

Legislative Council.

Tuesday, 24th October, 1899.

Paper presented—Patents, Designs, and Trade Marks Bill, Recommittal, reported—Public Service Bill, second reading, debate resumed; Amendment (to postpone six months) passed—Agricultural Bank Act Amendment Bill, second reading; in Committee, reported Bank Note Protection Bill, in Committee, clauses 1, 2, Division, progress—Excess Hill, first reading—Dentists Act Amendment Bill, first reading—Constitution Acts Amendment Bill, second reading (moved)—Adjournment.

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

PRAYERS.

PAPER PRESENTED.

By the COLONIAL SECRETARY: Regulations, Explosives Act.
Ordered to lie on the table.

PATENTS, DESIGNS, AND TRADE MARKS BILL.

RECOMMITTAL.

Bill recommitted for amendments.

Clause 3—General definitions:

The COLONIAL SECRETARY moved that in line 8 of the interpretation of "law officer," the words "in Council" be struck out.

Amendment put and passed.

Clause 24—Amendment of specification:

HON. F. M. STONE moved that in Sub-clause 2 the word "one" be struck out, and "three" inserted in lieu thereof.

Amendment put and passed.

Clause 98—Power of registrar to take directions of Minister:

THE COLONIAL SECRETARY moved that in line 3 the word "Minister" be struck out, and "law officer" inserted in lieu thereof.

Amendment put and passed.

Bill reported with further amendments, and the report adopted.

PUBLIC SERVICE BILL.

SECOND READING—AMENDMENT.

Debate resumed on motion for second reading, moved 17th October.

HON. F. M. STONE (North): I trust the House will follow the course I propose to adopt with regard to this Bill, which is to move that the Bill be read a second

time this day six months; and I do so for this purpose, that I understand the object of bringing forward the Bill is to do away with what is supposed to be going on at the present time in regard to the way in which "billets" in the civil service are filled up, and in regard to the way in which the service is carried on generally. I do not think this Bill will do away with the influence which is exerted to obtain employment for a person in the civil service. This Bill purposes to create a Public Service Board constituted of three persons, and that board will entertain applications for employment in the civil service. The candidates will be examined by an examiner, and then the board will decide if the person, in the first place, is fit for such employment, and whether he shall receive that employment. It seems that the appointment of this board will not do away with what one may term "currying favour." It is supposed by some persons that if a person wishes to get into the civil service, all his friends will canvass the members of the board and get members of Parliament, as is sometimes done now, to intercede for him. The appointment of the board will not do away with what some think is going on now, that favouritism is shown to persons in obtaining employment in the civil service: that will still go on, I think. I do not know of any extraordinary case of favouritism in the service at the present time, nor do I think that there are any other circumstances which warrant the House in passing this measure, which will mean such a large expenditure out of the consolidated revenue fund of the colony. I feel sure, when this Bill is in working order, it will cost at least £5,000 or £6,000 to administer. As I have said, I do not think the House is justified in going into that large expenditure, as the appointment of a board will not do away with favouritism which is supposed to exist in the civil service. Perhaps favouritism might exist in a worse degree with a Public Service Board than at present, as the members of the board would be canvassed right and left by the friends of the person wishing to get employment in the service, and we might have, perhaps to a larger extent, instances of favouritism which some persons now are so much against. That being so, I hope the House will not agree to the second

reading of this measure. As was pointed out by the Colonial Secretary in moving the second reading of the Bill, one of the members of the board will have to be a member of the profession to which I belong, and I think the Bill provides that he is to receive £600 a year. Now, what gentleman is there in the profession of any standing whom the Government will get for £600 a year, and who will have the confidence of the whole of the colony? If the Government are to get a legal gentleman to go on the board who will have the confidence of the people of the colony, the Government will have to pay something like £1,500 a year.

THE COLONIAL SECRETARY: I only expressed an opinion.

HON. F. M. STONE: I think it will be necessary to have a legal gentleman on the board, and I agree with the Colonial Secretary's opinion on that point; but I do not think for the salary proposed to be given under the Bill that the Government will be able to get a legal gentleman of any standing, in whom the colony will have confidence. The Bill sets out numerous duties which the board will have to carry out. They have to classify the work, specify the duty of officers, regulate the hours of attendance, the conditions under which leave of absence is to be granted, the amount of security to be given, also to provide for the mode of procuring and to provide stores for the various departments, and to recommend the number of officers for each division of the service. The board will also to decide how many officers are required for each department, and there are numerous other provisions in the Bill which the board, it seems to me, would have considerable difficulty in carrying out. Certainly the head of a department knows exactly what officers he requires. I know in the past the civil service has been overrun. That was in the boom time, and I cannot say I blame the Government, for their hands were forced. Work was required to be done immediately; everybody wanted work done in a tremendous hurry, and the Government were not quite to blame, because of the way in which the people were crying out and pushing the Government for works to be carried out. I know there were more persons employed in the Government service than there was

any necessity for. Officers were almost running over one another, but that was in the boom time when the colony was being rushed, and the people were impressing on the Government the necessity for getting the work done in a tremendous hurry. That time has now passed, and it seems to me that the head of a department is the proper person to know what number of persons should be required in an office to deal with the work of that office. If a board were appointed, the members of the board would go to the head of the department, and be guided by his advice as to what officers should be appointed, therefore the necessity for a board for that purpose is done away with. There is only one other reason in favour of the creation of a board, and that is on the question of favouritism; and it seems to me that favouritism will go on just as much under this board as it has done in the past. I hope the House will follow me in moving the rejection of the Bill, because to my mind we are creating to a large extent a board for absolutely no purpose whatever. I therefore move that the Bill be read this day six months.

