed an opinion fairly, fully, honestly and repeatedly upon the question; and I think it is safe, perhaps, to follow in the footsteps of so disinterested a person as the Premier. The right hon. gentleman last year—and it is strange that it should be just this day twelve months, the 17th August—spoke in another place upon the subject of the extension of the franchise to women, and gave his opinion on it. I remarked, at the time, this was a move on the part of the Government to counteract, or rather to interfere with, the redistribution of seats. I did so because I had reason, as I shall show later on. The Premier said the matter had been brought before the House time after time, and every time it had been promptly rejected by a large majority.

THE COLONIAL SECRETARY: Only by one, on one occasion.

HON. R. S. HAYNES: Then the Premier was wrong. This is what he said:

I never heard the hon. member (Mr. James) to greater advantage than I have heard him on this occasion. I should like to say that, whatever other people have done, I have not changed my opinions during the last eight or nine months in regard to this question. If I were to change my opinion so quickly on such an important matter, without any new evidence being brought before me, I think my conviction could not be deep-seated. I say at once that I am not opposed to women exercising the franchise because they are women—I am not opposed to it for that reason, but I am opposed to extending the franchise to women, in the interest of women themselves. That may seem a strange statement, because it can be answered by saying: "Why do you not allow women to judge for themselves what is best for them?" I say we have not had the opportunity in this colony of ascertaining what are the views of women on this matter; and I go further, and say it is not a question so much of what the women want as it is a question of what the men want.

That was the opinion of the Premier twelve months ago. The right hon. gentleman also said:

When we are asked to introduce a social revolution into our constitution because persons who have never exercised the franchise in this colony, and who have never exercised it in the great mother country, desire it, I do not think that is a reason why we should at once say, "You shall have it." My contention is that

the women have not, by their voices, by their votes, or in any way, shown that they are eager for the extension of the franchise to them. I think it will be difficult to controvert that. If you place a person in this Legislature, or if you give to a class, to what I may call half of the community, the right to enter this House, you practically say to them, "You shall have equal power with us in the shaping of the destinies of this country; whether for good or ill, for peace or war, you shall be equal in every respect to us." But they have to admit, and the hon. member (Mr. James) will have to admit, that if you go to war, though the woman may have a say in deciding for peace or for war, all the fighting will have to be done by men. . . . I think if we had to march against the foe, the persons who were in the thick of the battle would suffer most.

Then the Premier goes on to say that women might act as lawyers, and Mr. James interjected "Undoubtedly, if they are qualified."

THE CHAIRMAN: I must stop the hon. member, for I find it is out of order to refer to debates in the other House. Refer to Standing Order 128.

HON. R. S. HAYNES: I regret it, because I should have liked to pursue this point further, to the climax. An opinion was freely expressed that the franchise ought not to be granted to women, because, if it were, it would materially affect the representation on the goldfields in the event of a redistribution of seats. That was one of the reasons urged why it should not be granted. All those reasons, and all the reasons we have heard to-night, have been urged over and over again against granting the franchise to women, and a more flimsy argument than that the women would have to go to war cannot be urged. I do not think that in approaching this question many people have given it the consideration it deserves. We have heard that three or four times it has been brought forward in another place. Had this been the first time it was brought forward, I should have hesitated, and said that whether I was in favour of it or not, I should not vote for it, because it ought to go to the country. It appears to me the point we have to decide is this: Irrespective of our own opinions, should the question be dealt with by the House without reference to the country? If it should be, a majority of the members of the House will be found in favour of it; but we have first to decide whether or not

