

NOLS.

Hon. T. F. O. Brimage	Hon. M. L. Moss
Hon. E. M. Clarke	Hon. W. Patrick
Hon. J. M. Drew	Hon. V. Hamersley
Hon. R. Laurie	(Teller).

The Chairman gave his casting vote with the Ayes.

Clause thus passed.

Clause 43—agreed to.

Progress reported.

House adjourned at 9:8 p.m.

Legislative Assembly,

Wednesday, 15th September, 1909.

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The SPEAKER took the Chair at 4.30 p.m., and read prayers.

BILL—DISTRICT FIRE BRIGADES.

Message.

Message from the Governor received and read recommending this Bill.

ADDRESS-IN-REPLY—PRESENTATION.

Mr. SPEAKER reported that he had received the following reply from His Excellency the Governor:—

“Mr. Speaker and Gentlemen of the Legislative Assembly: In the name and on behalf of His Majesty the King I thank you for your address.

G. Strickland, Governor.

PAPERS PRESENTED.

By the Premier: Papers relating to the retirement of F. Behan, late trade instructor at Fremantle prison.

STANDING ORDERS COMMITTEE, REPORT.

Mr. SPEAKER: I have to present to the House a report of the Standing Orders Committee prepared according to the resolution of the House passed during a session of last year.

On motion by Mr. Daglish, report read.

QUESTION—RAILWAY SLEEPERS. POWELLISING PROCESS.

Mr. BROWN asked the Minister for Works: 1, What is the price to be paid per sleeper for powellising sleepers for the Port Hedland-Marble Bar railway? 2, What length of time has the powellising been tested by the Government? 3, Was the first test a successful one? 4, What is the price of Mr. Taylor's tender per sleeper for treatment? 5, Have the Works Department any fault to find with Mr. Taylor's preparation?

The MINISTER FOR WORKS replied: 1, 7½d. 2, Experiments were begun at the end of 1906. 3, The first tests were inconclusive, some of the test pieces being attacked and others not. Later tests, where the system of powellising had been properly carried out, gave successful results. 4, 5½d. 5, Results of treatment with Taylor's preparation vary considerably. Generally speaking, this specific when applied to buildings has been successful, but there is nothing to show that the treatment would be equally successful when used on timber exposed continuously to the weather. The powellising process, when properly carried out, conveys the poison to the core of the wood as proved by analysis, consequently exposure to the weather does not diminish the efficacy of the treatment. Furthermore, powellising being in the first place essentially a process for seasoning timber (the poison being an added ingredient), improves the timber and prevents its deterioration from other causes than attacks of insects.

QUESTION—RAILWAY, PINJARRA-MARRADONG.

Mr. A. A. WILSON asked the Minister for Works,—Can the Minister inform the House when the first section of the Pinjarra-Marradong Railway will be open for traffic?

The MINISTER FOR WORKS replied,—It is anticipated that the railway from Pinjarra to Marranup will be opened for traffic in January next.

QUESTION—TOWNSITE PROPOSED, ST. JOHN'S BROOK.

Mr. BATH asked the Premier: 1, Is it the intention of the Government to declare a townsite on the St. John's Brook Timber Mill site or in the immediate vicinity? 2, If so, when?

The PREMIER replied: 1, Yes. 2, So soon as the survey of lots within it is received and examined, instructions for which are being issued forthwith.

BILL — LICENSED SURVEYORS.

Read a third time and transmitted to the Legislative Council.

BILL — FREMANTLE MUNICIPAL TRAMWAYS AND ELECTRIC LIGHTING AMENDMENT.

Introduced by Mr. Foulkes and read a first time.

MOTION—CONSTITUTION AMENDMENT, REFERENDUM.

The Unicameral System.

Mr. BATH (Brown Hill) moved:

That in the opinion of this House a referendum of the electors for the Legislative Assembly in this State should be taken to ascertain their opinions in regard to an amendment of the Constitution Act to provide for the introduction of the unicameral system of Legislature.

He said: In submitting this motion I do so because the proposals for the reform of the Legislative Council have been promised for a very considerable time and indefinitely postponed.

And I do not know whether hon. members are aware of the fact, but there is a feeling prevalent throughout the State, at least in those districts where I have had the opportunity of coming into contact with the electors, that Parliament is only trifling with the matter, and that there is no sincere intention on the part of members of the Assembly to carry this reform into effect. It is true that the Government, after repeated promises in pre-sessional speeches, and also in those which they put into the mouth of His Excellency the Governor, have stated that it is their intention to introduce a measure providing for the reduction of the franchise of the Legislative Council; and that promise has been repeated in the speech made by the Premier at Bunbury. We have had an assurance that they are in earnest on this occasion. That being so, and if the House is to be asked to consider any proposition for reform, I think it is well that hon. members should take into consideration how far that reform is to extend. In introducing another Bill to our notice the other night the Attorney General indulged in some very eloquent sentiments with regard to the necessity for consulting public opinion. I do not know whether those sentiments were intended to be exclusively confined to the Bill the Minister was introducing, or whether they have a general application—whether he desires us to believe that the House, on every important question of legislation, should ascertain public opinion in regard to the matter. I am convinced, and I need no remarks of the Attorney General to convince me, that in Western Australia the time is ripe for a greater measure of reform so far as the Legislative Council is concerned than has been promised to us by the Premier in his pre-sessional speech. We have heard a good deal during the past year or two as to the relationship between the Federal and the State Governments, and we are continually being urged to be loyal to the State, and to use our best endeavours to maintain its autonomous powers intact. I have heard hon. members at public functions making an appeal—which I believe will always

have a ready hearing by those of democratic sentiments—for home rule for Western Australia. I for one am prepared to protect home rule, but I want it to be made a reality and not a pretence. If we are going to protect these powers which the State enjoys at the present time so far as legislation and administration is concerned, we require to have the great body of public opinion behind us. We require to take the public into our confidence, and to let them see that we are giving them something which is worth protecting. At the present time they have a choice between two constitutions, the Federal and the State. They have powers which they can exercise in the Federal Parliament through their representatives, and they have powers which they can exercise through their representatives in this Parliament. And if we ask them to make a choice, or to exercise any discrimination in favour of the State Parliament, then we must be prepared to give them an equality of choice. During the past 20 years there has been in Australia a great evolution in the ideas of the people with regard to government. The electors, or a great many of them, no longer regard themselves as passive agents whose duty it is merely to go up on election day, place their ballot in the box, return a member to Parliament, and then leave the rest to him. They are coming more and more to recognise that the responsibility is really placed upon themselves. And the recognition of that responsibility is awakening a more active interest in political issues, and when the comparison is made, as it is made every day in this State by electors of democratic sympathies, as to which Parliament is the more likely to satisfy their democratic aspirations, then the opinion is gradually turning to the Federal Parliament. And the reason is not far to seek. In the Federal Parliament, so far as both Houses are concerned, the people have the thoroughly democratic franchise based on adult suffrage; and they have recognised that the powers vested in them on election day will enable them to have their wishes carried into effect by their members, without

any restrictions imposed by those who represent the vested interests or a property qualification. So far as Western Australia is concerned we have been very slow to recognise that the people of the State have outgrown their Constitution. Those who fought against reform and those who are fighting against it at the present time have failed to realise that in Western Australia, more than in any other State of the Commonwealth, there is a new generation to be reckoned with: a generation that has advanced far ahead of the opinions held by the old generation; a new generation which demands more democratic methods, and which asks for freer opportunities to have their wishes carried into effect. And they are not content, as in other days, to be bound by the grave-cloths of the past. It is this, in my opinion, which has produced that feeling so evident throughout Western Australia, not only of impatience, but even of contempt for the State Parliament. That is a feeling I do not like to see encouraged. I have said before in this House, and I repeat it, that there are many interests in Western Australia, interests which need conserving and which we cannot afford to hand over to any legislative or administrative power located a long distance away. There are powers of administration in regard to land, in regard to the construction of works, in regard to railways, and in many other respects, which we cannot afford to lose, which it would be disastrous for Western Australia to allow to pass into the hands of a Government located thousands of miles away. Therefore, it should be our object in protecting these powers and retaining them for the State, to find out what is necessary to win over to our side the support and sympathy of the electors of the State. I believe one of the greatest obstacles to the creation of strong, virile sentiments in Western Australia in favour of home rule, is the fact that we have a Constitution which compares unfavourably with that of the Commonwealth. This is the motive actuating me in submitting this motion. I am not going to enter into the question of the reasons which I urge in support

of my belief that Western Australia would do very well with one House of Parliament, that we would do well to wipe away that branch of the Legislature which is based on a property qualification. But in this motion I am not asking the House to discuss that question. What I am asking is that members should recognise the necessity for consulting the opinion of the electors of the State in order to find out what views they have in regard to the Constitution and to enlist their sympathies in our efforts to maintain our autonomous powers. And as this, in my opinion, is the great obstacle to the creation of a sentiment in favour of home rule, it is upon this issue that I desire to consult them. The method I propose is one in favour of which the Attorney General has urged weighty arguments in regard to the licensing question; and I claim all who are supporters of the principle of local option or referendum as advocates; or rather, I claim their support for this proposal to extend the use of the referendum to a question which, in my opinion, is equally important. It is not as if we were asking members to embark on an experiment not hitherto tried; an experiment which was mere theory, and which had not been resolved into practice. We have plenty of examples and of precedents for the method of consulting the wishes of the people on important issues. In Switzerland they have had the referendum in actual operation for a great many years. They use it not only in questions affecting an alteration of the Constitution but on matters of every day legislation. Then in America a very large number of the States which go to make up the United States, have adopted the principle of the referendum. In their Constitution they provide that not only shall proposed amendments thereof be submitted to the people for approval or otherwise, but they go even further, and give to a specified number of the electors the right to have a proposed amendment submitted to the people. Then in the Commonwealth Constitution it is provided that any proposal for the amending of the Constitution must be submitted to a referendum of

the electors in the various States. And in Queensland in, I think, 1907, they adopted an amendment to their Constitution, by which, if a Bill has been twice passed by the Legislative Assembly, and twice submitted to and rejected by the Legislative Council, it is to be submitted to a referendum of the electors of the State, when, if accepted by those electors, it becomes law without any further need to submit to the Legislative Council. Now I think there is an excellent opportunity for us to have a decision on this question, to obtain the voice of the electors of the State as to what measure of reform they desire so far as the Legislative Council is concerned. I may say here that I will offer no objection, if it is proposed that in addition to asking the opinion of the electors in regard to the abolition of the Legislative Council, their opinion be asked also on the question of household suffrage for that Chamber. I think it is unnecessary to add the question of reduction of the franchise, because the majority of the members of the Assembly are pledged to the principle. I think we should have such a referendum taken at the next Federal election. At the present time our Electoral Department is working in co-operation with that of the Commonwealth, and there would be a minimum of expense and trouble involved in having this issue submitted to the electors at the same time that they are called upon to elect members for the House of Representatives and the Senate. It is because I am a strong home-ruler in many respects in regard to our Western Australian powers, because I desire to see the electors of this State strong supporters of these autonomous powers which it is advantageous for us to retain, that I am desirous of giving them an opportunity of deciding this question; because I believe that it is on account of this obstacle, that we maintain an antiquated House elected on the property qualification, that we find the electors' thoughts and inclinations turn to the Federal Parliament as opposed to the State Parliament. It is therefore with confidence that I submit this motion to

the House in the hope that hon. members will receive it in a favourable manner and accord their support to it.

The PREMIER (Hon. N. J. Moore): If the motion has done nothing else, the fact that the Leader of the Opposition has announced himself as a strong home-ruler must give everyone of us a feeling of gratification. Though there have been many of us opposed to Federation, still I think it must appeal to most men now that it is necessary that any undue opposition to Federation should be done away with, and that we must combine and protect our interest to protect Unification.

Mr. Underwood: No.

The PREMIER: The hon. member will have an opportunity of saying so later on. But the Leader of the Opposition has said that there is a feeling growing towards Unification, and he, probably in all good faith, has put down that feeling to the fact that our Legislative Council is not elected on the same liberal franchise as the Commonwealth Senate. I agree that there are occasions when it is necessary to move to secure the voice of the people by medium of the referendum, but to my mind the referendum is not provided in the Commonwealth Constitution Act to give every opportunity for change, but is rather to prevent changes at the will of any party that may at any time have a majority and may be in power. To my mind the principle was conceived to conserve the interests of the Constitution, and to prevent any amendment being put through without due consideration, and without the people having an opportunity of thoroughly considering and digesting the issue. The hon. member has used as an argument the fact that the Attorney General in introducing the Licensing Bill urged that it was well that the people should have an opportunity of saying whether new licenses should be granted or otherwise, and of saying whether the liquor trade should be curtailed or expanded.

Mr. Bath: I based my remarks on the hon. member's argument that we are to consult public opinion. It was not on

that point only, but on a general statement.

The PREMIER: I take it that the hon. member assumed that the Attorney General being in favour of local option he should necessarily be in favour of the proposal of referring this question to the people; but I would like to point out that the people have not been educated on this question to the same extent as they have been so far as local option is concerned.

Mr. Heitmann: Have they not?

The PREMIER: Then if we are to take the feeling of the country, surely the feeling of the country is expressed at a general election, and it cannot be contended there was a majority of members elected in September of last year to this House in favour of the abolition of the Upper House; though I maintain if one can read the signs right, there was certainly a majority of people in Western Australia prepared to liberalise the franchise of the Upper House.

Mr. Bath: I did not ask you to take it for granted; I ask you to ascertain whether there was a majority.

The PREMIER: I maintain there is an opportunity of speaking through the representatives of the people, and that until we have had an opportunity of discussing in this Chamber the proposals to liberalise the franchise for the other Chamber from £25 to £15 it would not be advisable to proceed further with the motion. I have already said that I consider that there are occasions when a referendum should be taken; and one question that to my mind should be referred to the people, and one which at the present time I do not think the Commonwealth authorities are referring to the people, is that of compulsory training. Questions that appeal to the whole of the community, where a drastic change is introduced involving a big principle like that, I think it would be wise to refer to the people, because the whole of the people are affected. It cannot be said that the proposed qualification for our Legislative Council is illiberal, because if our proposals are given effect to it will mean that Western Australia will

have a much more liberal franchise for the Legislative Council electors than exists in any other State of the Commonwealth or in New Zealand, so often quoted as being a State well advanced so far as legislative reform is concerned.

Mr. Walker: They have a nominee system in New Zealand. Get a liberal Government in and let the liberals nominate the Upper House and you are sure of them.

