

accepted the suggestion of Mr. Haynes, and now moved that the House at its rising do adjourn until Tuesday next.

Motion put and passed.

The House adjourned at eight minutes past 6 o'clock, until the next Tuesday.

of the petition, but I feel that I ought to present it to the House. I have read the petition, which is in form and respectfully worded, and I move that it be received.

Petition (for repeal of Act) received.

QUESTION — VOTERS' CERTIFICATES FOR REFERENDUM, IRREGULAR ISSUE AT KALGOORLIE.

MR. HIGHAM (for Mr. Monger) asked the Premier: 1, Whether his attention had been drawn to certain irregularities alleged to have been committed in the issue of voters' certificates at Kalgoorlie and elsewhere. 2, Whether the matter had been investigated. 3, If so, what was the result of the investigation.

THE PREMIER replied.—1, Yes. 2, It is being investigated. 3, As soon as the result is obtained, it will be communicated to this House.

SESSIONAL ORDERS.

On motions by the PREMIER, Sessional Orders were made as follow:—

Business Days and Hours: The House, unless otherwise ordered, shall meet for the despatch of business on Tuesdays, Wednesdays, and Thursdays at 4.30 p.m., and shall sit until 6.30 p.m., if necessary; and, if requisite, from 7.30 p.m. onwards.

Precedence of Government Business: On Tuesdays and Thursdays, Government business shall take precedence of all Motions and Orders of the Day.

Standing Orders Committee: Standing Orders Committee for the present Session shall consist of the following members, namely Mr. Speaker, Mr. Pennefather, and Mr. Harper; with leave to sit during any adjournment, and with authority to confer upon subjects of mutual concernment with any Committee appointed for similar purposes by the Legislative Council.

Printing Committee: Printing Committee for the present Session shall consist of the following members, namely Mr. Speaker, Mr. Piesse, and Mr. Harper; to assist Mr. Speaker in all matters which relate to the printing executed by order of the House and for the purpose of selecting and arranging for printing returns and papers presented in pursuance of motions made by members, and

Legislative Assembly,

Tuesday, 21st August, 1900.

Papers presented—Petition: Dividend Duty Act (Companies)—Question: Voters' Certificates for Referendum, irregular issue at Kalgoorlie—Sessional Orders—Obituary: Sir Malcolm Fraser—Obituary: Duke of Saxe-Coburg and Gotha—Federal Commonwealth: Admission as an Original State, Address to the Queen—Supreme Court Act Amendment Bill, first reading—Probate and Administration Consolidation Bill, first reading—Trustees Law Consolidation Bill, first reading—Conspiracy Bill (Workmen), first reading—Address in reply to opening Speech, debate resumed (second day), Amendment moved (no confidence), adjourned debate—Adjournment (one week).

The SPEAKER took the Chair at 4.30 o'clock, p.m.

PRAYERS.

PAPERS PRESENTED.

By the MINISTER OF MINES: 1, Report of Geological Survey, 1899; 2, Regulation under Mines Regulation Act, amendment of No. 10; 3, Regulations under Goldfields Act, amendment of 110a and 111; 4, Regulations under Public Elementary Education Act.

By the COMMISSIONER OF CROWN LANDS: Report of Woods and Forests Department, 1899.

Ordered to lie on the table.

PETITION—DIVIDEND DUTY ACT (COMPANIES).

THE PREMIER (Right Hon. Sir J. Forrest): I have received from England a petition to this honourable Assembly, from mining companies carrying on operations in Western Australia. I may say I am not in accord with the prayer

all papers laid upon the table, whether in answer to addresses or otherwise.

**Library Committee:** Library Committee for the present Session shall consist of the following members, namely Mr. Speaker, Mr. Pennefather, Mr. Harper, Mr. Illingworth, and Mr. Kingsmill; with leave to sit during any adjournment and during the recess, and with authority to act jointly with the Library Committee of the Legislative Council.

**Refreshment Rooms Committee:** Refreshment Rooms Committee for the present Session shall consist of the following members, namely Mr. Speaker, Mr. Wood, Mr. Wilson, and Mr. Higham; with leave to sit during any adjournment, and during the recess.

#### OBITUARY—SIR MALCOLM FRASER.

**THE PREMIER** (Right Hon. Sir J. Forrest): Before we proceed with the business of the day, I claim the indulgence of hon. members to make a short reference to the loss this colony has sustained, and the regret that I am sure that we all feel, all the people of this colony, at the unexpected death of our old and esteemed friend, Sir Malcolm Fraser. To those of us who belong to the older generation in this colony, Sir Malcolm Fraser's name has been a household word, for he occupied a prominent position amongst us during twenty years. He came here in the year 1870, as Surveyor General and Commissioner of Crown Lands, with a seat in the Executive Council and in the Legislative Council of the colony; and he occupied that position continuously for twenty years, until the change in the constitution took place at the end of 1890. During that time he was Commissioner of Crown Lands, Surveyor General, Colonial Secretary, and for a year or more he administered the Government of the colony; also for about seven years he was the leader of the old Legislative Council, which sat in this chamber. After the introduction of Responsible Government, Sir Malcolm Fraser went for a short rest to England; and I believe he fully intended to return to this colony and take a part in the new order of affairs under the change of constitution, but having been offered and having accepted the post of Agent General in London, he remained in that