the matter has been sufficiently before the people. There are a certain number who say it has not been properly before the people. I can speak from my own personal experience, and that has been somewhat mixed. I have always said I was in favour of granting the vote to women. Last year I had occasion to go before my constituents, but when I mentioned the matter, and said I was in favour of female suffrage, the statement was met with decided disapprobation. I mention that because I have heard since that a meeting has been held and that the people who attended were in favour of granting the suffrage to women. Like, I am afraid, many more people who hold responsible positions in the country, they changed their minds. I defy anybody to give me any good reason for the sudden change of front which has taken place in respect to this question. The same reasons which exist now for granting the franchise, existed twelve months ago. A great authority has said that nothing has happened that ought to cause us to alter our opinion. What, then, is the reason for this sudden change of front? Of course it is said that to grant women's suffrage is only granting to women their rights. I do not think that view is the reason of the change. At all events, I am going to be outspoken, and I say the reason the majority of hon. members are prepared to grant the franchise to women is the hope of being able to outvote the persons returned for the goldfields. If that be so, I think the reason a very bad one, because the franchise to women will endure for ever, whereas the necessity for their votes to defeat the goldfields is merely passing. That is no solid reason, but it is the only reason that operates. The question is whether women ought to be granted a vote, and I may say at once I think they ought. I have endeavoured as far as possible to put the other side. Some members have changed their coats several times, but I have always supported the giving of the franchise to women, and on this occasion I propose to support the motion, though with some doubt—not as to whether women are entitled to the franchise, because I was never in doubt about that, but as to whether the question should be submitted to the country. One or two words fell from some hon. members which I should like to refute.

Mr. Crowder said women were filling the occupations of men and receiving only half the salary. I am prepared to deny that. Certain females are employed in my office, and they are paid the same as the men.

HON. F. T. CROWDER: That is for type-writing.

HON. R. S. HAYNES: That is the only occupation one has for women. Mr. Stone would say the same rule as to payment holds good in his office. The only reason I have for employing women is that they do the work better than men.

A MEMBER: They do not talk?

HON. R. S. HAYNES: I will not say that. I do not think that the abstract right of women to vote can be disputed. All women should thank Her Majesty for the influence she has exercised over England in the granting of this boon. I heard this question of women's suffrage discussed years ago, long before women had the right to vote, and, as far as I remember, the opinion then held was that the extension of the rights of women originated from Germany. I may be wrong, but that is the opinion expressed by a very learned gentleman.

A MEMBER: It was of Teutonic origin.

HON. R. S. HAYNES: The movement received a certain check, but is said to have been resuscitated through the introduction of the Hanoverian line, and I believe that is correct. Only recently a woman had no legal right to live at all—she had no absolute existence in law.

HON. J. W. HACKETT: In our law?

HON. R. S. HAYNES: I am speaking of the English law. By some fiction a woman had an existence in equity, that was a person could be declared trustee for her, but she had no absolute entity. Little by little her position grew, until at last, as we have been told, women were granted equal rights with men. So far as I am concerned, now that a step has been taken, I will go one step further and say I have always advocated and see no objection whatever to the admission of women to all professions, to the legal as well as to the medical profession. I see absolutely no objection to women having a seat in Parliament; and any man who tells me that Parliament is not the place for women shows himself to be an ass and a fool.

HON. J. W. HACKETT: Parliament is no place for him.

HON. R. S. HAYNES: No; because it shows he is not fit to be there. Is the intellect of women below that of men? Some years ago, no doubt, learned writers told us that a woman's brain weighed less than that of a man, but the idea underlying that suggestion was exploded by showing that the brain of Byron weighed less than that of an idiot. As a test, the weight of the brain is absolutely unreliable; and there is no reason whatever for saying that woman cannot exercise the same judgment as man. What is the case in America? There the law has been generally practised by men, but women have now taken a part: has there been any outcry? Women in America have become doctors: has there been any outcry? But it is said, "Oh, women do not want the vote"; and in this connection I should have liked an opportunity of referring to the arguments brought forward against the Reform Act of 1832. The whole objection then was: "What! you would give the vote to those working men? Why, they do not know anything about politics, happy men! They go to work in the morning and knock off, and go to the country inn and drink beer, and do not want to know anything about the war with France. What do they know of the various questions, which only we educated people are capable of deciding?" It was said the result of the passing of the great Reform Bill would be the return of all those ignorant men to Parliament—that was the whole objection to the extension of the franchise in 1832—but many hon. members must have seen the effects of that reform in England. What has been the result? Has it overthrown the Government of England? No; and the very objections then urged against electoral reform are urged against the extension of the franchise to women to-day.

HON. D. McKAY: These were not my objections.

