Mr. A. THOMSON: This is a vital question and I suggest that the Premier's amendment be placed on the Notice Paper so that members may have an opportunity of grasping it.

The Premier: It has already been agreed to by all of you.

Mr. A. THOMSON: Progress should be reported.

Progress reported.

BILL—STAMP.

Council's pressed request.

Message received from the Council notifying the Assembly that it did not press its request for amendments Nos. 4, 5, and 13, but pressed its request for amendment No. 12.

House adjourned at 12·39 a.m. (Wednesday).

Legislative Council,

Wednesday, 14th December, 1921.

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

QUESTION—AGRICULTURAL DEPARTMENT.

Difference between experts.

Hon. E. H. HARRIS asked the Minister for Education: 1, Has the Minister's attention been drawn to a paragraph appearing in the "West Australian" of the 10th instant, wherein it is stated that a serious difference has arisen between the Director of Agriculture and the Agricultural Chemist? 2, If so, is it the intention of the Government to hold an inquiry into this matter? 3, If not, why not?

The MINISTER FOR EDUCATION replied: 1, Yes. 2, The departmental procedure usual in such cases will be followed. 3, See reply to No. 2.

QUESTION—WORKERS' EDUCATIONAL ASSOCIATION.

Hon. A. H. PANTON asked the Minister for Education: 1, In the event of the Worker's Educational Association agreeing to establish tutorial classes throughout the State, will the Government agree to subsidise the association to the extent asked for, viz., £2,000 per year? 2, If not prepared to assist to this extent, will the Government agree to any measure of financial support to the association?

The MINISTER FOR EDUCATION replied: When funds are available the matter will receive consideration.

QUESTION—SCHOOL TEACHERS' MISDEMEANOURS.

Hon. A. H. PANTON asked the Minister for Education: 1, In the event of a school teacher committing a misdemeanour and not being dismissed from the service, is the teacher given a clean sheet after two years? 2, If not, will the Minister give instructions for this to be done in the future?

The MINISTER FOR EDUCATION replied: 1, No. 2, No.

BILL—EDUCATION ACT AMENDMENT.

Leave to introduce refused.

The MINISTER FOR EDUCATION (Hon. H. P. Colebatch—East) [4.34]: I move—

> That leave be given to introduce a Bill for an Act to further amend the law relating to public elementary education.

Hon. J. DUFFELL (Metropolitan-Suburban) [4.35]: It is somewhat unusual to offer any opposition to a motion of this nature. However, at the beginning of the present sitting, the Leader of the House gave notice of his intention to move that during the remainder of the session the House should meet at 3 p.m. instead of 4.30 p.m. daily, and it appears to me that it is not in keeping with the spirit we expect the Leader of the House to display towards the close of the session and after Standing Orders have been suspended for the purpose of cleaning up the Notice Paper, that new Bills should be introduced. It might be contended that this is a non-contentious measure. The fact remains that for a considerable time past, this House has been devoting a lot of time to other Bills which could possibly have been got through much earlier if we had had a reasonable amount

of business on our Notice Paper. Notwithstanding that there has been a dearth of business on our Notice Paper for some time, the Minister has refrained from bringing this measure forward. I consider it is manifestly unfair that the House should be asked to give the Minister leave to introduce a new Bill at this stage, and I make this protest, believing that I am echoing the sentiments of many other members. I intend to oppose the motion.

Hon. G. W. MILES (North) [4.38]: I also intend to oppose the motion as a protest against the manner in which the Council is treated by the Government. As was pointed out by Mr. Holmes yesterday, a measure was passed last session to extend the life of Parliament in order that the general elections might be held early and that the business of the country could be brought before Parliament in reasonable time. The Estimates have not yet come before this House and we have agreed to a suspension of the Standing Orders, though three or four more important Bills have yet to be brought forward. It is an insult to the Council that the Government should treat us in this way.

Hon. A. H. Panton:. They always do.

Hon. G. W. MILES: I consider it the duty of the Council to enter an emphatic protest, and the only way to do it is by opposing a motion of this kind that the Government may realise we are not here to be treated like school children, as has been the case in the past. Members should oppose the motion as a protest against the treatment meted out to the Council by the Government.

The MINISTER FOR EDUCATION (Hon. H. P. Colebatch—East—in reply) [4.40]: I can only say that there has been no session within my recollection in which so much business has been brought before the Council in the early stages of the session. It is not my fault that this Bill comes forward at such a late period, nor are the Government responsible for the time occupied by another place in dealing with important measures. When this Bill comes before the House, I think I shall be able to satisfy members not only that it is desirable but that it is non-contentious. I believe it consists of only one clause and, if members do not like it, they need not pass it. The reason why the measure was not introduced earlier is that the section of the Crown Law Department which deals with the drafting of Bills has been working at high pressure throughout the session.

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

Ayes	10
Noes	12
Majority against ..	2

AYES.

Hon. H. P. Colebatch	Hon. C. McKenzie
Hon. J. Cornell	Hon. J. Nicholson
Hon. J. Ewing	Hon. A. J. H. Saw
Hon. J. A. Greig	Hon. R. J. Lynn
Hon. V. Hamersley	(*Teller.*)
Hon. A. Lovekin	

NOES.

Hon. F. A. Baglin	Hon. J. Mills
Hon. J. Cunningham	Hon. T. Moore
Hon. E. H. Harris	Hon. A. H. Panton
Hon. J. W. Hickey	Hon. Sir E. H. Wittenoom
Hon. J. J. Holmes	Hon. J. Duffell
Hon. J. W. Kirwan	(*Teller.*)
Hon. G. W. Miles	

Question thus negatived.

BILL—NORTH FREMANTLE RATES VALIDATION.

Read a third time, and passed.

BILL—CONSTITUTION FURTHER AMENDMENT.

Second Reading.

Debate resumed from the previous day.

Hon. T. MOORE (Central) [4.47]: I fear that many members of this House are under a total misconception with regard to the measure. I do not think they can have studied the Bill in its entirety, or they would not hold such opinions as they do. It has been said that the Bill will take away power from this House. The fact is, however, that the object of the measure is to confer the Legislative Council franchise on a certain number of people who have not got it to-day. The attitude of the Leader of the House towards the measure has disappointed me greatly, for the reason that he has supported a like proposal on more than one occasion. I had expected from him a vigorous speech, which would induce hon. members to give the measure their support. What did the Leader of the House think of a similar measure to this at different stages of his career? Let me quote, even at some length, from his past utterances on this subject. On the 26th November, 1919, he said—

> My attitude is entirely consistent with that which I have taken up with regard to the Legislative Council franchise, not only ever since I have been a member of this House, but ever since I have taken an interest in politics in this State. I have always contended it should not be a question of how much. Anybody who assumes all the responsibilities of citizenship should be entitled to all the privileges and powers of citizenship. If a man by taking unto himself a wife establishes a home and assumes to the utmost of his ability the responsibility of citizenship, no matter how small that home may be, he is entitled to all the privileges of citizenship, and it

should not be argued that because his home is not as good as others he should not have the right. He is a full citizen of the State, and I have argued that a man who did not do this, who had neither acquired property which bound him in any way to the State, nor married, nor established a home which was equal to assuming all responsibility of citizenship, had no right to complain if in some directions he did not have all the rights and privileges of others who had assumed those responsibilities. It may be contended that a man who goes away to fight for his country also discharges all responsibilities of citizenship, and on the broad question of principle I find it impossible to say that that man who has fought for his country has not merely by the assumption of responsibilities of citizenship acquired the right to exercise all the privileges of citizenship.

Now, that is rather decent. If the Leader of the House was really of that opinion then, one wonders what has occurred since to cause him to change his opinion. What he then stated is exactly what the present Bill means. The present Bill proposes what the Leader of the House said two years ago ought to be done. It means nothing more or less than that a married man should have the right to vote for the Chamber. The Leader of the House further said—

> The only feature of this provision which may be deemd unsatisfactory, is that there is not a sufficiently clear definition of what a dwelling-house is. That, however, is a matter which may be thrashed out in Committee.

Why does not the hon. gentleman urge that the matter should be thrashed out in Committee to-day? Why has he completely altered his attitude?

Hon. J. W. Hickey: It is shifty.

Hon. T. MOORE: Very shifty indeed, and showing that the Minister has not much stability.

The PRESIDENT: The hon. member must not reflect upon other members.

Hon. T. MOORE: I am only trying to show what has been said by the Leader of the House, to whom members must look for a lead, on different occasions with regard to the subject-matter of this Bill. We know how weak he was on the present occasion.

Hon. J. W. Hickey: He apologised to himself.

Hon. T. MOORE: Speaking in 1920, a year later, the Leader of the House said, on the 18th August—

> When I sought election to the Legislative Council first of all, some ten years ago, I advocated household suffrage as being one of the qualifications necessary for the Legislative Council, so that it should be kept in touch with the general community of Western Australia. I am still firmly of the opinion that household suffrage is a sound and proper qualification for this Chamber. My contention is that any person who takes upon his shoulders the full responsibilities of citizenship should have the full power of citizenship.

In speaking on the Bill of two years ago he stated what he considered to be citizenship.

> I entirely agree with Mr. Moore when he speaks of the people in the timber areas who have their habitations, homes, and families there, and cannot secure qualification under the present franchise—I agree that those people should be given the franchise for the Legislative Council, and I also agree with Mr. Baglin that people who have made flats their homes should also be given the franchise. The present working of the qualification clause is indefinite——

That is where we join issue with him.

> is indefinite and liable to misconception, it has been misunderstood, and until it is put right will cause constant trouble.

That was pointed out by the hon. member who moved the second reading of this Bill. The Leader of the House knew then that the qualification was indefinite, and he knows that it is indefinite now. The Minister knew that 12 months ago, and now, when there is an opportunity of putting an end to that trouble, what is his attitude? Are hon. members inclined to follow the Leader on this occasion? He continued in 1920—

> Several years ago an interpretation was given to the words "clear annual value" which the Parliament that passed the last amendment of the Constitution did not intend. Parliament intended it to have a more literal interpretation than was given. I do not suggest that the interpretation was wrong, but it was different from what Parliament intended. Last year an amendment was submitted on this particular point. I do not consider that the amendment as it came to this House was perfect. It was altered from what the Government had originally drafted, but it was competent for this House at that time to have taken the matter into consideration and put forward an amendment which would have been clear and intelligible, and would have given what I firmly believe should be given, that is, household franchise, as one of the qualifications for the Legislative Council.

Hon. J. Nicholson: But not introduced at the eleventh hour as was done.

The Minister for Education: It was introduced some time in November and the session, as a rule, runs on to December. That Bill was rejected not by a majority vote, but because a sufficient majority could not be secured. Mr. Duffell has already recanted and it is not at all unlikely that if the hon. member then took the view that he holds now we would have got the Bill through. I also support, for reasons I gave at the time, the giving of the franchise to every man who fought for his country in the recent war. It is just as well that hon. members should pay some heed to the recent election results with the view of asking themselves whether this House really

stands quite as high with the public as they would like.

Twelve months ago the Leader of the House was inclined to go further than the household qualification. He had improved on what he had so ably stated a year previously. But since then there has been a tremendous falling off. He knows exactly how the section has caused trouble in the past. But he did not explain that to the House yesterday.

The Minister for Education: I did explain the matter yesterday.

Hon. A. H. Panton: Yes, taking one and a-half minutes to do it.

Hon. T. MOORE: The Minister left the position very indefinite. That is why I find fault with him. He cannot wonder at being charged with inconsistency. I want to know when was the Minister sincere? Was he sincere ten years ago in his advocacy of this extension of the franchise? A certain section of the people, he says, sent him here to do a certain thing. I ask, why does he not do it?

Hon. G. W. Miles: That is not the only thing the Minister has gone back on.

Hon. T. MOORE: To me it is inconceivable that the people who sent the Minister here ten years ago will send him back again. I hope they will wake up to the fact that what he promises he does not always perform. On another occasion the Minister pointed out that he had not had an opportunity of making the section intelligible. He has sufficient sway over members of this House —or in the past he had: I believe his influence is waning, and I am pleased to think so—to influence votes. If he had stood up here yesterday and told members exactly what is the position with regard to that section, the change now proposed would be made. Twelve months ago he said that he agreed with what I am advocating to-day. He has every opportunity to-day to render the section clear. I am sorry the Minister has spoken already. What possible chance have we of accomplishing any such legislation when the Leader of the House will not take the House into his confidence? This is a critical stage; an alteration of the franchise is being proposed. The words of the Minister which I have quoted show exactly what we want. No words could make the position plainer than those the Minister used in the past. What we ask is not that any jackeroo, as has been said, should have the Legislative Council franchise, but that the married man, who takes responsibility and rears a family, for example in the timber areas or on the goldfields of this State, should have the franchise for this House.

Hon. A. J. H. Saw: Does the Bill mention married men?

Hon. T. MOORE: The qualification proposed by the Bill is a household qualification. There are not many single men, therefore, who will come in under this Bill. According to expressions of opinion which have been given, this House has decided not to allow the Bill to go into Committee —possibly for fear that the measure might be turned into useful legislation there— but has decided to negative the second reading. During the second reading debate members can say almost anything, on general principles; but if the Bill goes into Committee the sense of the House will turn it into a workable measure, and that is well known. What does the Bill ask for? Is it something that people should not be allowed to have? It asks that a certain section of the people, who have been described as good citizens, should have the right to vote for this House. What difference will that make? It has been suggested that I and others who advocate this change do so from personal motives. I do not mind admitting that if the Bill as it stands becomes law, it will put on the Legislative Council roll as many farmers' sons as people of any other class. The man who, having married and built a house on his father's farm, resides there, has no vote for this House. The Bill would add to the roll of the Council more men from farming districts than from the goldfields. Sir Edward Wittenoom knows the South-West pretty well, because he is a director of a company working extensively in that part of the State. Down there are numbers of men who have reared large families in houses built by the company, but because they pay only 4s. or 5s. per week rental, they are not allowed a vote for this House. If a weekly rental of 6s. 6d. qualifies a man to vote for this House, why should there not be a vote for a man paying only 5s. per week rental?

Hon. Sir Edward Wittenoom: Carry that to its logical conclusion and you may ask why we should not give a vote to a man paying 1s. rental per week.

Hon. T. MOORE: If the houses occupied by those timber workers were at Burswood, they would entitle their occupiers to a vote. We hear a great deal about decentralisation, but one can reasonably ask what we are doing for the men outback. Last year the Minister pointed out that the people are losing faith in this House, that they do not turn up to vote at election time. Of course, so many of them have no right to a vote, whilst others will not be bothered. Sir Edward Wittenoom said there is no public demand for the Bill.

Hon. Sir Edward Wittenoom: I said I had not heard any.

Hon. T. MOORE: Does the hon. member meet with any men who require a vote for the House?

Hon. J. W. Hickey: He moves in a restricted circle.