position for six years; in fact, till only very recently. All of us who have had any knowledge of our old friend know very well that throughout the whole of his career he was single-minded, and did his best for the colony. He was in every respect a good public officer. His probity was acknowledged by everyone; and I think it is something to say that a man held a high place in this country for twenty years and no one has been known or can be found to say anything against him, his character, or the way he administered the departments intrusted to him. He no doubt liberalised the land laws of the country, and the imprint of his views on land administration is to be found in our Land Act. For my part, I knew him very well: I was his intimate friend the whole of those twenty years. For thirteen years I served under him; and I can say of him—I say it with very great pleasure—that he was a kind and considerate man, and was one I always had pleasure in working under. At a time like this one can recall with pleasure many acts of kindness, and I can recall with pleasure many acts of kindness extended to me, not only now and again, but always, during the thirteen years I served under him. No one can say anything ill of the late Sir Malcolm Fraser, although he occupied a prominent place amongst us for twenty years. Many old friends I see around me in this House were associated with him when he was Commissioner of Crown Lands and Colonial Secretary; and I am sure it will be just as regretful to them as it is to me that we shall never see him again. The only privilege we have left to us in regard to him is to express our regret at his unexpected death, and to pay him the last respect that we shall ever have the opportunity of doing, a respect which I think is due to him for his long and large services for over twenty-six years in the service of this colony. Yesterday, when the news arrived, the public offices in the colony were closed for the remainder of the day, as a mark of respect to his memory. I do not propose on this occasion to ask the House to adjourn, because the late Sir Malcolm Fraser never was a member of this House under the new constitution. With many members I see around me he was not intimately acquainted, but there are many

of us here, I am glad to say, who look back with pleasure to the days when we had friendly intercourse with him, and we are glad, I am sure, to have the opportunity of saying how much we recognise the services which he rendered to this colony, in which we take so deep an interest.

**MR. ILLINGWORTH** (Central Mur-chison): It was not my pleasure to know the gentleman whom the Premier has so properly referred to; but I have heard a great deal since I have been in this country of Sir Malcolm Fraser, and I think hon. members on this side of the House will be as cordial in their desire to express regret on the present occasion, and to second the kindly words expressed by the Premier. These are not times when it is fitting to express many words, and all I shall say is that the good men and true who have served their country are none too many; and when they depart from us, we part with them with very great regret, and their loss is necessarily great. I have very much pleasure—I can hardly say pleasure—in joining in the sympathy and in expressing the regret mentioned by the Premier. We all regret it is necessary to make this reference; but, be that as it is, every member of this House who knew Sir Malcolm Fraser, and those who knew him only by repute, will join in the regret expressed by the Premier.

**MR. A. Y. HASSELL** (Plantagenet): As a fellow member with the late Sir Malcolm Fraser, I fully indorse what has fallen from the Premier, and I can simply express regret at Sir Malcolm Fraser's untimely end.

#### OBITUARY—DUKE OF SAXE-COBURG AND GOTHA.

##### ADDRESS OF CONDOLENCE.

**THE PREMIER** (Right Hon. Sir. J. Forrest): We have all heard with very great regret of the unexpected death of His Royal Highness the Duke of Edinburgh; and I am sure this House will extend to Her Majesty and to the Duchess of Saxe-Coburg and Gotha and the rest of the Royal Family their sympathy in the sad bereavement. The Duke of Edinburgh was the only member of the Royal Family who visited Perth, and many can carry back their minds to the time when the "Galatea" came to Fre-

mantle. I was not here myself; I was away in the country engaged on my duties in those days; but I well remember the circumstance. I know too that the year before, it was expected His Royal Highness would visit this part of the colony, and we built triumphal arches to try and do as much as possible to welcome him; but we were all disappointed because the "Galatea" passed by and did not visit Fremantle on that occasion. But I think the disappointment we all felt at that time was the reason why, when His Royal Highness visited Australia a second time, Fremantle was made a port of call for Her Majesty's ship "Galatea." We still remember the great pleasure and joy felt by all of us—a small community in those days compared with the population at the present time—that a son of our Queen had come to visit this part of Her Majesty's dominions. We cannot help recalling to our minds that incident, because it is a landmark almost in this colony, the visit of the "Galatea" to us. Under ordinary conditions it was expected the Duke of Edinburgh would have lived for many years, and that he would not have died before his august mother. But such is the case: he has been called away sooner than might have been expected, and we all regret it. We all, as loyal subjects of the Queen, regret it, and desire to express our regret as representatives of the people of this colony in the motion which I will now read:—

That this House agrees to the following Address to the Queen:—

##### MAY IT PLEASE YOUR MAJESTY,

We, Your Majesty's loyal and dutiful subjects, the members of the Legislative Assembly of Western Australia in Parliament assembled, desire to assure your Majesty of our loyalty to Your Majesty's throne and person.

We desire to humbly offer to Your Majesty our heartfelt condolence in the great sorrow that has fallen upon Your Majesty by the death of His Royal Highness the Duke of Saxe-Coburg and Gotha, and to assure your Majesty of the sympathy of your loyal subjects in Western Australia in this sad bereavement.

We desire, also, to humbly offer our condolence with Her Imperial Highness the Duchess of Saxe-Coburg and Gotha and the members of the Royal Family, and we pray that the blessing of the Almighty may rest upon Your Majesty and your family, and that you may be thereby sustained in your affliction.

I beg to move the adoption of the Address.

MR. ILLINGWORTH (Central Murchison): I rise to second this motion. It is not necessary to add any words, I think, to the kindly references expressed by the Premier.

Question put and passed.

THE PREMIER: I beg further to move that the hon. the Speaker be requested to forward the Address to His Excellency the Administrator, for transmission to Her Majesty.

Question put and passed.

