| AYES. | NOES. |
|---|---|
| Mr. Angwin | Mr. H. Brown |
| Mr. Barnett | Mr. T. L. Brown |
| Mr. Bath | Mr. Collier |
| Mr. Davies | Mr. Foulkes |
| Mr. Eddy | Mr. Hardwick |
| Mr. Ewing | Mr. Horan |
| Mr. Gordon | Mr. Hudson |
| Mr. Gregory | Mr. Stone |
| Mr. Hayward | Mr. Stuart |
| Mr. Keenan | Mr. Taylor |
| Mr. Monger | Mr. Ware |
| Mr. N. J. Moore | Mr. Troy (*Teller*). |
| Mr. Price | |
| Mr. Underwood | |
| Mr. A. J. Wilson | |
| Mr. F. Wilson | |
| Mr. Layman (*Teller*). | |

Amendment thus passed.

Mr. H. BROWN : The Treasurer refuses my request that I should be allowed to amend my motion. I move that there be added to the motion as amended the words—

*And also for the production of all other papers in the Titles or the Supreme Court offices with reference to Mr. F. Illingworth.*

Mr. HARDWICK : I second the amendment.

The PREMIER : The hon. member is not very definite in his amendment, inasmuch as Mr. Illingworth having been a land agent for many years, the amendment would involve emptying a quarter of the Titles Office. If the hon. member likes to state what papers he requires or what dealings the papers refer to, there is no objection to his amendment ; or even if the words are not added to the motion, there is no objection to producing the files the hon. member requires.

The TREASURER : I should like to explain that I never refused to allow an amendment of this nature to be moved by the member for Perth. I stated clearly, or intended to make it clear, that I should be prepared to lay on the table of the House any papers for which he might move. I said it would be impossible to put the whole contents of the Lands Titles Office on the table ; but I will table any files the hon. member may move for.

Mr. H. BROWN : On that undertaking I shall withdraw my amendment, and will move to-morrow for the files I want.

Amendment by leave withdrawn.

Question (motion as amended) put and passed.

## ADJOURNMENT.

The House adjourned at 11.20 o'clock, until the next day.

# Legislative Assembly,

*Thursday, 17th October, 1907.*



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

Prayers.

## PAPER PRESENTED.

By *the Treasurer* : Report of the Committee of the Art Gallery for the year ending June, 1907.

## BILL—DISTRICT FIRE BRIGADES.

Introduced by the *Attorney General*, and read a first time.

## BILL—MARRIAGE ACT AMENDMENT.

*Second Reading.*

The PREMIER (Hon. N. J. Moore) in moving the second reading said : It is hardly necessary to remind members that this measure was passed last session by another place, and got as far as the Committee stage in this House prior to the prorogation ; therefore I do not intend to detain the House long. The Bill provides for an amendment of the Mar-

riage Act of 1894, and makes provision among other things for extending the hours during which marriages may be celebrated from 8 to 6 as at present, to 8 to 8 o'clock in the evening. It is contended that this will be more convenient to people, and the amendment is made at the request of several ministers of religion. The Bill also dispenses with the necessity for banns being published on consecutive Sundays. This is a very necessary provision, more especially on timber stations and in outlying centres where it is usual for a clergyman to visit the district once a fortnight. The Bill also provides that on the declaration having been duly made, marriages can be celebrated by any minister or district registrar. It also provides for reducing the time for posting the church notices to fourteen days. The old Act provided that the notice must be published for a period extending over three consecutive Sundays. The measure also provides that marriages can be celebrated anywhere in the State and not necessarily in the district where the original publication of the notice took place. Persons desirous of being married, having a certificate from a registrar, it is not necessary the ceremony must be performed in the same district in which the certificate was issued. Also, in order to provide a check it is found necessary for provision to be made for ministers to send in monthly returns of all marriages celebrated by them, as is only done now by the district registrars. At the request of the members of the Jewish community, provision is made to place that community on an equal footing with others, allowing them to be married by district registrars. To do that it is necessary to amend Section 5 of the original Act of 1894. These are really the principal objects of the Bill. I may say it is brought forward practically at the unanimous request of various ministers of religion, and I do not think there is anything controversial in the measure. I move—