HON. R. S. HAYNES: Perhaps the hon. member read to us the wrong speech? As I say, the same objections were urged on that occasion as are urged now; but if the women do not know anything about politics now, they will be precious quick to learn if the vote be given them. I have no hesitation in

saying that, although the effect of the extension of the franchise will be very little in the first instance on the return of members to Parliament, in the end material benefit will result; because the extension of the franchise will elevate women, and I am positive it will elevate men.

HON. J. E. RICHARDSON: It will put women on juries.

HON. R. S. HAYNES: Women sit on juries now, and only in very important cases; and why should they not be allowed to sit and try whether a man has carried away a blanket? There, again, we come to the question of expediency; and I think it would be often irregular or improper to put women on juries, because it would interfere with their domestic duties. Journalists, members of Parliament, chemists and doctors are not empanelled on juries, and, therefore, I think women ought not to be empanelled; but that women should not have the right to sit on juries is a different thing altogether. I never had any doubt as to the way I would vote on this question. The only doubt I had was whether I would vote in favour of the motion, or ask that the question should go to the people of the country. But the reasons given by Mr. Hackett are sufficient to justify us in passing the motion, without sending it on to the people. This matter has been before another place three times, and it is only quite recently women have come forward to demand the franchise. I have heard it said that it is only a few "red stockings" who have come forward—women connected with the Woman's Christian Temperance Union—and demanded the franchise; but a "johnny club" could not be expected to take up the agitation. Those who are looking after the rights of womankind deserve the greatest thanks for awakening their sisters to the necessity of asking for the franchise.

THE COLONIAL SECRETARY (Hon. G. Randell): I do not intend to trouble the House for more than a few minutes, but I do not think I ought to give a silent vote. Mr. Hackett has dealt fully, ably, and fairly with the question, and I heartily indorse what he has said. Mr. Haynes has also spoken forcibly, and shown there will be no danger to the interests of this country in giving

the franchise to women. I hesitated for some time before I felt I could give a vote in favour of this motion, for reasons which it would not be wise or prudent to mention just now. One little obstacle prevented me at first from accepting the position of advocating women's suffrage; but ever since then I have not wavered in my opinion in the slightest, and I have shown this in many ways. Since I have had the honour of controlling the Education Department of this country, it has been my endeavour to place women upon district boards, and I have found them to be efficient and attentive members, and most interested in the education of the young, and I have been always anxious wherever possible to get one or two, if not more, ladies on a board of five or seven, and the result has answered my highest expectations. Mr. Crowder referred to New Zealand, but said he was not aware how the extension of the franchise to women had there operated. The other day I read an extract from an English newspaper, in which was expressed the opinion of Mr. Reeve, who was formerly a Minister of one of the Cabinets in New Zealand, and is at the present moment, I believe, Agent General, or occupies some other official position in London. The opinion expressed by that gentleman was, and in fact he said, that women's suffrage in New Zealand had operated exceedingly well, and that the people had every reason to be satisfied with the extension of the franchise. This goes to show the franchise may be safely given to women; and Mr. Hackett has shown forcibly that there are no real reasons why it should not be granted. He has dealt with the expression which Mr. Crowder used as to "dragging women through the mire of an election." I fail to see or understand why the discharge of the duty of casting a vote for a member of Parliament should lead to the "dragging" of the voter, whether man or woman, "through the mire." My opinion is that the tendency of the exercise of the female franchise will be to elevate the voting and prevent such scenes as have occasionally taken place at elections in this colony, but which scenes, I am happy to say, are, in a great measure, a thing of the past. The scenes enacted in this city some years ago, even at a town council election, and