Hon. T. MOORE: Of course, the men he meets have votes for this House. But let him think of the people working for his company, those people who have reared large families. We all admit there is no finer crop than a crop of young Australians. Those men down there have assumed the full rights of citizenship, but are denied a vote for this

House. Is that what influenced the Minister? Was it because of that he made those public utterances, and has he now forgotten, simply because that wave of enthusiasm has died away? Only two years ago one could easily get great applause. We were told the whole constitution of the world was to be put in the melting pot. To-day those things are not forthcoming, and consequently the speeches we used to hear are not being made. Mr. Hamersley said that only the thrifty should have a vote for this House. Did he ask only the thrifty to protect his property a few years ago when men were going forth to fight? I fear he did not. When property was at stake, no such discrimination was made. During the war, the greatest thing at stake out here was property. The workers did not own the property. The fathers and mothers in the mill districts sent their boys away to protect property. We were told they went to fight for liberty.

Hon. J. W. Hickey: And they were refused work when they came back.

Hon. T. MOORE: And the fathers and mothers who reared them under trying circumstances, just because they live in houses for which they pay only 4s. or 5s. per week are not entitled to a vote. It is an unfair position to set up. Those who live in town live in comfort as compared with those doing the pioneering of the State. Almost every married worker in the city has a vote for this House, because he is paying a certain rental. When the Arbitration Court is fixing wages, Millars and other employers urge that they supply housing accommodation at a low rental. Quite so, and it is because of that very fact that those workers are deprived of a vote for this House. Those who talk of equality, those who declaim against centralisation, when they vote against the Bill will be voting against the pioneers of the country. We should not allow it to go forth that the Bill is to apply to jackeroos and boundary riders. The people for whom we are asking the vote have a perfect right to that vote. They have the same aspirations as other men and women, the same desires, the same fears; they live the same life and, withal, they are the best citizens in the country. Why should we hesitate to give them full citizenship rights by allowing them to vote for this Chamber? I am afraid I cannot influence many votes here. Several members are treating the Bill very quietly. What I object to is the absence of a desire to debate the Bill on its merits. I do not wish it to go forth that we are trying to carry a Bill which will give only the jackeroo votes. Personally, I believe that every man in the country has an equal right to a vote; just the same, the Bill does not attempt anything of the kind. If there is in the clause anything misleading, it is in the power of hon. members to amend it in Committee. The Bill deserves more consideration than would be shown in tossing it out after the extravagant statement that this is a House for which only the thrifty should have a vote. If hon. members carry the second reading they will still have the measure in their own hands, and in Committee can amend it to provide full citizenship rights for married men. I hope the Minister will remember how he felt when, in the past, he supported the Bill. Two years ago he said it could be amended in Committee, but to-day he does not propose to do that.

Hon. J. W. Hickey: He has an opportunity to do it now.

Hon. T. MOORE: I ask him to cast his mind back to those times when he was enthusiastic. What does he expect the electors to think of him if he does not live up to his platform pledges? I must admit he has dropped me so often lately that personally I have lost confidence in him, and I am pleased to think that the country is losing confidence in his Government. I ask him to remember how he felt when he made those speeches.

Hon. J. W. Hickey: He had a tremor in his voice, because he was serious.

Hon. T. MOORE: I agree that he meant those things when he said them.

The Minister for Education: I am still of exactly the same opinion, but that does not compel me to support a Bill of an entirely different character.

Hon. T. MOORE: The selfsame clause is in the Bill, and the Minister said it could be amended in Committee. If he will take just a few more minutes to think his good thoughts of the past, he will endeavour to influence members—because he has a certain amount of influence with them. I ask him to think as he did in the past, and to realise that the electors who sent him here will be proud of him if he lives up to his pledges.

Hon. C. F. Baxter: Your party are supporting him and his Government.

Hon. T. MOORE: I support him when I think he is right. I appeal to the good sense of hon. members to allow the Bill to pass the second reading. What have they to lose by permitting the clause to be thoroughly discussed? We can make it what the Minister, two years ago, wanted it to be.

The Minister for Education: Why did not you introduce it in that form?

Hon. T. MOORE: What a lame excuse! I will certainly give up the Minister altogether now. I again appeal to hon. members to view it in this light: that the people for whom we are asking votes are men who have gone out back to make this country, men who have built up great industries on low wages, men who have everything to lose or win by the welfare of the State. If the State goes down, they lose their all. It is of greater disadvantage to a worker in the back country to lose his home and his few pounds than it is for another man to lose much wealth. I hope hon. members will agree to the second reading.

Hon. J. CORNELL (South) [5.15]: One section of the House frankly supports the second reading of this Bill, and another section by reticence is inclined to view it the other way.

Hon. Sir Edward Wittenoom: I did not remain quiet.

Hon. J. CORNELL: That would be impossible for the hon. member on a question of this sort. After hearing the fight put up by Mr. Moore I am inclined to think that there are many distinguished individuals in the community who received the O.B.E. for doing less during the war, and that much credit is due to him for the speech he has made. The Bill is not designed to bring about the abolition of this Chamber. The wily ones suggest that if it is passed it will be the beginning of the end, but we must take the Bill as it is. It provides for the extension of the existing franchise and for the retention of the property qualifications. I am still of opinion that one Chamber is sufficient for the good government of this country. In South Africa they have their provincial Parliaments of one House, and the same thing in Canada. After all the form of government consists in having that which the people want and are satisfied with, and my opinion is that the State can be governed by one Chamber as well as, if not better than, by two Chambers. The Bill proposes to extend the household franchise so that every householder shall have a vote.

Hon. E. H. Harris: Whom do you define as a householder?

Hon. J. CORNELL: The hon. member will have his opportunity of speaking later. The household qualification to-day is based on the rental or rateable clear annual value of £17. If a person pays 6s. 3d. per week, free of rates and taxes, he has a vote for the Council. This Bill says that if a person is living in a house or owns a house he shall have a vote. I am surprised at the Premier bringing in the few old age pensioners at present living in humpies near the Causeway. Surely no one can gainsay that these old men are as much entitled to a vote as anyone else. Apparently some people define a citizen as a person who owns a donkey, and maintain that if the donkey dies he ceases to become a citizen. There may be some doubt as to what a householder really is. Surely, a householder is a person who lives in a house or a hovel, and is satisfied with his dwelling. Other people may say that the mental balance of a person who is content to live in a hovel disqualifies him from voting for this Chamber on the ground of insanity. Every citizen worthy of his salt and who is compatible with mankind generally, desires to improve his surroundings, but a man very often lives in a house not as good as he would like it to be because circumstances force him to live in this way. Mr. Hamersley seems to have been the general appointed to lead the charge against this Bill. To my mind Mr. Hamersley, as officer of the day, is not the Mr. Hamersley we all know; he has merely been used for the occasion. He said that people should have good homes and every opportunity of becoming good citizens.

Hon. V. Hamersley: That is correct.

Hon. J. CORNELL: I will tell the hon. member whether that is correct or not. There are no workers' homes or war service homes in Kalgoorlie or Boulder. The State and Federal Governments do not consider that the security offered in a goldfields centre, which may go down at any time, is sufficient to warrant them in laying out money in homes. Our Government, whether Labour or Liberal, will not advance money for this purpose unless they consider the security is a good one. They say if they build a house there costing £400 it may only be worth £300 in 12 months. I would point out that the Kalgoorlie division provided the greatest number of enlistments of any other similar community in Australia, and yet the soldier residing in that division has to shift for himself and build his own home.

Hon. Sir Edward Wittenoom: Are they not well represented here now?

Hon. J. CORNELL: They may be well represented by orators and debaters, but from the point of view of numbers they are not well represented. I doubt if in the province represented by Mr. Miles there is any more provision made for homes than is made on the Eastern Goldfields. The Government look at it from the Shylock point of view, and the result is that the people of Kalgoorlie and Boulder have to build their own homes. If a man is thrown upon his own resources, and these are not great it stands to reason he will not build for himself a palatial residence. He builds to suit his own requirements and his purse. I know of families on the Eastern Goldfields, of eight or nine persons, the founders of whom have pioneered the country and made it possible for the metropolitan area to be what it is to-day, but who cannot get a vote for this House. That is altogether undesirable. In South Australia they have the household qualification, and I believe this applies in some degree to both the husband and the wife. Of all the States that have liberalised the franchise in this way South Australia has been the most cautious and conservative. If the householders in this State were given a vote on the lines laid down in South Australia, my opinion is that as many people would vote for a liberal government as would vote for a labour government.

Hon. T. Moore: That is so.

Hon. J. CORNELL: Indeed, there are more conservatives in the ranks of the workers than there are in any other class of the community. Mr. Hamersley said that the passing of this Bill would probably Russianise Australia. I am surprised at such clap-trap falling from the lips of an Australian. Australia is the last country on earth that is

likely to embrace Bolshevism, because it is a country made up of free men and women. Sometimes we hear of men speaking from the soap box refusing to sing the National Anthem, but they have no supporters when it comes to the final analysis. I never will be afraid of Australia being Russianised, or being converted to Bolshevism. There is too much latent common sense and clear thinking on the part of the people, which have been brought about by the elimination of social enstes and so on.

Hon. A. H. Panton: That point was put forward only as a bogey.

Hon. J. CORNELL: It was the candle in the turnip!

Hon. A. H. Panton: It took him all his time to look serious.

Hon. J. CORNELL: During one of the gravest crises in the history of the British Empire, a certain line of policy was decided upon. After mature consideration, I agreed to go a certain way, with the result that I had to dissociate myself from the political party to whom I had been attached for about 27 years. To-day, if the arguments put forward by those hon. members in opposition to the Bill be correct, and the passing of the measure would lead to Labour swamping the Legislative Council, I would probably be defeated. If I liked to be influenced by a sordid and selfish point of view, I would be content to remain silent and pray for what is going to happen. The Bill will probably pass the second reading, but the majority will not be sufficient to comply with the Constitution.

Hon. A. H. Panton: Is that the joke that is being put up?

Hon. J. CORNELL: Irrespective of any personal treatment I may have received at the hands of any political party, I have been returned to this House to do what I consider is right. I could never see any wisdom in having two separate sets of electors for the two Houses of Parliament. In the final analysis, it is wisdom and ability that count, not bricks and mortar. Take the case of our present Prime Minister. However much a lot of people may abhor him, they cannot help realising the fact that William Morris Hughes is a potent force in the counsels of the Empire. If a man of that type were here, and he were in the same circumstances as he lived in 30 years ago, he could not have had a vote for this Chamber because at that time the Prime Minister was so poor that he would not possess the necessary qualifications. I think hon. members who are afraid that by reducing the franchise they will destroy property and bring about circumstances which will revolutionise the country, are basing their ideas on totally false premises. I believe that members of this Chamber, who are possessed of more than a fair share of wealth, have been actuated from the highest motives in their attitude regarding the Bill, namely, the advancement of their fellow men. They are making a grave mistake, however, by saying: "If you reduce the franchise, good-bye to the Legislative Council." Should the time ever come when the people will desire the abolition of the Legislative Council, or of both Houses of Parliament, their objective will be realised irrespective of any franchise. When we hear hon. members opposing the franchise, and saying they do not trust the people, one can only remember that that sort of thing was not heard during the war. It has been stated that the single men will have a vote under the extended franchise. Even supposing that were so, and that the single men secured the franchise, I do not think the ratio of single men, compared with the married electors, would be more than as five is to 95. There is another point, however. It has been stated that when the last Bill was introduced, it gave the returned soldier the right to a vote for this Chamber. Both Mr. Panton and myself opposed that clause and I am proud to remember that I did so, because the general view taken by men who left Western Australia to fight overseas was that it was a gratuitous insult to offer them a vote and deprive their fathers of the same privilege. The returned soldiers never asked for such a concession neither as individuals nor through their organisation. That subject, perhaps, has been about worked out. There is another aspect regarding the returned soldier, however, when we consider his position under the Bill. Two of the most decorated men in the A.I.F. were Murray and Jacka. They were just ordinary working men.

Hon. T. Moore: Murray had a tent——

Hon. J. CORNELL: And Jacka was a navvy. These men went away to save democracy. Murray rose from the rank of private to be a lieutenant-colonel. Had Jacka received his dues, he too would have been promoted to similar rank. These were two of the best men who left the country and yet they never had a vote for the Legislative Council. If those men had houses which did not come within the £17 clear annual value qualification, would hon. members say that they should not have a vote? What Murray did as a soldier, he is capable of doing as a civilian. I do not desire to keep the House very much longer. I hope the second reading will be agreed to and then an opportunity will be afforded to amend the measure in any direction it is deemed necessary. I trust that if that is done, we will clear up the unsatisfactory position to which the Minister for Education referred last night. In some parts of the State men's properties abut; one man has a vote and the other has not, although they both have practically the same qualification. That is a most unsatisfactory position. Generally speaking, the electoral officer in my province has given the people there a fair deal. There are a good few who would not come strictly within the £17 qualification, if a strict interpretation were placed upon the Act. Those men are on the roll at the present time. The electoral officer to whom I refer has perhaps

gone beyond the strict limit of his power and has placed these persons on the roll because he has appreciated the fact that if they went out of their premises they would be worth at least 6s. 6d. a week. No one has challenged their position yet.

Hon. J. Cunningham: At the same time, he has done wrong in doing as you say.

Hon. J. CORNELL: That is so, but he has done it. I appeal to the House to clear up this unsatisfactory state of affairs. We have been told that it will not affect the metropolitan area. I think, however, that when the rolls are made up, there will be at least 2,000 more on the Metropolitan-Suburban roll than was the case when the rolls were last made up, and at least 1,500 of them will be on account of those who now have war service homes. Had they not been assisted in that direction, many of them would have neither a vote nor a wife; now they have both. Applying the position to the goldfields, I do not think the relative party strength of this Chamber will be materially affected.

Hon. A. H. Panton: The Government may have two more supporters.

Hon. J. CORNELL: That may be so and, perhaps, one of the members who may go will possibly be myself. I am prepared to take that risk, however, and if I am not returned, I shall only follow out my own personal inclination, which was to leave politics long ere this.