HON. C. E. DEMPSTER (East): I support the amendment of Mr. Stone, with whose remarks I quite agree. A board of this kind would be an expense to the colony, and bring about very little benefit. There are many who complain of the present system of employing officers, but in my opinion such a board would bring about more evils than exist now. Therefore I have much pleasure in supporting the amendment.

HON. D. K. CONGDON (West): I intend to support the amendment simply because I regard the Bill as the outcome of the great outcry made at the time of the boom in the colony. As Mr. Stone has pointed out, at that time the whole of the departments seemed to be overrun with employees, and they were actually in one another's way, all the men not being really required to do the work. Doubtless the Government were not to blame for this, because the pressure outside was so great as to compel them to appoint men to carry out, if possible, the work required. I do not think the Bill is needed, and I therefore support the amendment that it be read this day six months.

HON. J. W. HACKETT (South-West): I also shall support the amendment. I was unfortunately under the impression that this item on the paper would be reached at a somewhat later stage, as it is rather low down, and that I would hear the hon. member's arguments. I regret I have not done so. Although I shall not do so at great length, I may repeat some of the views which have been expressed. I may point out that we have no precedent whatever for a Bill of this kind being a success in the Australian colonies. This Bill is supposed to be founded on one or two of the Acts which have been in force Eastward, but in many respects it has been altered, perhaps for the better and perhaps for the worse, by the Government, who were simply afraid to give effect to the principle pure and simple. In other words, either this Public Service Board is to be a reality, or it is to be a name. If it is to be a reality, their power should be exact, should be enforced, and should be practically without appeal; but it will seem that all through the Bill the Governor-in-Council is brought in, so that we shall have a body pretending to responsibility and power who will be able to say, "Our views were so and so, and the Governor-in-Council overruled us." The Governor or the Ministry can take the other side and say, "These were our views, but the Public Service Board did not approve of them." Between the two we shall get into a position in which Parliament will be robbed of its right to enforce responsibility on the members of the board, not knowing where to turn to, and the other parties upon whom the responsibility may be thrown may shelter themselves behind each other. I am not going into the Bill at length, because I think the temper of the House is that the measure is inadvisable at this moment; but I could point this out in clause after clause.

HON. A. B. KIDSON: Could not you alter it in Committee?

HON. J. W. HACKETT: I do not think so. I think the Bill is hopeless. There is one little difficulty the hon. member sees, and that is the word "Minister." "Minister" in this Bill is the Minister in charge of the board, whatever that means, or in charge of the department to which the board belongs.

THE COLONIAL SECRETARY: The board must necessarily be under some Minister.

HON. J. W. HACKETT: They must be under some Minister. Very well. Supposing a new officer is wanted in the Mines Department or a change of office is needed, to whom is the permanent head of the department to go? Not to his own Minister, but to the Minister in charge of the board. His own department is altogether set aside and the matter is referred to the board, not alone to approve but to settle.

HON. A. B. KIDSON: We can alter that.

HON. J. W. HACKETT: I do not think you can. Every single clause would need more or less alteration. I defy the hon. member to do it. Let him try his hand at it. I would also point out that the question bristles with objections. I can hardly think the matter has been seriously thought out, and I would like to ask the Colonial Secretary if the permanent heads of any of the departments have been consulted. Have reports been made by them? They have not. It is admitted that the Government did not consult the permanent heads; and I have some reason to believe that if the permanent heads had been consulted, the reports would not have been very favourable. What have the board to do? They are to make themselves familiar with the work of every department and the work of every officer. They are to know everything. They are to know whether a person is fit for his work or unfit for it.

THE COLONIAL SECRETARY: Like the newspapers.

HON. J. W. HACKETT: Like the newspapers. They are to know everything, without having the responsibility to the public that the newspapers have. The board must be acquainted with every detail, every officer of a department, and every division of that officer's work. It rests with them to say whether he is overpaid or underpaid; whether he should have other duties assigned to him, or whether he should be removed from that department altogether. We should either have three gentlemen who are members of the civil service or who are not, but the general

feeling is that they should not be members of the civil service. If they are not members of the civil service, they will not be acquainted with the work, and if they are members of the civil service, the tendency will be to stick to the old channels. In Victoria, after the Civil Service Board had been in existence a short time everybody considered it an ornamental body, and the board was dissolved. One member died and the other two were pensioned, the duties being handed over to the Audit Commissioners.

HON. D. MCKAY: Members of this board would not get pensions, under the Bill.

HON. J. W. HACKETT: But if we got rid of them, which it is almost certain we should do, we should have to pay them the four years' salary. Another point is, what are the departments the board are required for? The four largest departments, which have nine-tenths of our officers, are to be outside the board altogether; that is, assuming that federation takes place, and no doubt federation will come in time. Whether it will come this year or next, or the year after, I do not know, but federation is a certainty, and federation will absorb all the postal officials, telegraph officials, and telephone officials. It will go further, and absorb all the customs officials, and a lot of little departments such as quarantine, The Mint, defences, and all these will be handed over to the Federal Government, outside these Commissioners.

HON. D. K. CONGDON: And we shall have an expensive board.