*That the Bill be now read a second time.*

Mr. G. TAYLOR (Mt. Margaret): The Premier has pointed out that during last session he made the provisions of this Bill perfectly clear. At that time it was my desire to make certain amendments in the Bill; but I found, on perusing the measure and the parent Act, that the penal clauses had been removed to the Criminal Code. Section 338 of the Code provides that any person committing a breach of the marriage laws shall be guilty of a misdemeanour, and shall be liable to imprisonment with or without hard labour for five years, or to a fine of £500. That fine seems out of all proportion for a misdemeanour; but as the Criminal Code is not under review, it is impossible for me to deal with the penal sections of the law relating to marriages. Another objection I raised was to the fee of £10, prescribed by regulation for a special license. I raised the point also whether a regulation passed in Executive Council was valid; because I found no provision in the parent Act by which regulations could be drawn up or fees for special licenses imposed. But I found also, on investigating the matter when the Bill was last before the House, that the regulation was made under the Births, Deaths, and Marriages Act, 1904. That Act is not before the House, consequently I cannot deal with the sections I desire to amend. I wish to abolish the 10-guinea fee for a special license, and to make it, say, two guineas. I do not know what is the necessity for so high a fee. If I may be permitted to say so, I believe the desire of those responsible was to prevent people from marrying by special license and thus dispensing with the services of their own clergymen. We know that the fees charged by clergymen are not so high as £10; and many people desire to marry privately by special license. Frequently the necessity for so doing is great. People must marry by special license, without much publicity, the urgency of the case compelling them to do so. Men have come to me who wished to marry by special license, and who were unable to pay the fee of 10 guineas. True, there is power to remit the fee, or any portion thereof; but to obtain a reduction one must go to a magistrate, and with his permission the registrar will perform the marriage, or the applicant

can be married where he chooses. I desire to make the fee two guineas or even one guinea, whichever sum will cover the cost. I have not now before me the figures I had last session; but I believe the number of special licenses granted during the last financial year was about 200. Of that I am not certain; but anyhow, some of the fees were about £4, the average being about £2 10s., though the regulation fee is £10. To secure a reduction it is necessary to convince a magistrate that one is not able to pay the full fee. Some case must be made out to satisfy him. In my opinion this state of affairs is unsatisfactory, especially when I know the worry and anxiety many people have had in securing the reduction. It was necessary for them to marry speedily, and they were not in a position to earn the £10; consequently they had to go cap-in-hand to someone in power or someone with influence, and make a statement of the facts, showing that they must marry within a few days; and thus they induced this influential person to intercede for them with the magistrate and obtain the reduction. Why this bar to marrying by special license? It is the duty of the State to give every facility for the marriage of those who wish to marry. The fee does not deter those who would marry against the laws of the country, because there are other punishments.

*The Premier*: That is not the reason which prevents you from marrying.

Mr. TAYLOR: No. Perhaps if I told the Premier the reason that prevents me from marrying, he might think it invalid. I may tell him straight-away my reason is that the standard of comfort I desire for my wife is out of my reach, owing to the bad laws of the country, the unequal distribution of wealth; too much wealth and power concentrated in the hands of a few, whilst I am among the many who are suffering. In dealing with this aspect of the special license it is idle for the Government to say that the embargo is intended to prevent people from marrying by special license in order to avoid being married by their clergy. That is the only argument in favour of the high fee; because, if a person cannot lawfully marry—if he or she has been married before and the other partner is still living—there are punishments prescribed in the statutes; and the fee of £10 will not prevent bigamy. There is no power in the measure under review to grant a special license. Power was obtained under the Registration of Births, Deaths and Marriages Act for the following Executive Council minute:—

> "It is hereby notified for general information, that his Excellency the Governor has been pleased to direct that the fee hitherto charged for the issue of a special license for the celebration of a marriage is raised to £10, from the 1st May next; power being given his Excellency the Governor, the magistrate who issues the license, or the Registrar General, to, in his discretion, remit the whole or any portion of the fee."

I am precluded from dealing with the objections in existence because they do not come within the scope of the Bill under review, but under other Acts, the Criminal Code and the Registration of Births, Deaths and Marriages Act, which are not under discussion. However before the Bill goes through Committee I hope to be able to add some new clauses which will get over the difficulty. I have no desire to oppose the second reading.

Mr. H. DAGLISH (Subiaco): There is a good deal of force in the argument of the hon. member that either a special license should not be granted, or it should be granted without any heavy financial liability being imposed on persons seeking it. Marriage by special license is right or wrong. If it be right there should be no pecuniary obstacle put in the way of persons who seek to be married by special license. If it be wrong special licenses should be entirely prohibited. I agree largely with the argument of the hon. member in that respect. At the same time, since I shall not have another opportunity of doing so, I desire to draw particular attention to the provision for the publication of banns. I would like the Attorney General to state the reasons why this advertising is necessary. If it be necessary for the pur-