Hon. E. H. HARRIS (North-East) [5.42]: My comments on the measure will be like the Bill itself—short. When speaking in connection with a former motion before the Chamber, advocating the abolition of the Legislative Council, I indicated that I would vote against that proposal but would be prepared to support any Bill having for its object the extension of the franchise. In looking over the Statutes, I find that the Act was amended in 1911, when the freehold value was reduced from £100 to £50 and the household qualification was reduced from a clear annual value of £25 to one of £17, the same provision applying to leasehold. The provision was also made that the annual rateable value for those properties would be that included in the municipal or road board valuations. That was the first instalment of reform which, in my opinion, represented a reasonable step along democratic lines. After 10 years, I claim it is due time for further reform in the direction of liberalising the franchise for this Chamber. Efforts have been made since 1911 to effect that reform but they have failed. Now we have the latest measure introduced by Mr. Cunningham which, though short, will effect a good deal if carried. That hon. member, however, did not make it perfectly clear what the clause meant, and it goes so far as to be almost capable of the construction that it is providing for adult franchise, although it does not actually say so. I have observed that the first portion of the Bill is on similar lines as one introduced to this House a couple of years ago, but it is its relation to the second portion that I wish to stress with the view of eliciting some information. Let me quote from the first of the two paragraphs which it is proposed to add to the section of the Act, and show what has been added to what was included in Bills previously introduced—

> Provided that when a dwelling-house is only part of a building, and any other part thereof is in the occupation as a dwelling of some person other than the occupier of the first mentioned part, such first-mentioned part shall not be a dwelling house within the meaning of this section, unless it is structurally severed from such other part of the building, and there is no direct means of access between such parts.

In my opinion that is a very complicated proviso, and the meaning is not easily determined. It is a conundrum to me when a dwelling house ceases to be a dwelling house. For want of anything better, I have framed the following which I may be permitted to read—

> When the first part of a building is used as a dwelling house, and the second part thereof is also occupied, but is not structurally severed from the first part, such [illegible] to be a dwelling.

That is as I understand it.

Hon. J. Cunningham: You are quite right for once.

Hon. E. H. HARRIS: I am glad of that. When we take the matter further, dwelling house includes part of a building which, if it means anything, means that a boarding house, or a public house, for the purpose of this Bill, may be divided into parts. We have a case in this position, that in a public house or any building of that kind, when a publican lives in one part of the building and the permanent boarders or guests are in occupation of some other part, the publican or the proprietor shall only be deemed to be in the dwelling house when it is structurally severed from such other part by virtue of there being no access between the parts. This will mean that the proprietor will not have a vote unless the building is structurally severed, but the people resident in the building will have not a vote but votes, one or 20.

Hon. J. Cunningham: You are wrong.

Hon. E. H. HARRIS: My friend will have an opportunity of correcting me. That is the interpretation that is capable of being put upon it, and in order that I may be enlightened on the point I have submitted it to the House for what it is worth. The first portion takes in anything of a permanent character. Even a hollow log could be brought within the provision because it would be capable of being used as a habitable structure, and being such, the occupant of it could claim a vote.

Hon. A. H. Panton: And if a man had his wife and family in it I suppose it would not make any difference.

Hon. E. H. HARRIS: The point I wish to make is that if the Bill is aiming at adult suffrage, it should be stated straight out.

Hon. A. H. Panton: We do not say anything of the sort; what is the good of talking tripe.

The PRESIDENT: Order!

Hon. E. H. HARRIS: The hon. member has not the imaginative mind that I have—

Hon. A. H. Panton: Thank God I have not.

Hon. E. H. HARRIS: —which enables me to read into the Bill something that may or may not be there. I am quite within my rights in putting forward my views. My friend may also throw some light on the second paragraph which reads—

> Where a person inhabits any dwelling house by virtue of any office, service or employment, and the dwelling house is not inhabited by anyone under whom such person serves in such office, service or employment, such person shall be deemed for the purposes of this Act to be an inhabitant occupier of such dwelling house as a tenant.

I have read and re-read that paragraph and the only construction I can put upon it is that where a person by virtue of being an employee, inhabits any structure of a permanent character fixed to the soil, irrespective of whether it is on freehold, leasehold, or Crown land, and is ordinarily capable of human habitation, and where the dwelling house is not also inhabited by the employer, such employee as a tenant shall be deemed to be the inhabitant and occupier, and will therefore be entitled to record a vote. I put that interpretation upon the clause. It certainly would apply to sheep and cattle stations, shearing sheds, boarding houses and other places. The question is whether the proprietor may not himself have a vote as well as all his employees, and if it were a boarding house, whether those living in rooms structurally severed from the front part and all opening into the same block of land, would also be entitled to a vote. I suggest that the hon. member explain the position to me when he replies.

Hon. A. H. Panton: He would require to take a day off.

Hon. E. H. HARRIS: The matter should be very easily replied to. I have submitted these views so that I may be enlightened.

Hon. J. Cunningham: The proviso of the third clause explains it. It reads:—"Provided that no person shall be qualified to vote by reason of being a joint occupier of any dwelling house."

Hon. E. H. HARRIS: That has reference to Section 16 of the Act which deals with buildings being jointly occupied. If the first and second paragraphs were amended, it would be necessary to have a third to make it perfectly clear that places jointly occupied could be used as the Act as framed at present provides. I do not see any connection between the second and the third clauses of the Bill. But the part which seems to me likely to act unfairly, if my interpretation is correct, is that which provides that a man, say in a timber mill, or in an agricultural or mining centre, who lives in a building, and who by virtue of being employed there would be entitled to a vote. I am not objecting to any married man having a vote, but if the family of that man were living in Perth or in some other district, the wife, being a householder for the time being, would be qualified for enrolment.

Hon. T. Moore: Some of your friends have more than one vote.

Hon. E. H. HARRIS: Some of Mr. Moore's friends have five or six votes. Whether my friends have more than one vote or not is quite apart from the point I wish to make, that if a married man were living in a certain district he would have a vote, and if his wife were living apart from him in another district, she, too, would have a vote. However, reform in the direction of liberalising the franchise of the Legislative Council is long overdue.

Hon. J. W. Hickey: That is the point.

Hon. E. H. HARRIS: This was pointed out ten years ago, and efforts which have since been made to bring about the reform have failed. Many constitutions throughout the Empire have changed since the period of the world war, and most of those countries which have altered their constitutions, have altered them on democratic lines. The proposal contained in the Bill is on democratic lines also. The question will arise as to what will be a fair and reasonable interpretation of clear annual value or household value. My personal view is that every married man who is a householder should be enrolled irrespective of whether the clear annual value is or is not £17. To indicate how unfairly this applies, may I say that if a house were built in the back country, it would not have the same value from the letting point of view as a house in the metropolitan area. Therefore the citizen who lives in the back country does not get the same privileges for enrolment as he who lives in the city. The Act as it stands indicates £17 clear annual value, but unfortunately that has never been defined. It has caused a good deal of friction as to whether or not the amount includes rates and taxes. I have read and heard more than one interpretation of it, and if the Bill only went so far as to make that provision perfectly clear, it would assist materially in regard to enrolment. Mr. Hamersley made a strong point in addressing the House on the Bill the other evening by stating that this was the taxpayers' House. I claim this House is the bulwark of the Constitution. If this is a taxpayers' House, I ask the hon. member whether he is prepared to extend to every direct taxpayer a vote for this Chamber. I assume from his remarks that he approves of the liberalising of the franchise of this House.

We have now 52,654 electors on the roll for the Legislative Council. I am quoting now from the rolls of the 12th March, 1921.

Hon. J. W. Hickey: The numbers are even less now.

Hon. E. H. HARRIS: Ten years ago the figures were 6,972. When Mr. Hamersley remarked that the Council was the taxpayers' House, I thought we might reach a conclusion by extending the franchise to all direct taxpayers, while those possessing other qualifications would still be entitled to a vote for this House. On looking over the returns of the Commissioner of Taxation for the year ended the 30th June, 1921, I find that for the year 1919-20 there were 37,856 direct taxpayers in the State. It would be difficult, no doubt, to estimate how many of those direct taxpayers are not at present on the roll, but I venture to say that my proposal would permit of a large section of the community who do pay direct taxation, having a vote for this House. Feeling convinced by the conspiracy of silence displayed by members that they are not favourably disposed towards the Bill, I think my suggestion might well be accepted. The case of those for whom I am speaking was very eloquently put by Mr. Moore—I refer to those people who have done the pioneering work of the State, irrespective of what portion of the State they have laboured in. If a man undertakes the responsibility of marrying and providing a home, no matter how humble his home may be, he should be entitled to enrolment as an elector of this House, apart altogether from whether the house is worth 6s. 6d. or 16s. 6d. a week. The household qualification would be a very reasonable compromise. Assuming that every householder in the State was enrolled, how many members here present would have any fear of not being returned if they went to their constituents? There are 52,000 electors for this House, which number spread over the 10 provinces gives an average of 5,000 electors for each province.

Hon. A. H. Panton: There are about 15,000 in the Metropolitan-Suburban Province.

Hon. E. H. HARRIS: The exact figures are 13,679, but how many more electors would be enrolled if we adopted the household franchise? In the North Province there are only 612 electors on the roll.

Hon. J. Cunningham: Most of them live in the metropolitan area.

Hon. E. H. HARRIS: How many members representing the North Province would be afraid to go to their constituents if we adopted the household franchise?

Hon. J. W. Hickey: It would only affect the goldfields.

Hon. E. H. HARRIS: Reform in this direction is overdue. I support the second reading and I hope that when the Bill reaches the Committee stage, we shall be able to amend it and make of it a measure which will appeal to every member.

Hon. J. EWING (South-West) [6.5]: I do not desire to give a silent vote on this Bill. We have been told by Mr. Moore and those who have so ably supported the second reading that it is our duty to pass the second reading in order that the Bill may be considered in Committee. I do not intend to support the second reading for what I consider are good and sufficient reasons. Mr. Cunningham and those supporting him have certainly put up a very good case, and were I not thoroughly satisfied in my own mind as to the justice and fairness of the present franchise, I might have been influenced to support them for the sake of residents of the goldfields. Mr. Cornell practically stated that he did not favour the bi-cameral system. He desires the abolition of this House, and it is well known that those who are ardently supporting this measure are also in favour of the abolition of the Council. If the people of the State were asked to vote on this question on an adult franchise, I am satisfied there would be an overwhelming majority in favour of the Upper House remaining in existence. That was the experience in Queensland some four years ago when the Premier there thought it would be desirable to abolish the Upper House. A plebiscite was taken, and the proposal was rejected by nearly 60,000 votes.

Hon. A. H. Panton: And the Government have abolished it.

Hon. J. EWING: The Upper House in Queensland has not been abolished yet, and in my opinion it is very unlikely that it will be abolished. Heed must be given to the voice of the people before such an important change in the Constitution could be effected. I do not favour the abolition of this House or a reduction of the present franchise. I may be considered very conservative indeed, because it is well known that in my particular district a large number of adults are not on the roll for this House. Many of these people are paying only 4s. a week rental and there is really not a great difference between that amount and 6s. 6d.

Hon. T. Moore: Would 6s. 6d. entitle them to a vote?

Hon. J. EWING: A weekly rental of 6s. 9d. would, but any man who is paying less than that is certainly not entitled to a vote.

Hon. T. Moore: Have you been amongst those people?

Hon. J. EWING: I went there with the member for Forrest on several occasions. We had a most interesting time and I assure the hon. member that they did not lay any grievances before us. If we are going to have a Legislative Council, it should be the choice of those who exercise thrift and care and accumulate a little property against their old age or occupy property for which they pay a reasonable rental. If the franchise is cut down to

household suffrage, the Council will be useless as a property House.

Hon. T. Moore: Are not the workers in your province as good as the workers in any other province?

Hon. J. EWING: Undoubtedly they are, but we are not dealing with that question now; we are considering a principle. If this Bill becomes law, we might as well abolish the Council straight away, because the effect would be as Mr. Harris has pointed out, to sanction adult franchise. If this were done, this Council would be in exactly the same position as the Federal Senate. The Senate is elected on an adult franchise and Western Australia has been very disappointed indeed with the result. It is only a duplication of the Lower House. Either we should retain a fair qualification, or have none at all.

Hon. A. H. Panton: Do you know the result of adult franchise on municipal elections in Queensland?

Hon. J. EWING: No.

Hon. A. H. Panton: Abolition of Labour candidates.

Hon. J. EWING: If Subclause 2 of Clause 2 is adopted, the franchise will be cut down to practically an adult vote. The definition, too, is uncertain and by no means clear. In my opinion, a man using four poles and a tent for his home would be entitled to a vote for this House. Much may be said in favour of extending the franchise to such a man, but I would rather see this House abolished than the franchise reduced as is desired by those supporting the Bill. One member spoke of a conspiracy of silence, and said that members had not spoken at any length on the Bill.

Hon. A. H. Panton: You said that about the Grain Bill.

Hon. J. EWING: I am not aware that I did. There is no conspiracy of silence so far as I am concerned, nor with regard to any member on this side of the House. Those members who are about to go to the country will doubtless vote as they believe to be right regardless of whether it costs them their seats. I believe that the man who could win on one franchise would win on the other, but if we are going to uphold the Constitution and encourage people to be thrifty and accumulate something for old age, it is essential to retain the Council for their protection. I do not think any exception can be taken to the action of this House in its treatment of legislation.

Hon. T. Moore: Nonsense!

Hon. J. EWING: Of course, we throw out Bills which we consider are not in the best interests of the State, and we endeavour to uphold the rights of the House. It was not my intention to speak at all, but some of the remarks made this afternoon seemed to reflect on members on this side of the House, and I for one have no desire to give a silent vote which may have the effect of killing the Bill and preventing it from reaching the Committee stage. I believe in the present franchise, and I do not think it should be altered. If I were to assist the Bill to reach the Committee stage, it would be tantamount to saying that the franchise should be reduced.

Hon. T. Moore: The Collie miners will like you for that.

Hon. J. EWING: I think members will give me credit for being perfectly honest in the conviction that I should oppose the second reading of the Bill.

Hon. F. A. BAGLIN (West) [6.13]: I support the second reading of the Bill. Before I became a member of this House, I always understood that the Council was a non-party House, but since I have been a member, I have been reminded on several occasions that it is no longer a non-party House. Mr. Ewing twice referred to members "on this side of the House." When the hon. member speaks of "sides" in this Chamber, we are forced to the conclusion that there must be two parties.

Hon. J. Ewing: No, there are not.

Hon. F. A. BAGLIN: Then there should not be two sides. The hon. member, however, has admitted that there are two sides by referring to "this side of the House." Opponents of the Bill, and particularly Sir Edward Wittenoom, have expressed the fear that if this measure were passed, it would be the beginning of the end for the Legislative Council. Were I a preacher, I would take that for my text and address the House on it. This fear is quite unfounded, and the very fact of members having expressed it indicates that they have not carefully studied the Bill.

Sitting suspended from 6.15 to 7.30 p.m.