much more so at the election of a member of Parliament, were something dishonouring to the men; and the extension of the franchise to women will have an elevating effect, not only on the women themselves, but on the men. It will be admitted that women have an equal interest with men in the welfare of the colony, and, as Mr. Hackett has pointed out, women have now to do very important work in the community in training the young and fitting them for positions in life afterwards. We are willing to entrust the women with that and many other duties in all spheres of life in the colony, and the manner in which they acquit themselves in these positions is admirable. We find women in many departments of life, some of which have been referred to to-night; and if hon. members had not made up their minds I am sure they must have been convinced of the justice of the motion. Mr. Crowder says that a person "convinced against his will is of the same opinion still"; and that must be the case with hon. members who fail to see the absolute justice of conceding to our female fellow citizens privileges equal to those which we enjoy. It would be an act of the greatest injustice, after our minds have been instructed on the subject, and we have carefully considered it for several years past—when we know that the exercise of this power in various parts of the world has operated very beneficially on the community at large—it would be an act of the greatest injustice to resist the march of liberal and intellectual opinions in favour of women's franchise, opinions which have been gaining ground, not only here, but as Mr. Hackett has said, also in the old country, conservative as the old country is. Mr. Hackett is no bad prophet when he says that in the near future we shall see women, who have occupied positions of great influence in England, admitted on an equality with men to the exercise of the franchise for parliamentary elections. I need only refer to one movement in which women in England have exercised a wonderful influence on the whole body politic. I allude to the Primrose League, which is exercising a political influence, I hope and believe, of the most beneficial kind. That is the way women are silently yet irresistibly marching on to the time when

they will obtain victory in their fight for the franchise; and I can see no reason whatever why the extension should be longer delayed. The question has been before us for four or five years, and the first time, although it was almost a catch vote, the motion was within one vote of passing in the Lower House.

HON. J. W. HACKETT: It was passed once in the Lower House, and then Mr. Paterson passed over and turned the scale.

THE COLONIAL SECRETARY: I do not remember the exact circumstances. I am sure no one need fear that the mere fact of going to a polling booth and exercising a vote once, perhaps, in three years, or even every year, is going to disarrange the whole fabric of the household. That is a monstrous supposition for anybody to indulge in. Women go about other duties from day to day, away from their homes, on visiting committees, and in many departments of social and Christian work. I hope hon. members will pass the motion.

HON. S. J. HAYNES (South-East): Like the Colonial Secretary, I do not wish to give a silent vote on this question, but I desire to make my remarks, and shall make them, as short as possible considering the lateness of the evening. The mover of the motion (Mr. Stone) tells us he is not ashamed that he has been converted on this question. I think he really ought to be ashamed, if he is not, because in the speech he has given I see no reason that could convince any member to change his opinion on this question; I cannot find one valid reason throughout his speech. The only reason I can imagine, is that the hon. member told me the other day that his "better half" was out of the colony, and it seems that some evil influence has got hold of the hon. member.

HON. J. W. HACKETT: He knows the value of woman now.

HON. S. J. HAYNES: My opinion is that the conversion of the hon. member is one of emotion rather than of reason. Whatever has caused him to change his opinion on woman's franchise, I am sure he will be exceedingly sorry for it when the franchise is extended; he will be glad to go back to his first principles and his first faith.

HON. A. B. KIDSON: Give us some reasons against the motion.

HON. S. J. HAYNES: I think we might ask ourselves the question; has there been any pressing demand for this franchise? I undoubtedly say that no pressing demand has been made for it; really there has been no agitation. The thinking women have never asked for the franchise, and if the franchise is granted to women, would it be any advantage to the community in general, and would it be any advantage to women in particular? So far as my opinion is concerned those two questions should be answered in the negative. I say that with all respect to women, and my respect for women and their intelligence is second to none. I am open to reason, but no reason has been given so far, in regard to giving the franchise to women. Who are demanding the franchise at the present time? Certain politicians have been advocating the adoption of woman's franchise, but the reasons given have not convinced me, and I can only conclude that politicians wish to give women the vote from some ulterior motive. What is that ulterior motive? There is no use denying the fact, it is that by giving the vote to women it may neutralise the gold-fields vote. That is the opinion that has been expressed outside and inside this Council.

HON. A. B. KIDSON: It does not follow that it is right.

HON. S. J. HAYNES: It is only a small body of women who are demanding the vote. Three descriptions of women are demanding the franchise. There is the woman of leisure, the woman who has a wealthy husband or wealth in her own right, she perhaps advocates the franchise being extended to women; but I really think that her energies might be better devoted in other directions. Then there is the professional woman who organises institutions to run fads of this kind, she is paid for it, it is her business in life; but there are very few of those women. The third class who ask for the franchise is the woman called the new woman. We look on them with amusement. They are women whose acerbities and peevishness cannot find an outlet for their energies, and they howl about franchise. The larger number of the better class of women, whom we respect and love, do not demand the franchise. Let me put this to every married man in this House:

Does his wife or daughter demand the franchise? That question must be answered in the negative. I believe that no wife or daughter wants the franchise. That has been the answer of every woman whom I have asked.