The PREMIER: In Queensland they have a nominated Chamber. If the Premier for the time being is in difficulty it is a simple matter to swamp the Legislative Council. I do not think the hon. member with his well-known democratic tendencies would advocate that that power should be given to any Government unless it happened to be a Government of which the hon. member was leader. The franchise in Victoria is £15, but the members of the Legislative Council are not paid. Necessarily that fact, combined with the fact that the members of the popular Chamber are paid £300 per annum, must necessarily have a detrimental effect, so far as the progressive constitution of the Upper House of that State is concerned. But in Western Australia every man has an equal opportunity to aspire to either Chamber, because the members receive the same remuneration in either Chamber; and if the aspirant is a man who has to look to other sources for his income, he would certainly have much more opportunity to devote himself to private work in the Legislative Council than in the Legislative Assembly. As I have said, in Queensland the Upper House is nominated and the members are unlimited. In Tasmania the members of the Upper House receive £100 per annum. In South Australia the franchise is £17. I think it was during the last session of the late Premier that it was reduced to that amount. I would like to point out again that if the Government's proposal in regard to the Upper House is given effect to we will have a much more liberal franchise. In any case I do not think the people have discussed the question sufficiently. It is

only when they have had an opportunity of considering the question, when it is made, so to speak, a principal plank at a general election that we should go to the extra expense of appealing to the people by a referendum on a matter of this kind. I do not think that I need say anything further except to point out that when the hon. member's party were in power they brought down a Bill providing for a referendum in connection with this matter and certain other questions in regard to the extension of the franchise; but no action was taken on that Bill throughout the session, and as a matter of fact the fact that the measure was on the Notice Paper was responsible for the early dissolution that took place at that time. It was one of the first motions the Rason Government brought forward, and they were defeated on it, and, as members know, they appealed to the country.

Mr. Holman: It was on the question of the removal of the Order from the Notice Paper.

The PREMIER: The question was whether the Order should be struck off the Notice Paper. The Premier moved that it be struck off the Notice Paper, and during the discussion several arguments were raised for and against the proposition. The then Premier (Mr. Rason) in speaking, said—

"I contend that this question should be submitted at a general election in the ordinary course; that a man seeking election, wooing the suffrages of the electors, says whether he is in favour of the abolition of the second Chamber or not. That issue, provided it is an issue which is exercising the minds of the people to any great extent, is put before the people in the ordinary course at a general election; and the people, whether they return the man who holds the opinion that the second Chamber should be abolished or that the dual system shall continue, by that vote record their opinion, to my mind in a much more satisfactory way."

One leading champion of the unicameral system, Mr. Wallace Nelson, member for

one of the goldfields constituencies, speaking on the question at the time, said—

"I desire to say that I am strongly of opinion that the best way to deal with the other place is to reduce the franchise, to make a wider franchise, and when addressing my electors about six months ago I expressed that opinion."

Mr. Taylor: What opinion would he express now?

The PREMIER: I think he would be as about as consistent as most politicians. Of course there has been other proposals, and I think it wise to discuss a question of this kind. In speaking of it I am giving my individual opinion; I have not consulted my colleagues; but here is one of the reforms that is bound to come in the near future. If the unicameral system be adopted I presume some provision would need to be made for securing in the one Chamber representatives of those who are now represented in the other Chamber, I do not know whether the hon. member's idea is that they should be elected on the same franchise, but before the electors would be prepared to vote in favour of such a proposition they would be naturally anxious to know what the constitution of the new Chamber would be. In my opinion it would largely affect the vote. The matter I referred to is in connection with elective ministries, a matter which in my opinion is looming very large as far as State politics throughout Australia are concerned. The hon. member can see in the air a desire for Unification, but it appears to me that in many sections there is a feeling growing up in favour of elective ministries. I do not say it is a matter that is going to come along at an early date, but Switzerland is often quoted as a country which is in the vanguard of electoral form, and we know the result of that system so far as that country is concerned. However, that is not a matter which affects the present issue. As far as I am personally concerned I am not prepared to support the proposal at the present time, more especially as the Government have given an undertaking that during this session an opportunity will be given to discuss the liberalisa-

tion of the franchise of the Legislative Council.

Mr. HEITMANN (Cue): I am rather surprised to hear the Premier say that he considered this matter should be further discussed by the people, and that we should take the opportunity of educating the people to it. As far as I know there is no question that has been longer before the people of Australia, in fact all parts of the world, than the question of representation in the Parliaments. I feel sure that the electors of this State have given more consideration to the question of representation in the second Chamber than any other question brought before them, with perhaps the exception of Federation. True it is that we could obtain the opinion of the electors with regard to this question at a general election, but I would like to point out that this question has never been made the one question upon which an election has been fought, and I am quite satisfied if we are to make it the question, there would be no doubt at all about the reply of the people as to whether they wanted the Chamber liberalised, or whether they wanted two Chambers with one qualification, or whether they wanted the second Chamber wiped out altogether. They have never had the opportunity of saying anything one way or the other with regard to this Chamber, and it is to give the people the opportunity that this motion has been moved. It must be well-known to the Government that there is a general desire right throughout the State to liberalise the franchise in connection with the Legislative Council. Sooner or later the Government of this country will have to appeal to the people in defence of some of their rights as far as the Federal Government are concerned, and I take it unless we can tell the people of the State that we are prepared to trust them, we will find the electors instead of trusting the Government, will be rather prepared to trust those who have confidence in the people, sufficient confidence to give them adult suffrage in connection with both Houses, namely, the Federal Parliament. I was surprised to hear the Premier when re-

ferring to the qualification of the other Chamber, and in comparing the qualification in this State with the qualifications of the other States, say although it could not be contended that we were very liberal, we were much better off than some of the other States, and he went further and said that every man in this country had the right to become a member of the Legislative Council: that no man was debarred from nominating for a seat in that Chamber. It seems to me the inconsistency of the Premier is somewhat extraordinary when he will tell us that a man has the opportunity of entering the Chamber and the same man, or 60 per cent. of the population, have not the right to say that he shall go into that Chamber.

The Premier: What I said was that the Victorian franchise was £15, and that they do not pay their members, so that it would be impossible for a poor man to enter the Chamber.

Mr. HEITMANN: I understand that point, but the Premier contends that every man can enter the Chamber in Western Australia and at the same time it is contended that every man has not the qualification to vote.

Mr. Bolton: Nor even to stand as a candidate.

Mr. HEITMANN: I suppose most of them have the qualification to stand. I think this discussion seems to be drifting in the direction whether the franchise should be liberalised or not. I think the discussion should be whether we should ask the people the question. I would like to say that in this State there is not the slightest doubt, and hon. members and the Government must know, that the people want the franchise liberalised. We are going to ask the people to trust us; we say to them we want the confidence of the people of Western Australia, and yet we say we have not sufficient confidence in you to give you a vote in connection with the second Chamber. I would like to ask the Premier too why a proposal is brought in or a suggestion is made to reduce the franchise to £15. I would like to know why it should not be reduced to £12 10s. or £10, or even £5. I would

like to know why it is not household suffrage, as suggested by many people. It seems to me if we want the people to have some confidence in the Parliament of this State we should certainly place a little confidence in the people. Then we heard again the Premier suggesting that if we had one Chamber instead of two, some provision would be made, he thought, for special representation on the part of the present electors of the Legislative Council. I would like to say in reply that if the present electors of the Legislative Council want special representation, then another class will also want special representation, for I contend that the vast mass of the people, I suppose 75 per cent. who are without a vote for the Legislative Council at the present time, should have special representation as well as the property owners in the State. After all it is an extraordinarily inconsistent attitude adopted by the Premier and many more who contend that there should be special representation. As a matter of fact, from what I can see to-day the vote in connection with this Chamber is often given to people who have absolutely no sympathy with the country, or have no stake in it. It is said that those with a stake in the country should be considered. I know, as a matter of fact, that a man or a company owning leases is given so many votes for so many leases. These leases are sometimes held outside the country altogether. If a manager would exercise his vote as he should do in the interests of his employers, whose interests would he consider? Would it be the interests of this State or the people in England or any other part of the world? There seems to me to be entirely no grounds for this special representation, and I feel positive that if we put it to the country we will find out that there is a great majority in favour of liberalisation. In connection with the last question brought forward by the Premier, that of elective ministries, the matter has been discussed for some time, but so far as I can see elective ministries can never be brought about unless some extraordinary change takes place. Elective ministries appeal

to me in this way: if we elect a ministry out of this Chamber to-morrow, it would be exactly as it is at the present time. The lines between parties are drawn so clearly and the policy of each party is so clear that the strongest party in the House would elect its Government. Even in the case of a first election of a Government it would be found that of the two parties going out the party which returned with the strongest numbers would certainly elect the ministry, and I would not blame them either. We can see that in the election of committees every day. I certainly hope that the Premier will give the people in this country the opportunity of stating their views in this direction. There really can be no harm in trusting the people to this extent. If we cannot trust them who are we to trust? I appeal to the Ministry generally to give the people a chance of placing the matter before the country, say at the next Federal election, and perhaps it need not be compulsory; if they do not want to act upon it, well and good, but we should let the people have the opportunity of giving their views.

Mr. UNDERWOOD (Pilbara): I certainly hope that the House will pass this motion. I agree entirely with the Leader of the Opposition when he says we should certainly be able to trust the people to decide this matter. There is another thing I would like to point out to the Premier, and that is as the member for Cue has stated, there can be no harm done in passing the motion. We should send it on to the other House, though they would be sure to chuck it out, but the Government would only be following the usual practice of passing a thing in this Chamber, and getting it thrown out in the other. One or two matters have been mentioned by the Premier that do not seem to carry the weight he really thought they did. For instance, he imagined the fact that at the last general election there was not a majority of members returned to this House in favour of the abolition of the Legislative Council. I doubt very much whether all the candidates who were standing at the last elec-

tions expressed any opinion whatever on this question. If it had been a straight out issue, then it is possible and highly probable that the result would have been different. I know in my own electorate, and it is the same in other electorates, that a large majority of electorates care only about a railway, a culvert, or even a pump, or something of that description, more than they do about the question of the franchise of the Legislative Council or any of the other larger questions. As a matter of fact in the elections for the Assembly local matters are always brought very prominently forward. At Albany whence the Honorary Minister has just returned the people are against the Government not on account of their policy in connection with the Legislative Council, but because the Government are running a railway to Bunbury, and it would be no guarantee of the opinion of the people of Albany on this question whether they returned Mr. Maley or Mr. Meeks, provided either of these gentlemen has a different opinion on this matter, or has any opinion at all. The Premier in speaking of the various Legislative Councils of Australia mentioned the fact that in Victoria the Legislative Councillors are not paid. Well, therein Victoria shows its wisdom, because members elected on a franchise like we have are certainly not worth paying. I congratulate Victoria on its commonsense in that regard: seeing that it will not make it possible for men of reasonable capacity to be elected, then it is correct in not paying them. And again the Premier says the present Government are going to liberalise the franchise. They have been going to do it to my knowledge for the last three years. However, if we consider the very best proposal which is likely to come from the Government, that is, reducing the qualification from £25 to £15 leasehold, we must consider the statements made only last night by the member for Murray, and one or two other members, regarding the fall in the value of property. A £25 qualification of a year ago is only a £15 qualification now—I think the member for Murray will bear me out in that contention—therefore, I do not think the Government can

claim any great liberality in a proposal of that description. Again, the Premier spoke about South Australia referring this question to the electors at election times. I would like to point out that in South Australia they carried at various Assembly elections, over and over again, household suffrage for the Legislative Council, yet they have not got that household suffrage there yet; which shows clearly that it is useless to leave the matter for the House to deal with. I think the only way in which to deal with the matter is that proposed by the Leader of the Opposition, and if a solid majority are in favour of the abolition of the Upper House, or of a substantial reduction, it is our duty to reduce the qualification or to abolish the Upper House. It is our duty to do that in the most drastic way we can, if we cannot possibly do it in any other way. I do not think a number of persons should be able to defy the will of the majority of the people in the way in which it has been done in South Australia, and I feel confident is being done in this State. Again, the Premier drew an inference from the fact of the defeat of the proposal of the Daglish Government that it took place just previous to an election, and the electors returned the present Government and their party after the dissolution. The question before the electors at that time was not this particular one but many serious faults in the Daglish Government, and the electors gave their decision in regard to these matters on that occasion. Again, the Premier spoke about, in fact, he read an important expression of opinion given by the then member for Hannans. He said, Mr. Nelson expressed his opinion so and so, and the electors of Hannans also expressed their opinion about Mr. Nelson, therefore we cannot take much notice of the expression of opinion of the member for Hannans. As to elective ministries, it is a fact that is generally taken up by a party who see that their term of power is drawing to a close. I can sympathise with the Premier when he puts this forward, because it must be patent to him that his time is pretty well finished, and to get in at all after the next election he must have elec-

tive ministries, because there is going to be a change in the sides in this House before long.

The Honorary Minister: Bath, Underwood & Co.

Mr. UNDERWOOD: Yes: Bath, Underwood & Co.; and there might be a Price in it.

Mr. Bolton: Not the member for Fremantle?

Mr. UNDERWOOD: No; but the Albany Price. As the member for Cue pointed out talking of elective ministries, when the question is once analysed it is not worth considering. As a matter of fact, if a Ministry were to be elected to-morrow would not the Government side of the House elect the Ministry, and would not they elect the members of the Government from that side of the House. On the other hand, I can give you my word that if we had 27 members on this (Opposition) side of the House we would elect all the members of the Ministry from this side, therefore I can assure the Premier, if he had elective ministries, he would have very little chance of getting into the Ministry if we had a majority on this side. Again, and this is one of the opinions the gentleman from Hannans expressed, this seems to be brought forward by the people who are blocking reform to blind the people, as it were, by giving them this, which, after all, is only an imaginary reform. In conclusion, I may say I am becoming a strong unificationist. The reason of that is that the Legislative Councils in Australasia are retarding the progress of the continent. With State Houses elected on a franchise similar to that of the Assembly, I believe it would be better to leave a great deal of the control of affairs in the State, but when, as I stated at the beginning, the Assemblies elected by the people can pass measure after measure, and those members elected by only one-third of the people can throw out these measures, then our progress is not likely to be great. As I said when I first came to this Chamber, or before I came here when I was trying to get in, I supported a reduction of the Legislative Council, or the abolition of it, and if not we would have to work for it through the Federal

Parliament. It is for this Parliament to either give the people a voice in the matter and allow the motion to be passed, and thus let the people say if they are satisfied with the Upper Chamber or not, or those opposed to the system will have to go to the Federal Parliament for reform.

Mr. Scaddan: We will, too.