Hon. F. A. BAGLIN: Before tea I was explaining to hon. members the groundlessness of their fears with regard to this measure. Some hon. members have actually said that the Bill was the highway to the abolition of the Upper House. I do not view the measure in that light at all. It must be well within the recollection of hon. members that for many years past the qualification in the Act has proved confusing, and that from time to time varying interpretations have been placed upon it. The present Bill is intended to remove for ever any doubt, by giving every person who is a householder the right to vote. I understand the policy of the present Government is to get the people out into the country. The declared land settlement scheme of the Government is very definite. During the late unemployed trouble in the metropolitan area, to the various deputations which waited on the Premier the hon. gentleman made it clear that neither he nor his Ministers were prepared to assist in the finding of work in the metropolitan area. On the other hand he said he was prepared to assist men to go into the country and to find employment there for them. The land policy of the Government sets out clearly that there must be a development of the

resources of the great South-West. Amongst other schemes to this end, the Government have introduced what is known as group settlements. During the unemployed agitation to which I have referred, the Premier kindly consented to come to Fremantle to address the men out of work there. He came for the purpose of explaining to them the Government land policy and group settlement scheme. This he did at a meeting held in the Town Hall, and after the meeting the Premier told me and others —and he has repeated the statement several times since—that his audience were the finest body of men he had ever addressed. A couple of days later Mr. Robinson, the officer charged with group settlement, came to Fremantle and took the names of men prepared to embark in group settlement. About 80 names were registered by him, and Mr. Robinson also said to me that the men were a very fine body. Of the first group of 40 selected, some have already proceeded to the South-West to select their homes, and the remaining 40 are expected to go down next week. Now, here we are transferring from the West Province 40 men to the province represented by Mr. Ewing. They are men who have been mostly engaged in wharf lumping. Those men are entitled to vote for the West Province, simply because they have been occupying houses rented at not less than £17 per year. As soon as they get to Mr. Ewing's province, however, they are disfranchised.

Hon. J. Ewing: They will get their votes.

Hon. F. A. BAGLIN: Only in two years' time. It will be two years, according to the Premier, before their homes can be established. The land will not be their property for two years. There is the anomaly. We transfer 40 Legislative Council voters from Fremantle to the South-West, and they cease to be Legislative Council voters. They listen to the call of the land, and they go to the South-West prepared to pioneer, and because they do that they are penalised by being deprived of the right to vote for the Legislative Council. I know most of those 40 men, and I think they have long memories. Later on, when they have become qualified to vote for the Council they will remember the attitude which members of this House propose to adopt at the present juncture.

Hon. J. Ewing: They will get the vote straight away.

Hon. F. A. BAGLIN: I am satisfied that Mr. Ewing is reasonable, though Conservative. His remarks to-day brand him for ever a Conservative.

Hon. J Ewing: I know I am a Conservative.

Hon. F. A. BAGLIN: We want to broaden the franchise for this House.

Hon. J. J. Holmes: Those men are going down there to make homes, not to get votes.

Hon. F. A. BAGLIN: I say they are entitled to vote there more than ever they were before. The man who sticks in the city retains the vote. Similarly with regard to the settlers on the Peel Estate. They have been brought out here as picked citizens; but until they have established their homes they will not get the Council vote. There are only half-a-dozen of them who have established homes on the Peel Estate. Those six will have the Council vote, but all the others will be disfranchised as regards this House. Is Tom Jones, because he happens to live in a poor dwelling provided for him by the Government on the Peel Estate, less entitled to vote for the Legislative Council now than he will be in 12 months' time, sitting in a house which has cost the Government £200 to build? The proposition is absurd. He will not have paid the house off for perhaps 30 years. Sir Edward Wittenoom said this Bill was practically the thin end of the wedge.

Hon. Sir E. H. Wittenoom: I did not say that.

Hon. F. A. BAGLIN: Well, the hon. member said it was the beginning of the end. I heard him use those very words. The beginning of the end is equivalent to the thin edge of the wedge. I acknowledge that there is room for alteration of the Bill during the Committee stage, making it a much better measure than it is now, but that is no reason why the House should negative the second reading. I know the West Province thoroughly, and I say the passing of this Bill will not place fifty additional names on the West Province roll. In the Metropolitan and Metropolitan-Suburban Provinces the result would be to add very, very few names to the roll. But as regard isolated places on the goldfields, the passing of the Bill will put an end to the feud which has existed so long regarding the qualification to vote for the Legislative Council. I lived on the goldfields for 14 years, and for the greater part of that time I lived in a house at Piccadilly for which I paid, at different times, 11s. and 12s. 6d. per week. I paid 11s. or 12s. 6d. per week until I removed to Fremantle. I was entitled to vote for the South Province because I paid for that house in Piccadilly a rental of 11s. or 12s. 6d. per week. The man who has been living in the house since I left it pays a rent of 6s. or 7s. per week for it, and therefore is not entitled to vote for the Legislative Council. The reduced rent is, of course, due to the depression in the goldmining industry. The gentleman in question, a business manager, who has resided in Kalgoorlie for 24 years, is not entitled to the Legislative Council franchise. I appeal to the good judgment and common sense of hon. members to remove such glaring anomalies as this. Is the gentleman now living in that house in Kalgoorlie less qualified to vote than I was? We know very well he is not. It was a good house in my time, and is a fairly good house now, but because the rent has been reduced the tenant has not the right to vote. There is no justification for depriving him of the vote. The Bill will remove such anomalies. Mr Harris has spoken of the possibility of a lodger claiming the vote. That obtains to-day. At South Fremantle is a place known as "Scottish House," the rooms of which are let. Because the rates are paid separately, every person in that house is on the roll. Again, Mr. Frank Rowe of Fremantle, who is lodging with his married sister, is not entitled to a vote as a householder; but because he rents an office at the Fremantle Trades Hall he is on the roll and has a vote. Obviously he should be entitled to a vote as a householder. Such anomalies ought to be removed. I hope hon. members will at least pass the second reading. Recently we had a Bill which was opposed by a majority of members; but because the Minister gave an assurance that certain things would be done, the second reading of the Bill was agreed

to. All that we ask is that the Bill before us be given a chance. Amendments are necessary, perhaps. Let us safeguard it as we think fit, but let the principle of the Bill remain, namely that every householder should be entitled to a vote.

Hon. J. NICHOLSON (Metropolitan) [7·48]: Members supporting the Bill claim that the franchise for this House requires amendment. I have always regarded the franchise of this House as having been framed on a most liberal scale for a Legislative Council. It is only right that in respect of the popular Chamber adult suffrage should obtain, but there must also be consideration for the views and interests of those who have a stake in the country, either as owners or as leaseholders of property. Those people are taxed because of their ownership or interest in property, and therefore they should have representation. That being so, we must regard the franchise of this House from the standpoint of the interests affected. If I could be convinced that the franchise was not framed on a liberal scale, I should be prepared to support an amendment. The views I have heard expressed do not convince me that the franchise is not liberal. When we remember that any person who is the owner of freehold property of the value of £50 or who is possessed of a leasehold of an annual value of £17 has a vote, we must recognise that every provision is made for the fair representation of those who claim to be interested in property in this State. If effect were given to the claim of the supporters of the Bill, existing provisions in the Municipal Corporations Act and in the Roads Act would require to be altered. Nobody would claim that there should be adult suffrage in respect of municipal matters. Surely it is only fair to a limit that a person who is rated under the Municipal Corporations Act or under the Roads Act should have some interest in property in the district affected. As we here are concerned with people interested in property, we must look at the matter from a fair standpoint. It cannot be argued that the payment of a weekly rental of 6s. 9d. is extravagant. If the rental value necessary for the qualification were greatly in excess of that amount, I would support an amendment. But there must be some limit. In this case it is limited to 6s. 9d. weekly. If we are to reduce this to practically adult franchise—

Hon. J. W. Hickey: What is wrong with that?

Hon. J. NICHOLSON: There must be some limitation. It would not be fair to allow anybody with any class of property to have a vote. There must be evidence of a stake in property.

Hon. T. Moore: Is a family a stake?

Hon. J. NICHOLSON: A most vital stake. I recognise that. A married man is a most valuable asset to the State.

Hon. J. W. Hickey: You are refusing the vote to hundreds of them.

Hon. J. NICHOLSON: But surely every married man in the State must have some such stake in the country!

Hon. J. W. Hickey: Yes, a stake worth more than 6s. 6d. weekly.

Hon. J. NICHOLSON: Mr. Baglin quoted the instance of the men who propose to move from his district to a district in the South-West, and said those men would practically be disfranchised for two years, until they got their new homes together. The hon. member overlooked that important provision in the Constitution Act which provides as a qualification the holding of a lease or license from the Crown to depasture, occupy, cultivate or mine upon Crown land at a rental of not less than £11 per annum.

Hon. A. H. Panton: But those men will not get that for two years, not until they get the land cleared and take a ballot for the blocks.

Hon. J. NICHOLSON: There is a further provision which allows the vote to a man who gets on either the municipal or the road board roll. It is improbable that a man would not very quickly get on to a roll under one of those sections.

Hon. A. H. Panton: But he will not have the property until the ballot is taken.

Hon. J. NICHOLSON: Perhaps not immediately, but the person who is claiming a vote for this House should have some property stake in the country, either as a leaseholder or as an owner of land. The question is, what is a fair amount? I think 6s. 9d. per week essentially fair.

Hon. E. H. Harris: It is not 6s. 9d. per week, but £17 per annum.

Hon. J. NICHOLSON: Well, £17 per annum. It must be admitted that this is reducing the qualification to a reasonable sum. If I could be convinced that this amount did not provide a reasonable stake, I could understand the argument for the amendment.

Hon. J. W. Hickey: Suppose they own their own homes and are not paying rent.

Hon. J. NICHOLSON: A man might enter into an agreement to purchase a block of land for £50. The Act says that any person who has a legal or equitable freehold estate in possession situate in the electoral province of a clear value of £50 will be entitled to a vote. A man acquires an equitable interest even under an agreement, and does not require to have the land actually transferred to him. If he can prove that he is the owner of the land he is entitled to a vote.

Hon. A. H. Panton: What about the man on a timber area who is paying only 4s. a week for his hut?

Hon. J. NICHOLSON: He should arrange to have the rent put up a little higher.

Hon. A. H. Panton: You want to reduce the wages in order to give him a vote.

Hon. J. NICHOLSON: He might be prepared to pay a little higher rent if his wages were put up a little higher. I look at the matter from the point of view of what is fair and equitable. The provisions of the existing Act are reasonable, and in the circumstances I am sorry I cannot support the Bill.

Hon. J. CUNNINGHAM (North East—in reply) [8·3]: To say that I am surprised at the manner in which the Bill has been received does not properly express my feelings. It is clear to me that Mr. Hamersley has not read the Bill. He said that if people were only thrifty, more especially those who live in the remoter parts of the State, they could acquire homes for

themselves. I do not deny that they have their own homes, but the rateable value fixed by the local road board or municipality on these homes is too low to enable the people concerned to register as electors for this Chamber. Owing to the very nature of their occupations in the mining industry, people cannot afford either to borrow money or to spend their own in putting up homes of a very solid nature. It would not pay people to do this merely to qualify as electors for the Council. The legislature of this State has conferred upon road boards and municipal authorities the power to make the franchise for this Chamber, and to determine whether people shall be qualified to vote for it or not. We want to get away from that state of affairs, which is not in the best interests of the State. Mr. Hamersley stated that the Government provided money for the erection of workers' homes. I was disappointed that the Leader of the House did not touch upon that point. Had he done so he would have shown that the policy of the Government was not to make large sums of money available for the erection of substantial dwellings for workers in the remote parts of the State. Mr. Hamersley himself would say that no Government would be prepared to make money available for this purpose, that they would look upon it as money wasted, and that there was no justification for the expenditure, seeing that the very nature of the industry that the people interested were engaged in was not of such a permanent character as to justify the outlay. People have, therefore, been obliged to provide their own homes as owners and not as tenants. If they were merely tenants and paid 6s. 6d. per week, equal to a clear annual value of £17, they would be entitled to claim the right to vote for this Chamber. Many of the homes that these people own are built of rough timber, with hessian walls, lined and whitewashed and with iron roofs, but they are rated too low to enable the occupants to qualify under the household qualification. The real object of the Bill is to enable these people to become electors. The Bill has received but scanty consideration at the hands of members. It has not been handled with anything like the same spirit that a similar Bill to this was handled two years ago. At first I was of opinion that it would be waste of time to reply to members, but I now intend to do so. Sir Edward Wittenoom treated us to the speech that we have already heard from him two or three times. It has now become a a recitation. He said that there were people who enjoyed the franchise for another place but who paid no taxation. I did expect some more solid argument from him in opposition to the Bill. He also asked where the demand and outcry were for a reform in our present franchise. The Bill was passed in another place by 32 votes to 10, by the direct representatives of the people, people who are qualified to vote for another place, but not for this place. This is sufficient to show that there is a demand on their part for a reform in this direction.

Sir Edward Wittenoom: A good argument.

Hon. J. CUNNINGHAM: I do not know whether he thinks it desirable that we should have stop work meetings all over the State to bring directly under the notice of members the fact that the people do demand this alteration.

Hon. J. W. Hickey: If so, we will have them.

Hon. J. CUNNINGHAM: Is it necessary in order to awaken members to this fact, to create a general strike throughout the State? I was of opinion that this was not the proper course to pursue. Rather did I think that we, as representing those who are not satisfied with the present qualifications, should bring down a Bill to broaden and liberalise our franchise qualifications. If members desire a stronger protest than this against the present restricted franchise, no doubt means can be found of making that manifest. Sir Edward Wittenoom asked what good purpose could be served by having two Houses of Parliament elected under the same franchise. The hon. member must be somewhat confused on the subject, or else he has not gone as fully into the matter as he does in regard to most Bills that come before us. I cannot construe by any stretch of imagination any clause in the Bill along the lines suggested by him. Members of another place are elected on the adult franchise. We seek by this Bill to provide as one of the qualifications for a vote for this Chamber a straight out household qualification. The hon. member said that this was a satisfactory House. I am satisfied with the result of my election and I suppose other hon. members can say the same, but that is not the point at issue. A large majority of the people who are concerned in building up the essential industries of Western Australia consider this is a very unsatisfactory House, because they realise that we have a restricted franchise and debar a considerable number of persons from the right to vote for this Chamber. At the same time this Chamber holds the right to pass legislation under which these people must live and work. This House has the right to deal with industrial legislation. We have already exercised that power from time to time. Is it not necessary, therefore, that we should recognise that the people affected have a legitimate right to have a voice in the election of members of this Chamber? The workers of Western Australia have to obey the laws of this country. The industrial laws include the Arbitration Act, the Workers' Compensation Act, and so on. Those laws have to be obeyed by the workers; still we debar them from the full rights of citizenship, and the right to send their representatives to a House that has the right to amend such legislation. I believe there are members in this Chamber who have not given this measure the consideration it deserves. It is not a question of 6s. 6d. per week. We are dealing with the people who own their own homes. When Mr. Moore was speaking he pointed out that though this Bill would not affect the metropolis or the metropolitan-suburban areas, it would give a vote to many people working in the outback centres of Western Australia.

Hon. V. Hamersley: The £50 qualification is not a heavy one.