HON. J. W. HACKETT: Yes; looking after one-tenth of our civil service. The Railway Department is to be removed from the board, as is also the Education Department, and of course the Agent-General's Department; and, as has been found necessary elsewhere, the board will be a statutory board.

HON. A. P. MATHESON: Are you going to guarantee us federation?

HON. J. W. HACKETT: If the hon. member will only drop the subject I will go very far towards guaranteeing it, but at present it is hardly within the scope of the discussion.

HON. A. P. MATHESON: You quote federation as a reason.

HON. J. W. HACKETT: And a good reason, I think; but I will leave it to the House whether it is a good or a bad one. The hon. member may set his trap, but I am not going to walk into it. I say that if the large departments, without exception, are removed from the scope of the board, what are these gentlemen to do? I am sure the Government have acted *bona fide* and sincerely in accordance with a rash promise made last year, but they cannot believe the measure is one that commends itself to Parliament. I should like to see the public service placed on a better footing than it is at present, but I am forced to give my adhesion to the amendment, and for this reason as much as anything else, that the system introduced by this Bill is an automatic, cast-iron one, and not a system of promotion by merit. Nothing of the kind. Each man goes in as a permanent officer, and although one man may be more gifted than others senior in the service, he cannot be put in a higher position than a senior officer. I shall certainly support the amendment, that the Bill be read this day six months.

HON. D. MCKAY (North): I do not think there is any doubt whatever that the Bill is more ornamental than useful, and that it will tend to create friction in the departments.

Amendment (to postpone the second reading for six months) put, and passed on the voices.

AGRICULTURAL BANK ACT AMENDMENT BILL.

SECOND READING.

THE COLONIAL SECRETARY (Hon. G. Randell), in moving the second reading, said: Very few words are required in introducing this measure, which simply provides for an increase in the amount of money at the disposal of the Agricultural Bank. I believe most people are well satisfied with the methods of the department, or the bank manager, in conducting the business of the bank, and that the institution has given very general satisfaction. We have every reason to believe the greatest caution is exercised in advancing moneys upon properties. The bank was created for the purpose of assisting the settlement of the country, and if members refer to a report furnished by the bank manager (Mr.

Paterson) up to the 30th June last, which has been laid on the table of the House, they will see what has been accomplished during the five years the Act has been in operation. The Bill before us is one of four clauses, and the object of it is, as I have already said, to increase the funds at the disposal of the Agricultural Bank from £100,000 to £200,000. Nearly the whole of the £100,000 has been expended, and at present the repayments have just commenced. I understand from a speech delivered by the Colonial Treasurer in the other House, that the repayments have commenced. They are just now beginning to repay the money, a certain portion of which is for the sinking fund. Clause 2 provides that the applicant may make a declaration before certain persons appointed by the Minister, which will save a considerable amount of trouble. It is necessary at the present time for the applicant to go before a justice of the peace to make a declaration, but Clause 2 makes it legal for the applicant to go before any agent appointed under the Land Act of 1888, and who is authorised to administer an oath; "and if made and subscribed before such agent, the declaration shall have the same force and effect as if made and subscribed before a justice of the peace." Clause 3 simply provides that the fencing shall be well put up, and the land well cultivated. The penalties incurred for neglect are the same as those provided under the principal Act, which I believe in certain cases means the forfeiture of the holding and all the improvements effected on it by the person borrowing money from the bank. As the result of five years' operations, as I have said, the first £100,000 has been nearly exhausted. By a return published and laid on the table of the House, it will be seen that the Agricultural Bank manager has dealt with 925 applications, and the sum of £98,825 has been paid away or approved of. The value of the improvements effected amount to £201,463, that is to say the expenditure of the £98,825 has resulted in improvements to the value of £201,000, in round numbers, being effected. These improvements are represented by—I will use in each case round numbers—51,000 acres cleared, 41,000 acres cultivated, 59,000 acres ringbarked. 426 miles of fencing, £5,600 worth of

water supply and drainage improvements, and £11,000 spent on farm buildings. Fifty-one thousand acres of land have been cleared, independent of improvements. According to the remarks of the Commissioner of Crown Lands, these 51,000 acres of land are estimated to be worth not less than £1 per acre, and in round numbers the expenditure of £100,000 has given the country a return of £51,000, and benefited the country in many other respects. There have been a number of people settled on the land by means of the Agricultural Bank; they have been placed in a position of independence so to speak, and this means the employment of a considerable number of farm labourers. In an indirect way, employment has been given to artisans and others, therefore there is an increase in the prosperity of the country all round. Through the operations of the Agricultural Bank the needs of the colony in regard to soil products will be met for some time to come. The area under cultivation will be increased from year to year, which will give a profitable return to the owners. Opportunities will be created by the cultivation of the land, for speculation by other persons in the establishment of factories in connection with the produce of the soil. At the present time, with the high price of fruit, which no doubt is satisfactory to the grower, there has been no opportunity of establishing jam factories, at any rate not many factories, or factories on a large scale; but the operations of the Agricultural Bank will tend to place, year by year, large areas of land under cultivation, and it will increase the facilities for persons who are inclined to embark in enterprises of the description I have mentioned. We may anticipate, given fairly good seasons, that good results will accrue from the operations of the Bank, and we may anticipate an increase in the settlement of the country, and the general prosperity of the country. In the other colonies, a fund of this sort has been created. In Victoria, I believe the amount of the fund is £5,000,000. That fund was created for the purpose of assisting people already settled on the land and in difficulties, to save them from poverty, and perhaps ruin. The Agricultural Bank was established here for the purpose of assisting people to