Mr. UNDERWOOD: If we can carry this motion I shall do my utmost to bring this State into the unification system that is being promoted throughout Australia. If we have Unification there will be a total abolition of the State Parliaments, and I say to those opposed to us on this question, the Federal Parliament can alter the Constitution in any way they like, and once the Federal Parliament bring this matter before the people I do not think there is much doubt about it, if the people thoroughly understand it, is to abolish the Legislative Council.

The Honorary Minister: How can they alter the Constitution as they like? How can the Federal Parliament alter it at all?

Mr. UNDERWOOD: I said by referring the question to the people, did I not? If not, I say it now: it is never too late to mend. I advise those supporting the Legislative Council at the present time to give the people some measure of reform in this matter, if they do not there is no possible doubt that Unification will be the result.

Mr. FOULKES (Claremont): One can appreciate the arguments brought forward by the Leader of the Opposition in support of the motion, and while one is under considerable obligation to him for bringing so clearly before the House the fact that we have a certain element in the country who are looking to another Parliament, that is the Federal Parliament, for redress of their wrongs, one cannot help thinking that that is the natural state of affairs, because one cannot shut one's eyes to the fact that during the last few years many measures have been introduced by members not only in this House but in another place which have not received acceptance. We have seen in the Federal Parliament some measures of a particularly democratic and liberal char-

acter carried through, and naturally many people in this State think that as there are democratic and liberal measures carried in the Federal Parliament, the only thing to do is to place all the measures of a democratic character in which they are interested under the jurisdiction of the Federal Parliament. What I would like to remind the Leader of the Opposition of is that during the last few years, at any rate since the Federal Parliament has been in existence, we have had practically in control of that Parliament the Labour party. Although they have not been in office, by reason of their voting solidly together they have been able to impose practically any terms they liked on any Government who have been in office.

Mr. Taylor: What about the present Government?

Mr. FOULKES: I will deal with that afterwards. We will suppose that had that not been the case, and in time to come the Labour party was not of the same strength in that House as it is at present, for during the last few years the Labour party have had an exceptional amount of strength in that Federal Parliament, and the result is, on account of their voting solidly, they have been able to impose such terms as they like on any Government in office. The time may come, for all Governments come and go, not only in State Parliaments but in Federal Parliaments, and with an election for the Federal Parliament every three years, the swing of the pendulum no doubt will come again, and we may find that in a very short time indeed the Labour party in the future will not be so strong as they have been in the past. We will suppose now—I do not think it is a very extreme supposition to make—that a strong conservative party will be in office in the Federal Parliament. Some people, and particularly the members of the Labour party, consider that the Deakin Government are extremely conservative. I do not know if they are or not; I have no acquaintance with a single member of the Deakin Ministry, but judging by the abuse levelled at that Government by the Labour party in this, and in other States, one can only come to the conclusion that

the Deakin Ministry, judging from the remarks of these people, and their published opinions, is a conservative Government. In a short time a general election will take place for the Federal Parliament and it may happen—I do not know if it will or not, but suppose Mr. Deakin comes back much stronger what is the position? Suppose the change takes place in a year, or in two years, or perhaps even in three years time. In a matter of this kind we are not dealing with the present alone but also with the future. Then if we have a strong conservative Government in the Federal Parliament and there is a Labour Ministry in office here, such a suggestion as has been mentioned would not be brought forward; we would not hear a single word of an appeal to refer such matters to the Federal Parliament. The argument then would be "The Federal Parliament is an extremely conservative one, and it is much better for us to deal with these matters ourselves." I am not the only member who has heard arguments in favour of Unification, and I am sure the demand for this, which has been made recently, is owing to the fact that during the last few years a certain party have had an amount of political strength in the Federal Parliament such as it may not have again. A great deal has been said as to the necessity for so-called reform of the Upper House. From what I can judge the main desire of most of the electors is to see that the permanent residents of this State are represented.

Mr. Heitmann: I am a permanent resident, but I am not represented.

Mr. FOULKES: We know well that since we have had Responsible Government an enormous number of people have come to the State, but I need hardly remind members that, during the time, an enormous number have also left the State, and the latter fact has been viewed with considerable apprehension. During the last twelve months very many people have gone away from here. Last year, or the year before, when there was a strike in some of the timber camps in the South-West the dispute was referred to arbitration, and an award was, I think, given against the men. It was decided

then by the various unions to which the men belonged that the best thing to be done was for the workers to leave the State. I believe the member for Murchison (Mr. Holman) approached the Premier and pointed out to him that unless some arrangement were made whereby these men could get additional wages most of them would leave the State and go to Queensland. I do not complain of that, for men are quite justified in going to any country where they can get the best wages in return for their labour.

Mr. Collier: What has that got to do with the question?

Mr. Swan: On a point of order, Mr. Speaker, is the member speaking to the motion before the House?

Mr. SPEAKER: I think the hon. member for Claremont is only quoting an instance, and he is not altogether out of order. If he continues to speak in the present strain I shall call him to order.

Mr. FOULKES: The case to which I referred was one instance of many which could be cited, which go to persuade people that those we desire should be represented in the Upper House are people who are permanent residents of the country. There is a proposal to fix the franchise at £15, which means approximately a rent of six shillings a week. I take it that the meaning of fixing that amount of rent is that thereby evidence is provided that the person entitled to vote is a permanent resident of the State. The other evening the member for Forrest (Mr. O'Loughlen) complained that he had no vote for the Upper House, and he gave no reason why he had not. I must say that I expected to hear him give a reason why we should have a vote for the Upper House. There are many men, particularly bachelors, who only come here for twelve months and therefore should not be qualified to vote.

Mr. Heitmann: What about the speculator who comes here for a few months?

Mr. FOULKES: He is not entitled to vote for the Upper House. That is the class of person who is here only for a few months and then is away again. Such people should not be allowed to vote either for the Upper House or for this Chamber. A great many people in

the State are afraid that if the franchise is given indiscriminately persons who may perhaps have been in the State for a few weeks or months, and who have insufficient interests in this country to entitle them to exercise their franchise, will be given the privilege. I do not propose to take up the time of the House longer, and will conclude by saying that I am sure the electors of this country need have no fear that they will not receive full justice at the hands of their representatives.

Mr. TAYLOR (Mount Margaret): I am sure after members have listened to the utterances of the member for Claremont they cannot but feel satisfied that the glorious sentiments to which he gave expression are of a type which is fast fading away. If the member who has just spoken has been put up as the mouthpiece of the representatives of property to explain why property should speak against the interests of the people in the legislative halls, a very poor advocate has been selected. They want to contend that we in a democratic country like Western Australia should have two Chambers, one to be a property chamber, where a very small portion of the people are represented, and that any legislation brought forward in this House, representing as it does the great bulk of the people of the State, and sent on to the property Chamber, could be rejected without any consideration at all other than by conversation in the lobbies or corridors. The member for Claremont spoke feelingly for the permanent resident of Western Australia. I would like to know what people he describes as permanent residents. The only people I know of who permanently reside here are those imprisoned in the Fremantle gaol for periods of one, seven, or fifteen years, as the case may be. They cannot leave and certainly are permanent residents, but they have no vote. I feel certain that the persons the member contends are permanent residents are nothing like so permanent as the bulk of the people, the disfranchised portion of the community, who have come here possessed not of capital, as the term is used by

the hon. member, but with a far greater capital, that of their own labour.

The Minister for Works: They can take that away.

Mr. TAYLOR: The capitalist comes here to invest his money in property; he brings his capital to this market because he hears it is a good one, but when he finds the market is not so good here as it is in other parts of the world, he immediately takes up his bag and baggage and gets away to another country. That is my experience. I have met squatters here who were previously operating in the Eastern States, but they found there was a better market here for their stock, and consequently immediately came to this State. Their sole reason was that the prospects were better here than in the place whence they came. The Minister himself hopped across from Queensland because he thought the prospects were better here than there. We all know that not very long ago the Minister paid a visit to Japan and prospected that country perhaps with the object of seeing whether it would not be better for him to settle there, provided always that the market for his capital was better there than here. I am tired of hearing about the capitalists being patriots. The capitalist is only a patriot so far as he can grind the money out of the country in which he is living. His patriotism ceases with the decrease in his banking account. A man without money, living in a country because it is the best place he can find to live in and provides the best market for his capital, his labour, is a better man for a country than the other capitalist I have referred to. The working man is the producer the capitalist makes his money out of. The worker gets a small pittance; he is just allowed enough to keep body and soul together, and the more he earns the more is produced for the capitalist. Laws have been, and I am sorry to say, are still being made, owing to the permanency of another place, which enable this state of things to continue. If it is desired that the Parliament of Western Australia should be made popular, and that the people should be happy and con-

tented, the franchise of the Upper House should be liberalised. If we are not prepared to abolish the Upper House altogether let us liberalise it, let us popularise it. If the franchise for that Chamber is made the same as that for the Senate the people will look to the State for their reforms and liberal legislation. The member for Claremont referred at some length to the House of Representatives, but that is not the House the democracy of Australia have their eyes set upon. The democratic Chamber for the people of the Commonwealth is the Senate. The reason for that is that a member of the Senate represents the whole of the territory of a State. It is that which makes the House so democratic. The whole of the State is his constituency. Again, in the Senate each State has equal representation, and the smaller States of the Commonwealth look to that body to see that justice is done them. It is very different in the House of Representatives, where New South Wales has more representatives than Queensland, Tasmania, South Australia or Western Australia. The two large States of Victoria and New South Wales have almost double the representation in the House of Representatives of all the other States put together. Without doubt, therefore, the Senate is the more democratic Chamber.

Mr. Scaddan: That is not correct, for the Senate represents States and not individuals.

Mr. TAYLOR: The States must and can be protected in the Senate, but they cannot be in the House of Representatives, where the smaller States are in a hopeless position. The big States have the bigger representation according to population, and, naturally, the Senate is the place where the smaller States are most protected. It is on the grounds of the liberalisation of the franchise for the Senate that the people desire that the franchise of the Legislative Council shall be put upon the same footing.

The Minister for Works: But your colleagues are against you.

Mr. TAYLOR: I cannot help that. It will be pleasing for the Minister for Works to know it, because if they vote

against me they will vote with him. The member for Claremont pointed out that the workers come here for a year or so and go away, and held that to be a reason why they should not have a vote. Surely this argument will not hold water. While in this State they are in a position similar to that of everybody else in the State, so far as the laws of the country are concerned; and, under any legislation which presses harshly on the community, they must suffer with all. Consequently they have as much right to say who shall make the laws as have the men who have been here for years. Indeed, it is no mark of intelligence in a man that he should have been living here for, say, 20 years.

Mr. George: Quite the reverse.

Mr. TAYLOR: Well, the hon. member ought to be an authority on the point, for he has been here a very long time. I quite agree with him, but I believe there is only room in Western Australia for one Chamber; that is my opinion. I feel confident that if this motion be carried and the Government submit the question to a referendum of the people at the next election, there will be an overwhelming majority in favour of the abolition of the Legislative Council. It is only the voice of the people at the ballot box that the Government are frightened of. It is idle to say otherwise. The Government fear it and they will withhold that right from the people as long as they can. It will only be by the people forcing the Government to give them the right to say how they shall be governed and by whom, that the reform will be brought about. If the Government have nothing to fear, why withhold from the people the referendum? Why are the Tories in this country so satisfied that they must withhold from the people their right and their voice? Give the people the opportunity of saying whether they will have one or two Chambers, and whatever the majority may say the minority will abide by. I am satisfied that if we give such an opportunity to the people of Western Australia at the next election, the result will be the wiping out of another place. I think I heard somebody say when one

hon. member was addressing the House on this subject, that in such case some of us will find ourselves out of work. Well, let that be as it may. If we are all out of work it makes no difference so long as the people have had an opportunity of saying what they want. If they think we are no longer capable of representing them, then I say we should make room for better men. The only way to make the country worth living in is by giving liberty and freedom to the people. Give the people the opportunity of saying how they will be governed, and by whom, and you will have a happy people taking an interest in their country and making their country what it should be. I will support the motion.

Mr. GEORGE (Murray): I propose to say a few words on this motion which has excited so much enthusiasm in my old and esteemed friend, the member for Mount Margaret. And if I may be permitted. I would say that if there is any thing which can annihilate the wide space of seven years spent outside this Chamber, it is to see the hon. gentleman in pretty nearly the same old style, and hear the same old voice in the same old strain. I must say he seems to be a little more, shall I say refined. I do not see that flowing beard, so familiar in the days of the old White Horse in Queensland; but still there is the same old style and the same old arguments—all for the people. Let us hope he is not the only one in the House holding the same views in that regard.

Mr. Angwin: You sat on the same side.

Mr. GEORGE: No; but we used to shake hands now and then, and we had a row now and then. However, to address myself to the question before the House: I believe I am the baby of the House, and, perhaps, I may not be altogether conceited if I say I am not a very unpromising kind of baby. However, I am the baby in that I was the latest

enough to carry themselves. This baby carried himself on his own pat. However, I was the latest to go before a constituency. There have been some Ministers since then, but I do not count them; they simply went back for re-election, whereas I went for election, and I went before the people with a fairly clear cut issue—George or no George. It happened to be George. I want to say that this question brought forward and spoken to this afternoon—and I desire to congratulate the hon. members opposite on the moderation with which they have handled it—I want to say that during my campaign in only one place was the question put to me as to whether or not I was in favour of two Chambers. I do not generally beat about the bush; that is not my nature, and I said, "There is only one answer to give you, namely, I am not in favour of the abolition of the Legislative Council." And I am here to-night to say the same thing. I will proceed to show as reasonably as I can why I am not in favour of the abolition of the Legislative Council.

Opposition members: That is not the question.

Mr. GEORGE: But that is the motive. You want us to vote on the question of unicameral Legislature.

Opposition members: No; we want the people to decide it.

Mr. GEORGE: Oh, yes, that is just where I wanted to get to. I am a little bit dense, perhaps, but no doubt if you will help me I will manage to get polished up somehow. If you ask my independent belief, the people do not care twopence-halfpenny whether there be two Chambers or not. If you were to put before them at the present time the question of two Chambers, or no Chamber at all, I believe they would retrench both.

Member: They are disgusted.

Mr. GEORGE: No, I do not think they are disgusted; that is a view of the question which we can put on one side altogether just now. What it means is this: that so long as there are two parties the gentlemen on that side will be in opposition to those on this; while if the order be reversed and that

Mr. Walker: Did the Ministry carry the baby?

Mr. GEORGE: No; babies of my quality have usually been found strong

party come over to this side, then the party in opposition will still continue to pitch into those on the Ministerial side while, on the other hand, the Ministerialists will pitch into them.

Mr. Taylor: No, we would not if we were over there.