**FEDERAL COMMONWEALTH — ADMISSION AS AN ORIGINAL STATE, ADDRESS TO THE QUEEN.**

THE SPEAKER: I understand that an arrangement has been come to that this motion shall be taken as a formal matter; otherwise it cannot be taken now.

THE PREMIER: I understand that is so.

THE SPEAKER: I have communicated with the leader of the Opposition, and he informs me that is so.

THE PREMIER (Right Hon. Sir J. Forrest): I only wish to say a few words. I beg to move:

That this House agrees to the following Address to the Queen, praying that Western Australia may be admitted as an original State of the Federal Commonwealth of Australia, and authorises Mr. Speaker to sign such address on behalf of the Legislative Assembly, and present it to his Excellency the Governor for transmission to Her Majesty:—

*To the Queen's Most Excellent Majesty.*

MAY IT PLEASE YOUR MAJESTY,

We, Your Majesty's dutiful and loyal subjects, Members of the Legislative Assembly of Western Australia, in Parliament assembled, approach Your Majesty with assurances of our loyalty and sincere attachment to Your Majesty's Throne and Person.

We humbly inform Your Majesty that the people of Western Australia have agreed to be united into a Federal Commonwealth together with the people of New South Wales, Victoria, South Australia, Queensland, and Tasmania, in accordance with the Act of the Imperial Parliament in that behalf; and we humbly pray Your Majesty to declare, by Proclamation, that on and after the day therein appointed Western Australia may be admitted as an original State of the Commonwealth.

I only desire to say, in regard to this motion I make for this Address to be

signed by the Speaker and forwarded to Her Majesty, that by an Act of our Parliament, in which this House concurred, this question of whether Western Australia should enter federation under the Commonwealth of Australia Bill should be referred to a referendum of the people, that the question was so referred on the 31st July last, and that the result of the referendum, which I have officially received only an hour ago, is that 64,395 persons voted in regard to the matter, and that 44,704 were in favour of Western Australia joining the rest of Australia under the Commonwealth, and 19,691 were adverse to it. So that Western Australia has declared, by a majority of 25,013 persons, that she should join the rest of Australia under the Commonwealth of Australia Act. I take it that the reason why I and my friend opposite (Mr. Illingworth) have agreed to take this matter as a formal one is that Parliament having resolved to refer it to the people, and the people having had the opportunity of voting on the matter, and having decided by an immense majority of more than two to one in favour of union, all we have to do here now is to accept the verdict of the people. I may say I asked the Registrar General to-day how many adults there were in Western Australia, and he informed me that according to his records there were 120,000; so that out of 120,000 adults in the colony, 64,395 actually voted in the referendum. I only desire to say, before moving the adoption of the Address, that I believe, and we all hope, that the decision of the people in regard to this matter will turn out to be for the best. It is, of course, a matter in which a good deal of controversy has occurred. I do not think anyone will regret that fact, because it is just as well—in fact it is far wiser in matters of this sort, in any great changes—that the two sides of the question should be clearly and fully placed before the people of the colony, in order that they may have an opportunity of judging which they think is the best. Therefore, instead of regretting that there has been any controversy on this matter, and perhaps there has been some bitterness too, instead of our regretting we ought rather to rejoice that it is so; because if the two sides of the question are not placed clearly before the people,

we shall not be so satisfied with the verdict as we otherwise would be. Now that the verdict of the people of Western Australia has been stated, and that verdict being so clear and unmistakable, I hope we all, whatever our views are, whether we have been in favour of or against federation, will now try to sink those differences, accept the verdict, and put our best shoulder to the wheel to make the colony prosperous under the new order of things. I beg to move that the following Address (to be signed by you, Mr. Speaker, on behalf of this Assembly) be presented to His Excellency the Administrator, for transmission to Her Majesty:—

LEGISLATIVE ASSEMBLY, WESTERN AUSTRALIA.

To the Queen's Most Excellent Majesty.

MAY IT PLEASE YOUR MAJESTY,

We, Your Majesty's dutiful and loyal subjects, Members of the Legislative Assembly of Western Australia in Parliament assembled, approach Your Majesty with assurances of our loyalty and sincere attachment to Your Majesty's throne and person.

We humbly inform Your Majesty that the people of Western Australia have agreed to be united into a Federal Commonwealth together with the people of New South Wales, Victoria, South Australia, Queensland, and Tasmania, in accordance with the Act of the Imperial Parliament in that behalf; and we humbly pray Your Majesty to declare, by Proclamation, that on and after the day therein appointed Western Australia may be admitted as an original State of the Commonwealth.

August, 1900.

Speaker.

Clerk.

MR. ILLINGWORTH (Central Murchison): I rise with very great pleasure to second this motion. I think, with the right hon. gentleman, that no more need be said on the present occasion, in view of the fact that the people of the colony have been appealed to and have given their verdict. As we are only representative of the people, and their voices having been heard on the question, we have now a simple duty to perform in carrying out the wishes of the people, by establishing ourselves in connection with this Commonwealth. I do not desire, and I think no hon. members of the House desire, to enter into a discussion on this occasion; and on that account I consented to have this motion dealt with as a formal matter.

Question put and passed.

SUPREME COURT ACT AMENDMENT BILL.

Introduced by MR. JAMES, and read a first time.

PROBATE AND ADMINISTRATION CONSOLIDATION BILL.

Introduced by MR. JAMES, and read a first time.

TRUSTEES LAW CONSOLIDATION BILL.

Introduced by MR. JAMES, and read a first time.

CONSPIRACY BILL (WORKMEN).

Introduced by MR. EWING, and read a first time.