settle on the land, to create a large number of small estates to be profitably managed, and for the purpose of holding out inducements for people who are acquainted with agricultural matters to come here and settle on the land. Hon. members will conceive at once that is a desirable object. I myself was a little opposed to the establishment of the Agricultural Bank in the first instance: I feared that it would be taken advantage of to a considerable extent, and that the Government would be landed in a considerable loss. That has proved not to be the case up to the present, as it is reported by the manager of the bank that not a single loss has been made. Now those who have borrowed money from the bank are just beginning to repay it, and in the circumstances we may cherish the hope that the repayments both of interest and money for the sinking fund will be fairly well maintained. The experience so far has been of such a satisfactory nature that we may without hesitation carry the principle of lending money a little further, and allow another £100,000 to be used for the purposes of this bank. I am sure it is a most admirable thing to see the country lands settled. Mr. Hackett, if he speaks, will tell hon. members that in the South-West there is admirable land suited for cultivation in districts where there is a splendid rainfall, and good railway communication. Farmers now have a good market, and they have every encouragement to persevere in the work they have taken up. It is to be hoped others will come to this country and join with our settlers in the further cultivation of the land. I do not think I need say anything further in regard to the Bill. I feel sure members will agree to the principle and vote for carrying out the object the Government have in view, furthering the best interests of the country, and establishing numbers of settlers here permanently on the soil, which is admirably suited for cultivation. Farmers will find, too, a market on the goldfields, and in the extended settlement which has taken place in the colony in consequence of the development on the goldfields. I commend the Bill to the favourable consideration of hon. members, and trust the feeling of the House is unanimously in favour of the Bill.

HON. C. E. DEMPSTER (East): I have pleasure in supporting the second reading of this Bill, because I consider the expenditure of the money has been productive of great good all over the colony; and I trust hon. members will support the measure. Thousands of acres of land have been brought under cultivation in consequence of holders being able to borrow money, which they would not otherwise have been able to obtain in the way they have done.

HON. A. P. MATHESON: Why could settlers not get the money from other banks?

HON. C. E. DEMPSTER: They would not get the money on the security of the land they held. The land which these people who have borrowed money from the Government have improved, will now produce articles which the colony requires, and there can be no doubt about the great advantage created by the Agricultural Bank Act. I hope hon. members will vote for this Bill.

Question put and passed.

Bill read a second time.

IN COMMITTEE.

Clauses 1 to 3, inclusive—agreed to.

Clause 4—Amendment of 58 Vict., No. 21, Section 5:

HON. A. P. MATHESON, in opposing the clause, said he was convinced £100,000 was a sufficient sum for Parliament to have placed in the hands of the manager of the Agricultural Bank for experimental purposes.

HON. C. E. DEMPSTER: The experimental stage was now passed.

HON. A. P. MATHESON: As the Colonial Secretary had pointed out, the *crux* of the experiment was only beginning to come about. The term for which the money had been lent was only beginning to mature, and it was impossible to say within the next four or five years what sum of money might be repaid. Therefore it was impossible to say what would be the position of the Agricultural Bank within the course of three or four years.

HON. D. K. CONGDON: It was asserted that there had been no loss up to the present.

HON. A. P. MATHESON: One reason for opposing the clause was that Mr. Dempster had pointed out that the people

who borrowed this money would have been unable to obtain it from other sources; and the logical deduction was that the security given was not a security that an ordinary business man would look at. If the security was not good enough for other people to hold, it was not a security that the Agricultural Bank should accept.

HON. J. W. HACKETT: It was not in any case a banking security.

HON. A. P. MATHESON: Mr. Dempster had said the money could not have been obtained from private sources; and if that was the case, it was not a security that a Government bank should take.

HON. C. E. DEMPSTER: Other banks wanted more interest.

Clause put and passed.

Schedule, preamble, and title—agreed to.

Bill reported without amendment, and the report adopted.

BANK NOTE PROTECTION BILL.

On motion by HON. F. M. STONE, the House resolved into Committee to consider the Bill.

IN COMMITTEE.

Clause 1—agreed to.

Clause 2—Penalty for defacing bank notes or issuing when unclean, etc.:

HON. F. M. STONE moved that the word "one," in line 4, be struck out, and "five" inserted in lieu thereof.

HON. A. P. MATHESON: A penalty of £1 appeared to him to be very reasonable, and a £5 penalty to be extremely unreasonable. He should certainly have expected Mr. Stone to give some reason for substituting "five" for "one."

HON. C. E. DEMPSTER: A £5 penalty would be an unreasonable penalty, particularly if the note were a £1 note.

HON. A. P. MATHESON: Yes; and most of the notes in currency were £1 notes. He should oppose the amendment unless some reason was given for it.

THE COLONIAL SECRETARY: The Bill said "not exceeding."

HON. F. M. STONE: There was no compulsion to impose a penalty of £5. The magistrate could impose one of only 1s. if he liked, and the amendment was proposed for this reason: supposing a firm

were found time after time stamping notes, and had been fined once, twice, or three times, perhaps the magistrate might say, "You are still going on stamping these notes. I fined you 1s. in the first instance, 10s. in the second," and so on; "now I shall fine you £3" or £4. In cases of that kind the limit of a penalty was generally £5. The Bill did not make any provision for a second or third offence.