Mr. GEORGE: Yes you would. But as far as the people of Western Australia are concerned to-day, my firm opinion is that if they voted on the question they would prefer to be governed by a board of four or five men without reference to either this Chamber or the other. They know that as far as debate goes on in this Chamber, or, perhaps, in the other, there is too much, not of dealing with the motion before the House, but as to whether one side of the House can score on the other. What I noticed with regard to the member for Pilbara was that he seemed to have a very poor opinion of the electors. It was the parish pump in his district, it might be turnips in mine, or quartz in Kanowna. The electors are all alike as far as that is concerned. If we put a strong issue before them I have no fear of the people of this State; that is, if there is a question put before them in which they are really concerned. But I do not believe that at the present time the people of the State care a two-penny-halfpenny hang whether the Legislative Council exists or is abolished. They have not asked for the abolition. Where are the letters in the newspapers? Why does not even that most impartial organ, the *West Australian* take up the question? I have not seen any particular attack on the Legislative Council in its columns; and yet if it was the people's cry then that influential newspaper would be teeming with articles and with letters from the people, down-trodden and oppressed. The trouble, so far as Western Australia is concerned, is not the Legislative Council. The trouble of the people of Western Australia is the fact that we have a depression that we really will have to buck up and try to go against, and the question of the unicameral business is simply drawing a red herring across the trail. Western Australia wants something considerably more

important than that. Another thing talked about, and which is the real reason of complaint against the Legislative Council, is that the Council, in carrying out its duties—for it has certain duties to perform—has at times either retarded or rejected measures passed by this House. Well, if this be the reason for abolishing it, what would happen if the Governor were to refuse to give his assent to some measure passed by this House?

Mr. Taylor: He would soon be instructed by the Colonial Office to accept the advice of his Ministers.

Mr. GEORGE: But assuming that the Colonial Office did not send such instructions: there might be reasons for the Colonial Office to withhold its hand in such a matter. Would the hon. member then propose to refer to the people the question of abolishing the office of Governor.

Mr. Taylor: I would abolish it to-morrow if it were left to me.

Mr. GEORGE: And there are persons who would abolish even the member for Mount Margaret, or the member for Murray; there are those who would abolish me quickly.

(*Sitting suspended from 6.15 to 7.30 p.m.*)

Mr. GEORGE: Some allusion was made, I think it was by the member for Mount Margaret, to elective Ministries. I do not see what that has to do with the question before us, but it was not quite clear to me whether the question of elective Ministers was to be submitted to a referendum or not. If it be the hon. member's view that it should be, it appears to me we should have a nice hotch-potch business of Government all through. There is a great cry about trusting the people, but members opposite should understand that in this Chamber there is no difference between members on either side of the House on the question of trusting the people. Even if members have any doubt on the question they have to trust the people when they go before their constituents. It is not a question of trusting or distrusting the people: it is a question of whether the Legislative Council should be abolished

or not. My opinion is that it is necessary to have the two Chambers. We should have the Legislative Assembly in which all questions are threshed out to a great extent, but in which party warfare must necessarily at times impair the result of our actions. Therefore we should have another deliberative body where party actions do not have that effect to the same extent. I would like to point out one of the safeguards of having a second Chamber, that is with some degree of acrimony termed by members opposite as a House for the protection of property owners. It is not only a Chamber for the property owners but it is a Chamber representing every interest in the community. The conditions of Western Australia are hardly parallel to those in the old country. Here we have no aristocracy. The big majority of the people in the State are authors of their own fortunes, those fortunes having been made perhaps by hard work on the part of people in their young days.

Mr. Taylor: Largely from the unearned increment.

Mr. GEORGE: There may be some few fortunes derived largely from the unearned increment, but I should think that at present those who have anything to do with that class of property from which the unearned increment is derived are not too pleased with their positions. I say that the great bulk of the people, ninety-eight per cent. of them, have had to be the authors of their own fortunes, the earners of their own positions. No doubt there are differences of intellect and opportunity, and in the results from opportunity and education. There must be these differences else members of the Opposition would not be claiming that practically the whole of the intellect of the Chamber is on the left of the Speaker. Some fortunes may be owing to the unearned increment. I am not one of those fortunate people who have made fortunes in this way. I have made my way by hard work during the past forty years.

Mr. Bath: Is not this a bit off the track of the motion?

Mr. GEORGE: It is not: I have had such a lot to do with tracks that I can now run straight ahead all the time unless someone has fiddled with the points.

Member: It has been on a narrow gauge.

Mr. GEORGE: No; before the hon. member was born I was working in the old country. I was then considered a radical. I do not know that I have altered much except with the advent of years I may give a little more thought before I make my utterances. I do not think we can go far wrong if we consider whether we are following English precedent. We have the English House of Commons and the English House of Lords. No doubt there are anomalies in the English House of Lords; but there have been occasions on which that House has acted beneficially so far as the bulk of the workers of the country were concerned; and I believe that we might frequently in the heat of debate pass measures which do not convey as much as would be desired in cooler moments; and I am certain that if a measure passes the Assembly through the influence of the Government or the Opposition, and there is an honest desire to have an alteration made, any member would be justified in using his influence with members of another place to try to get reform effected in another House.

Mr. Heitmann: Why not pass it through this House again?

Mr. GEORGE: You cannot boil an egg twice once you have it hard. After you have discussed a measure in this Chamber threadbare, as it should be, what is the use of trying to boil the cabbage twice? If there is anything in a Bill I may fancy to have amended I should go, as other members would, to try to influence members of the Legislative Council to do what I desired. At any rate I am opposed to the motion, and I shall vote against it. I have said this two or three times, and I say it again straight so that it will not be forgotten.

Mr. Heitmann: You are not allowed to do otherwise.

Mr. GEORGE: The hon. member is going beyond the rules of courtesy and verging on those of impertinence. I

have yet to learn—and I think my life and career in this State are evidence enough—that there is any man on the earth who will tell me what I am to do or what I am not to do. I am not bound to another body irresponsible to the electors that binds my body and soul and takes my freedom and independence from me as is the case with some members on the Opposition side of the House.

Mr. WALKER (Kanowna): I have listened with great interest to the hon. member to ascertain whether I could learn anything that would help to guide me as to what vote I should give on the question as to the wisdom or otherwise of remitting this issue to the people. That is the only matter open to debate. The hon. member has gone almost into hysterics, into the wisdom of the British Constitution; he has eulogised the House of Lords and he has taken us out into the quiet corners of his electorate where some remote bucolic electors have asked him, "Are you in favour of the Upper House?" and he has said "No." What bearing has that on the question as to whether this issue should be submitted to the people or not? The hon. member presumes to speak in the name of all the people of the State. He says he is the physician of the country. He says the people do not need this. He sneers at the people.

Mr. George: No!

Mr. WALKER: Undoubtedly. What can it be but a sneer when the hon. member tells us that if a question of this importance be submitted to the people they would not care a jot about it and as likely as not would sweep this House and the other House away? There is no trusting the people when the hon. member says, "Do not let them have a say because they are so indifferent, because they are so careless about the welfare of the country that they do not care a jot whether they have another House or not." If that is not a sneer at the people, if it is not belittling the people I do not know what it is. The question submitted by the Leader of the Opposition is simply, "Shall we ask the people what their will is before we start legislating upon it?" They surely have a bigger say, and I submit they are

the people to be consulted, in as much as the inauguration of Federation has more or less carried with it in a sense the necessity for making a change in local Parliaments. While we had no Federation the question might well be kept on the old lines, but now we have added another Parliament to the number of Parliaments already existing there is the question as to whether we have not indeed too many Legislatures, whether considering that our main sources of revenue have been taken from us to support the Commonwealth we cannot lessen the expenditure on legislation, because there is a good deal of the work which formerly this Parliament would have to do that is claimed and monopolised by Federal Parliament. There are questions of national importance that we cannot at all consider, that do not concern us; they are taken out of our hands. We are lessened in our scope of operations, chiefly in matters of administration and matters of internal finance, with little scope of self-development. The great questions which demanded the coolest deliberation in days gone by are taken from us. It might well be asked under those circumstances, are the people satisfied to continue with the full batch of legislators, as they have had hitherto, and they might well be asked to decide the question, if there is going to be a cutting down, who shall be cut down, whether it shall be the members of this Chamber, or the Legislature as a whole; which body can they spare best, and if we must cut off some, which section of legislators shall it be? That is what the hon. member has asked for, that the people shall decide the question, or give us some intimation of their will upon the subject, and I think the hon. member is justified in submitting this question on the very arguments adduced to-night by those who spoke against it. The member for Murray has told us that in this State there are no classes, that we are all democrats, and that none hold property in such a way as to give them a distinction in society as a class; that there may be some richer than others, some poorer than others, but that we are all of one family. Then why cannot we all sit in one House? The people may

ask that question; they can well say this popular Chamber shall be increased in number with facilities for anyone of those who represent their constituents in the other Chamber coming here if they can get the public support. The Leader of the Opposition has asked that the people shall have that opportunity. What arguments have been adduced against the wisdom of referring the question to the people? If the people are to be consulted at all, if the referendum is sound in principle, I do not know any case where it is more justifiable to use the referendum than in this. The statement is made that the people are not enough agitated about it; that they have not concerned themselves about it. I have heard the subject discussed by the people in the Press and on the platform, and through every avenue in the country and in this Chamber since I first came to the State, and that is many years ago. They are constantly discussing it; there is not a debating society in the land, there is not a politician in the House but has discussed it, talked to his electors about it, and has thought about it. It has been on the tapis in one form or another ever since there has been constitutional government in Western Australia, and to say that the people are not agitated enough, not informed enough, seems to be a reflection upon those politicians who have been educating the people ever since we have had Responsible Government. The people were trusted in the case of Federation; this is a lesser question. Cannot the people be trusted upon this as well? It is our duty, and we should take the course usually adopted in connection with such questions and that is an appeal to the people at the general elections. As has been pointed out by the member for Pilbara, at election time all subjects are jumbled together, and the electors vote for the man in a thousand instances, or for the party, and all the questions are merged. They vary with the locality. A man who promises a railway in some parts gets the vote; a man who promises a village pump in another place; he too gets the vote. It does not matter, indeed, what the

subject is, if it be local it overshadows all the other great and burning questions, and the common-sense of the representative is relied upon to deal with that subject when it shall be brought before the Chamber, or into practical politics. We have had no appeal it is true, but the matter is as ready as any other subject for discussion. The only question is whether it is wise to spring it on the people at the present moment? That is the only question that should be debated here. If we have faith to trust the electors on other questions, surely we should have faith enough to trust them on this. There is no member on the Government side of the House who believes that reform is not necessary, who believes that there must not be drastic reform; not the mere lowering of the franchise, because that is tiddly-winking, it is playing with the subject, it is a sham and if it does anything it does harm. There is no one but believes that stronger minds bring legislation here on a level with the requirements of the hour; no one but believes that the changes must take place. Believing that, why not say so; why not ask the people their opinions upon the subject? Why not say, "Do you wish us to have the Upper House shorn from us?" I forbear discussing the question as to the wisdom of doing it; that question would be more fitting on another occasion. The question is, can we trust the people to vote upon it between now and the election. I suppose the Government at least hope there are many months, some believe two years before an election will take place. Is there not enough time to talk about the referendum between now and then. The papers of the country are open between now and then to the discussion of the subject, and if hon. members are interested enough the Press is open, or by pamphlets, or literature they can inform and enlighten the people. But without all that the people are keenly alive to it. If we admit the necessity for reform, for lessening the expenses of legislation in this State, why not then say, "Are you agreeable to doing away with one Chamber?" The

Government stand as much chance in connection with the appeal to the people as those who are not champions of bicameral legislation. It is only a matter of information between now and then, and surely those in the Upper House are as capable of advocating their own claims as we are of advocating ours in this Chamber. They ought to be, or they should not be there. Then let the people have a chance to speak upon the subject. I can understand well that there are times of public excitement when it would be unwise to appeal to the people by means of a referendum. There are epidemics of fashion as there are epidemics of physical disease; there are times of temporary public insanity as there are times of temporary private insanity, but this is not an occasion of that sort; the country was never more calm to consider great political questions than it is at this hour. There is nothing perturbing the judgment of the people; therefore, submit the question to them, and they will exercise discretion, judgment and knowledge in giving an intelligent vote upon it. Deny that and you belittle the constituencies. It is to say that the members of this House arrogate to themselves superfluous knowledge, that they stand high above all the knowledge possessed in the country at large. No, not even the member for Murray will arrogate to himself such a position. There are wiser men outside these walls, far more than there are within. There are thoughtful men capable of directing public thought, who will not be disturbed or agitated by a question of this kind being put to them, and above all I believe at the present juncture of calm, when there are months for the people to talk the matter over, I can conceive no greater educational force than the submission of a question like this to the electors. It will stir every mind up and create interest in the local Parliament and in the welfare of the country. It will make every person commence to debate the subject, and the general knowledge must be increased by submitting this to the people; therefore, I cannot see one argument against it, unless we declare our lack of faith in the people.

unless we scorn their wisdom or capacity. If they are as wise as we sometimes flatter them in our statements with being, if they are as patriotic as they are said to be by their representatives in this Chamber, then the question can safely be left to them, and for that reason, for the purpose of allowing them to have a talk upon the subject and directing influence on the subject, I shall vote for the motion of the Leader of the Opposition.

Resolved: That motions be proceeded with.