ADDRESS IN REPLY TO OPENING SPEECH.

DEBATE, SECOND DAY.

MR. ILLINGWORTH (Central Murchison), in resuming the debate on the motion for the adoption of the Address in reply to the Administrator's opening Speech, said: Before dealing with the questions which arise out of this Address, I have a complaint to make against the right hon. the Premier.

THE PREMIER: Not the first time, I think.

MR. ILLINGWORTH: Probably not the first, and possibly not the last. My complaint is that, by agreement entered into by the right hon. gentleman and myself, with the concurrence of the House, it was agreed that Parliament should be prorogued till the 7th August. I desired, when I came to that agreement, to fix an earlier date than the 7th; but as it was the Premier's wish to make it the 7th, I consented to that date. Under ordinary circumstances I would not be disposed to complain of the difference of a few days, although I say that in courtesy, when such a change is made after agreement entered into between the leaders on the two sides of the House, it is only proper for the Premier to consult the leader of the Opposition before making an important change of this character.

THE PREMIER: I did not know I had done it.

MR. ILLINGWORTH: This matter is not important, in a sense; but under existing circumstances I look upon it as

a most important matter, because of a question raised in the recess as to the legality of this House sitting beyond the 17th August. There was a considerable difference of opinion—not only was but is a considerable difference of opinion—as to whether Section 52 of the Constitution Act carries with it authority for this House to sit and legislate beyond the 17th August.

THE PREMIER: I thought that was dead.

MR. ILLINGWORTH: This is entirely a question for learned gentlemen in this House. I understand the Premier has satisfied himself, from sources other than this colony, as to the legality of the position; and if that be so, I think this House is entitled to hear from him the grounds upon which he still maintains, against very strong evidence, that this House is legally in session, in order that there may be no doubt, and in order that attacks may not be made upon members—because I have heard it hinted that there will be attacks on hon. members for sitting in this House and legislating. The right hon. gentleman seems to think I am speaking adversely, but I am speaking in the interests of the House and the country. If there is satisfactory evidence, and I think the right hon. gentleman has obtained some, it will be well for him at the earliest opportunity to put the House and the country in possession of his evidence, so that any person who may be disposed to attack us shall be hindered from so doing. But another question arises under this one. If Section 52 of the amended Constitution Act continues the constitution of 1895, and if we are under the constitution of 1895, then I hold that only under the constitution of 1899 have women the right to be put on the electoral roll. Yet we know that women are being put on the roll, and it is our desire they should be put on; for the question having been settled in this House, it is our desire that all adults should have the right to vote, and that their names should be put on the roll at the earliest possible moment. But if Section 52 maintains the right of this House to sit under the Constitution Act of 1895, that Constitution Act does not give to women the right of being put on the roll; and only under the Constitution Act of 1899 can they be put

on the roll, the word "male" being altered by that Act to "person." Consequently there is a grave question of doubt as to the legality of the course now being taken, in putting women on the electoral roll. We are on the horns of a dilemma; for if it be taken that we exist as an Assembly and are continuing to legislate under the Act of 1895, then under that Act women have no right to be placed on the roll for this Assembly; or, on the other hand, if we are continuing our business under the amending Act of 1899, then we have no right to legislate beyond the 17th August. This is the dilemma which has arisen. It seemed to me that it would have been much wiser on the part of the Government and of this House to have put beyond all doubt a question of such vast importance, and to have prevented all possible cavil. Of course, as a layman, I express no opinion on the legal question; but I say a doubt has been raised, and it would have been wiser if we had taken steps to prevent any possible doubt as to whether we have the right to legislate beyond the 17th August, or whether we have a right to put women on the roll. Had this House met on the 7th August, the proposal I intended to make was that this House should sit continuously in order to get through the necessary business and adjourn on the 17th August, so as to place the question beyond all doubt. However, the Premier has satisfied himself that we are now met in a regular manner, and so the responsibility must rest on the Government as to the position in which we stand. I called attention to this at the time in the public Press, and my principal objection, my only complaint against the Premier, is that at an important time like this, when a critical question has arisen, he should, without consulting this side of the House, take on himself to shift the date of the sitting of Parliament from the 7th to the 15th August. The next question I have to deal with is the proposal to pass an Address to His Excellency the Administrator in reply to the Address he was pleased to deliver at the opening of Parliament. It will be seen, from the suggestion I made just now, that to say the least of it Parliament is moribund, because I contend that when Section 52 was put in the Consti-

tution Act of 1899 it was never intended that Parliament should meet again and carry on important legislation. Look at the position in which we are now placed. We are adding six extra members to the Legislative Council; we are continuing seats which have been declared unconstitutional by the passing of the new Constitution Act; and we are asked now to legislate for the expenditure of money, to legislate on most important questions, and we are asked to continue this legislation when we are six members short, when seats which ought to have been redistributed according to the Act of 1899 have not been dealt with for lack of opportunity. It seems to me that, in face of the fact that we are here taking this action short of six members, because there has been no redistribution of seats as provided by the Act, and that we are asked to deal with this proposed legislation, the Government ought not to have asked this House to enter upon a long list of important legislation; much less should they have asked this House to sanction large and important expenditure; and it seems to me that a House which is practically moribund, which exists only by the sufferance of Section 52 in the amending Constitution Act, and which was intended only to continue Parliament for special and contingent circumstances, should not take on itself to practically extend its existence and to initiate and carry on this important legislation. I say that for practical purposes this House is moribund—not only so, but it is absolutely unrepresentative; because, if representative, why did we pass that Constitution Act at all? We passed it because this House was not properly representative of the people; and we know it as has been revealed in the Federal vote that, as far as this question is concerned, many members in this House are not in harmony with their constituents. How are we to know whether we are in harmony with the views of our constituents or not? The country has been clamouring for years for a redistribution of seats, which should give equal representation to the people living in the colony; and now, in face of the fact that this House is not representative, and the House having declared itself to be unrepresentative by the passing of the Constitution Act of 1899,