Hon. J. CUNNINGHAM: I admit that is not a big item, but I remember that for very many years I lived in a three-roomed hessian house with a bough shed at the back. I was then doing as good work in the interests of the State as I am doing to-day. In those days, I did not have a vote for this Chamber. Later on I was fortunate enough to secure an interest in a freehold worth over £50, and now I am qualified to exercise the franchise for this Chamber.

Hon. V. Hamersley: Hear, hear; let others go and do likewise!

Hon. J. CUNNINGHAM: I know many people who are in the position that I once was in, and who are battling to feed and clothe and educate their children. Through no fault of their own, they have not yet qualified for enrolment under the £50 freehold qualification. Is that any reason why these people who are doing their duty to the State, should be denied the franchise?

Hon. J. Duffell: You never get what you want in this world.

Hon. J. CUNNINGHAM: I do not think hon. members give the consideration to many of our proposals that they merit, before making up their minds what attitude they will adopt regarding these propositions. I expected the Leader of the House to support this Bill, but, strange to say, through some special system of reasoning, he has been able to assure the House that he has every justification for opposing the Bill. I will ask hon. members to go through "Hansard" for 1919 or 1920 and read his remarks when introducing the Bill, which contained more clauses than the present measure, although they were largely of a similar nature to those which are embodied in this measure.

Hon. A. H. Panton: With a more liberal franchise too.

Hon. J. CUNNINGHAM: I think the Leader of the House pointed out on that occasion that only four Legislative Councils in the Empire were elected on a restricted franchise, and he instanced New Zealand where the second Chamber was elected on the adult franchise, which was the same in operation for the election of the Lower House. Now he considers he can justify his action in opposing the Bill. My experience teaches me that the Leader of the House can fall in with any party, or agree to any Bill, so long as it suits himself. He has been connected with four different Governments since I have been in this Chamber, and we still find him representing the Government.

Hon. E. H. Harris: He has not looped the loop yet.

Hon. J. CUNNINGHAM: I think he is a pastmaster at looping the loop. When I heard his remarks, I was astonished. I fully expected him to support me in getting the Bill through the second reading, but I am satisfied that I have nothing further to look forward to so far as the Leader of the House is concerned. One never knows when one has got him, nor can one tie him down by quoting the remarks he made last week. The Leader of the House is quite prepared to adapt himself to circumstances, and we have ample evidence of that.

The PRESIDENT: I would remind the hon. member that he is discussing the Bill and not the Leader of the House.

Hon. J. CUNNINGHAM: I was trying to link up the action of the Leader of the House with his attitude of two or three years ago.

Hon. J. W. Hickey: Impossible! You cannot do that. He is not the same man.

Hon. J. CUNNINGHAM: Mr. Moore pointed out, and this will appeal to the Country Party members, that one of the principles embodied in the Bill is decentralisation. What do country Party members intend to do regarding the second reading of the Bill? We have not heard from them. It is easy to sit down and cast a silent vote.

Hon. A. H. Panton: Their leader has spoken.

Hon. J. CUNNINGHAM: I do not know that Mr. Hamersley is the leader of the Country Party.

Hon. E. H. Harris: He is the deputy leader.

Hon. J. CUNNINGHAM: If he is the deputy leader, he has done something to assist the policy of centralisation, which, however, he opposes under his Party's platform. Mr. Panton pointed out that a householder is entitled to claim a vote for this Chamber if he is paying 6s. 6d. a week. What is the position regarding people in the country? Country party members represent country provinces. Here is an opportunity to extend the franchise and, therefore, increase decentralisation. Regarding the remarks of Mr. Harris, he seems to be somewhat in doubt in regard to the reading of the latter portion of Clause 2. His doubt was shared also by Mr. Hamersley. The second portion of Clause 2 reads:—

> Where a person inhabits any dwelling-house by virtue of any office, service, or employment, and the dwelling-house is not inhabited by anyone under whom such person serves in such office, service, or employment, such person shall be deemed for the purposes of this Act to be an inhabitant occupier of such dwelling house as a tenant.

That paragraph does not deal with persons. To me the object of the Clause is clear. It means that in the event of a station owner having a manager who occupies a dwelling on the station by virtue of his position as manager, the manager and not the station-owner will be entitled to claim a vote for this chamber in respect of those premises. The same thing would apply to boarding houses. It is not a question of enfranchising all the boarders at a boarding-house. In Clause 3, provision is made to safeguard against joint occupiers of any dwelling houses being qualified to vote.

Hon. E. H. Harris: Unless the house is structurally separated.

Hon. J. CUNNINGHAM: That is so, but if it is structurally separated, it is a separate building, and, therefore, would be a different dwelling-house altogether. During the second reading debate, I thought that Mr. Nicholson would have had something to say regarding the legal aspect of the latter portion of the clause. As he did not refer to that matter, I take it that he considers the clause is quite clear. In asking the House to agree to the second reading of the Bill I do not propose to interfere with the existing qualification. Seeing that Mr. Hamersley has mentioned the £50 freehold qualification, it might be as well to bring directly under the notice of hon. members the qualifications provided in the Constitution Act Amendment Act. The first qualification sets out the following:—

> Has a legal or equitable freehold estate in possession situate in the electoral province of the clear value of fifty pounds sterling.

That qualification means that, providing a man has sufficient money, he may be qualified as an elector in a province, so long as he possesses the freehold qualification valued at £50 sterling. We are confronted with this position that while some hon. members are willing to permit this

plural voting system, they agree that one individual may have ten votes. At the same time, Mr. Hamersley and other members who oppose the Bill will not agree to other men having a single vote. There are ten electoral provinces throughout the State and that means that if a man possesses the necessary qualifications in each province, he may have, in all, ten votes, and yet Mr. Hamersley would debar a man who owns his own house in one province from having even one vote.

Hon. A. H. Panton: Good old democracy!

Hon. J. CUNNINGHAM: The second qualification is as follows:—

> Is a householder within the Province occupying any dwelling house of the clear annual value of seventeen pounds sterling.

That means that people who live in Perth, and have interests in the North Provinces, for instance, can be enrolled not only in the Metropolitan Province, but for the North Province as well. It has already been pointed out that something like eight hundred voters for the North Province do not reside there at all, but reside in the metropolitan area, and although resident in Perth they have the right of electing a representative for the North Province, and at the same time we deny men pioneering in the mining and timber and other industries the right to have one vote. The trouble has arisen out of the £17 qualification, and it will continue to exist. We throw the responsibility upon the road boards and municipalities and they in turn pass it on to the valuators to allow or disallow the people the right to vote for this Chamber. That was proven in the recent prosecutions on the goldfields. When the matter was referred to the resident magistrate, he, in turn, referred it to the local valuators, and to the valuators of the road boards and municipalities to determine who should be fined for making false declarations when signing applications for enrolment. The fifth subsection in the Act provides:—

> "The electoral list of any municipality in respect of property within the province of the annual rateable value of not less than £17."

and the next provision sets out—

> "The electoral list of any road board district in respect of property within the province of the annual rateable value of not less than £17."

In addition we find this in the second proviso,

> Provided also that no aboriginal native of Australia, Asia, or Africa, or person of the half blood, shall be entitled to be registered, except in respect of a freehold qualification.

Four years ago I heard Mr. Cornell in this Chamber point out that an aboriginal native of Australia had a legal right to claim a vote for the Legislative Council if he acquired freehold of the value of £50. There are members who are prepared to vote against the Bill and say that whilst they admit that so long as an aboriginal conforms to qualification No. 1, he shall be entitled to a vote for this Chamber. We call ourselves a progressive Chamber, yet we have Indians, Chinese, Cingalese, and other Asiatics, who may be naturalised British subjects, and who may be entitled to qualify to vote for this Chamber. How long, I ask, do hon. members think that the community will tolerate this state of affairs if it becomes known?

Hon. J. Nicholson: The great masses are on the roll.

Hon. J. CUNNINGHAM: They are not. The position is that only about 50,000 names are registered and I ask Mr. Nicholson to take into consideration the fact that there are many who are entitled to more than one vote. When we say that there are 50,000 odd electors on the Legislative Council rolls, that does not imply that there are 50,000 persons who are qualified. It means that that number of votes may be recorded, under the qualifications I have read. As against that total, we have on the Assembly rolls 160,000 electors. The general mass of the people do not know that whilst they are debarred from registering a vote for this Chamber, an aboriginal native, or an Asiatic, so long as he has the qualification set out in the Act, may qualify for enrolment. How long will this be tolerated? It is all very well for Sir Edward Wittenoom to say that he has not heard an outcry on the part of the people. Has the position been made clear to the people? There has been a demand. No fewer than 32 direct representatives of the people made this demand within the last few weeks. Hon. members may think that I have a special personal interest in this Bill. I wish to say that in the event of the Bill being passed, it will enrol political opponents of mine as well as political supporters. There are hon. members in this House who can bear out that statement. It is not a question of doing something to try to get personal advantage out of it, but it is for the purpose of extending the franchise of this Chamber to a most desirable section of the community. I ask hon. members to assist me to carry the second reading.

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

Ayes	9
Noes	15
Majority against ...	6

AYES.

Hon. R. G. Ardagh	Hon. J. W. Kirwan
Hon. J. Cornell	Hon. T. Moore
Hon. J. Cunningham	Hon. A. H. Panton
Hon. E. H. Harris	Hon. F. A. Baglin
Hon. J. W. Hickey	(*Teller.*)

NOES.

Hon. C. F. Baxter	Hon. G. W. Miles
Hon. H. P. Colebatch	Hon. J. Nicholson
Hon. J. Duffell	Hon. E. Rose
Hon. J. Ewing	Hon. A. J. H. Saw
Hon. J. A. Greig	Hon. H. Stewart
Hon. V. Hamersley	Hon. Sir E. H. Wittenoom
Hon. J. J. Holmes	Hon. J. Mills
Hon. C. McKenzie	(*Teller.*)

PAIR.

Ayes: Hon. J. E. Dodd; Noes: Hon. A. Lovekin.

Question thus negatived; Bill defeated.

BILLS (2)—FIRST READING.

1, Permanent Reserves No. 2.

2, Land Agents.

Received from the Assembly.

BILL—INSPECTION OF MACHINERY.

Assembly's Message.

Message received from the Assembly notifying that it had agreed to 12 amendments, disagreed with 12 and had agreed to 6 subject to further amendments.

BILL—HEALTH ACT AMENDMENT.

In Committee.

Hon. J. Ewing in the Chair; the Minister for Education in charge of the Bill.

Clauses 1 to 6—agreed to.

New Clause:

Hon. A. J. H. SAW: I move—

That the following be inserted to stand as Clause 4:—Section 256 of the principal Act is amended as follows:—Strike out the following words in the third, fourth, and fifth lines:—"stating that any person is suffering from venereal disease, and whenever the Commissioner has reason to believe that such person is suffering from such," and insert in lieu thereof the following:—"which gives the Commissioner reason to believe that any person is suffering from venereal."

The action of another place has restored the clause exactly as it stood in the Act of 1915. Under that section the Commissioner was faced with the difficulty that, when a person gave information concerning another alleged to be suffering from venereal disease, he had to state of his own knowledge that the other person was so suffering. Unless the informant was a medical mand who had made a bacteriological examination, it was impossible for him to state this of his own knowledge. An ordinary layman could not do so. That was one of the reasons why it was impossible to give effect to the provision. Subsequently the section was altered, and the Commissioner was able to act on information received, without any signed statement. That provision has now gone and the signed statement has been reintroduced. If the provision is left as it stood in the Act of 1915, the Commissioner will be faced again with the old difficulty. The proposed new clause will necessitate the informant giving a signed statement which leads the Commissioner to believe that a certain person is suffering from the disease, and any innocent person will have the safeguards set up in the section of the Act. It is with the object of giving the Commissioner some power under the Act that I have proposed this new clause. There is nothing at all drastic about it. All the Commissioner will be able to do will be to call upon the person informed against to consult a medical man, and produce evidence as to whether he is or is not suffering from the disease and, if he is, he must undergo treatment.

Hon. Sir Edward Wittenoom: It has worked well, has it not?

Hon. A. J. H. SAW: I understand there was no abuse of the section as amended in 1917.

Hon. A. H. Panton: Except that out of 40 women informed against, only six were found to be suffering from the disease.

Hon. A. J. H. SAW: Those women were not proved not to have the disease; it was only a case of not proven. In all probability they were suffering from the disease, but unfortunately a single examination failed to sheet it home. I have repeatedly explained how that could happen. This clause has been drafted by the Solicitor General after consultation with the Commissioner of Public Health. I think the Committee can be assured that the proposed new clause will give adequate protection to innocent persons. It will also give protection to others where the disease cannot be sheeted home, although in all probability it exists.

The MINISTER FOR EDUCATION: I am quite in accord with the proposed new clause, but I suggest an alteration to bring it into conformity with the other clauses. In 1915 an amending Health Act was passed which provided, amongst other things, for the reprinting of all future Acts with all amendments brought up to date, and the short title, therefore, should be the Health Act 1911-1919. In conformity with that, the new clause should contain as introductory words "Section 256 of the Health Act 1911-19 is amended as follows."

Hon. A. J. H. SAW: With the consent of the Committee, I accept the Minister's suggestion.

The CHAIRMAN: The alteration will be made.

Hon. A. H. PANTON: I cannot see that the Commissioner will have much more power under the proposed new clause. The object of the amendment undoubtedly is to give him more power.

Hon. A. J. H. Saw: To give him some power.

Hon. A. H. PANTON: Either it is a distinction without a difference or it will relieve the person who gives the information of any liability. I understand that the Commissioner was faced with the difficulty that people would not sign statements. A person who makes such a complaint or charge should be prepared to sign the statement. How will the amendment assist the Commissioner if it does not relieve the informant of liability?

Hon. C. F. Baxter: The informant need make only a suggestion.

Hon. A. J. H. Saw: There is no suggestion about it.

Hon. A. H. PANTON: The Commissioner is to receive a signed statement which gives him reason to believe. If the amendment does not relieve the informant of liability for his action in the event of the person informed against being found free from the disease, it will not assist the Commissioner. If people will not inform under the existing provision, they will not do so if a signed statement is required.

Hon. A. J. H. SAW: The difficulty under the section in the Act of 1915 is that the informant has to put his name to a statement in which he says that a person is suffering from venereal disease. Under the clause as I suggest, he would give a signed statement furnishing the Commissioner with details and facts leading the Commissioner to believe that a person is suffering from venereal disease. Say a man finds he has gonorrhoea. From six to nine days previously he had intercourse with a female. He cannot say of his own knowledge that the female had venereal disease. But he can go to the Commissioner and sign a statement saying that on such and such a day he had intercourse with a female, and that so many days after that he developed gonorrhoea, and that he had

not had intercourse with any other female. Then the Commissioner will have reason to believe that that woman is suffering from venereal disease. But the man giving the information has not got the inside knowledge which will justify his stating that the woman has venereal disease. The man does not know the incubation period of gonorrhoea. But the Commissioner does. Under the amendment the man has to put down definite statements on a paper to which he puts his name and address. If the woman is subsequently found not to be suffering from venereal disease, she can obtain the name and address of the informant and proceed against him for redress. The difficulty has been that people would not sign any statement whatever. The cry always has been, "Don't bring me into it!" However, some men will give facts such as those I have described. If the statements of fact are wrong, the maker of them can be brought to book.