The ATTORNEY GENERAL (hon. J. L. Nanson): Whatever opinion the hon. member may hold on the advisability at the present juncture of submitting the question of a unicameral Constitution to a referendum of voters, I think we shall all be agreed that a discussion of this nature is bound to have an educative effect, and to that extent is to be welcomed. I regret, however, that the mover of this motion, in the excellent speech he delivered, did not go rather more into detail and explain more fully to hon. members how this great public weapon of the referendum is used in that country in which it has its origin, and where in one form or other it has been in existence for many centuries. On the general principle as to whether the people are to be the ultimate court of appeal on political questions; whether dealing with the Constitution or dealing with matters of legislative detail, if I may so term them, that is a question on which there is no very great divergence of opinion; but where members of different political parties do part company is on the methods which they suggest as to how the will of the people is best to be ascertained. If members are under the impression that in Switzerland, in order to ascertain by means of a referendum what is the popular will, it is an easy matter to bring about a referendum. I can only say that they are labouring under a mistake of very considerable magnitude. If the Leader of the Opposition happened to be a member of the Swiss Federal Parliament, or one of the Swiss Cantons or Assemblies, and were, in his place in one of those bodies, to get up and suggest

the referendum as he has suggested it this evening, he would not, under the Swiss law have the very smallest possibility of getting his motion carried. The referendum as exercised in Switzerland is part of a complicated system of check and counter-check, the growth of a large part of centuries, and in its later development a growth of a shorter period, but still a growth of a complicated nature, and when the Leader of the Opposition supported the claims of the referendum on the grounds that it had been adopted in Switzerland, I do not think that, although there may be some merit in that argument, he sufficiently took into consideration the different conditions prevailing in a country like Switzerland, and those prevailing in a country like Western Australia. After all, in any methods of this kind, you must first take into consideration the character of the political institutions generally, and the character of the people. Switzerland, although in one sense a democratic country, yet in another sense—and the term is not absolutely contradictory—is an intensely conservative country. I take it there is nothing absolutely inconsistent or contradictory in the expression of a conservative democracy. I should go so far as to say—if hon. members wish for an example of what I may call a conservative democracy, they could not go anywhere where they would find a better example of it than in Switzerland. There you have a country split up into a considerable number of small communes, each intensely jealous as the ancient Grecian republicans were of admitting outsiders to the full rights of citizenship. When those cantons have adopted the referendum, members must not think they have adopted it in the sense in which it is suggested it should be adopted in Australia, with the idea of giving to all and sundry an expression of opinion in regard to the government of the country. But their idea has rather been to limit that expression of opinion to persons who inherit that voting power, and who can only attain it under special circumstances; and furthermore, their idea of the referendum has been not so much in the first place to spur the Legislature into action.

as to act as a check on the Legislature to ascertain whether in legislating in certain directions the legislative body was actually carrying out the wishes of the people. And to that extent the referendum, as far as provision is made for it in the Federal Constitution we may say has a reflection of the idea in our own Commonwealth Constitution. If I may be allowed to trespass on the time of members I should like to point out to them exactly what steps require to be taken in Switzerland before the referendum is brought into play as a means for securing an amendment of the Constitution; and I am the more anxious to endeavour to supply this information to members because the motion we are considering to-day is one that seeks to amend the Constitution, and has been recommended to us by the Leader of the Opposition on the example and analogy of Switzerland.

Mr. Bath: And America and Queensland.

The ATTORNEY GENERAL: I go to the mother State of the referendum, the State where it originated; the State which is always quoted as the best example in practice. In regard to an amendment of the Swiss Federal Constitution, the distinction is drawn between a partial and a total revision of the Constitution. I will first deal with the question of the total revision. A total revision of the Constitution can be carried out in three ways. A proposal may be brought before the Assembly, either by the initiative of the members of the Assembly or by a message from the Government of a Canton, or by a message from the Federal Council. The two Councils—two Chambers—decide separately, and the Bill passes from one to the other until an agreement is arrived at. It is only when the two Houses have come to an agreement on the subject of a new Constitution that the procedure begins to differ from that adopted in the case of an ordinary federal law. When this Constitution has been arrived at it is true it must always in the first place be submitted to the popular vote, and again it cannot come into force unless it has been adopted by a majority of the people and by a majority of the Cantons. Here

again is an example of how the Swiss methods have influenced Australian legislation on the subject. It is not suggested in an alteration of that kind that a referendum should be the first step. On the contrary, it is the final step, the act that gives sanction to the legislative effort, and not the act that precedes the legislative effort. Take a further circumstance and suppose that one Chamber has voted for total revision and the other does not give its assent. In Switzerland it is the people who are called on to decide. Even then the decisions have a very limited character. They are not asked to go to the length of saying what form the change in the Constitution shall take. The authority which I am quoting from, *The Referendum in Switzerland* by Deploige, says—

“They do not indicate, however, in what sense the revision shall be undertaken, nor what it ought to aim at, nor how far it shall extend. The question put before the electors is the general one: Do you wish the constitution to be revised; yes or no?”

I think I have said enough in regard to the methods adopted in Switzerland. One might go on a long time, but I do not wish to weary members with it; but I think I have said enough to show the bringing about of a referendum has never in that country been advocated on the same lines as the motion put forward by the Leader of the Opposition. It is true in regard. I think, to a partial revision of the Constitution or legislative matters other than those dealing with the Constitution, the provisions are perhaps less complicated; but the first great obstacle that has to be surmounted is the obtaining of the consent of a considerable number of electors to a demand for a referendum. In Switzerland on questions dealing with federal legislation, before they obtain a referendum they have to obtain a sort of petition, or some expression of opinion from 50,000 voters. In Western Australia one can readily understand that if there were any very large demand on the part of the voters to express an opinion through the polling booths on a direct issue rather than on the election of

representatives—if any strong demand in the shape of a petition were made it would be an exceedingly difficult matter for any Government or Parliament, whatever their wishes might be on the subject, to disregard any bona fide opinion in demanding that the people should be allowed to vote on any question. But this evening we have scarcely had sufficiently explained to us the scope of the motion to enable us to come to a decision upon it. In the first place the Leader of the Opposition and those hon. members who have supported his motion have not yet explained to us precisely what they mean by a referendum. The constitutional unit I take to be, so far as this House is concerned, the constituency. Every member of the House comes here representing a constituency. He does not represent the State as a whole, but the constituency that sent him here, and one of the consequences of the referendum, if it is to be in the form of a mass vote of the electors of the entire State, is that for political purposes you altogether wipe out the constituency as a separate entity. You say you disregard what may be the wish of any individual electorate and you take the mass vote of the people of the State, or the electors of the State as a whole, although that mass vote may be absolutely different from what would be the verdict of the constituencies, if we took a vote in each separate constituency, and the verdict “yes” or “no” was to be given according to the majority in that constituency. When the people of Western Australia were asked to vote upon the question of Federation or no Federation, I suppose very few of us will doubt that the result might have been different, certainly the majority would have been nothing like so large as it was, had the vote been one of the constituencies, a referendum of each constituency, instead of a mass vote of the people of the State. I do not wish to disguise the fact, it would probably be useless if I did, that in the past I have given a very considerable degree of support myself to the principle of the referendum. If one is to make a constitutional change in the direction of abolishing the Chamber of revision,

the Chamber of check upon hurried legislation, in its place there must be some other system or some other body that will be able to exercise functions not altogether dissimilar from those now exercised by the Legislative Council. To that extent it is perfectly conceivable that the referendum might be a very useful weapon, but if one is going to make it a referendum that has no regard to the respective constituencies, one is laying the axe to the root of Parliamentary institutions. Much as I am anxious to see that Parliament should reflect public opinion, I am anxious that it should be a public opinion of the constituencies rather than of the voters throughout the entire State. After all that is the basis upon which our constitution is framed. I regret that in dealing with the subject the Leader of the Opposition did not indicate to us the nature of the referendum he proposes should be taken.

Mr. Hudson: He said it was to be a referendum of the electors of the Legislative Assembly.

The ATTORNEY GENERAL: But in what form? Take my own constituency. Supposing a majority voted against the abolition of the Upper House, would that be taken as one vote in the total? Would we have a referendum in each constituency and say that if in 26 of the constituencies the vote was against the abolition and in 24 the vote was in favour of it, therefore, so far as the constituencies were concerned, a clear direction had been given to the members representing them. But if the referendum is to be a vote of the electors of the State as a whole, what indication will it be to me or to any other member representing a country constituency as to what our constituents desire? We are sent here to represent those constituents, and our duty is to endeavour to voice their wishes rather than to endeavour to voice the wishes of what might happen to be the majority of the electors of the entire State. While I say this I do not wish it for a moment to be supposed that I think if a referendum were taken on this subject, in whatever form it were taken, it would necessarily bring about the result supposed by some members—

a vote in favour of the abolition of the Upper House. The matter I have mentioned is, therefore, one of the preliminary questions that should be settled before we propose to deal with the question. I contend, however, that if we are going to make a change in our constitutional practice of so far-reaching a character it could never be contemplated, even by members opposite, that such a change should be brought about in obedience to a resolution adopted after a very short debate of a few hours. The subject is one which in its importance, in its complexity, and in the issues involved, necessitates very close scrutiny and months of controversy, not only in this House, but also in the public Press, and before the electors themselves. An argument used by the Leader of the Opposition, an argument upon which he seemed to lay very great stress, was that we may possibly ward off some sort of agitation in favour of Unification which, in his opinion, looms very largely before our political vision. His speech very largely consisted, if I may use a metaphor, of waving before us this spectre of Unification. He takes it for granted that through the length and breadth of the State there exists a strong and dominant public opinion determined to abolish our State institutions, and determined to centralise Government and Parliament, and all political power in one of the big cities in the Eastern States by destroying that local self-government which is the surest guarantee of our political liberty. That may or may-not be so, but I do not think this Chamber would be justified in carrying out any sweeping constitutional reform of the nature this must be merely because we have the opinion expressed, not proved, an opinion merely expressed by some members, that there is a strong feeling in this State in favour of Unification. The Leader of the Opposition certainly told us that he was opposed to Unification but almost in the same breath he seemed to justify it. If that be the attitude taken by members in regard to this question, I should despair of the possibility of making a good fight for our powers of self-government; but I am convinced that there are, in this

House, a very large number of members who will not only be strongly opposed to Unification, but who at the same time fail to see in any circumstances what sort of justification there is for it. When we begin to draw comparisons between the Federal Constitution and our own it by no means goes without saying that the Federal Constitution is superior to our State Constitution. We have under the Federal Constitution two Houses, as there are under the State Constitution. There are many people who tell us there is no necessity for a two-Chamber constitution. There would seem to be some justification, possibly, for an opinion of that kind, when there are, as in the Federal Parliament two Chambers of which the Senate is practically only a reflection of the Lower House, or if not exactly a reflection, still instead of being a check on that body, it rather would appear to spur it on to legislation of an extreme character. The very idea, the very justification of an Upper House is that it imposes some check upon hasty legislation. If that be not its justification, I for one do not know what possible justification there can be for it. In the Federal Parliament it has never been seriously suggested that the Senate, formed as it is, imposes a check of that kind. Whatever be the merits or demerits of our own House under our own Constitution members opposite—and one of their great grievances is that the Upper House constitutes a check upon the aspirations and legislation of this Lower Chamber—must be forced to the conclusion that, at any rate, it is fulfilling the main function for which it was brought into existence while the Senate is failing to fulfil that function. To that extent, therefore, in fulfilling this function, we in our Constitution have a Chamber superior to the Federal Senate. It may be said, and it is a view I personally have always felt inclined to sympathise with, that the machinery of government is unnecessarily complicated. I have never been firmly convinced that it is beyond the resources of wise statesmanship to frame some sort of a Constitution that will provide for only one Chamber, and might at the same time devise

some check upon hasty legislation. It may possibly be done—I merely throw out the suggestion—by including in the one Chamber a certain proportion of members elected on a higher franchise than the main body of members, imitating to some extent a provision in Mr. Gladstone's Home Rule Bill. On the other hand, another method that has been suggested is that one could have an appeal to the people, directly to the constituencies, by means of a referendum in order to obtain sanction for legislation passed by the one Chamber. Whatever expedient may ultimately be adopted, supposing it is possible to run under a single-Chamber constitution we must agree in this, that some sort of check must be provided. Surely it is a part of statesmanship that before we ask the people to agree to any wide and far-reaching change in the Constitution, we must give them some sort of idea as to what we propose to put in its place. I can well conceive that this subject of a single-chamber constitution is one that has manifold attractions for the constructive statesman. I can well conceive also that it represents a question that any party might take up and conduct for a long period of time in an educative and informing political campaign. I do not regard it as at all impossible that ultimately that party, if they handled the matter with ability, determination, industry and enthusiasm might bring about a change; but whatever reform we seek to accomplish let us at least get this out of our minds, that we can accomplish these changes in the laws of a country or in the Constitution of a country by a species of legislative short-cut. Let us not expect that by passing a motion of this kind after a few hours' discussion we are materially helping the causes members opposite have at heart. A decision come to on such short notice and with such short debate would command but little respect in the country and but little respect among those weighty framers of public opinion, the newspaper Press. We have to regard not only the advantage of the changes we may advocate, but we have also to regard our own reputation for

careful thought and statesmanship. And at a time when we are told that the State Parliaments are at a low ebb in public opinion, we should not be acting wisely in passing, this evening, a motion of this character. I trust, therefore, that even those hon. members who may sympathise with the aspirations and ideals of the mover of the motion will hesitate before they commit themselves by voting in favour of it, for the reason, if for no other, that the change is too sweeping to so suddenly decide, and that if suddenly decided it would not carry that weight and respect in the country which we desire should always attach to the deliberations of this Chamber.

Mr. TROY (Mount Magnet): I wish to make a few remarks. They shall be few and shall be devoted to proving that the Attorney General is as inconsistent to-day as has been his wont during the whole of his political career. I intend to refer to some remarks made by the Attorney General in 1903, when debating the second reading of the Constitution Bill. The Attorney General said on that occasion—

"There was one point of the Premier's Speech which I welcomed and that was with reference to the probable abolition of the Upper House, or perhaps it would less hurt the feelings of members in another place if one referred to the adoption of a single-chamber Constitution. There can be no question—even if those of us who advocate a single-chamber Constitution at the present time, are somewhat in advance of current opinion in this House?"—

The hon. member cannot, therefore, claim to be in advance to-night; he has stagnated.

"—that sooner or later, and probably sooner rather than later, we are bound to see the triumph of our principles."

The hon. member had principles. The hon. member still has principles, but they are not the principles which he so ardently held to on that occasion. To-night he spoke of the necessity of the Upper House in order to check hasty legislation whereas six years ago he denied that the

Upper House had ever checked any legislation.

"It is true that some small and trifling measures may have been rejected through the insistence of the Upper Chamber—some little matters of not very vital importance."

Then he goes on to say that all the great principles had been adopted by the Upper House without any opposition whatever. We heard him speaking of Canada to-night, and putting its experience forward as a reason why the bi-cameral system should be retained. Here also he refers to Canada, but not in the words he used to-night. Let me give his remarks. Mr. Illingworth was quoting Canada, and Mr. Nanson quoted Mr. Alpheus Todd, and then said:—

"With a candour to my mind delicious he tells us that it is necessary to have a counter-poise to the democratic tendencies of popular and more powerful Assemblies. In other words, it is necessary in a democratic community—a community in which by a pleasing fiction it is assumed that the majority rule—to have a body which shall prevent the majority from ruling."

He objected to that, but to-night he has gone back on those remarks and we find him pointing out the absolute necessity for such a Chamber.

The Attorney General: Oh! no. On a point of order. I have to correct the hon. member. I never said anything like that, never spoke of the necessity for the other Chamber. My argument was certainly directed to saying that possibly a change would come—ultimately.