we are asked to enter on a long list of important legislation. One cardinal objection is that this is legislation of an important character. Some social legislation may be urgent, but financial legislation cannot be urgent in any degree. Then, during recent days, we have had in the public Press—and I do not think we have any reason to doubt the report in this instance, as the Press is generally accurate in its statements—a report showing that a most peculiar circumstance has arisen; for we have heard of a meeting having been called by the right hon. the Premier, and we have heard that in the meeting, or if not in the meeting we have heard it outside, that the Premier has expressed in strong terms his intention to ask for a dissolution of the Assembly in the event of an adverse vote being carried on the floor of this House. I call attention to this, before any motion is tabled, that this House has been threatened with a dissolution, and I want to call attention to the absolutely unconstitutional nature of this proceeding.

THE PREMIER: When did I say that?

MR. ILLINGWORTH: You said it to me, at any rate, in the presence of three or four members.

THE PREMIER: Eavesdropping! Private conversation!

MR. ILLINGWORTH: I say it has been declared in the public Press that certain remarks were made by the Premier in a caucus meeting of Government supporters.

THE PREMIER: Going about the streets raking up gossip!

MR. ILLINGWORTH: Todd says (pages 403-4, vol. 2):

While the decision of the House upon any question which is calculated to affect the relations of Ministers towards the House of Commons is pending, it is highly irregular and unconstitutional to refer to a dissolution of Parliament as a probable contingency, with a view to influence the conduct of members upon the particular occasion.

I assert that the Premier has threatened this House in a caucus meeting, and he has threatened it in private conversation.

THE PREMIER: What sort of conversation?

MR. ILLINGWORTH: It is reported in the public Press that he has threatened this House, and has endeavoured to intimidate it. I say that no constitutional Gov-

error—I am not speaking of our own, but any constitutional Governor in the British dominions—would grant a dissolution under existing circumstances. We have an Act that has been passed by the House altering the whole character of the Constitution, or at any rate its representation; and we have this Act technically held back in order that we may get certain rolls ready, that certain persons who have rights under the Act, namely the women, might get on the rolls. In order that the rolls might be got ready for the general election, we put Section 52 in the Act of 1899; and that was the main reason, if not the only reason, why the section was inserted, to continue the existence of Parliament in order to deal with the rolls and get the people on the rolls.

**THE PREMIER:** They are not on yet, and they will not be on for six months.

**MR. ILLINGWORTH:** Therefore the impropriety of asking for a dissolution and threatening the House with a dissolution—intimidating members in the House and outside the House with the threat of a dissolution which has never been asked for, and if asked for never ought to be granted under the circumstances of the case. If there were a dissolution to-morrow, the rolls could not be got ready. Notwithstanding that, the Premier has endeavoured to influence members of the House before a motion of want of confidence has been tabled or anything else has occurred. He has taken upon himself to influence members in their decision by a threat of dissolution. He is welcome to all the advantages he is getting out of it.

**THE PREMIER:** It is all private conversation you are dealing with.

**MR. ILLINGWORTH:** It is in the public Press.

**MR. VOSPER:** I suppose what the Press publish is confidential, too.

**MR. ILLINGWORTH:** Having dealt with that point, I want to speak of the Address itself. The matter contained in the first paragraph the House has already dealt with. We all regret, and deeply regret, that there should have been occasion for the motion. As to the war in South Africa, the death of Major Moor is a matter of very great regret, I am sure, to every member in the House, and every member of the community.

When we saw those gallant men in the Town Hall and bade them farewell, and spoke of receiving and welcoming them back, it was the desire of everyone in the country that, whoever else fell, we should see Major Moor back again. It has been otherwise ordained. All must say that he was a brave man, because he proved himself to be brave when, on that day with a handful of men, he held back the enemy for a whole day. We know how brave those men were, and Major Moor was one of the bravest of the brave. We regret the fatal termination of the war, as far as he was concerned. We come to paragraph 4, the question of the Address to Her Majesty on Federation. I am not going to open a discussion of Federation, on the Address-in-reply. We have already dealt with the question and passed it, and I feel sure the country and this House will be satisfied now to leave the decision where the people left it, strongly in favour of joining with our brothers on the other side of this continent. The arrival of the mail steamers is, of course, a matter of congratulation to all who live in this part of the colony. Whether it be a matter of congratulation to the people who live in another part, I think it is rather not. But surely they must have expected, after spending so vast a sum of money as we have been spending for years on the Fremantle Harbour, that sooner or later the steamboats would come to this port. Although some of my friends who sit behind me suffer in regard to this, they will have to accept the inevitable, and endeavour to console themselves with the thought that the greatest good for the greatest number must always be the motto on which we should legislate. I want to say just a word about paragraph 6: "The Coolgardie Water Scheme is progressing satisfactorily." Well, it may be so. I hope it is true, I hope it is correct, and that the work will be finished within a comparatively reasonable time. It says in the Speech that the completion of the work is not far distant. If that be true, and I have no reason to dispute it, although I fancy perhaps hon. members are too sanguine as to the date, and that it is more probable to be three or four years yet before any water gets to Coolgardie; still we have to accept the position which is placed before us by the Government. What is to be done? The Government