Hon. J. NICHOLSON: I consider the amendment a good one, but think it may fall short of the purpose which the mover has in view. Under Section 236 all that is required to be given in the signed statement is the full name and address of the informant. I suggest adding some such words as "and also such facts or information as will give the Commissioner reason to believe" and so forth.

The MINISTER FOR EDUCATION: I think the matter would be quite clear to the hon. member if he would for the moment omit the words "in which shall be set forth the full name and address of the informant," those words being between commas. There is a dual responsibility, that of the maker of the statements to believe in the truth of his statements of fact, and the very heavy responsibility of the Commissioner that the facts shall be such as give him reason to believe.

Hon. A. J. H. SAW: The signed statement is what the Commissioner acts on, and that statement must give the Commissioner reason to believe. I am old enough to remember a case which occurred in London—in fact, I was a student there then —in which a constable arrested a respectable woman and accused her of street-walking. The action of that policeman nearly cost the Home Secretary his office. I am perfectly certain that if our Commissioner makes a mistake in this connection, he will not be long in his office afterwards.

Hon. A. H. PANTON: I shall vote against the amendment. The present Act provides for a signed statement containing something definite, as that a person is suffering from venereal disease. The argument for the last three or four years has been that someone could go to the Commissioner and say something that nobody else would know anything about, and that the Commissioner could take action on that. Under this amendment the Commissioner would be the sole arbiter as to what was sufficient reason to cause him to believe.

The Minister for Education: The reason to believe must arise out of the signed statement.

Hon. A. H. PANTON: I know that well enough. But there is nothing here to say what the reason is to be. Dr. Saw proposes to delete the definite statement which is required by the present Act; he wishes to give the Commissioner the right to say that certain things lead him to believe that a certain person has a venereal disease. I am not prepared to leave that matter in the Commissioner's hands. If a man or a woman is not prepared to go before the Commissioner and make a definite statement, as now provided by the Act, then he or she will not be prepared to go before the Commissioner and make a statement which will lead the Commissioner to take action.

Hon. H. Stewart: How would such a man get his bacteriological test?

Hon. A. H. PANTON: How does he get it now? What I am concerned with is, how the action of the Commissioner starts. The position to-day is that somebody could go to the Commissioner and say, "I have reason to believe that Tom Jones or Tilly Brown is suffering from venereal disease."

Hon. H. Stewart: That would be subject to a signed statement.

Hon. A. H. PANTON: No; subject to no signed statement whatever. The Commissioner then could take action, rightly or wrongly. Another place has said that is wrong, and therefore another place deleted that provision, thus reverting to the original Act of 1915. That Act says that when a person lays an information with the Commissioner he has to sign a statement to the effect that some other person is suffering from venereal disease. Dr. Saw wants to delete that and say that the Commissioner shall believe certain things. It will make it ten times as difficult for the person who is wrongfully subjected to an examination to prosecute the informant. I hope the Committee will stick to the original provision. The amendment is only getting in by the back door that which another place has declared shall not come in at all.

Hon. A. J. H. SAW: Under the conditions that prevailed until another place reinstated the signed statement, a person informed against had no right to an inspection of the documents, and could not learn on what evidence the Commissioner had acted. If the amendment be carried, the person informed against will have those rights. If it be proved that that person has not the disease, he or she will be able to inspect the documents, get copies of them, and see the evidence on which the Commissioner has acted. And if the Commissioner has acted on insufficient evidence, it will be forcibly brought home to him, while if the informant has made a wrong statement of fact he also will be liable to prosecution. All will agree that if the person informed against is suffering from the disease, he or she ought to be compelled to undergo treatment. Under the amendment, if the Commissioner makes any mistake he will not last for three months.

Hon. J. CORNELL: I support the amendment. Under existing conditions a signed statement must be furnished setting out that a certain person has venereal disease. The average man is not prepared to make such a statement, because of the danger that his surmise as to the source of his infection is not correct. Under the amendment the informant must give reasons which will lead the Commissioner to believe that the disease was contracted from a certain person. The Commissioner will not act without sufficient prima facie evidence. If the Commissioner acts wrongfully, he will be indicted.

Hon. Sir Edward Wittenoom: Past experience suggests that the Commissioner has acted rightly.

Hon. J. CORNELL: Yes, and moreover, if mistakes have been made, the Act has more than compensated for them. Even under the proposed provision mistakes are bound to be made, but against those mistakes must be measured the general gain to the community.

Hon. F. A. BAGLIN: I am opposed to the amendment. When a Federal political campaign is in progress, if anybody wishes to make a statement in the Press against a candidate, it must be a signed statement. If that is necessary to the protection of the personal character of a politician, it is much more important that we should similarly safeguard the moral reputation of the people. Dr. Saw has said that people do not want to make a signed statement. I am not prepared to consider such people.

Hon. A. J. H. Saw: It is a question, not of considering them, but of safeguarding the public.

Hon. F. A. BAGLIN: There is nothing in the Bill to show that the person informed against will be able to see the documents.

Hon. Sir Edward Wittenoom: It is in the parent Act.

Hon. F. A. BAGLIN: Suppose a person be wrongly informed against, how can the Commissioner make the necessary inquiries, except by an examination? If a man makes an accusation against any person he should be prepared to back it up by a signed statement.

Hon. A. J. H. Saw: He must do that.

Hon. F. A. BAGLIN: It is not so prescribed. If he satisfies the Commissioner, that officer will take the necessary action.

Hon. A. J. H. Saw: You will find the provision in the parent Act.

Hon. F. A. BAGLIN: Well, it is not in the proposed new clause.

Hon. A. J. H. SAW: If you read the amendment with Section 256 of the Act, you will find the provision begins "Whenever the Commissioner has received a signed statement."

The MINISTER FOR EDUCATION: Subsection 5 of Section 256 of the Act, which now becomes law, provides that any person subjected to examination or detention and found not to be suffering from venereal disease or not from the disease in an infectious stage, or in an infectious stage but not likely to infect others, he shall be entitled to inspect any written statement made to the Commissioner. So, if the amendment be agreed to, the signed statement will have to be made, and if on examination any of those things enumerated appear to obtain, the person examined will be entitled to have a verified copy of the statement.

Hon. A. H. PANTON: Mr. Cornell has overlooked the fact that to-day the informant has to sign his statement that a certain person is suffering from venereal disease. He has not to do that under Dr. Saw's amendment. All he need do is to sign the statement saying what he likes about a certain woman, and that is sufficient for the Commissioner to go upon.

Hon. A. Lovekin: If he is not telling the truth he must accept the risk of his false statement.

Hon. A. H. PANTON: This is simply a back way of getting round what has already been done in another place. The new clause should either be inserted as it is or thrown out.

Hon. J. NICHOLSON: I suggest that the words "Whenever the Commissioner has received a signed statement," should come in after the word "statement."

The Minister for Education: That makes no difference.

Hon. A. J. H. SAW: I do not think it is important. It does not matter whether the name and address of the informant come in the middle of the clause or at the end.

New clause put and a division taken with the following result:—

Ayes	20
Noes	4
Majority for	16

AYES.

Hon. R. G. Ardagh	Hon. J. W. Kirwan
Hon. C. F. Baxter	Hon. A. Lovekin
Hon. H. P. Colebatch	Hon. C. McKenzie
Hon. J. Cornell	Hon. G. W. Miles
Hon. J. Cunningham	Hon. J. Mills
Hon. J. Duffell	Hon. J. Nicholson
Hon. J. A. Greig	Hon. E. Rose
Hon. V. Hamersley	Hon. A. J. H. Saw
Hon. E. H. Harris	Hon. Sir E. H. Wittenoom
Hon. J. J. Holmes	Hon. H. Stewart (*Teller.*)

NOES.

Hon. F. A. Baglin	Hon. A. H. Panton
Hon. T. Moore	Hon. J. W. Hickey (*Teller.*)

New clause thus passed.

New Clause—

Hon. A. J. H. SAW: I move—

That a new clause be inserted to stand as Clause 5 as follows: Section 207 of the principal Act is amended by inserting a subsection, as follows:—(17a.) He may direct and cause to be held a *post mortem* examination of the body of any person who has died or is supposed to have died of a dangerous infectious disease, and may give such direction as he may think fit for the disposal of such body.

At present, if the relations of a person object, the Commissioner has no power to order a *post mortem* examination in the case of anyone dying or suspected of having died of a dangerous infectious disease. This amendment was drafted by the Solicitor General. The usual method of disposing of a body is by cremation.

New clause put and passed.

Title—agreed to.

Bill reported with amendments.

BILL—ARCHITECTS.

Second Reading.

The MINISTER FOR EDUCATION (Hon. H. P. Colebatch)—East) [9·43]: In moving the second reading said: This is a Bill to make provision for the registration of architects, It was introduced last session in another place and discussed at some length, and considerably amended. It gives statutory recognition to

the profession of architects, in a somewhat similar manner to the recognition which has been given for many years to lawyers, doctors, chemists, dentists, and others. It differs from those Acts, in that it gives no exclusive right to the registered architect to practice his profession. It cannot be said, therefore, that it in any way creates a close corporation. The principle of the Bill is contained in Clause 29 which provides:—

> After the expiration of six months from the commencement of this Act no person, unless he is registered under this Act, shall take, use, or adopt the title or description of architect or architectural practitioner, either alone or in conjunction with any name, title, words, letters, additions, or description implying or leading to the belief that he is registered under this Act, or that he is qualified to practise as an architect, or is carrying on the practice of architecture.

Hon. A. H. Panton: It does give some exclusive right.

The MINISTER FOR EDUCATION: It gives them the exclusive right of advertising themselves as architects, but there is nothing in the Bill to prevent any person from practising as an architect, and carrying out all the work that an architect does, but he must not set himself up as an architect unless he is qualified under the Bill.

Hon. J. Ewing: There is not much protection afforded to the architect.

The MINISTER FOR EDUCATION: Architects would probably prefer something which would go further than is set out in the Bill, but they are satisfied with this provision. It affords them very considerable protection. I take it that members will either support or oppose the second reading of the Bill, according to how they regard this particular clause, because it embodies the whole principle of the Bill, namely that after the expiration of six months from the date of the assent to the Bill, unless qualified under the Bill, persons shall not be allowed to set themselves up as architects. At the same time the Bill does not prevent those persons from practising as architects.

Hon. J. A. Greig: The last line in Clause 29 sets out "or is carrying on the practise o an architect."

The MINISTER FOR EDUCATION: Such a person must not say that he is an architect or that he is carrying on the practise of architecture.

Hon. J. W. Kirwan: In effect he can carry on, but he must not say so.

The MINISTER FOR EDUCATION: That is the position. At the present time—and it has been the case for a long time past—some builders have been their own architects and nothing in the Bill will prevent them from continuing their operations. The Bill simply means that they must not advertise themselves as architects or advertise that they are carrying out the work of an architect. The Bill will serve a dual purpose. It will afford protection to the public, which is the first essential. At the present time anyone can set himself up as an architect and call himself such. If the Bill is passed, the public will have this protection, that anyone who advertises himself as an architect must be qualified in accordance with the provisions of the Bill. It may happen that persons will be quite willing to employ for architectural work, individuals whom they know as builders but who, in their opinion, are quite capable of carrying out all the work necessary; at the same time, they may not be persons who would be qualified under the Bill. The measure, however, will not prevent the continuance of such a practice.

Hon. Sir E. H. Wittenoom: I know several instances.

The MINISTER FOR EDUCATION: And the Bill will not attempt to stop that practice. The Bill does prevent those people from setting themselves up as architects and claiming they have qualifications specified in the Bill, thereby deceiving the public. In future under the Bill there will be two classes, those who will be qualified under the Bill and those who, having achieved some sort of reputation or recognition among the people who have employed them, carry out architectural work. People will still be able to entrust the latter section with their work if they are desirous of doing so. I consider there is quite sufficient protection from the public point of view. Thus everyone employing individuals in connection with architectural work will know exactly what they are doing. The second purpose which the Bill will serve, will be to give a professional standing to architects and provide them with something that will make it worth while to undergo the long and expensive training necessary for the proper discharge of their duties, at the same time giving them a certain amount of protection, to the extent that no person who is not qualified under the Bill will be permitted to advertise himself as such. If members are satisfied with the general principle contained in Clause 29 of the Bill, then it is a matter for inquiry as to whether the methods provided in the Bill for carrying out that principle are satisfactory. Following the practice adopted in connection with all the professions I have referred to, namely, lawyers, doctors, dentists, chemists, and so on, a board is created to carry out the purposes of the Bill. The Act will come into operation on receiving the assent of the Governor and as soon as practicable thereafter, a provisional board is to be established to carry out the initial work. This board is provided for under Clause 3. It will consist of nine members engaged in the profession of architecture.

Hon. Sir E. H. Wittenoom: Why do they want nine members?

The MINISTER FOR EDUCATION: I do not know that that is a large number. I do not know off hand what number of members there are on the Barristers' Board.

Hon. Sir E. H. Wittenoom: It is like a small Parliament!

The MINISTER FOR EDUCATION: Most of these boards in connection with the various professions have about the same number of members, and it is necessary because it is intended to be a continuous board with the members retiring in rotation, as I shall explain presently. This provisional board has to prepare the way for the appointment of a permanent board which will be by election within six months from the commencement of the Act. Clause 12 of the Bill sets out the different functions of the provisional board. It sets out that they shall open

a register for the registration, in the prescribed manner, of persons as architects under the Bill. Clause 13 sets out who shall be the persons to be registered at the outset. Subclause (2) of that clause sets out the position as follows:—

> Any person who applies for registration within six months after the commencement of this Act, and proves to the satisfaction of the provisional board that he resides in Western Australia, and is a person of good character and reputation; and (a) That he is a member of the Royal Institute of the Architects of Western Australia, or of some other institute or society of architects of equal standing; or (b) that he is and for the next preceding twelve months has been publicly and bona fide practising as an architect in Western Australia; or that he is, or at some other time prior to the commencement of this Act was engaged as an assistant to an architect in Western Australia, has had at least seven years' experience; or (c) that he is possessed of qualification and experience deemed by the board to be equal to those mentioned in one or other of the preceding paragraphs of this section; or (d) that he has any of the qualifications mentioned in the next following section, shall be entitled to have his name enrolled on the register.