THE COLONIAL SECRETARY: You have been unfortunate.

HON. S. J. HAYNES: I appeal to members in regard to their wives and daughters; and when a member selected his wife he did so from among the best, and every man must say that his wife or his daughter do not desire the franchise.

HON. J. W. HACKETT: They only know men like you.

HON. S. J. HAYNES: Who?

HON. J. W. HACKETT: Those women who do not want the vote.

HON. S. J. HAYNES: The Premier has changed his opinion upon this subject. So far as women are concerned, I doubt very much whether they have taken that acute interest in politics that would qualify them to join in the ruck of politics. Take the majority of women; do they take the newspapers and wade through the political news every day? The majority do not. If they do wade through the political news, they will wade through a lot of rubbish. But women do not follow politics. They do not take an interest in politics, because in these matters they are satisfied to be guided by their husbands, and their husbands are the proper parties to guide them in this respect. It has been said to-night, and it is a fair argument to use, that England and the colonies have done very well without this franchise for many centuries. There has been no great outcry at Home; and the only two places in the British Empire, at any rate in the Australian colonies, where the franchise has been extended to women, are New Zealand and South Australia. We hear that there has been no great success from woman's franchise in New Zealand; and as to South Australia, we heard from Mr. Crowder this evening that the granting of the franchise has not been a great success there.

THE COLONIAL SECRETARY: I have heard to the contrary.

HON. S. J. HAYNES: I am only stating what Mr. Crowder says. It has been said that if women have the franchise they will pick men of pure life for

their representatives. The facts show the opposite so far as South Australia is concerned.

THE COLONIAL SECRETARY: There were reasons for that.

HON. S. J. HAYNES: So far as politics are concerned, if women were in politics they would not pick men by reason of their moral character, but according to glibness of tongue and ability.

HON. J. W. HACKETT: What do men pick them for?

HON. S. J. HAYNES: For the same reasons.

THE COLONIAL SECRETARY: Because they give them a glass of beer sometimes.

HON. S. J. HAYNES: I should be sorry to think so, but no doubt there are men who will give a vote for a glass of beer, but the majority of the men of this country are far above that. Someone has said that those who hold similar opinions to myself would not give the same rights to women as they would to men. I admit that I would not. One member opposite me would not give even a dog to aboriginal women; I refer to Mr. C. A. Piesse. I shall vote against the motion to protect women really against themselves. I would ask hon. members to oppose the motion on the ground that there has been no outcry for the vote, and members must know that the majority of the women really do not require it. Even supposing the franchise was granted to women, would a majority of the women we love and revere for their good qualities go to the poll? I do not believe they would. Woman's sphere is at home amongst her social duties, giving the influence of her good example to her husband and her children, which is far better than being amongst the rugged paths of politics. By giving women the franchise you will unsettle them, and to a certain extent you unsex them, and I submit confidently that you will be lowering them. At the present time women hold a very high position, and what have they to complain of? The majority of us in this land hold women in the highest respect, a majority revere and love women, but the majority like women to be kept in that sphere where her influence is for the best. If you take away woman from the home where she can bring up her children under her influence, home life will not be as good as

it otherwise would be. At the present moment woman's influence in politics is very great. All know the influence of a good woman on her husband, and if woman is to join with her husband in the rough and tumble of politics, she cannot talk to her husband in that calm and effective manner that she otherwise could do. It has been said time after time that we have at the head of affairs at home Queen Victoria, who has set a good example.

THE CHAIRMAN : The hon. member must not refer to the Queen.