have reappropriated a considerable sum of money which was intended for the completion of this work, possibly upwards of £2,000,000. What provision has been made for repaying this money? Nothing is said in the Speech of any proposals being submitted, as far as I know, to reimburse the money which has been reappropriated from this great work. Where is this money to come from? From where are we to get the money? Supposing the work is to be quickly done, it follows that the money will be required. But hon. members know that they have consented to the reappropriation of money, and that money will have to be refunded. We know the condition of the money market, and we know the circumstances which surround us, and the Government say that this great work is progressing favourably, that it is going to be brought to a speedy conclusion, and when the work is done the money must be paid; but no suggestion is made as to how the money which has been reappropriated is to be reimbursed. It may be said that will come later. That may be an answer, but for the present I wish to call attention to the fact that, according to the statement in paragraph 6, provision should be made for payment of the work in connection with the Coolgardie Water Scheme. Now we come to a whole list of things which I look on as so much padding. There is a great quantity of padding in this Speech. We come to paragraph 11, which deals with the Government Railways, and we are told that they have had a successful financial year. Well, we are pleased to hear it; but will the Government tell us how much of the success has been attained by the carriage of pipes for the Coolgardie Water Scheme? How much of this success is made up in taking money from the Public Works Department and putting it into the Railway Department, and so augmenting the revenue of the railways? I venture to say that upwards of £150,000 or £200,000 is money of this character. While it may appear that we have had a successful financial year, and that £1,000,000 or £1,200,000 has been earned by the railways, and while we must admit that the railways in doing work for us must be credited with it, we have been augmenting the revenue of the railways by our own

public works, and therefore we cannot expect that revenue to continue unless the public works policy is also continued, which means that we must have so much more work for the railways. This is important, because great complaints have been made of insufficient rolling-stock. A great deal of this insufficiency must have been caused by using the trucks for doing our own work which, according to paragraph 6, must speedily come to an end. Paragraph 6 says the Coolgardie Water Works are well in hand. If it can be shown, and I think it can, that this increase in the railway revenue for the present year is largely due to the fact that we have been using the railways to do our own work, we shall have to take that matter into consideration before we congratulate the Government. Really one is surprised to see in the Speech paragraphs 12, 13, 14, and 15. I thought when I heard His Excellency read this Speech, at any rate when you, Mr. Speaker, read it to us in this House, that there had been put into your hand a new geography for the State schools, a geography of Western Australia; because these paragraphs mention nearly every township in the country; they are all enumerated, but it seems to me now that some omissions have been made. There ought to have been an account of something which happened here and something which happened there. Surely, in all seriousness, is it not trifling with the country and the House to put this into the mouth of His Excellency? Are we to understand this is a list of public works which the people of this country are to be grateful for, grateful to the Government that has carried out these and other works? Is an inference to be drawn that this Government is the only Government that could have carried out these public works?

MR. WOOD: Certainly.

MR. ILLINGWORTH: Of course, because it is the only Government in power. We have said it often that nothing but a charge of dynamite would remove the Government from the Treasury benches; but may I point out that it is quite possible some other Government would have carried out these works, and perhaps done the work better and cheaper? Here we have a long list of public works which have been carried out, some of

which have cost not more than £10; and this long list is read by His Excellency and published here and right through the country, to show that the Forrest Government have been so grand and generous and noble in conferring these public works in nearly every town in Western Australia. What are the Government in office for? Is it not to expend the revenue? What do the Government collect the money for but to expend it where it is required? What does any Government exist for but to do these things? This is simply a piece of padding in the Speech.

THE PREMIER: You do not like it.

MR. ILLINGWORTH: Of course I do not like it. Does anyone else like it? Would anyone in the world like it? It is a wonder the Government have not seen that it is pure bombast from top to bottom. I want to call special attention just for a moment or two, because I do not want to occupy the time of the House at any great length, to paragraph 16 of this Speech. We are told here that

Owing to the fact that a dissolution of the existing Legislative Assembly will shortly take place in order that members may be elected under the extended franchise of the Constitution Act passed last session, my Ministers do not propose to recommend for your consideration the construction of many new works of magnitude.

This is a clear admission of what I have been arguing previously, that this Parliament is moribund, that this Parliament is unrepresentative, that this Parliament admittedly has not the right to go on and expend large sums of money on large and important works. Under the 1899 Constitution Act, until the Parliament is elected under that Act we are not justified, we have no mandate from the people, to go into a vast amount of expenditure; yet in this very paragraph the Government are opening up a debatable question, an exceedingly debatable one, a permanent water supply for the whole of the metropolitan district. This is a big question, and involves the expenditure of a vast amount of money, unless the Premier wants to put a pipe to the Mundaring Weir and bring the water this way instead of taking it to Coolgardie. That is what I thought at first; but I think it is the intention to go to Coolgardie, because I noticed when up that

way that some pipes have already been laid along the route. I want to call attention to this matter. For the Metropolitan area we have a large representation in the House, and to start to deal with a big question of this kind in this Parliament is surely out of place altogether. Why should we prevent the members who are to be elected under the new Act to represent the metropolitan constituencies having a voice in dealing with an important question like this? I want to make a big difference between social legislation and financial legislation. If we pass a Bill in this House dealing with social legislation, and it is unsatisfactory to the country, the next Parliament can alter the Bill without any difficulty whatever, they can amend and alter it if it is not in accordance with the will of the people; but when we commit ourselves to a big expenditure of money on a big scheme, the next Parliament is committed to it because of the expense already incurred, although that Parliament has had no opportunity of expressing an opinion upon it. Are we at the close of this Parliament, in our fourth year, a moribund Parliament, declared so by the Constitution Act which we have passed, to commit a future Parliament to a large expenditure of money, a large scheme for water works and railways and other things, are we to commit them irrevocably, because it is irrevocable, to these things? I know Parliament can repeal anything; but how would it be if any of us who objected to the Coolgardie Water Scheme proposed to stop that work and to repeal the Act under which the work is going on? We could not do it.