HON. A. P. MATHESON: Was not the word "one" substituted for "five" in another place?

HON. F. M. STONE: The amount was altered in another place, and why they altered it from £5 to £1 he could not imagine. The penalty was the same as that which existed in Victoria, New Zealand, Tasmania, and, he thought, New South Wales.

Amendment put and passed.

HON. F. M. STONE moved that sub-clause (a) be struck out, and the following inserted in lieu thereof:

Every person who, after the issue thereof, defaces any bank note by writing, printing, stamping, or marking on the front or back thereof his name, or the name of any other person, or any matter relating to the trade, business, or affairs of any person.

The sub-clause now proposed was in the Bill as originally introduced. Members would see that if the Bill were passed at the present stage, "every person who, within six months after the issue thereof, defaces any bank note by writing, printing, stamping, or marking," and so on, would be liable to a penalty not exceeding £5. That meant that a note could be stamped as much as a person liked within six months. What was the use of the Bill? Within six months a note could be stamped all over until entirely obliterated.

THE COLONIAL SECRETARY: After six months.

HON. F. M. STONE: Sub-clause (a) said "Every person who within six months." Directly a note came out of the bank, a person could deface it as much as he liked. After the six months it could not be defaced. That seemed an absurdity. The banks incurred great expense in the issue of these notes, and there was also the trouble of having to sign them. They were signed by three or four persons in a bank. Why should the public

be entitled to advertise themselves on the bank's property? The banks paid 2½ per cent. to the Government for the issue of these notes, the Government thereby getting a revenue from them.

HON. D. K. CONGDON: Who was responsible, the man who advertised on the note or the man who held the note?

HON. F. M. STONE: The man who advertised. The Bill provided that it should not be deemed an offence for a person to sign his name on a note for the purpose of identification.

HON. A. P. MATHESON: Mr. Stone had, he thought, completely misunderstood the intention of the clause, because at the very beginning the clause said "Every person who commits any of the following acts shall be deemed to have committed an offence." It went on to point out acts which, if committed by a person within six months of the issue of a note, would be deemed offences; therefore a bank was given six months' leave, so to speak. After six months the bank-note was at the disposal of anybody who liked to put an india-rubber stamp on the back of it. Members must remember that by the time a bank-note had been six months in circulation it, as a rule, got into a very dirty condition.

HON. J. E. RICHARDSON: A note could be stamped the day it left the bank.

HON. A. P. MATHESON: No; such was not the case. Any person who stamped a bank-note within six months after its issue committed an offence for which he could be fined. After six months the note was fairly entitled to be withdrawn, and it was not at all a bad thing that banks should be compelled to withdraw such notes, to protect their own interests and to prevent other people from advertising on them. He should certainly oppose the amendment.

THE CHAIRMAN: The simplest way of putting the amendment would be to move that the words "within six months" be struck out.

HON. F. M. STONE: There was no objection on his part to have the amendment put in that way.

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

Ayes	...	...	9
Noes	...	...	2
			—
Majority for	...	...	7

AYES.
 Hon. H. Briggs
 Hon. C. E. Dempster
 Hon. J. W. Hackett
 Hon. A. B. Kidson
 Hon. D. McKay
 Hon. G. Randell
 Hon. J. E. Richardson
 Hon. F. M. Stone
 Hon. W. Spencer (Teller).

NOES.
 Hon. D. K. Congdon
 Hon. A. P. Matheson
 (Teller).

Amendment thus passed.

HON. F. M. STONE moved that Sub-clause (b) be struck out.

HON. A. P. MATHESON: If the amendment were passed, the Committee would be indorsing the action of banks in issuing defaced, torn, and dirty notes. Some notes obtained from banks were in a filthy condition, and he had invariably to refuse to take them, as they were unfit to put in one's pocket. The reason why people demanded gold at the bank was because the notes were unfit to carry about.

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

Ayes	...	...	4
Noes	...	...	8
			—
Majority against	...	...	4

AYES.
 Hon. G. Randell
 Hon. W. Spencer
 Hon. F. M. Stone
 Hon. J. E. Richardson
 (Teller).

NOES.
 Hon. H. Briggs
 Hon. C. E. Dempster
 Hon. J. W. Hackett
 Hon. A. G. Jenkins
 Hon. A. B. Kidson
 Hon. A. P. Matheson
 Hon. D. McKay
 Hon. D. K. Congdon
 (Teller).

Amendment thus negatived.

On motion by HON. F. M. STONE, progress reported and leave given to sit again.

EXCESS BILL.

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

DENTISTS ACT AMENDMENT BILL.

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

CONSTITUTION ACTS AMENDMENT BILL.

SECOND READING.