Mr. TROY: I do not know what the point of order was, but at the same time I am prepared to allow the hon. member to explain, and I have no doubt that these remarks need some explanation. Still, he points out here again, and he earnestly and enthusiastically combats the statement of the then Premier, and of Mr. Illingworth, and held that the Upper House did not afford any protection against hasty and ill-considered legislation; and he said the only Bill the Upper House had thrown out was the Premier's Anti-Cigarette Bill. Now, does the hon. mem-

ber who made such a long speech to-night, and who quoted so comprehensively from data at his disposal, expect us to be influenced by his remarks. How is this possible when we read the remarks he made in Parliament only six years ago, which remarks he backed up from the public platform in the city of Perth?

Mr. Taylor: You must not expect anything final from the Attorney General.

Mr. TROY: I hope what the member for Mount Margaret says is not true. Surely we can expect something decisive, something final and emphatic from the gentleman who occupies the position of Attorney General. If not, then the people of this State can hope for very little from the present Government. I have but a few remarks to make regarding this motion, because later on there will be an opportunity of discussing the Bill for the liberalisation of the franchise of the Upper House. Therefore my remarks to-night will not be of a very lengthy character. I heard the member for Murray talking about equality of opportunity.

Mr. George: Not I.

Mr. TROY: Well, it may have been the Premier. How there can be any equality of opportunity for the people of Western Australia in regard to legislation, under the present franchise, passes my comprehension. There can be no such thing whilst we have two Houses of Parliament, one representing 155,000 people and the other representing 40,000, and that last having the final say in regard to legislation. There can be no government by the people here, and the Attorney General was right six years ago when he said that any statement regarding majority rule in Western Australia was a pleasant fiction. So it is. There is no such thing as majority rule in Western Australia and never will be until the Upper House is abolished, or until we have two Chambers in character similar to those of the Federal Parliament. Nothing, to my mind, could have been more laboured, no argument weaker than that advanced by the Premier. I believe the Premier in his heart is opposed to the Upper House under its present Constitution; but he finds himself in such bad company

to-day that he also is compelled to be inconsistent in regard to this great principle. It is a deplorable thing, and I am satisfied that my judgment in this particular is correct because of the most unconvincing attempt the Premier made to justify the retention of the Upper Chamber. There have been remarks to the effect that at the last general election the electors had an opportunity of saying whether the Upper House would be retained. I want to say that the question was not put to the people directly at the last election; but it was put indirectly, and I am justified in claiming that there was a majority in favour of the abolition of the Upper House. Count the votes secured by members on this side of the House and by those on the other side. The majority of those cast were for the Labour party, a party whose programme provides for the abolition of the Upper House. And the fact that we find to-day a greater number of members on the Ministerial side of the House is no proof that the people are in favour of their policy. They are there because several of them are returned by constituencies whose population is not equal to that returning one member on this side of the House. Take North Perth, for instance, with its 9,000 voters as against the few property owners represented by the member for Murray. And then we are asked to believe that because the member for Murray has the same voting strength in the House as the member for North Perth, he represents as many people in support of the Legislative Council as does the member for North Perth in opposition to the continuance of that Chamber.

Mr. George: You are overlooking the quality of my constituents.

Mr. TROY: I can only judge of their quality by the quality of their representative in this House. However, I shall be charitable enough to refrain from expressing my private opinion on that point.

Mr. George: It would not be good for you.

Mr. TROY: I overheard the threat made by the hon. member. I remember only a short time ago, when at the con-

clusion of a speech the hon. member was twitted by the member for Cue, he (Mr. George) got up and said he would allow no man present to dictate to him; he would express his opinions in defiance of all. By all means let him express his opinions, but let him do so without using threats.

Mr. George: May I be permitted to say for the hon. member's information that I had no intention whatever of threatening him; I was merely dealing with him in a joocular manner. The third hon. member referred to made an insinuation which, I am sure, he must to-day regret.

Mr. TROY: I am not taking the member for Murray seriously at all. I think of all persons in the House who makes threats it would be far easier for him to make a threat than to carry it into execution, for I believe there is not a better-natured member in the House. I know there is no chance of his threats being carried into execution. However, we are discussing the question of a referendum, although the arguments thus far adduced have been not so much in respect to a referendum as in regard to the necessity or otherwise for the maintenance of another House. This is not the place to make those arguments. We hold that the great body of the people are anxious to have this matter put before them, and if those gentlemen who have spoken in support of another Chamber desire to make those arguments they will have the opportunity to do so if they will only allow the people to make their own choice. Can there be any harm in allowing the small population we have in Western Australia, an educated population, to decide for themselves what form of Government is wanted? It is cowardly to refuse it. It only proves that the party that refuses to trust the people on this occasion is afraid to do it because it is not worthy of representing the people. Let us give the people the opportunity. We gave it to them in regard to Federation, although Federation has not pleased everybody; but to-night the Premier has said that our determination should be to maintain the Federation because it was owing

to the desire of the people that it was brought about. The maintenance of an Upper House or two Houses of Parliament, is just as serious a matter as the Federation of Australia so far as it affects this State, because if we have to legislate for the people we want to give the people adequate representation. No one should be found voting against the motion. No one should be influenced by any of the arguments used by members on the Government side in opposition to trusting the people. Let us trust the people. And if the people decide for the maintenance of the Upper House the Opposition will be content, because it is the will of the people, until such time as the people desire that there shall be a change. On the other hand if the people desire that the Upper House shall be abolished we must be satisfied because the people have expressed their will. After all, we are only here in the House by the expressed wish of the people. We are not here to consider our own interests and prejudices but to consider the interests of the people, and in leaving this matter to the people we are doing our best to consider the interests of the whole community. I have much pleasure in supporting the motion.

The HONORARY MINISTER (Hon. J. Price): I do not think any member on this side of the House will yield to the hon. member in his desire to trust the people. We are all elected by the popular vote, and that in itself is an indication that we have been willing to submit ourselves to the will of the people and to abide by the decision of the people. I cannot help thinking on this particular question that one might fairly expect from the Leader of the Opposition that before he asks for a referendum he should at all events show that there is on the part of a considerable section of the people a desire for reform in this direction.

Mr. Bolton: The votes at the last election will show that.

The HONORARY MINISTER: I do not agree with the hon. member. During the last two or three years, nearly all of us have been before the people at election time and we know as an actual

matter of fact that the question of the abolition of the Upper House and a reversion to one Chamber has been but very little brought before us.

Mr. Heitmann: I hope you are speaking for yourself.

The HONORARY MINISTER: I represent what is considered a fairly radical constituency, and I do not think that at either of the contested elections I have gone through during the last four years the question was put to me as to whether I was in favour of the abolition of the Upper House. At all events mine is a constituency where, if this feeling prevails to any extent, one might fairly expect it to be manifested. However, I doubt whether there is a sufficient interest in the country to secure a substantial vote from the people on the question. On the other hand I rather fancy that the vote would go in the direction of the ideas of those people who have the best party organisation in the State. At all events, as one who believes in the bicameral system, I should regret to see the question submitted to the people at this juncture when I have before my eyes the result of what is a mass vote in connection with the election of representatives to the Federal Senate. If I belonged to the Opposition side of the House and knew that the party to which I belonged had an organisation stretching throughout the length and breadth of the State, I might possibly be found voting for a referendum of this description on this or perhaps some other subject in which I might be interested; but when we see that the State which sends into the Assembly a majority against the Labour party, yet that party when a mass vote for the Federal Senate is taken can, owing to its superior organisation, secure every seat, we may fairly take up the position that at the present juncture we on this side cannot consent to a referendum. If we had the organisation that would enable our views to be spread broadcast throughout the State in the same way that the views of those opposite are disseminated, the trial of strength would be equal; but at the present moment we are asked to submit the question under conditions dis-

tingedly unfair to the party to which I belong.

Mr. Walker: You admit the majority is with us.

The HONORARY MINISTER: I admit nothing of the kind. I admit that the organising power throughout the State—the party machine that can bring voters to the poll—has an advantage over us. Except in one or two large centres of population we on this side are practically unorganised, and on a question such as this, unless we are equal in organisation with our friends opposite, we cannot expect to get as full representation of our views at the poll as our opponents would.

Mr. Taylor: You have the Press behind you.

The HONORARY MINISTER: At all events I do not think that hon. members will dispute the accuracy of these remarks. The result of the elections for the Federal Senate will go a long way to prove them. Apart from that question altogether, if we are going to submit this matter to a referendum of the people we may at any time be called upon to submit any other matter to a referendum, and if we refuse to do so the same charge of want of faith in the people will be levelled at us. How many instances in the old country are there where if a referendum of the people had been taken most disastrous results would have been brought about? At the time of the Crimean War when the greater proportion of Great Britain were yelling for blood, when men like John Bright were leaving the Government, had a referendum been taken then it would have supported the Government and endorsed what history has regarded as one of the most iniquitous wars in which England has been engaged. If a referendum is to be taken, and if we are to be charged with want of faith in the people when we refuse it, the request may be made on every question, and if it is refused we would be open to the same charge. On the other hand this persistent desire in some quarters to refer important questions to the people would tend altogether to a diminution of that sense of responsibility with which members of Parliament should be

actuated. Time after time in the House when the Government have legitimately formed boards for dealing with certain matters we have been charged with shelving our responsibility. The House is elected on a popular vote. At all events it should represent something more than the average intelligence of the community. Is the House not to be considered fit to express an opinion on the question? Are members to shelve the responsibility on to the people? When looking up this matter I came on a quotation in a work written by Professor Sidgwick of Cambridge University, a well-known economic writer, a man of world-wide reputation, and it puts the case more succinctly than I can—

“I think that the periodical election of legislators should aim at being as far as possible a selection of persons believed to possess superior political capacity; and it seems reasonable to assume that the responsibilities and experience of such persons must tend materially to increase their original advantage in political insight. I therefore think that it cannot conduce to good government to let their judgment be overruled at any moment by the opinions of a comparatively inexperienced majority.”

That is not the opinion of a man unversed in matters political; it is the opinion of a man whose opinions among economists carry the greatest weight. From members opposite one would think that there could be no possible question as to the absolute desirability of this course, that there is no argument at all as to whether the referendum is the most effective way or not of settling serious political questions. I think it would be a pity to do anything in the direction of taking away from the responsibilities cast upon members of the House. I say emphatically, and I do not fear contradiction in the matter, that there has been no considerable public demand for interference in this question, and that until such demand does arise we would be distinctly within our rights in refusing the referendum that is sought.

Mr. ANGWIN (East Fremantle): The argument used by the hon. member confirms my opinion that there should be some means whereby the people of the State can have the opportunity of expressing their opinion. The hon. member pointed out very clearly that his party feel that their lack of support by the people of the State has resulted in their not getting a representative in the Senate. It shows that if the majority of the people of the State wanted a representative in the Senate of the same political faith as the hon. member they would quickly put in someone representing the party to which he belonged. The argument of the hon. member against referring to the people the question of the Legislative Council is that if the reference were made the people would also be against the hon. member on that issue. I had hoped that the member for Mount Magnet, when he started quoting the Attorney General's remarks made a few years ago, would have gone further. One of the best things he could have done to enlighten members on the question under discussion would have been to read the whole of the hon. member's speech on the subject. From one end to the other there was not a word in it but would bring forward stronger arguments in favour of the alteration of the Constitution Act than I could bring forward. The Attorney General pointed out the possibility of the danger that would arise, but as the hon. member for Mount Magnet has dealt with certain statements made a few years ago by the Attorney General I would like to read one or two more, which might be beneficial not only to him but to hon. members. He said in the course of his speech—

“The abolition of the Upper Chamber would imbue members of this House with a far greater sense of their political responsibility, and legislation here would be infinitely better considered.”

I believe if we had a single-chamber Constitution in this country we should win a good many of the actions of the present Government from the errors into

which they have fallen of late. Then again the hon. member went on to say—

"The dual-chamber Constitution has been abolished in five provinces out of the seven: and that abolition is not of yesterday: it was effected some considerable time ago, and we should therefore have heard had it been attended with evil results. It is not for me to show that no evil results have followed the adoption of the single-chamber Constitution in Canada. I have diligently sought to ascertain, before I made up my mind on this subject, whether any evil results have followed; and I have been utterly unable to find any opinion which carries any weight at all showing that the revolutionary, the disastrous consequences predicted by some people have followed in the case of the Canadian provinces."

So it shows clearly that after diligent searches made by the hon. member, and I think that every member will admit that when the Attorney General goes into any question he does so very diligently in order to make out a good case, he has failed to show that evil has resulted from the adoption of a single-chamber Constitution in Canada. He goes on to say—

"The provinces in which the Upper Chamber have been abolished are the most democratic provinces in the Canadian Dominion. The people are quite as vigorously and furiously democratic as those of Australia."

Then he says—

"The Premier may be unwilling to trust the democracy of Australia. Well, I do not envy him if that be his frame of mind. Personally I believe the political intelligence of the people of this country is quite as high as that of the people in any of the provinces of Canada: and I think it is a perfectly fair assertion and sound argument that if the experiment has answered, as it has answered admirably in the Canadian provinces, we are entitled to assume that it would answer equally well in Western Australia."

While the argument is so strong in favour of a single-chamber Constitution, an

argument advanced by the present Attorney General a few years ago, he went even further than that, for during the same session of Parliament he moved a motion in favour of causing a referendum being taken to ascertain what proportion of the electors favoured the adoption of a single-chamber Constitution for the State. I consider that the arguments used by the hon. member to-night, which are contrary to those he used previously—whether it is because he is in a more responsible position than when he advanced the arguments previously or not I cannot say—and the arguments he used a few years ago have been the means of converting a large number of people, even in his own constituency, to the way of arriving at the conclusions he came to at that time. The Attorney General has convinced me of the necessity for the single chamber, and I am going to abide by the advice he gave a few years ago and vote for the motion.

Mr. COLLIER (Boulder): During the course of his remarks the Attorney General expressed the opinion that a discussion of this kind would have an educative effect, not only upon the House but on the people throughout the country, and with the view of continuing that educative effect I desire to quote a little further from the opinions expressed by the hon. member some years ago; and perhaps if they happen to be read throughout the country they will have the effect of convincing many of the electors to our way of thinking on the question. On the 30th September, 1903, the present Attorney General, who was then member for Murchison, moved the following motion:—

"That in the opinion of this House the Government should, at the next general election, cause a referendum to be taken in all the electoral districts simultaneously with the election of members for such districts, with a view to ascertaining what proportion of electors in each constituency favour the adoption of a single-chamber Constitution for the State."