MR. WOOD: You tried to do it.

MR. ILLINGWORTH: We tried it before any money was expended, but not since: we should not be so foolish. We are in the middle of this great work, and for weal or woe that work must be finished. That is, I contend, a sufficient legacy to leave to a new Parliament. We have not yet finished our great work at the Fremantle Harbour, and we are so far committed to it that we must continue this work. These two legacies alone, which this Parliament and the one preceding it have sanctioned, are quite enough to leave to the Parliament which will be elected under the 1899 Act. To add more expense to what the colony is

already committed to is utterly and completely unjustifiable. We are asked in paragraph 16 to give our assent to providing a permanent water supply for the whole of the metropolitan district. Under the new Act, the metropolitan district has something like sixteen members, and are we to come into this House, before these members are elected—when the new members have a right under the Constitution, I contend, to sit here now—and before the people whom these members are to represent have had an opportunity of expressing a voice on the subject, to commit the country to an irrevocable expenditure on a work of this kind? We are not justified in dealing with such a question. If that is true, and I contend it is true in regard to these proposed water works, how much more is it true in regard to the works mentioned in paragraphs 17 and 18 of the Governor's Speech? The Speech says:

My Ministers feel justified, owing to the increase in the development of the goldfields at Nannine and its neighbourhood, and also at Peak Hill and other places in its vicinity, in recommending the extension of the railway from Cue to Nannine.

MR. WOOD: Your own district.

MR. ILLINGWORTH: I want to say this. When the railway to Cue was constructed a certain sum of money was available, and I obtained very generously from the Premier a promise that the money should be expended in the district, and I pleaded for the construction of the Nannine railway.

MR. MORGANS: Why did you do it?

MR. ILLINGWORTH: Because the money was there, it had been voted by the House, and it was a surplus from the construction of the railway to Cue which I desired to be used in the continuation of the railway in that same district.

THE PREMIER: You were the member for Nannine then, I suppose?

MR. ILLINGWORTH: I think not.

MR. GEORGE: He has only done what you did: changed his mind, I suppose.

MR. ILLINGWORTH: I have not changed my mind at all. This railway was only projected, but a Bill was passed in the House for its construction, and the survey was made. The rails were ordered, and were landed at Geraldton.

THE PREMIER: Not landed.

MR. ILLINGWORTH: I was informed by the Director of Public Works that the rails were landed.

THE PREMIER: Not landed.

MR. ILLINGWORTH: Then I withdraw that. The rails were taken to Fremantle, and were stolen from Fremantle and taken somewhere else.

MR. GEORGE: The ship was wrecked in taking them to Geraldton.

MR. ILLINGWORTH: The construction of this railway at the time was justified, and the construction of this railway is justifiable still, not only to Nannine but right on to Peak Hill. But it is not a question at this stage as to whether the railway is justifiable or not: it is not a question as to whether the railway to Nannine ought to be constructed. As I said before, it ought. The Act has been passed, but at this stage, in a moribund Parliament, we are not justified in expending money or voting money for the construction of the Nannine railway. The hon. member who is going to be Director of Public Works, I am told, is smiling.

MR. WOOD: The member for Fremantle is smiling.

MR. ILLINGWORTH: You were smiling. I contend I am consistent in my position. This Parliament has no right to pass any great work: this Parliament has no right to extend the railway from Cue to Nannine. The next Parliament may be justified in doing so. I want to know how came it that, although the railway was agreed to by this House, the money has been lying in the Treasury ever since? It was promised, and now there has been a sudden awakening out of sleep at this particular stage. When I pleaded for the railway to Nannine we got the Act, it is true, but we did not get the railway. Now we are to have the railway! Is this an attempt to purchase the electorate?

MR. GEORGE: Oh, no!

MR. ILLINGWORTH: You would not suggest that. We are told the money is there.

MR. GEORGE: In your electorate?

THE PREMIER: As far as Tuckanarra.

MR. ILLINGWORTH: As far as Tuckanarra!

THE PREMIER: You do not want a railway to Tuckanarra?

MR. ILLINGWORTH: I want a railway to Nannine, I want a railway to Tuckanarra, I want a railway to Bonnie Vale, I want a railway to every part of the country, I want a railway to Marble Bar and to Port Hedland; but I say this Parliament, which is now moribund and has no mandate, has no right to expend that money.

THE PREMIER: Not to take a railway to Tuckanarra?

MR. ILLINGWORTH: No; not to Tuckanarra, or a yard beyond. Of course I may lose my seat by saying this, but I do not care about that. I have a few staunch friends at Tuckanarra; but I am not here to consider my seat: I am here to consider the welfare of the country. We are told there is to be a Bill to authorise the construction of a railway from Coolgardie to Norseman. A Bill for this line was passed last session in this House, but another place rejected it.

THE PREMIER: The Bill was not passed. We only passed an item in the Loan Bill.

MR. ILLINGWORTH: The money is the main consideration in the construction. I would like to know, from members who know, if there is any truth in the statement, which I do not know, that there is a vast amount of machinery lying at Dundas that has never been erected, that there is a vast amount of machinery that is erected there but is not working.