THE COLONIAL SECRETARY (HON. G. Randell): In moving the second reading of this Bill, which is of some importance, I may say that although the alterations effected by the Bill are few

indeed, there may be some difference of opinion on one or two clauses. The Bill consolidates the Constitution Acts, it retains the valuable portion at any rate, of the original Constitution Act, and I think we can congratulate ourselves on that fact, which shows that the Constitution which was originally framed was to a large extent satisfactory. The main alterations sought to be made by the Bill are an increase in the members of this House, and an increase in the members of the Legislative Assembly. There are now 44 members in the Legislative Assembly, and this number is to be increased to 50, while the number of members of the Legislative Council is to be increased from 24 to 30. Probably there is room for differences of opinion as to this increase. I think the business of the country would be carried on with 24 members probably as satisfactorily in the future as has been the case in the past. It was thought that it was only right that as the number of members of the Legislative Assembly was to be increased for certain reasons, the membership also of the Legislative Council should be strengthened by six members, three being given to the gold-fields, and three being given to a new province in the metropolitan district. The interpretation of "person" has been altered to mean an adult person of either sex; and as I mentioned in moving the second reading of the Electoral Bill, that as this House has affirmed the principle of female suffrage, this clause will meet with the approval of hon. members. The next alteration is made in Clause 13, in which the conditions as to time have been eliminated. A person claiming to be registered as a naturalised subject must have been so naturalised for 12 months before making the claim, instead of, as now, six months. I think this is a step in the right direction, considering the laws which prevail in other parts of the world. Although a man has to be three years here before he can be naturalised, it is desirable in the interests of the body politic that we should be careful in admitting people without some term having expired, and 12 months seems to be no hardship and a safeguard to the body politic. In regard to Sub-clauses 1, 2, 3 and 4, it will be found in looking up the law as it now stands that a legal time is

given in certain cases. According to the Bill, a person is qualified if he has a legal or equitable freehold estate in possession of the clear value of £100 sterling, or if a person is a householder within the province occupying a dwelling house of the clear annual value of £25 sterling, or has a leasehold estate in possession of the clear annual value of £25 sterling, or holds a lease or license from the Crown at a rental of not less than £10 per annum. In every one of these cases, according to the present law, there is a time limit; but this Bill liberalises the Constitution and makes it generally acceptable. The provision in Clause 13 is an important one: it says that the names of all persons who have been struck off any municipal or roads board electoral list on the ground merely of non-payment of rates shall, for the purpose of the Bill, be on the lists respectively. At present the Act compels municipal authorities and roads board authorities to furnish a list to the registrar, and if a man's name is struck off the municipal roll for the non-payment of rates, the consequential effect is that the name is struck off the electoral roll. That has been a hardship which has been experienced by a considerable number of people, and it has been the cause of considerable complaint on the part of those persons who depended upon the getting their names on the roll through the municipal or road boards lists. There is an alteration in Clause 14 which limits the number of joint owners' votes to four. I think, if I remember rightly, that under the present Act there is no limit. The clause says:

Where any premises are jointly owned, occupied, or held on lease or license within the meaning of the last preceding section, by more persons than one, each of such joint owners, occupiers, leaseholders, or licensees not exceeding four,

That is an addition to the clause, and I think members will agree that there should be a limit in this direction—

shall be entitled to be registered as an elector, and subject as aforesaid to vote in respect of the said premises in case the value of the individual interest therein of any such person separately considered, would under the provisions of the last preceding section, entitle such person to be registered as an elector.

The law is exactly the same as at present with the exception that not exceeding

four persons, joint owners, can be registered as electors. There has also been some alteration in Clause 15, the law being changed in regard to imprisonment. The old Act referred to a conditional pardon. That has been removed, and Sub-clause (2) says that any person who has been attainted or convicted of treason, felony, or any infamous offence in any part of Her Majesty's dominions, and has not served the sentence for the same or has not received a free pardon for such offence, will not be entitled to be registered as a voter. Another alteration is that triennial Parliaments are introduced, and it has been pointed out, and I believe correctly, that no Parliament since we have had responsible government has existed for the full term of four years. I am not quite certain about it, for unfortunately I have not looked up the point.

HON. J. W. HACKETT: None of our Parliaments.

THE COLONIAL SECRETARY: It is thought well to give this concession to popular feeling, and have triennial elections for the Assembly instead of elections every four years. It is thought this may remove the agitation that takes place, soon after an election for the Assembly, for a redistribution of seats: such agitation is raised very often—probably by newspapers published in the colony. I am not sure whether this will satisfy some of the most extreme of the Radical party. Probably they will ask for annual elections. I have seen it mooted, I believe, in former times, and I think it is in the programme of some of the advanced politicians; but I think this hon. House will not agree to annual elections. We do not want the turmoil, annoyance, and agitation consequent upon an election every year. I strongly supported a period of four years when the Constitution Bill was first introduced, as a compromise between the three and five years, three years being supported by some members on one side and five years by some on the other side. It seemed to me that a period of four years was short enough for the Legislative Assembly to become acquainted with their duties and to be able to discharge them with satisfaction to themselves and the country. However, the feeling is that it would be well to at once reduce the period to meet

the desire that has arisen to have triennial elections for the Legislative Assembly. I think there are no other alterations in the Bill, but that it is simply a repetition of the Act now in force.

HON. J. W. HACKETT: What is the clause which refers to the number of years?

THE COLONIAL SECRETARY: Clause 19. I beg pardon for not mentioning the clause. I had forgotten one more important feature, and I think that is in Clause 23, which states:

Every person of the age of 21 years, being a natural born or naturalised subject of Her Majesty and not subject to any legal incapacity, who shall have resided in Western Australia for six months, shall, subject to the provisions of this Act, if qualified as in this section is provided, be entitled to be registered as an elector, and when registered for six months to vote.