It would be an easy matter for the Attorney General to move an amendment to the motion at present before the House

embodying his views on the question. I believe that a majority of members on this side would be pleased to support the hon. member. In support of that motion he went on to say—

"In dealing with the motion, it is scarcely necessary for me to say that I do not intend to go into the question as to whether we should have in this State two chambers or a single-chamber Constitution. That question does not arise at all. I do not put it forward on this occasion. Members sufficiently know my opinion in regard to that question. There is, however, a very general opinion that the country is not yet ripe for this change and that the great majority of people in the country are opposed to any tampering with the Constitution in that form; therefore I think it would be interesting, more than interesting it would be advantageous, if by some such means as suggested in the motion, we ascertained what is the opinion of the constituents on this point."

That, Mr. Speaker, is a very clear and emphatic declaration of the opinions held by the hon. member on that occasion. Dealing also with the question of the Canadian Constitution, he goes on to say:

"There can be no doubt that whatever may be the decision as to taking a referendum, this question of a unicameral or a bicameral Constitution is coming forward, and coming forward more rapidly perhaps than some people imagine. Those who have studied the developments which took place in the Dominion of Canada after federation had been achieved in that country are well aware that the idea of abolishing two chamber Constitutions in several of the Canadian provinces was scouted just as contemptuously as it is scouted at the present time by many people in this and other States of the Commonwealth."

There are several very interesting passages in this speech which I might quote, but I think sufficient has already been quoted this evening to convince members that the hon. member has well maintained the reputation he has enjoyed in this

State for some years past. He further says—

"I think the House may well assent to this motion, because the discussion of the subject throughout the country will at least have an educative effect, and will enable those who favour a two-chamber Constitution to explain their views, while those who favour the existing order will be equally able to advance the strong opinion which they hold as to the advisableness of keeping things as they are. Therefore, the referendum cannot be productive of any kind of harm."

Mr. Jacoby: How much would it cost?

Mr. COLLIER: If a referendum could not be productive of any kind of harm in 1903 it cannot be productive of harm at the present time.

Mr. Jacoby: We cannot afford it now.

Mr. COLLIER: It would cost very little at a time that a general election was being held.

Mr. Underwood: Not as much as a Royal Commission.

Mr. Scaddan: Nor a Ministerial car.

Mr. COLLIER: There is money wasted in many directions that could be applied to such a matter as this. The member for Fremantle has advanced a most extraordinary reason for opposing this motion. He said if he were a member of a powerful organisation such as the Labour party he would be quite willing to agree to a motion of this kind, or any other question being submitted to the electors. Therefore, in effect the hon. member is prepared to submit any question to the electors which he is in favour of. A question that he is opposed to, he says, he should have the right to decide the matter and the people should have no voice in it. This is a fine democratic and logical argument, and I am pleased indeed that the hon. member has made it. It will be of assistance to us, perhaps, in the future. The member for Fremantle, and the member for Murray, and others have declared themselves repeatedly this evening as being in favour of trusting the people. That is mere clap-trap; when a motion of this kind is offered for their consideration they get up and attempt.

if I may be in order in saying it, to throw dust in the eyes of the people, and say that but for some reason or other they would be prepared to support it. There is no better opportunity of judging the sincerity of members in their desire to trust the people than is afforded by the carrying of this motion. I suppose it will not be carried; at any rate the electors at large will have the opportunity of learning who are prepared to allow them to decide the question and who are not prepared to do so.

The MINISTER FOR MINES (Hon. H. Gregory): It is not a question in any sense of throwing dust in the eyes of the people to oppose this motion. Personally I intend to oppose it. In the first place I do not think the time is opportune for the consideration of the question of a unicameral system, and secondly, while believing in the question of a referendum with regard to certain instances, I hold that before submitting a question of this nature to the people we should have a discussion here, and we should come to some decision as to what we should offer the people in lieu of our present system. In connection with the Federal referendum, it was for many years before the question was submitted to the people. It was discussed by delegates, by conferences, year after year, and in the end something definite was offered to the people, and the people were educated to the advantages and disadvantages of federation; and after long and mature discussion the question was submitted to the people. In this instance we are asked to pass a motion to the effect that we shall submit a simple question to the people, as to whether they are in favour of one House or two Houses as at present. Before giving consideration to anything of that sort the question should be raised whether such a course would be advisable for a State like this, and then if it was agreed that some change was required, we could consider and discuss it and come to a decision as to the class of House we should have. The Federal Constitution makes special provision in regard to any alteration of the Constitu-

tion. As the Attorney General pointed out, if it be desired to amend the Federal Constitution the question must first be decided in the Federal Parliament before it can be submitted to the people. I hold that in a question of this sort we should ourselves decide as to what the Constitution should be in lieu of what would be taken away if the referendum were to be decided in favour of the abolition of the Upper House. And when in 1905 the Ministry of which the hon. member himself was a member decided that it would be a wise thing to refer this matter to the people, they did not ask that it should be a referendum of the whole of the people of the State; they distinctly pointed out in the Bill they submitted to Parliament that what they desired was a constituency referendum.

Mr. Walker: We will be satisfied with that.

The MINISTER FOR MINES: I daresay, but I hold that a question of this sort is a question of the policy of the Government. We intend to bring down this session a Bill for amending the Constitution. We have a certain definite policy to bring forward in regard to our constitutional system, and if hon. members will but consider they will see that we would be transferring the powers of the constituencies, as delegated to their representatives here in Parliament, if, instead of discussing this question ourselves, we should ask the people of the State to decide it.

Mr. Taylor: But you are certain to be defeated in another place.

The MINISTER FOR MINES: I do not know what will happen. As the years go on I believe there will be a tendency to reduce the cost of administration of our departments, and it is possible that we may have a unicameral system. But, dealing with a question of that sort, we will have to consider what shall be the representation in this House, and the basis of that representation. That question has never been discussed in our Parliament, and before we think of submitting a question of that sort to the people I hold that we should discuss it thoroughly and carefully amongst our-

selves and come to a decision as to what we will offer the people. As hon. members know, a Bill dealing with the franchise will shortly be brought down and that, to my mind, will be the time for those who desire a change to the unicameral system to come forward with amendments framed with the view of giving effect to their desire. We should approach this question very carefully, more especially when it is remembered that the constituencies have sent to this House a majority who hold with the principle of two Houses. There is a majority in this House who believe at the present time that we should have two Houses.

Mr. Bolton: That is not the question.

The MINISTER FOR MINES: There is no justification for the statements made by so many members that the people themselves are desirous of a change, and are in favour of only one House. There can be no doubt there is a large minority who believe it would be a wiser and a better system to have only one House; but so far as I have been able to judge in my travels round the State, I believe the majority of the people hold with the second Chamber.

Mr. Heilmann: You are afraid of the referendum.

The MINISTER FOR MINES: There may be many cases in which a question should be submitted to the people, but I do object to putting a big question like this before the people before we discuss what we are going to give them in place of what may be taken away.

Mr. BATH (in reply): There are just a few remarks which I desire to offer before the vote is taken on the motion. So far as the introduction of the motion was concerned, I carefully avoided any question or discussion as to the merits of any proposal for reducing the franchise of the Legislative Council, or for its entire abolition. My desire in respect to the motion is to do what we have never been able to do in a general election, owing to the complexity of the problems placed before the electors. Owing to the number of problems they have had to consider, it has been impossible to

secure on this question by itself the decision of the people of the State. And in urging the necessity for that, I emphasised the point that if we desire to maintain the loyalty of the people of Western Australia to our autonomous institutions then we must evidence to them that we have equal loyalty to their good sense and ability to judge of questions submitted to them. If we ask for their confidence we must in return show confidence in them. Now, nearly the whole of the speakers who from the Government benches have combated this proposal, have entirely missed the point of the motion, and have branched off to discuss the Upper House reform, as to the way in which Labour members, or others, are elected to the Senate, and a whole number of topics entirely foreign to the motion which I submitted. The Attorney General is really the only member on the Ministerial side who has dealt with the subject matter of the motion; and I cannot help admiring the coolness of the proposal in which that hon. gentleman deplores the fact that in introducing the resolution I did not give arguments in support of the referendum, when only the other night he advocated having recourse to the referendum on a prescribed issue, and urged no arguments whatever in support of that part of the Bill. If he took it as sufficient to ask us to accept the referendum without supplying us with information as to the way in which it worked in other parts of the world, surely, in this proposal, I would not be taking too great a liberty if I were to take precisely the same liberty which he did, and no more. Now, as a matter of fact, I not only referred to Switzerland but to America, to the Commonwealth and to Queensland. And although it is true that the referendum had its birth in Switzerland, it has been and is being applied in other parts of the world, and is being acclimatised as it were, is being adapted to their political requirements.

Mr. Walker: It has been used here in Australia.

Mr. BATH: Yes, in regard to the Federal Constitution. And it is part of the Queensland Constitution that any mea-

sure which passes twice through the Assembly and is twice rejected by the Council, is submitted to referendum, and if accepted by the people, at once becomes law. In America those States which in more recent years have adopted Constitutions, the territories which have been elevated to the status of States, have embodied not only the referendum but the initiative in their Constitutions. And the opposition has not come from those of what I may term real democratic proclivities, but it has come in every case from the politicians who represent the trusts, the politicians who know that the application of the initiative and the referendum will be the greatest force in destroying the destructive influence which the trusts of America have on the general welfare of the people. The Attorney General proceeded then to confine my references to Switzerland, and tried to demonstrate to hon. members that it is a difficult thing in Switzerland to apply the referendum. It is not difficult at all. The hon. member, I will guarantee, only quoted a portion of the remarks of the writer of the book from which he quoted. I will refer the hon. member to a very recent book on Switzerland, published in 1907, and he will find it there set down that should any alteration in the Federal Constitution be designed—this referring to Switzerland—that appeal to the whole people is obligatory.

The Attorney General: When was the amendment made?

[*Mr. Daglish took the Chair.*]

Mr. BATH: That amendment was made in 1874, the date of the revision of the Constitution. The writer states:—

“A change in the Constitution is impossible in Switzerland now unless the majority of Swissmen qualified to vote are in favour of it.”

And he goes on to say that this principle of direct appeal to the people on definite questions runs through the whole of Swiss political and municipal life, and that the very cities have asked the citizens plump whether they approve of this or that method of municipal expen-

diture, obtained the answer, and acted upon it. I want to point out that the hon. member omitted any reference to what is the natural complement to the referendum, namely, the right of initiative; and he stated that I asked this Assembly to assent to something which goes further than is permitted in Switzerland. I want to point out that there they have an opportunity of asking something which is not accorded to the people in Western Australia. If we had the initiative, with the same percentage of voters exercising that right in Western Australia as is permitted in Queensland, 4,000 voters in Western Australia, by the presentation of a petition, could ask for the submission not only of a legislative proposal but of an amendment of the Constitution, and Parliament must necessarily acquiesce in that request. Had that been in existence, I venture to say that long ere this there would have been that initiative on the part of electors, asking this House to submit the question to a referendum. Failing that provision I take the only course, and by this motion I ask the House to give the people the right of voting on the basis of the referendum. Now, the member for Fremantle had very little to say, or very little of note, in regard to the subject matter of the motion. But he made a quotation by which he tried to impress upon us that constitutional government could only be safeguarded by Parliament being permitted to entirely ignore the popular wish. And he says that this is on the authority of a man of world-wide fame and reputation. I would like to quote the opinion of Edmund Burke, who was not only a statesman but a philosopher and an author, and a man of all-round accomplishments, and who I think the hon. member for Fremantle will admit possesses a world-wide reputation. He lays it down that—

“Political principles are at the best but the product of human reason; while political practice has to do with human nature and human passions, of which reason forms but a part; and that, on this account, the proper business of a statesman is, to contrive the

means by which certain ends may be effected, leaving it to the general voice of the country to determine what those ends shall be, and shaping his own conduct, not according to his own principles, but according to the wishes of the people for whom he legislates, and whom he is bound to obey."

In conclusion I wish to say that I am urging no platitudes as to the voice of the people, but I have asked that instead of voicing empty sentiments we should take the practical opportunity of appealing to the people, by a method recognised throughout the world to-day as a reasonable and just method of obtaining the voice of the electors on one of the most important questions we can possibly have, that of the Constitution under which taxation is raised and under which the people of the State are governed. I leave the motion in all confidence to the members of the House.

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

Ayes	..	..	..	19
Noes	..	..	..	24
Majority against	..	..	..	5

AYES—19.

Mr. Angwin	Mr. McDowall
Mr. Bath	Mr. Scaddan
Mr. Bolton	Mr. Swan
Mr. Collier	Mr. Taylor
Mr. Gill	Mr. Underwood
Mr. Gourley	Mr. Walker
Mr. Heilmann	Mr. Ware
Mr. Horan	Mr. A. A. Wilson
Mr. Hudson	Mr. Troy
Mr. Johnson	(Teller).

NOES—24.

Mr. Brown	Mr. Keenan
Mr. Butcher	Mr. Male
Mr. Carson	Mr. Mitchell
Mr. Cowcher	Mr. Monger
Mr. Davies	Mr. N. J. Moore
Mr. Draper	Mr. S. F. Moore
Mr. Foulkes	Mr. Nanson
Mr. George	Mr. Osborn
Mr. Gordon	Mr. Price
Mr. Gregory	Mr. F. Wilson
Mr. Hardwick	Mr. Layman
Mr. Hayward	(Teller).
Mr. Jacoby	

Question thus negatived.

[Mr. Speaker resumed the Chair.]

PAPERS—MINES LOAN TO R. BERTEAUX.

Mr. COLLIER (Boulder) moved—

That all papers in connection with the loan by the Mines Department to R. Berteaux, of the President Loubet Lease, Dayhurst, be laid upon the Table.