The board will register such of these persons as apply and are qualified and will then make arrangements for holding an election for a permanent board. These are practically the sole functions of the provisional board. We then come to the question of the permanent board which will be called the Architects' Board of Western Australia. Provision for the appointment of the board is made under Clause 5. It is provided that the board shall consist of nine members three to be appointed from time to time, by the Governor, and six to be elected from time to time by the registered architects from among their number, in accordance with the by-laws, and, until by-laws are made, in the manner prescribed in the first schedule to the measure. Provision is made for one of those appointed by the Governor and two of the elected members to retire annually and the usual provision is made for the order of retirement and the extraordinary vacancies. Clauses 6 to 11 briefly outline the powers of the board. They must appoint a registrar and they can acquire and hold land for offices for the use of the board. They may also borrow money to be expended on the purchase of land or for the erection of offices and may sell, lease, exchange or mortgage any real or personal property vested in the Board. For the purposes of any inquiry under the legislation the Board may examine any person upon oath and so on. Then we come to the important question of how new members are to be elected after the permanent board has been established. This is set out in Clause 14. I do not think it is necessary for me to read the details set out in the clause, which is a long one. If hon. members peruse the provisions of the clause they will find that they are wide, and that the clause does not close the door against any person who should be admitted. No person should be entitled to set up as an architect unless he is qualified under one or other of the provisions of Clause 14. Provision is made in Clause 16 for appeals to the Supreme Court on the part of any person who has made application for registration and whose application in his opinion has been improperly rejected. Clause 18 provides for the fixing of fees and exemption from the payment of those fees in certain circumstances, where an architect may for the time being, retire from practice. Clause 21 enumerates the offences which may result in the removal of names of architects from the register. Clause 26 is a very important one. It makes provision for the appointment of a committee of architectural education, who will deal with the education of students in architecture and will conduct by examiners approved by the board, such examinations as may be required by the by-laws. This committee will be a representative one that may be safely entrusted with the carrying out of the duties specified. The committee; it is provided, shall be not exceed seven in number inclusive of the chairman of the board, who shall be an ex-officio officer, and shall include nominees of the University of Western Australia and of the Director of Technical Education. That should provide a very satisfactory tribunal to carry out this branch of the work. Clause 28 makes provision for the framing of by-laws for certain purposes, which, under the Interpretation Act, must be presented to Parliament and may be disallowed by either house if deemed necessary. The expenses of the provisional board are to come out of the registration fees and the permanent board must finance itself out of its own revenue. The remainder of the clauses are purely machinery clauses and I think they are very useful and satisfactory.

Hon. A. H. Panton: Are architects registered to-day?

The MINISTER FOR EDUCATION: No. The principle of the Bill, I repeat, is contained in Clause 29. I think the profession of architects in Western Australia at present is of a very high standard and the effect of this Bill should be to still further improve that status and afford a reasonable measure of protection to the public. I move—

> That the Bill be now read a second time.

Hon. Sir E. H. WITTENOOM (North) [9·58]: I have much pleasure in supporting the Bill, especially after the lucid explanation from the Leader of the House. I was particularly concerned with Clause 29, but after the Minister's assurance that it does not apply to those people who are now carrying out this work but who are not qualified architects, I am satisfied on that point.

Hon. J. A. Greig: It means that they will not be able to carry out their work as at present.

The Minister for Education: It does not say anything of the sort.

Hon. Sir E. H. WITTENOOM: It means that they can do the work, but must not call themselves architects or advertise that they are doing the work. During a long career, which has not been without its light and shade, I have found it necessary to erect on something like seven or eight sheep stations, various wool sheds, shearers' quarters, and sheds and all sorts of buildings coming within that category. The best architects in the world would not have had experience in carrying out that work simply because they would not do it cheaply enough.

They would not demean themselves by doing such work. I remember years ago, when I happened to be Minister for Posts and Telegraphs, we had a tremendous rush in Kalgoorlie, I think it was, and I asked an architect to put up quickly some rooms. He replied that he did not know where he could get the stone and other articles for embellishment. I told him that we wanted a galvanised iron structure, and that if we could not get matchboard lining we would have to go without. But the architect would not look at it. There are some practical men who are clever enough to improvise designs for buildings or shearing sheds and these men have never obtained certificates or degrees in connection with architecture. So long as I am assured that the practical man is not affected by the Bill, I shall support the second reading. The Bill is a good one and it is necessary. I believe in the public being protected against people in all these professions. I would make this kind of legislation apply also to opticians. We applied it to dentistry last session. There should be some qualification so that the public may know that they are getting a good return for the money that they are paying. With the reservations I have referred to, I intend to support the second reading.

The Minister for Education: May I explain that my attention has been drawn to the fact that the marginal note to Clause 29 reads: "Unregistered persons not to practise as architects." I take it that you, Sir, would rule that the marginal note does not govern the position. I think what has happened is that the Bill as originally introduced last year did prohibit any person not registered from practising, and that the marginal note was put in for that purpose. The marginal note is not part of the Bill, it is simply explanatory.

Hon. J. A. GREIG (South-East) [10.4]: I have some doubt as to whether this measure is really necessary. It seems to me that it will give architects registered in Western Australia a close monopoly, and I am inclined to think that once architects are registered they will probably make a request to the local authorities that they should receive no plans other than those submitted by registered architects. It is well known that all municipalities and road boards provide in their regulations that no person may build a house in any town without first submitting the plans for approval. In the past it has been the custom, if an owner has not employed an architect, to secure the services of a contractor or builder to prepare certain plans and specifications in a rough state, just giving dimensions of the rooms, the height of the walls, the distance from outhouses, and other necessary information to comply with the regulations of the local authorities. I am inclined to think that once the architects have formed a close corporation they will send a circular to the local authorities informing them that there is a registered society of architects and that the authorities will be asked not to receive sketches or plans from any person other than a registered architect. Therefore, a man getting an ordinary house built, will require to give his order through a registered architect, who will then be able to claim fees. Following that there will be nothing to prevent the architects getting together and advancing their fees perhaps 50 per cent. I cannot see that such a proposal will be of advantage to the people generally. That is the nigger in the fence which I see in the Bill. With regard to Clause 29, we have the assurance of the Minister, although I have my doubts about it, that a builder, for instance, will not be debarred from doing what he did before.

Hon. J. W. KIRWAN (South) [10.7]: I cannot say that I have studied the Bill closely, but from a cursory examination of it it seems to me to be worthy of support. It may be claimed that at such an early stage in the development of Western Australia it is too soon to pass a Bill of this nature, in view of the fact that the only works which will call for much architectural skill will be confined to Perth and possibly Fremantle. But in a matter of this kind it is a good fault to be a little too early rather than to be too late. A Bill like this is extremely difficult to frame, especially in a State such as Western Australia, because in endeavouring to do justice to the profession of the architect, we should be very careful not to place any obstacles in the way of the work now being carried on, throughout the back blocks particularly, by men who describe themselves as builders. The difficulty has been to distinguish between architects and builders, but I think the distinction is clearly enough set out in Clause 29. A man may build in Western Australia the finest of buildings, he may build a structure equal to Notre Dame, or even the Taj Mahal, but he must not state that he is the architect; he may only describe himself as the builder. He may carry on the work of an architect but he must not say that he is engaged in that work. The Bill will not interfere with a man who is engaged in building so long as he continues to describe himself as a builder. Therefore the interests of these people are safeguarded in the Bill that is before us, and I cannot see how it will be possible to create a monopoly. The Bill renders a certain amount of protection to those who are professional architects, and it will give them a status. Furthermore, it will enable a man who has a building of consequence to erect, to engage an architect, and that architect will have to be careful to see that the building is properly erected and that it complies with all the conditions required by the architects' society, otherwise he will lose his status as an architect. I support the second reading.

Hon. A. H. PANTON (West) [10.11]: Like Mr. Greig, I am a bit suspicious of the Bill and I am not altogether in accord with the Leader of the House when he says that Clause 29 will overcome the difficulty which is feared. The last words of that clause will prevent the very man that Sir Edward Wittenoom desires to assist from carrying on as he did before.

Hon. J. W. Kirwan: That part of the clause is governed by what goes before.

Hon. A. H. PANTON: I do not wish to deal with the clause by itself. True it is governed by an earlier portion which says: "No person unless he is a registered architect, shall take, use, or adopt the title or description of architect or architectural practitioner, either alone or in

conjunction with any name . . . implying that or leading to the belief that he is registered under the Act" and then it says: "or is carrying on the practice of architecture." Taking the man referred to by Sir Edward Wittenoom, let me compare him with the English builder. The latter is either a stonemason, a bricklayer, or a carpenter, while the Australian can put in foundations, erect a jarrah house and build the chimney. I could put my finger on a dozen such men one after the other. I am of the opinion, notwithstanding what Clause 29 says, that that class of man, not immediately in the future, but in the near future will disappear, for the reason that once the board of the description proposed is created—and after all it will be an association of architects—in a short time people will recognise architects as the only people capable of doing even ordinary work. Under Clause 29, the other class of men, of whom there are hundreds in Western Australia——

Hon. Sir E. H. Wittenoom: Not hundreds.

Hon. A. H. PANTON: Well there are scores of carpenters who can plan a cottage and erect it.

Hon. J. W. Kirwan: This Bill will not prevent them from doing that.

Hon. A. H. PANTON: No, but once the association of architects become known, the man I refer to will be prevented from advertising that he can plan as well as erect buildings, and people will then have to go to the architect and afterwards to the builder, instead of being able to get the builder to do the lot. They will have to pay an architect the prescribed fees.

Hon. G. W. Miles: What will the fees be?

Hon. A. H. PANTON: I do not know. Architects have a scale of fees at the present time.

Hon. T. Moore: They are pretty high, too.

Hon. A. H. PANTON: And when they get a monopoly of the work, their fees will be higher still. I am looking forward to the cost of building coming down, but there will be no chance of that happening if we legalise an association who will have the right to say what they are going to charge. Today the worker who does the building has to go to the Arbitration Court or else accept the rates his employer offers.

Hon. E. H. Harris: What about providing that the Arbitation Court fix these fees?

Hon. A. H. PANTON: I am prepared to accept that suggestion if the association become registered under the Arbitration Act. I do not believe in the association fixing their own fees to the detriment of those outside the profession. Under the Bill a provisional board will be constituted. How will it be constituted? The Government will secure nine men from leading firms of architects in the city, who admittedly would be in the best position to say who should be registered. These men would be created a board and would have the right to say who should be registered. Six months later a board of nine would be elected, three of whom would be appointed by the Governor. How would the Governor appoint the three members? Surely on the recommendation of the board. I see no other way of doing it. I venture to say that in the case of all other boards constituted in this State, the Government representatives are secured in this way. Therefore, the Governor really will not appoint these three members. The Minister cannot indicate where he will get them, unless a lot of people are unable to become members of the association.

The Minister for Education: I will show you where we may get them.

Hon. A. H. PANTON: Any building which necessitates the services of first class architects will be carried out under the supervision of such trained men. People erecting large premises worth thousands of pounds would not entrust them to doubtful or inexperienced persons.

Hon. V. Hamersley: If this measure is passed, would it be possible to call for designs outside the State?

Hon. A. H. PANTON: I cannot answer that question. Many thousands of places, we hope, will be erected in this State, more especially in the outside areas, and such places will not necessitate the employment of registered architects. Mr. Greig hit the nail on the head when he said that after the creation of the board, one of the first things to be done by the association would be to get municipal councils, road boards, and progress associations to agree to by-laws insisting that all premises erected under their jurisdiction must be erected under the supervision of registered architects.

Hon. J. W. Kirwan: The operations of the Bill will be confined to the metropolitan area.

Hon. A. H. PANTON: I am dealing with the measure as having State wide application. If its operations are to be confined to the metropolitan area I shall have nothing more to say about it. The buildings to be erected in Perth will necessitate the services of architects to plan them, but the buildings to be erected in the country will not require to be planned by architects. If we are not careful, however, the Architects' Association will soon be dictating terms to all the municiapl councils and road boards throughout the State.

Hon. F. A. BAGLIN (West) [10·23]: I support the second reading. From information I have gained from persons who may be deemed to be authorities, I do not think the Bill will have any harmful effects. When we look at places like Perth and Fremantle, we must admit that there are defects in the planning which would not have occurred if a measure of this kind had been on the statute-book. During the last 20 years, quite a number of Governments have held office, and most of them have been known as "mark-time" Governments or something of that kind. The Mitchell Government, I think, will go down to posterity as the "board Government." For every act of administration, the present Government appoint some board. When the Education Commission was appointed, they even secured the services of a man named Board as Chairman. I support the Bill because I think it is fair and just, and it is time the Government called a halt to the appointment of boards. The Minister should tell us when the creation of these boards will cease.

Hon. J. Cornell: This board should be put away to season.

Hon. F. A. BAGLIN: I regard this board as being necessary, but so many other boards have been appointed that it seems we are to be governed by boards. If this is the intention, the sooner we hand over all our Governmental activities to boards, the better.

The MINISTER FOR EDUCATION (Hon. H. P. Colebatch -East -in reply) [10·25]: I find that the explanation I offered regarding the

marginal note to Clause 29 is accurate. When the Bill was introduced in the Assembly last year, Clause 31 which corresponds to Clause 29 of the present Bill read—

> After the expiration of six months from the commencement of this Act, no person unless he is registered under this Act shall (a) practise as an architect for reward or (b)—

And then followed the words which appear in the clause at the present time. The marginal note "Unregistered persons not to practice as architects" was quite a proper one for that clause, but in the present instance the marginal note should be "Unregistered persons not to adopt the title of architects." The marginal note, however, is merely intended to give a general idea of the purport of the clause. The marginal note which appears was quite appropriate to the Bill as introduced, but it should have been altered when the clause was altered. There is not very much in the objection raised by Mr. Greig. Municipal councils in the country districts are usually composed of men who would be the first to appreciate the importancee of allowing, in those districts where there are not many practising architects, practical builders to do the work. Mr. Panton wanted to know where the Government would get its representatives for the permanent board, and from what source the provisional board would be obtained. Undoubtedly the provisional board would consist of certain representatives of leading firms of architects, but not exclusively so, and the three Government members on the permanent board would not necessarily be members of city firms. The Government, I take it, would rather aim at giving a more independent character to the board by appointing men, may I suggest, such as those the Bill proposes as examiners, someone nominated by the University, another nominated by the Director of Technical Education and probably someone suggested by the Chief Architect from the Public Works Department.

Hon. A. H. Panton: Would not the Government architects be members of the association?

The MINISTER FOR EDUCATION: I daresay, but private practising firms need not be the only ones represented. I think it may be desirable to make a small amendment to Clause 3 to the effect that the provisional board may consist of persons other than those practising as architects. The term "practising as architects" may be taken to exclude the chief Government architect. Though employed as an architect, it may be contended that he is not "practising as an architect." It is possible that a rather restricted meaning may be attached to the term "practising as an architect." Regarding Mr. Baglin's objection to boards, where the work can only be done by a board, we must appoint a board. I know of no other method of getting this work performed.