At present, a person has to be resident in the colony 12 months before he can register; and this works out generally so that a man must be perhaps 18 months before he can obtain a vote, and under certain circumstances I mentioned in introducing the Electoral Bill, the period may be longer than that. However, that is not the fault of the Act, but caused perhaps by the person shifting from one qualification to another; and it so happened that in one particular case a highly respectable gentleman, who was under an obligation to shift very often, was several years before he was able to get on the electoral register. I think the provision in this Bill is a liberal one, and that we may reasonably accept it. A man can go and register his vote after he has been here for six months, and if he shifts he can give notice of his removal and obtain a transfer easily and simply. In my opinion, the alteration will be of considerable advantage to those who are anxious and desirous of getting upon the electoral register of the colony. After one has been registered for six months, so long as he has a qualification as an elector, he can vote for a member of the Legislative Assembly for the district in respect of which he is so qualified; and after one month's residence in another district, he can obtain a transfer. There is nothing else that is new in the Bill, and the only subject I think that can possibly arise in connection with it is, perhaps, in relation to the schedules,

which may not be exactly to the mind of some hon. members. Probably if this is gone into carefully and representation is made, an amendment may take place, if such is the case. I only refer to it because it has been mentioned to me that in regard to one part of the colony, at any rate, it will be desirable to have some slight alterations in the boundaries of one or two districts. I have much pleasure in moving the second reading of the Bill for amending the Constitution.

HON. D. MCKAY (North): I regret that I feel compelled to resist the passing of the Constitution Bill. I do not think I would be loyal to the North unless I did so. I do not suppose it will do much good, but at any rate it will mark my disapproval of a measure that is going to inflict an injustice on the part of the colony that I make one to represent. By what profound process of reason the North is to be deprived of the measure of representation it has enjoyed for so many years, I would like to learn. There can be no consistent or equitable cause assigned for it, beyond pandering and truckling to a cackle, on whose altar the interest of the North is to be sacrificed. A cackle, I say, whose best intention does not go further than making their own burden as light as possible during the time the wealth of the colony is being plundered by insatiable selfishness. We have also ominous, ungrateful, and ungenerous hints promulgated by the Government dictator and great prop of the State, that it is in contemplation to wholly disfranchise the northern portion of the colony. That is a bright prospect, and showing great consideration for a people that has had the grit to continue fighting and struggling with adverse circumstances from the beginning of pioneering days, on and off until now. I speak as one who has gone through the ordeal, as one who has had success almost within one's grasp and then missed it. I had to sacrifice the labours of the best part of my life in order to recruit my shattered constitution. So far as I have observed in the past, Southern laws, rules, and regulations, never did tend to promote the best interests of the North, and so far as I can see, they are less likely to do so in the future.

HON. A. B. KIDSON: What rules and regulations?

HON. D. MCKAY: Many rules and regulations, and I believe the sooner the North strikes a blow for separation, the better it will be for it.

HON. A. P. MATHESON (North-East): I sympathise deeply with Mr. McKay, in the dissatisfaction he has expressed in reference to this so-called amending Constitution Bill. There is no doubt that as an amendment of the Constitution which we were led to believe was being brought forward to satisfy the undoubted claims of people who felt they were disfranchised, the Bill is an absolute failure. It is sufficient to consider for one instant the number of electors in the various electoral districts of the Legislative Assembly to see that none of the points upon which complaint has been made have been rectified in the very least. For instance, it may be roughly assessed that in the goldfields constituencies about 1,700 people will return only one member under this revised scheme. On the other hand we see a constituency having voters on the roll amounting to only 90—I believe such is the case with East Kimberley—returning a member, and West Kimberley with 145 returning a member. The Irwin with 178 electors, and Greenough with 106 electors, each returns not only a member but a Minister. It is perfectly clear that a Bill of this nature, if passed, will not satisfy in the smallest degree the just and proper claims of the electors of the colony for representation, and the result will be exactly what the Colonial Secretary deprecates, that the instant a fresh Parliament is summoned, and members find themselves in a position to assert the views of their constituents, there will be a demand for another amendment of the Constitution. Under the circumstances it seems to me it is little more than a waste of time to pass or even consider this Bill, and I intend before I sit down to move that the consideration of the Bill be postponed to this day six months. The Colonial Secretary, in speaking on this subject, I presume set out all the advantages and improvements which this Bill proposes to make in the Constitution; but, as far as I can judge, the chief improvement is that the time limit during which a voter has to hold property has been knocked out, and if a man does not pay his rates, still he is entitled to a vote. That is not the class of

amendment the country expected in the Constitution Bill.

THE COLONIAL SECRETARY : There is the triennial Parliament.

HON. A. P. MATHESON : One year has been knocked off the term for which a Parliament is elected; but that is not the class of amendment the country was led to expect. The majority of the voters in the country expected manhood suffrage to be introduced for the Lower House. There is no doubt that a majority of the voters of the country for the Legislative Assembly have demanded that. In addressing the House I quite understand that I am addressing an unappreciative audience on this question. Hon. members naturally desire to retain as long as possible the right to a vote for property, and the right to vote over and over again for property: they seem to wish to swamp the people who are practically the backbone of the country.

HON. A. B. KIDSON : If you represented their constituencies, perhaps you would do so too.

HON. A. P. MATHESON : I do not think that is the case altogether. I do not think we should consider altogether what constituencies we represent. We have to consider what is fair and just all round.

HON. D. K. CONGDON : You are considering the goldfields constituencies, and others have a right to consider their constituencies as well.