HON. S. J. HAYNES : I surely can refer to the respect I bear to Her Majesty, I hope so at any rate. If we look around us at the present time we do not find many women who have attained eminence in connection with political matters, except by the influence they have used with their husbands, their children, and their friends. I shall vote against the measure for the sake of the affection, the honour, and the reverence I bear to woman. Certainly, opinions are very much opposed on this subject: I give those who hold opposite views to mine credit for as much earnestness as I feel, and for speaking quite as conscientiously as I do; but I take the opposite view; I must certainly oppose the motion; and, even if there were a great clamour, if the majority of women of all types asked for the franchise: still, in their interests, I must candidly confess I would refuse it. But at the present time there has been no such outcry, except from a very small portion of the women of the community, and in addition to that, from politicians who, in my humble opinion, are seeking by a side wind to neutralise the goldfields vote for the sake of the coastal towns. I would warn hon. members that such a policy will, in my opinion, have the effect of doing evil at the present time that a little transient good may come: I would warn them that in the future the result of such an experiment may work very disastrously. It would, to a large extent, altogether change our social life, and very materially interfere with the great and beneficent influence that women now exercise in our midst.

HON. E. McLARTY (South-West) : On such an important question I do not desire to give a silent vote. I have never been an enthusiast on this great

question of woman's suffrage, nor am I to-day. I remember that five years ago, when I was before my constituents, the question was put to me whether I supported the extension of the franchise to women; and I then said that I fully believed that women in possession of property had as much right to exercise the vote as men had. I find that at the present time there has been a demand in certain quarters for an extension of the franchise; and I think a strong point has been emphasised here to-night, that only about 10 per cent. of the women of the colony are asking for this extension. But I also think it was a strong point that there has been no protest against it by the other women—by the remaining 90 per cent. I have never heard a voice raised against the proposed reform. I know there are individual women who think it is unnecessary; but at the same time I have never heard any strong protest against the extension of the franchise to women, and I find that the Colonial Secretary has stated that, on the district school boards and in other positions in which women are placed, they, as a general rule, make far better members, and are more attentive to the duties with which they are entrusted, than the men; and I will not at this stage take upon myself the responsibility of denying women the vote. We live in an age of great progress; and although it has been said that women, for thousands of years, have been deprived of this privilege, I fail to see why that should be any reason for a continuance of the present system. Things are altering in the world every year; and why should we not, if this is a step in the right direction, extend this privilege to women as well as to men? I cannot agree with Mr. S. J. Haynes that to extend the franchise to women would in any way lower them. I cannot see that at all, although I am not going so far as to say that in my opinion women are, at the present time, better able to judge of the suitability of candidates for Parliamentary seats than men are. Still, I think that in the majority of cases women will use great discretion, and will exercise the vote in the right direction. I shall not labour the question, because the hour is late and so much has been said already; but I intend to support this motion.

HON. H. J. SAUNDERS (Metropolitan): I do not intend to make a speech on this occasion; but I find from personal inquiries that the majority of the women in this colony are against this extension of the franchise.

HON. J. W. HACKETT: Where did you meet the majority?

HON. H. J. SAUNDERS: I have not met the majority, like my friend, Mr. Piesse; but I have spoken on this subject to a great many ladies who have admitted that they are over 21. I shall oppose this motion on the ground that, at the present time, I do not think it requisite that such a resolution should be passed. I think in a year or two's time we may reconsider the matter. (A MEMBER: Oh!) I am very pleased to see hon. members laughing, because it shows exactly which way they intend to vote. I have always told this House that I was opposed to woman's suffrage, and that I intended to oppose it, and I am going to vote against the motion; and, further, if any hon. member is doubting which way he should vote, I should strongly advise him to vote with the "Noes."

HON. W. T. LOTON (Central): After the many admirable speeches we have heard to-night on this question, I suppose any hon. members who were hesitating must by this time have made up their minds one way or other; and anything that may fall from any hon. member after this will have but little influence, if any, upon the voting which will take place upon this occasion. I do not intend to follow the arguments of either side to any extent. I think the arguments adduced have been fairly equal. There have been some fairly good arguments in favour of the franchise being extended to women, and some very sound arguments against that proposal. We have heard to-night that there has been no real demand on the part of women that the franchise should be extended—that they have not given any vote on the question. But we must remember that women have hitherto been represented in Parliament by men; and we must take it that hon. members who represent, not only the men outside Parliament, but the women outside Parliament, voice the opinions of the women as well as those of the men when sitting in Parliament. And this question is not a new one in the colony; it was first