He said: I desire these papers because I have reason to believe, from what I have been informed, that there are transactions in connection with this loan that call for investigation. I want to say that I have no personal knowledge of the matter, but if my information be correct, then I hope—in fact I feel sure the Minister will have an inquiry made and the blame, if blame there be, placed on the shoulders of those responsible for it. It appears that in 1903 Mr. Berteaux, who was the owner of the President Loubet at Callion, near Dayhurst made an application for a loan of £1,000 to enable him to sink a shaft and prospect and develop his reef. After an examination of the mine it was decided to have a bulk test made of the quartz already in sight before concluding as to the advance, and arrangements were made to have 100 tons treated at the Callion battery, a distance of one mile and a-half from the lease. The Minister agreed to a subsidy of 10s. a ton. However, the water gave out at the Callion battery, and it was found that the crushing could not then take place. It was then decided to have 25 tons treated at the Mulwarrie battery; but in carting the stuff, it appears that Mr. Berteaux took a portion of the 25 tons from a different heap, and the stuff did not all come from the mine, so that the test was of no use. After a further report by the inspector of mines, it was agreed to advance Mr. Berteaux £300. It was estimated that the sinking of the shaft would cost £5 a foot, and it was decided by the department to advance a pound for pound subsidy to sink the shaft from 100 feet to 200 feet—that is £2 10s. per foot—and also £50 for cross-cutting after attaining

the 200 feet level, making the £300 in all. So far as I have been able to gather, Mr. Berteaux proceeded with the work, and is supposed to have sunk his shaft 93 feet. I am given to understand that the shaft stands in the records of the Mines Department as sunk to 193 feet, and Mr. Berteaux received a total sum of £232 10s. I am only speaking from information received, but I am informed on what I believe to be reliable authority, that the shaft at the present time is only down to a depth of 145 feet. If that be correct it would appear that Mr. Berteaux received payment amounting to £120 altogether for work which he actually did not perform. Briefly, that is the information with which I have been supplied. The Minister will be in the position to say whether it is correct. If it is correct I think he will have an inquiry held. So far as I have been able to gather, the head office in Perth were not responsible over this matter in any way. I have been informed that an officer of the Mines Department who was then engaged in the district certified to the shaft being 193 feet deep, and on that certificate the money was paid. It was paid during August, and immediately afterwards six months' exemption was obtained by Mr. Berteaux and no further work was done.

THE MINISTER FOR MINES (Hon. H. Gregory): I have not the slightest intention to oppose the laying of the papers on the Table. The only thing I regret is that the hon. member did not let me know that there was some doubt in regard to the work which had been carried out on this property, so that I would have been able to find out whether there was any justification for the statement he has made in connection with the amount of development work done. I may say that the information the hon. member has given the House is perfectly correct. He could not have done better, in regard to the granting of the loan and the different dates if he had had a copy of the files in his hands when he made the statement. It is true that in 1903, or early in 1904, Mr. Berteaux made an application for assistance to the extent of £1,000 for starting development work, but the State

Mining Engineer would not make any recommendation until some test was made of the value of the stone. Some small assistance was given in regard to that, but it proved somewhat abortive owing to the fact that the Callion battery had ceased working. However, a small parcel was carted to the Mulwarrie battery and treated, with the result that there was a yield of 9 dwts. over the plates, while there was 4 dwts. and some odd grains in the tailings. About the middle of 1904 Berteaux was very persistent with regard to his application for assistance, but as the elections were pending—members will probably be surprised at this—no action was taken in regard to the application.

Mr. Collier: You were not the Minister when the money was paid; Mr. Hastie was.

THE MINISTER FOR MINES: After I was returned Berteaux was again very persistent. It was well known he had been a supporter of mine, but we knew there was a majority against us in Parliament, and although nearly a month elapsed up to the time we were defeated, I refused to take action. The application came on later, before the Daglish Administration, and an advance of £300 was approved on the basis stated by the member. Unfortunately, Berteaux was unable financially to carry out his obligations. Some time elapsed, and I got back into office before this work was completed. It was reported to me that Berteaux was not financially strong enough to carry out the work he had undertaken, even with the £300, and we therefore refused to give him further assistance. He had expended some £230 and we said we would give him no further funds until he could raise money himself, and assure us that he could carry out the work as originally arranged. The files show that Berteaux spent a large sum of money in development work. According to the reports, he had spent some £3,000. The sum of £230 had been advanced in addition, and naturally I gave him reasonable assistance to give ample time to endeavour to obtain money for continuing. However, in the end it was found it was im-

possible for him to continue operations so we forfeited the lease. Fresh application was made in regard to the lease and I agreed to the issue of the lease to the persons now having possession, but only on their giving a lien on the property to the Government for the amount we had advanced on the proposition. A good deal of development work has been done and those people who have gone in get all the advantage of that work. That was why I refused to issue the lease, after forfeiting the property, except subject to the lien. Should the property turn out a success the Government will be recouped for the money advanced. So far as the member's statement is concerned that development work which had been reported, and which must have been signed by the inspector on the voucher as correct, had not been carried out, I decline to credit it. No doubt the hon. member received information to that effect and he can rest quite satisfied that I will have an investigation made immediately. If money were advanced on condition that certain development work had been done, and that work was not done, then the inspector who signed the vouchers—and he would have to do this before the accountant would pay the money—would of course be quite unfit for his position in the department, and it would mean he must be dismissed. I cannot believe that any inspector of ours would be guilty of an action of that kind. There may be other reasons actuating the member in regard to this matter, but he can rest assured I will have the fullest investigation made immediately. I do not blame him for the statements, for I am satisfied he has been advised that the work has not been carried out, but if there is the slightest reason for the statement he has made the State Mining Engineer himself will have to go up and make a report which I shall be pleased to submit to the member or to the House. I am sure it will show that the statement is incorrect, but if it is correct those who are responsible, the person who applied and he who signed the voucher, must be punished. I have no objection to the papers being laid on the table.

Mr. COLLIER (in reply): As far as I am concerned the statement of the Minister is quite satisfactory. All I desire is to have an inquiry. I hope for the reputation of our Government officers the statement I made is not correct, but I am rather afraid it will be found to be true. I would like the Minister to let me know who is to make the investigation and when it will be held, so that I shall have an opportunity of being present myself or of being represented.

The MINISTER FOR MINES: May I say that the State Mining Engineer will, of course, inquire into this immediately. If there is found to be no justification for the statement I shall advise the member to that effect, and I am sure he will be quite satisfied to take the report of Mr. Montgomery. If, however, there is a chance of the member being blamed, in case what he has said proves to be wrong, I shall be only too glad to give him every information and all opportunities of being present at the investigation. I am only anxious that the question shall be dealt with thoroughly, and at once.

Question put and passed.

PAPERS—HOMESTEAD FARM FORFEITURE.

Mr. JOHNSON (Guildford) moved—

That all the papers relating to the forfeiture of an improved homestead farm owned by J. Fraser Graham be laid upon the Table of the House.

The reason which had induced him to move the motion was that he had received from Mr. Fraser Graham a very long letter containing a grave indictment against the Lands Department for the forfeiture of the land. In order to obtain the departmental side of the question, as he was not prepared to take Mr. Graham's alone, he desired that the papers should be tabled. There would probably be no objection to the papers being placed at his disposal.

The MINISTER FOR LANDS: There was no objection to the papers asked for being laid on the Table.

Question put and passed.

PAPERS—REGISTRAR OF FRIENDLY SOCIETIES.

Mr. McDOWALL (Coolgardie) moved:

That there be laid on the Table all the papers in connection with the appointment of the Registrar of Friendly Societies.

The reason actuating the motion was that the mode of appointment of the Registrar of Friendly Societies should be ascertained. People connected with friendly societies felt that when an important appointment of this kind was made those in the State, or at least in the Commonwealth, should have the first call upon it. It was possible there was no one in the Commonwealth competent to fill such an important position, but at the same time it was felt that the friendly societies should have had some opportunity of judging themselves before the appointment was actually made. In a Press interview the Colonial Secretary had said that no one applied from this State and only juniors from the Eastern States. Possibly the qualifications deemed necessary for the holder of the position were higher than was really advisable. It must be admitted by all that in the Commonwealth were some of the finest life assurance societies in the world; it stood to reason that there must be many excellent actuaries. It was felt that those actuaries should have some incentive to rise in their profession. As far as the gentleman who had been appointed to the position was concerned he had no knowledge whatever as to his qualifications or as to whether the appointment was a good one, and he did not know whether possibly that gentleman was not the very best man who could have been obtained. It must be confessed that the reports, up to the present, as to the new official were excellent. All that was being asked for now was the papers, in order that members could be assured that the people of the Commonwealth were getting a fair chance to obtain positions of this kind. If it were found that it had been necessary to go beyond the Commonwealth to make the appoint-

ment he would be the first to acknowledge it.

The PREMIER (Hon. N. J. Moore): It was to be hoped the hon. member would not press the motion because there was a bad principle involved in putting papers of that kind upon the Table. In cases where positions were advertised and employees of other institutions applied for them, it was rather objectionable that the applications should be made public property. It might well serve to prejudice them very considerably in the eyes of their employers. If it was thought that the applications were to be made public, men who would otherwise apply would refrain from doing so. Confidential reports were obtained from responsible officers in these matters and were provided with the idea that no one outside the department would have any knowledge of them. Were this not the case the same honest expression of opinion might not be given. It was only reasonable that the motion should be withdrawn, and surely the mover's views would be met if he were given an opportunity to peruse the file. It was to be hoped the motion would not be pressed. Motions of a similar character had been brought forward on more than one occasion in connection with the appointment of justices of the peace.

Mr. Taylor: That is totally different.

The PREMIER: It was a confidential expression of opinion which was given, and if it was seen that it was to be made public property we could not expect to continue to get it.

Mr. Hudson: What about the dairy expert? Will the same remark apply to him?

Mr. McDOWALL (in reply): The remarks of the Premier were all very well, but at the same time if we had no chance whatever of ascertaining what was being done in connection with this or other appointments that were made, then we could never bring anything forward.

Mr. Taylor: Is the hon. member replying?

Mr. McDOWALL: I was replying.

Mr. FOULKES: Before the hon. member concluded his reply, it might be suggested that we should adjourn the debate on the motion to next week, and in the meantime the hon. member would be given the opportunity of perusing the papers. Then he could judge as to whether it would be necessary for him to press the motion.

Mr. McDOWALL: I would be quite willing to accept the Premier's suggestion to examine the papers and to allow the debate to be adjourned for a week or two.

Mr. Taylor: You are replying now, you cannot do that.

Mr. McDOWALL: I am not replying, I am only replying to the Premier.

The Premier: You can hardly characterise this speech as an interjection.

Mr. TAYLOR: Would Mr. Speaker give his ruling as to whether the hon. member was replying or not?

Mr. SPEAKER: The hon. member was replying; there was no question about that. Now that the hon. member had replied, a motion that the debate should be adjourned could not be accepted. If the hon. member accepted the assurance given by the Premier, he was at liberty to withdraw the motion with the permission of the House.

Mr. HUDSON: Would Mr. Speaker give his ruling as to whether, if the motion was withdrawn, it could be brought on again during this session?

Mr. SPEAKER: Yes.

Mr. McDOWALL: With the permission of the House, then, he would withdraw the motion.

Motion by leave withdrawn.

PAPERS—DEFECTIVE ENGINES ON MINES.

Mr. SCADDAN (Ivanhoe) moved:

That all papers and communications between the Inspectors of Mines and Machinery and the Chief Inspector of Machinery re defective engines on the "Oroya North Block," the "Great Boulder Perseverance," "Kalgurli," "Wilson's Patch," and Burbanks Main Lode Gold Mines, together with any reports

by the engine-drivers on the Great Boulder G.M. re defective engines be laid upon the Table.

The Certificated Engine-drivers' Association had requested him to ask for these papers, owing to the fact that a number of their members had complained about the unfair treatment they had received of late. The Minister and members would know that recently there had been a large number of accidents in connection with engines, particularly on the goldfields, and the association had lately sustained the loss of its president. The Association contended that on every possible occasion it was claimed either by the inspector of mines, or inspector of machinery, that the fault lay at the door of the engine-driver, and the engine-drivers contended that it lay at the door of the defective machinery. In view of the fact that we had inspectors of machinery who were paid a high salary to see that the machinery was kept in proper order, especially for the protection of life, it was contended that the drivers were not receiving fair treatment. There were certain rumours with regard to correspondence and communications having taken place between the inspectors of machinery and mines, and complaints made by the engine-drivers on the Great Boulder, and it was desired to obtain the papers in order to have the matter cleared up once and for all. He hoped the Minister would not raise any objection to placing the papers on the Table.

The MINISTER FOR MINES (Hon. H. Gregory): If the hon. member would not press the motion, he could if he so desired have free access to all the papers. There had been a good deal of correspondence between the inspector of mines and the inspector of machinery with regard to the various engines on the Kalgurli belt, and it was his (the Minister's) desire to try and have some alteration made in connection with the inspection of the engines, and winding plants especially. If the hon. member pressed his motion, and the papers were brought down, it would mean that there must necessarily be a delay in connection with the investigation that was

going on. The State Mining Engineer had been asked to go specially into this question, and there was a hope of a termination being arrived at in the very near future. If the papers containing the reports from the inspectors of mines and the inspectors of machinery were presented to the House, action must be delayed until these papers were returned. The hon. member's desire would be achieved by perusing the papers at the department, and then later on, if he so desired, he could bring the matter before the House again. At the present time it certainly would interfere, to a great extent with the work in hand, and it would be doing an injury where it was desired to do a service. If the hon. member pressed the motion, no objection would be offered, but he must take the responsibility for the delay that would arise in connection with the investigation and the subsequent decision.

Mr. SCADDAN was prepared to accept the suggestion of the Minister to peruse the files at the department. It would be possible there to obtain all the information that was desired, without interfering with the work of the department in connection with the bringing about of reforms. It was his intention to ask leave to withdraw the motion if only to cause the Minister to hurry on those reforms which had been so long promised. The Minister had long since promised to effect reforms in the machinery department, but up to date he had made no attempt so far as it was possible to obtain information. By permission of the House he would withdraw the motion.

Motion by leave withdrawn.

House adjourned at 10.10 p.m.

Legislative Council,

Thursday, 16th September, 1909.

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The PRESIDENT took the Chair at 4.30 p.m., and read prayers.

LEAVE OF ABSENCE.

On motion by Hon. R. D. McKenzie, leave of absence for twelve consecutive sittings granted to Hon. J. W. Kirwan on the ground of urgent private business.

MOTION STANDING ORDERS AMENDMENT, LAPSED BILLS.

Hon. W. KINGSMILL (Metropolitan-Suburban) moved—

That for the greater expedition of public business it is desirable, in the opinion of this House, that Standing Orders be adopted by this House similar to those in force in the Commonwealth Senate, providing that the consideration of lapsed Bills may be resumed at the stage reached by such Bills during the preceding session.

He said: This motion will be familiar to most members of the House, and if not familiar in its formal condition, will at all events, I am sure be very familiar as a subject of frequent reference on my part. I am sorry it has been necessary for me to reiterate this motion, but it is not my fault, nor yet the fault of this Chamber. Hon. members will recollect that in October 1907, just on two years ago, I had the honour of introducing this motion, which in a somewhat amended form was sent to another place and concurred in by that branch of the Legislature. I say somewhat amended form, because an amendment was moved by Hon. E. McLarty to the effect that instead of asking an expression of opinion from another place as to the advisability of taking the action set forth in the motion, a desire should be expressed that the question