HON. A. P. MATHESON : I am not only considering the goldfields, but a majority of the electors throughout the colony. I am satisfied on that point. We find that both for the Legislative Council and the Legislative Assembly the Bill has retained exactly the same qualifications as in previous Acts. No liberalisation of any sort has been attempted with the exception of time limit. Is that what the country has been expecting?

HON. C. E. DEMPSTER : The qualification is liberal enough in all conscience now.

HON. A. P. MATHESON : I am sorry I cannot agree with the hon. member (Mr. Dempster). The amendments are not what the country has been led to expect.

HON. J. W. HACKETT : Who led the people to expect anything?

HON. A. P. MATHESON : The voters of the country were led to expect a liberalisation of the Constitution Act.

HON. A. G. JENKINS : They were led to expect it in the Governor's Speech.

HON. A. P. MATHESON : What was the object of pretending to amend the Constitution, unless it was going to be amended in a liberal manner? The question is practically left in the state it was before. The Bill is a ghastly mockery. There are districts with 90, 260 and 290 electors, all returning members; and the members returned by those constituencies have joined together to prevent a constituency with 1,700 voters obtaining a member. Is it a reasonable thing to expect the people to be satisfied? We wish to get some reasonable finality in the amendment of the Constitution. I agree with the Colonial Secretary that it is most undesirable that every time Parliament meets, suggestions should be made for a redistribution of seats; and that is inevitable, if this Bill passes in the shape it is in at present. I am satisfied the Bill will satisfy nobody. We have heard Mr. McKay tell us that he represents a portion of the country which will be thoroughly dissatisfied with this Bill, and this House has heard my views that the people in the district that I represent will be thoroughly dissatisfied, and it is more than likely other hon. gentlemen will get up and say that the electors in their districts will not be satisfied; still I regret that some hon. members will say they will support the Bill, although it perpetuates an injustice towards other portions of the colony.

HON. A. B. KIDSON : They would not say it.

HON. A. P. MATHESON : They would not say it, but that would be the main-spring of their remarks.

HON. A. B. KIDSON : You are attributing motives now.

HON. A. P. MATHESON : If this Bill passes the second reading, and goes into Committee, the only thing that can be done will be to move that the number of electoral districts be reduced, and that certain other necessary amendments be made in the Bill; but I trust I shall receive sufficient support for my amendment to prevent any necessity for considering the Bill in Committee.

On motion by HON. F. M. STONE, debate adjourned until the next sitting.

ADJOURNMENT.

On motion by the COLONIAL SECRETARY, the House adjourned at 6:25 p.m. until the next evening at 7:30 o'clock.

Legislative Assembly,
Tuesday, 24th October, 1899.

Election Return, North Murchison Paper presented—Petition: James Kent, Greenbushes: Annual Estimates, Debate on Financial Policy, conclusion; Votes passed (four)—Motion: Draft Commonwealth Bill, Joint Committee's Amendments, Debate resumed, sixth day (adjourned)—Pharmacy and Poisons Act Amendment Bill, in Committee, new clause, progress—Adjournment.

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

PRAYERS.

ELECTION RETURN—NORTH MURCHISON.

THE SPEAKER reported the return of further writ for the election of a member for North Murchison (in room of Mr. Kenny, deceased), and that Mr. F. W. Moorhead had been duly elected.

MR. MOORHEAD was introduced; and, having subscribed the oath, he took his seat (cross-bench, Government side).

PAPER PRESENTED.

By the PREMIER: Regulations, Explosives Act.

Ordered to lie on the table.

PETITION—JAS. KENT, GREENBUSHES.

MR. VOSPER presented a petition from James Kent, now in custody under sentence for assault on Mr. C. Bourke Russell, at Greenbushes, praying for release or a new trial.

Petition received, read, ordered to be printed, and to be considered on the next Thursday.

ANNUAL ESTIMATES.

DEBATE ON FINANCIAL POLICY—FOURTH DAY.

IN COMMITTEE OF SUPPLY.

MR. WALLACE (Yalgoo), in resuming the debate, said: In rising to make a few remarks on the Estimates and the Financial Statement, I understand I shall have the right to speak to the question generally. [THE CHAIRMAN: Yes.] I will touch on a few items in my general remarks, but I intend to refer to other items when these come up later. In order to follow the practice of hon. members generally, it is necessary for me to congratulate the Premier on the way in which he put his case before this House, in delivering his Financial Statement. It is due to everyone, whether the case is a good or a bad one, to give him credit for putting it forward with as good a face as possible, and in this instance the Premier has certainly put forward his statement in a very clear and concise form—I might say it was, perhaps, too concise for some hon. members. At the same time, no hon. member could express but pleasure on hearing the Treasurer explain the reduction of the deficit, which has been a source of great anxiety, especially last year, when there was a fear that it would increase. The Treasurer told us he has reduced the deficit during the past year, and hopes to reduce it still more by some kind of sliding scale; and that is a plan I approve of, because were we to reduce the deficit all at once, it would be a great drain on the funds of the colony. On this determination to reduce the deficit gradually, I particularly wish to congratulate the right hon. gentleman. If I remember correctly the Premier's remarks, of which I took some notes at the time, he referred to the isolation of this colony, and pointed out that this isolation to a great extent causes hindrances to our prosperity; but, at the same time, he told us that before Parliament met again, the port of Fremantle would be the calling port for ocean-going mail steamers, and that information must, I am sure, have been received with great pleasure. The Treasurer, as head of the