introduced, I think, some six or seven years ago; and on that particular occasion there was a very close division. Opinions were almost equal on the subject. The opinion I held at that time was that it was not desirable that women should in any way enter into politics—not even to the extent of having the right to exercise the franchise. This question has since been introduced session after session in another place and debated very fully; and, whatever the views of hon. members may be, I do not think the fact of extending the franchise to women will change the political atmosphere to any great extent. I believe the people returned to Parliament will be of much the same calibre in every respect when women exercise the vote, as they are at the present time, when all the voters are men. Possibly there may be some little change during the first or second election under the reform; but the man who rules his household, who is a strong-minded man, and who carries the confidence of his family circle and of his social circle, will have the same support extended to him from the women as he has from the men, and *vice versa*; so that, to my mind, it is not very material whether this privilege is granted to women or not. But with regard to the right of woman to have this vote, so far as her intellectual and other powers are concerned, during my experience in life I have found on almost every occasion that woman is quite as capable of forming a right and just opinion on almost any subject as a man is. [SEVERAL MEMBERS: Hear, hear.]

HON. F. T. CROWDER: On certain occasions.

HON. W. T. LOTON: Yes; on all occasions. Women have been applauded to-night as being looked up to and revered by men, and I say they are; and the very fact of this privilege being granted to them, if it be granted, will, I think, but tend to elevate still further. They will feel that they are recognised to a higher and greater extent than they have been in the past. I have no doubt that a number of hon. members will be surprised to find that I am going to cast my vote in favour of extending the franchise to women. I see no valid reason why it should not be so extended. It is not a question of women entering the

political arena monthly or even yearly. There is no reason whatever why they should not exercise the vote in an ordinary, quiet way, without desiring to go further than that. I have no doubt we shall have a certain number of what I may possibly be allowed to term advanced women of the period, attempting to push themselves forward and to take an active part in political life. If women do manage to get inside the precincts of an establishment of this kind, I hope their influence will be felt in the right direction. There is only one point on which I have any hesitation in regard to voting as I do to-night, and that is, I would much rather the question had gone before the public. At the same time we should only have the same class of voters as now, for the women would have no right to vote unless they had the franchise, and I do not see any way in which you can take the opinion of women except at a public meeting. Wherever it has been taken it has been given by the women present in favour of extending the franchise to them, rather than the reverse.

HON. A. B. KIDSON (West): I did not intend to speak to the motion before the House, but seeing that every member has already spoken either for or against it, I thought I would not allow myself to be in a small minority of one who did not speak to it. The debate has dragged its weary length along. I have listened attentively to the speeches of those members who have opposed the motion, and I fail to realise one fact or solid argument against granting the suffrage to women.

HON. F. T. CROWDER: What about the constitutional aspect of the question?

HON. A. B. KIDSON: I have heard the hon. member (Mr. Crowder) speak to motions on many occasions, and with considerable force and power, but to-night I noticed that there was something wanting. I think I can apply the same rebuke to him that he applied to Mr. Stone, namely, that the hon. gentleman's feelings were not in the speech which he had delivered. It is not necessary to detain the House long, but I would like to refer to one or two remarks that have been made, and it must be patent to every hon. member that those remarks were uttered with the idea of endeavouring to lay a "red her-

ring" across the trail. It seems to me that when members have no case—and apparently members opposed to this motion have no case—the usual thing is to abuse the other side. If members have taken the trouble to listen carefully to the speeches delivered, they can only come to the conclusion that those speeches were full of abuse, and suggestions which, to say the least, were not correct. It has been suggested that this is a political dodge, and that some hon. members in favour of the motion are influenced by the fact. I can only return the accusation in the teeth of those who made it.

HON. F. T. CROWDER: No one knows it better than you.