MR. GEORGE: I know it. I cannot get my money.

MR. MORAN: It is perfectly true.

MR. ILLINGWORTH: Then we do not require the railway to take the machinery there.

MR. MORAN: They want a railway to take some gold there.

MR. ILLINGWORTH: Supposing the railway is a desirable work—that I do not dispute, I shall not enter into that phase of the question—this railway will run the country into a matter of £500,000 or £600,000. Are we justified in committing a future Parliament of this colony, with a membership of fifty under the Constitution Act, to an expenditure of £500,000 or £600,000, when we do not know whether the people want that railway or not? Have we any right to do that? Have we any mandate to do anything of this kind? Again, we are told in paragraph

18 that the Leonora Railway has been surveyed. Well, the Act for the construction of that line has been passed, but I contend the money has not yet been raised, and something like £2,000,000 will be required for recouping the money that has been revoted. I say that will exceed the capabilities of the Government for many months to come. To put on the statute book legislation which involves the construction of this railway, when we do not at present know how the money is to be raised, is wrong; and I say the House ought not to sanction this expenditure in its existing life. We passed the money for the railway, but it has not been obtained.

MR. MORAN: The rails for the line are not in the country yet.

MR. ILLINGWORTH: If this work is desirable, and I do not say it is not—I believe it is—if it is desirable to carry out this work, then the Parliament that is to be re-elected as soon as the rolls are ready is the Parliament to decide whether the work should go on under the existing condition of the money market. We have done enough to pass the Bill, and the Government are not in a position to show the House how the money for the completion of the public works now authorised is to be obtained. In the face of that, the Government propose further expenditure: that seems carrying things too far. We should not place on the statute book works which we have no means of carrying out, and which we have to trust another Parliament to carry out for us. Why not leave the other Parliament to do it? When we come to social legislation, that is another matter. The Government are surely not serious when they ask the House to deal with a Municipal Bill of 600 or 700 clauses.

MR. MORAN: It will have to be very urgent.

MR. ILLINGWORTH: Surely the Government are not serious when they ask us to deal with a Public Service Bill; but I trust the Government are in earnest when they propose to give us an Arbitration and Conciliation Bill.

THE PREMIER: Ah!

MR. ILLINGWORTH: Every hon. member in the House has been pleading for that Bill for years.

THE PREMIER: We are "moribund," I thought you said?

MR. ILLINGWORTH : We are as far as the expenditure of money is concerned. If we pass an Arbitration and Conciliation Bill, the next Parliament can alter it; but if we pass a Railway Bill, the next Parliament cannot, and if the hon. member does not see the difference I cannot help it. As to social legislation, the next Parliament can repeal or amend it without any disadvantage to the country. I would not object to the Municipal Bill, or a Public Service Bill if it is a good one; but my conviction is deep and strong that this Parliament is not justified in committing a future Parliament to one shilling of expenditure that is actually beyond our control. As far as we can control the expenditure, we ought to leave the whole question of public works—this water scheme, these railways, the raising of money for the Leonora Railway, the construction of the Nannine Railway -- all questions of this character we ought to leave to the next Parliament, because there is no hurry in regard to this expenditure. If we pass these Bills to-morrow, we cannot do anything towards giving effect to them, although we should be taking on ourselves to raise hopes and expectations by passing such measures. If we pass a Municipal Bill, if we pass a Conciliation Bill, there are no financial effects arising out of them; but if we pass the Dundas Railway, we shall have people speculating in land on the expectation of that railway being constructed. Indeed I have heard that people are speculating already in land on the Nannine line of railway, in consequence of the proposal of the Government to construct it. By passing a Railway Bill we may raise expectations that will involve financial profit or loss to individuals; and if the next Parliament repeals the Bill, this procedure will put the whole thing into a difficulty. It is not so in passing social legislation. Therefore, I say we are not justified in passing or assenting in any way to what I call unwarrantable expenditure, under these circumstances. I intend to close my remarks with an amendment on the motion before the House; but I want to say here that there is one thing which affects this House and the country. A resolution was passed in favour of payment of members, and people all over the country have been calling for this to be carried into effect. Before this Parliament

dissolves, it is desirable and I think necessary that some legislation should be passed by this House, in order to refer this question to the people at the next election, as was formerly suggested by the Government. There is no intimation in the Address that this is to be done; but I would like to have an assurance from the Government that they intend to bring in the necessary legislation on this question. My only objection to the Speech of His Excellency the Administrator is that it proposes a large amount of expenditure; that it proposes that this moribund and unrepresentative Parliament should commit the country to this expenditure. I say we are not justified in committing the country to one shilling of expenditure beyond the works that are in hand. For that reason I propose to move, as a cardinal question for the Government, in view of the public works policy they have proposed on this occasion as on all other occasions, and in view of the fact that at the close of this Parliament in its fourth year, after an amended Constitution Act has been passed for a redistribution of seats, they are still pressing for more expenditure—in view of this I am not prepared to support the Government; and I therefore move, as an amendment on the motion before the House, to strike out the words in the last clause of the motion, also after the word "Parliament" in the second clause to strike out the whole, with a view to inserting the following words:

We desire, however, most respectfully to inform your Excellency that your advisers no longer retain the confidence of a majority of the members of this House.

THE PREMIER (after conferring with Ministerial supporters in regard to a date for adjournment): I beg to move that the debate be adjourned till Tuesday next.

Motion put and passed, and the debate adjourned accordingly.

#### ADJOURNMENT.

On further motion by the PREMIER, the House adjourned at eight minutes past 6 o'clock, until the next Tuesday afternoon.