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

Ayes	12
Noes	11
Majority for	1

AYES.

Hon. H. P. Colebatch	Hon. E. Rose
Hon. J. Ewing	Hon. A. J. H. Saw
Hon. J. W. Kirwan	Hon. H. Stewart
Hon. C. McKenzie	Hon. F. E. S. Willmott
Hon. J. Mills	Hon. Sir E. H. Wittenoom
Hon. J. Nicholson	Hon. F. A. Baglin (*Teller.*)

NOES.

Hon. R. G. Ardagh	Hon. A. Lovekin
Hon. J. Cornell	Hon. G. W. Miles
Hon. J. Cunningham	Hon. T. Moore
Hon. J. A. Greig	Hon. A. H. Panton
Hon. V. Hamersley	Hon. J. W. Hickey
Hon. E. H. Harris	(*Teller.*)

Question thus passed.

Bill read a second time.

In Committee.

Hon. J. Ewing in the Chair; the Minister for Education in charge of the Bill.

Clauses 1, 2—agreed to.

Clause 3—The Provisional Board:

The MINISTER FOR EDUCATION: I move an amendment—

That in Subclause 1, line 3, after the word "practice" there be inserted "or employed." This will prevent a narrow interpretation of the clause, and enable the Government to appoint to the provisional board some person not directly interested in the business; say, an architect in Government employ.

Hon. A. H. PANTON: The amendment will not get the Minister out of his difficulty. For the present purpose "employed" and "practising" are synonymous. I presume the architects in Government employ will be permitted to join the organisation.

The MINISTER FOR EDUCATION: The clause refers only to the provisional board, before there is any organisation. "Practising" might be held to mean being the principal in a business.

Hon R. G. ARDAGH: Does the Minister desire that a qualified architect who is employed by a firm of architects should be eligible for appointment to the provisional board?

The Minister for Education: No.

Hon. A. H. PANTON: A better way of getting over the difficulty would be to delete the words "in practice."

Hon. G. W. MILES: Will the provisional board have the right to fix the fees chargeable by architects?

The Minister for Education: No.

Hon. G. W. MILES: Who will fix the fees?

The Minister for Education: Nobody. Things will be just the same as now.

Hon. G. W. MILES: In that case we shall do wrong in passing the Bill, because the architects will form a close co-operation and charge anything they please.

The MINISTER FOR EDUCATION: I do not know what Mr. Miles's comments have to do with this clause. I ask leave to withdraw my amendment.

Amendment by leave withdrawn.

The MINISTER FOR EDUCATION: I now move the following amendment:—

That in Subclause 1, line 3, the words "in practice" be struck out.

Hon. A. LOVEKIN: Suppose the Government wanted to nominate Sir Talbot Hobbs to the board? Sir Talbot is not at present engaged as an architect.

Hon. Sir E. H. Wittenoom: Yes, he is.

Hon. A. H. PANTON: That is the very man I had in view. He is advertised as the head of a firm of architects.

Hon. H. STEWART: It is quite conceivable that there might be a very competent and highly qualified architect who had retired from the practice of his profession, but who would be a very valuable member of the board. The clause, as it stands, debars him.

Hon. Sir E. H. Wittenoom: How would it do to insert "qualified" in place of "engaged in practice"?

The MINISTER FOR EDUCATION: The objection to Sir Edward Wittenoom's suggestion is that there can be no person qualified, because this is the first measure we have had dealing with architects. With a view to meeting Mr. Stewart's objection, I ask leave to withdraw my amendment.

Amendment by leave withdrawn.

The MINISTER FOR EDUCATION: I move an amendment:—

That in Subclause 1, line 3, the words "persons engaged in practice as" be struck out.

Amendment put and passed; the clause, as amended, agreed to.

Clauses 4 to 9—agreed to.

Clause 10—Power to examine on oath:

Hon. J. CORNELL: I want a little explanation of this clause. Why are the board to have the powers of a coroner? The qualifications of the board are not clearly laid down in the measure. They ought to be. For what purpose is power to be given to the board to administer oaths?

The MINISTER FOR EDUCATION: Clause 29 sets out certain offences which may justify the board in suspending an architect or removing his name from the register. Obviously, they must inquire in a matter of that kind before taking such action; and they should have power to take evidence on oath.

Hon. J. CORNELL: Kindred organisations in this State have power to expel persons, but they have not the powers of a coroner. We are going a little too far in this clause. We not merely make the architects a corporation, but we also create them a court of summary jurisdiction. I have not found this provision in connection with any other board.

Clause put and passed.

Clause 11—Proceedings of board not invalidated by vacancy, etc.:

Hon. A. H. PANTON: I do not know what this means: The second schedule provides that there shall be a board of nine; whereas the clause gives power to a lesser number than five.

The MINISTER FOR EDUCATION: No, it means that in the event of any of the nine members of the board having died or resigned, and his place not yet filled, the proceedings of the board shall not be invalid merely because the full board is not in existence.

Clause put and passed.

Clauses 12 to 26—agreed to.

Clause 27—General meeting of architects:

The MINISTER FOR EDUCATION: In this clause a clerical amendment becomes necessary. Reference is made to Section 20. What is really meant is Section 18. I move an amendment—

That in line four "20" be struck out and "18" inserted in lieu.

Amendment put and passed.

Hon. J. CUNNINGHAM: Provision is made for voting by proxy. I think that is wrong. Members of the association who, living at a distance, cannot attend the meeting, will not know what business is to come before the meeting, there being no provision for circularising the agenda paper. How, then, can a man instruct a proxy? I move an amendment—

That in line 5 of Subclause (1), "or by proxy" be struck out.

The MINISTER FOR EDUCATION: I hope the amendment will not be agreed to. It is desirable that architects living away from the city should be represented at the meeting. No doubt the business of the meeting will be previously notified to all concerned.

Hon. A. H. PANTON: I will oppose the amendment, for the next subclause provides for due notification of the general meeting and, no doubt, the business of the meeting will be communicated also. Those architects living outback should have a vote at the general meeting.

Hon. J. CUNNINGHAM: I still think we should agree to the amendment. There is nothing in the Bill providing that the business of the meeting shall be advertised among the architects, although due provision is made for the notification of the time and place of the meeting.

Hon. J. CORNELL: I will support the amendment. The clause provides that the proxies shall be counted in terms of a quorum, which I think is entirely wrong. Moreover the only tangible result of the proxy voting will be to give the few architects who can attend three or four votes each.

The Hon. A. H. Panton: Is it not done at any other conference?

Hon. J. CORNELL: I think not. The system which the hon. member has in mind provides for the appointment of a delegate to act at a conference as proxy for a separate organisation. Under the system contemplated in the Bill, one man will be exercising a vote for another man, and invariably will it be exercised, not as the absentee desires, but as the proxy thinks fit. No harm can be done to the architects' association by the amendment.

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

Ayes	4
Noes	13
Majority against ...	9

AYES.

Hon. J. Cornell	Hon. J. Cunningham (*Teller.*)
Hon. A. Lovekin	
Hon. T. Moore	

NOES.

Hon. H. P. Colebatch	Hon. A. H. Panton
Hon. J. A. Greig	Hon. A. J. H. Saw
Hon. V. Hamersley	Hon. H. Stewart
Hon. E. H. Harris	Hon. F. E. S. Willmott
Hon. J. W. Kirwan	Hon. Sir E. H. Wittenoom
Hon. C. McKenzie	Hon. E. Rose (*Teller.*)
Hon. J. Nicholson	

Amendment thus negatived.

Hon. J. CORNELL: I move an amendment—

That in Subclause 3, line 3, the words "or represented by proxy" be struck out.

The architects' association may be 100 strong. There may be only 12 members present at a general meeting, but each may hold two proxies, representing in all 36 members, and this number will constitute a quorum. The 12 members will thus be able to decide the policy of the whole organisation.

The Minister for Education: The other members would have notice of the meeting; why should they not turn up?

Hon. J. CORNELL: It would be preferable to fix almost any proportion than to permit of proxies being used in this way. The principle is a pernicious one. Would the Minister say that one-third of the members of this Chamber, if represented by proxy by only a few, should constitute a quorum? The meeting of architects that I refer to would be the meeting of their annual Parliament.

The MINISTER FOR EDUCATION: This is merely to cover the time pending the drawing up of by-laws. One-third of the members of a State-wide oragnisation like this is a large proportion to be present to form a quorum. The board has to give notice to every registered architect of the meeting and it is their duty to attend.

Hon. A. H. PANTON: I am opposed to the amendment. Once an organisation is formed it should have the right to conduct its own business. If 24 members are prepared to give their proxies to 12 others, that is their business.

Hon. J. CORNELL: We shall be handing this body a charter under which they shall work, and in that charter we confirm the principle that, figuratively speaking, dead men may form a quorum. My amendment would safeguard the interests of all architects.

Amendment put and negatived; the clause as amended, put and passed.

Clause 28—agreed to.

Clause 29—Unregistered persons not to practice as architects.

Hon. J. W. KIRWAN: I would draw the attention of the Leader of the House to Subclause 2 dealing with engineers. According to him there is nothing in the Bill which shall be deemed to prevent any person from designing or superintending the erection of any building anywhere, whether he is an engineer or not. Why should this subclause have reference to engineers? It seems extraordinary that the subclause should be left in and the ultimate result may be a misinterpretation of the whole position.

The MINISTER FOR EDUCATION: There is a great deal in the point raised by Mr. Kirwan as to the effect of Subclause 2 upon the whole Bill. I think it is desirable that the position should be made clear. I understand that Mr. Greig suggests the addition of a proviso. If it is intended to make the position more clear, the trouble may be overcome, but if that is not the intention, I will postpone the further consideration of the clause so as to bring forward an alternative which will make it clear.

Hon. J. A. GREIG: The proviso I desire to suggest would not interfere with that clause. It reads as follows:—"Provided that nothing in this clause shall prevent any builder or contractor from supplying his own plans and specifications." That will clearly set out what the Leader of the House has already indicated. Subclause 2 makes provision regarding engineers and it should be realised that engineers and contractors are closely connected in their two professions. To give members a case in point, I will refer to the present work at the corner of Hay and William-street, where the new Economic buildings are being erected. The work is being carried out by engineers, and the man in charge showed me, when I was looking over the place, where he had had to put in extra pillars and so on in order to make the construction work fit in with the requirements of the architects. The architects in that case had drawn up the plans of the buildings they desired, and these plans were then handed over to the engineer who had to draw up his plans to make the building conform to the architect's requirements. This was necessary, because the architects do not understand the engineering aspect regarding reinforced concrete and so on. The result was that many extra buttresses and so on had to be provided in order to carry the distribution of weight. This shows that the subclause is really required for the protection of engineers.

Hon. J. W. Kirwan: The trouble is that the inclusion of the subclause providing for engineers, implies that there is something in the Bill which will prevent someone else from doing something.

Hon. J. A. GREIG: I move an amendment—

That a proviso be inserted to read as follows: "Provided that nothing in this clause shall prevent a builder or contractor from supplying his own plans and specifications."

Hon. J. NICHOLSON: I think the proviso would have to be made still more clear because it does not clearly permit the preparing of plans as well as the supplying of them.

Hon. J. W. KIRWAN: It does not appear to me that the subclause is necessary. It is designed to deal with the position of engineers. There is nothing in the Bill preventing engineers from doing what the subclause gives them permission to do. That implies distinctly that the

measure prevents similar things being done by others.

The MINISTER FOR EDUCATION: I move—

That the further consideration of Clause 29 be postponed until after consideration of the second schedule.

Motion put and passed.

Clauses 30 to 33—agreed to.

New clause:

Hon. J. W. KIRWAN: I move—

That a new clause, to stand as Clause 34, be added as follows: "The provisions of this Act shall apply only to the metropolitan area."

The need for such legislation may be felt in Perth and Fremantle, but not in the outside districts. At the present time, there are no architects on the eastern goldfields, so that the Bill is not required for their protection. If building operations are required in the outer parts, there is nothing to prevent architects in the metropolitan area being engaged to do the necessary work.

The MINISTER FOR EDUCATION: It would be a great mistake to agree to the new clause. It would mean that people connected with the architectural profession in the country districts would have no opportunity of qualifying to be a registered architect. There must be some such persons in the country districts.

Hon. A. J. H. Saw: There must be some in Bunbury and other places like that.

Hon. A. H. PANTON: I support the new clause, but I think "metropolitan area" should be clearly defined, because factories and other such buildings are extending out from the city areas, and provision should be made to cover them.

Hon. J. A. GREIG: The new clause is a reasonable one, and there is nothing to prevent people in the country districts interested in this profession from carrying out operations and finally becoming registered should they so desire.

New clause put and a division taken with the following result:—

Ayes	11
Noes	7
Majority for ...	4

AYES.

Hon. J. Cornell	Hon. J. Mills
Hon. J. Cunningham	Hon. T. Moore
Hon. J. A. Greig	Hon. A. H. Panton
Hon. J. W. Hickey	Hon. H. Stewart
Hon. J. W. Kirwan	Hon. V. Hamersley
Hon. A. Lovekin	(*Teller.*)

NOES.

Hon. H. P. Colebatch	Hon. F. E. S. Willmott
Hon. J. Nicholson	Hon. Sir E. H. Wittenoom
Hon. E. Rose	Hon. C. McKenzie
Hon. A. J. H. Saw	(*Teller.*)

New Clause thus passed.

Schedules—agreed to.

Progress reported.

House adjourned 11·32 p.m.

Legislative Assembly,

Wednesday, 14th December, 1921.

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

QUESTION—WATER SUPPLY, METROPOLITAN AREA.

Captain CARTER asked the Minister for Works: In view of the increasing and, in some cases, utter disability under which people living on the higher levels of the city are suffering in regard to water supply, when is it his intention to place restrictions upon the general supply of water to the city and suburbs?

The MINISTER FOR WORKS replied: *As soon as the administration are satisfied* it is necessary to do so.

QUESTION—KURRAWANG FIREWOOD COMPANY, NEW CUTTING RIGHTS.

Hon. P. COLLIER (without notice) asked the Premier: Will he lay on the Table of the House the file relating to the application of the Kurrawang Firewood Company for the cutting rights in the new area South-West of Coolgardie, and also the file dealing with the same company's application to construct a wood line to the locality in question.

The PREMIER replied: I have no objection to the production of these papers.

SELECT COMMITTEE—WAR GRATUITY BONDS.

Presentation of Report.

Mr. Wilson brought up the report of the select committee appointed to inquire into the transactions in connection with War Gratuity Bonds.

Report received and read and ordered to be printed.

BILLS (2)—THIRD READING.

1, Permanent Reserves (No. 2).

2, Land Agents.

Transmitted to the Council.