HON. A. B. KIDSON: The very suggestion made by those hon. members is itself a political dodge, put forward with the object of endeavouring to turn members from what they consider to be the path of duty. Members in favour of the motion are just as honourable in their views as those to whom I have referred. Mr. Saunders gave us a little advice, saying if any member was at all wavering, he should follow him; but I can assure the hon. gentleman that after listening to what I heard from him, if I had doubts one way or the other, which I have not, I should certainly vote in favour of the motion.

HON. F. T. CROWDER: Then your doubts have vanished lately.

HON. A. B. KIDSON: I have listened with patience to the arguments why women should not have a vote. Why, I ask, should they not have a vote? They hold property, they are governed by the law, and they pay taxes, and again I ask, why should they not have a vote? Mr. Saunders says if they come forward in a year or two, we will give it to them.

HON. H. J. SAUNDERS: I did not say so.

HON. A. B. KIDSON: The hon. member did say so: I took his words down. He said: "If they will bring it forward in a year or two we will consider it." That is a remarkable argument, for if he will be prepared to consider it in a year or two, why does he not consider it now?

HON. H. J. SAUNDERS: I am agreeable to women with property having a vote.

HON. A. B. KIDSON: It is a pity the hon. member did not say so, and he

should vote for the motion. To say that in a year or two he would consider it, is a *reductio ad absurdum*. I do not know whether in a year or two women will have improved so much in intellect that they will be entitled to get a vote. If that is not what the hon. member meant, I do not know what he did mean. Mr. Congdon, in speaking, held up a very lurid picture of what would be the effect of his daughters going to the poll. I think he made use of the same remark as Mr. Crowder, and it is a well-worn remark.

HON. F. T. CROWDER: A proper remark.

HON. A. B. KIDSON: The hon. member said it would be dragging them in the mire; but how would those young ladies be dragged in the mire by walking to the polling booth and giving a vote once in three or four years? Is there anything disgraceful or objectionable in going to the poll and voting? It seems to me almost childish to make use of such remarks. I cannot help repeating that to use an argument of that kind is drawing a "red herring" across the trail: it must be patent to every member that the introduction of such an argument is absolutely no good. Women are taking part now in voting. They can vote at school board and county council elections, and they can sit on school boards and so forth, and why in the name of fortune should they not be allowed to have a vote at Parliamentary elections? Some people say that, if they vote at Parliamentary elections, they will sit in Parliament; but I do not believe it, and even if they did wish to sit in Parliament, I do not think it likely they would be elected except under the special circumstances referred to by Mr. Hackett.

HON. F. T. CROWDER: Put them on the jury list.

HON. A. B. KIDSON: I do not know whether it would not be a good thing to do so, because some of the verdicts given by juries in this colony are not always to be commended. I dare say the hon. member may know that to his cost, and it may be an excellent thing to put women on a jury, because there is not a shadow of doubt that in many cases they are of vastly superior intelligence to men, and perhaps if some of us had on occasion taken the advice of our wives, we should have been better off to-day.

HON. R. S. HAYNES: Not so many of us would be at large.

HON. A. B. KIDSON: I am certain the hon. member would not, and I am surprised at seeing him at large now, so late in the evening. I shall not detain the House longer, but I think members will see that I am in favour of giving votes to women, and that I intend to support the motion. I had some doubt whether I should vote in favour of it at the present moment or allow the question to go to the people, but I have decided to vote for it now, because I can see that if we let it go to the people, it will mean postponing it to a very indefinite period.

Question put, and division taken with the following result:—

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|--------------|-----|-----|-----|---|
| Ayes... | ... | ... | ... | 8 |
| Noes | ... | ... | ... | 6 |
| Majority for | | | | 2 |

AYES.
 Hon. H. Briggs
 Hon. J. W. Hackett
 Hon. R. S. Haynes
 Hon. A. B. Kidson
 Hon. W. T. Loton
 Hon. G. Randell
 Hon. F. M. Stone
 Hon. E. McLarty (Teller).

NOES.
 Hon. D. K. Congdon
 Hon. S. J. Haynes
 Hon. D. McKay
 Hon. J. E. Richardson
 Hon. H. J. Saunders
 Hon. F. T. Crowder (Teller.)

Question thus passed.

Resolution reported, and the report adopted.

ADJOURNMENT.

The House adjourned at 10 o'clock until the next Tuesday.