pose of allowing objections to be made, then I contend that the advertising of banns in a church or such a place as Cathedral Avenue is quite insufficient, because they do not come under the notice of a sufficient number of the public. A practice which may be suitable for a small village where there may be one or, at the outside, perhaps two churches, and where there is but a handful of population, would not be suitable for towns, cities, or large centres of population. There have been cases within the memory of hon. members where bigamous marriages have been contracted owing to the fact that our marriage law was defective with regard to the provision for publication. If it be necessary that the intention to marry shall be advertised, that requirement should be insisted on in all cases; but if it be not necessary, then there should be no provision requiring that the intention to marry be published. If publication be essential, then publication should be made effective; in other words, it should be in such a fashion as shall result in its meeting the public eye; and I know of no more effective fashion of ensuring its meeting the public eye as by requiring that the advertising of banns shall be in some publication circulating in the district in which the persons proposing to contract the marriage reside. Any member who resides in or around Perth knows perfectly well that it never suggests itself to him to go along Cathedral Avenue for the purpose of reading the notices exhibited at the district registrar's office. I have passed along Cathedral Avenue thousands of times within the last ten years, and I do not remember any occasion on which I stopped for the purpose of perusing the notices exhibited there; and I have never seen an eager crowd standing round to gaze at where the names of those who have the hardihood to enter the yoke of matrimony are exhibited. It must suggest itself to any thinking man that such a form of publication is quite insufficient and quite useless for the purpose which I presume it is intended to serve, namely, publishing the fact of an intended marriage so that any person with a valid objection to that intended marriage may have the opportunity of attending at the time fixed for its celebration and presenting his objection on the spot. In the same way with regard to the publication of banns in a church only the persons who attend that church have the opportunity of hearing the banns read. Therefore the publication is a publication only so far as those persons are concerned who belong to the religious faith of the parties intending to be married. Is that a sufficient publication? Does it afford a reasonable opportunity to the public as a whole to urge any objections, if they have any to the marriage proposed to be celebrated? I contend that this Bill in perpetuating the old system goes too far or not far enough. Publication should be effective or should not be demanded at all. If publication is to be effective, this Bill does not go far enough; if publication be not necessary then our existing law should be farther amended than this Bill proposes to amend it. I have risen on this occasion of the second reading to express this view solely so that members may have it in their minds when the Bill is being discussed in Committee.

The PREMIER (in reply): Exception is taken not so much to the Bill as to the fact that there is no opportunity in the measure, as now drafted, to make one or two amendments which in the opinion of members who have spoken are necessary. The member for Mount Margaret has referred to the cost of special licenses, but that is a matter which can be remedied by a special Executive Council minute, because we find that the Registration of Births, Deaths, and Marriages Act provides in Section 19 that—

> "The fees set forth in the Second Schedule shall be demanded and paid in respect of the matters and things therein respectively mentioned, or such other fees as shall hereafter from time to time be fixed by the Governor in lieu thereof or in addition thereto, either in respect of the same matters and things or any other matters and things to be done under this Act."

Certainly in this country we do not wish to place any obstacles in the way of

eople getting married. If that is stand-
ıg in the way of the hon. member I
ıall be prepared to pay the fee for him.
here is a good deal in the contention
aised by the member for Subiaco in re-
ard to the question of publicity. As
› the reason why banns should be
eclared, as far as my memory goes
ıe reason given by the Minister publish-
ıg the banns is, "If there be any person
nowing any just cause or impediment
hy these people should not be joined
gether in holy wedlock he must hereby
eclare it." I think that is evidence that
attend church occasionally. However,
understand the hon. member is desirous
making some amendments during the
ommittee stage, so I do not wish to
ess the measure any farther than the
cond reading stage this afternoon.
Question put and passed.
Bill read a second time.

## PERSONAL EXPLANATION.

*Chairmanship of Committees.*

Mr. H. DAGLISH (Subiaco) : Mr.
peaker, I desire to say a word or two
explanation, in regard to some re-
arks made in the House yesterday at a
ne when I had no opportunity of speak-
g in regard to them. The hon. mem-
r for Perth (Mr. H. Brown) on that
easion referred to a conversation which
stated had taken place between him-
f and the member for Canning (Mr.
›rdon), and which related to the ques-
n of the appointment of a Chairman
Committees. I have no interest what-
er, and no concern, in any conversation
at either of those two members or any
ıer two hon. members in this House
ıy have between themselves, conversa-
n of an entirely private nature ;
ıther have I any desire to express an
inion one way or the other in regard
the relative credibility of the two hon.
mbers who have proferred different
tements of the same conversation.
t I desire in the interests of this House
insist that any office in the House I
›e the honour to hold shall be entirely
›ve the suspicion of any partnership
atever ; and I desire therefore for my
n sake and also for the sake of the
office, more particularly for the sake of the office, to say that the statement that it had been alleged this office was promised to me is wrong if it implies that I in any way approached either the Premier or any other member of the Government or member of the House to ask them for that or any other office. The remark that a promise had been given may be held to imply that a request had been made, and I desire to say that during the time I have been in Parliament I have made no request either to the present or any other Government for any position or any advantage for myself. [*Mr. Collier* : I do not think he used the word "promise."] The word is reported as "promise." I am anxious that the House should have a full understanding of the position of the Chairman of Committees, not so much that of the member for Subiaco. A person holding that position should be above all suspicion of partisanship of one side of the House or the other ; therefore when I was asked if I were willing, in the event of election to that honourable position, to accept the office, I said plainly I was willing so long as the appointment was not a party one. I do not think a position like that should be held as an appointment conferred by a party on an individual. My experience of this House is that every Chairman I have known—the member for Beverley (Mr. Harper), the member for Brown Hill (Mr. Bath), and His Honour the Speaker (Mr. Quinlan) —were all, I believe, appointed to the position when they were sitting in Opposition to the Government then in power. When I was asked whether I was willing to accept the position I said that if it was the general opinion of the House that I should be appointed I was quite willing to accept it, but I was not willing to hold that office at the gift of any party, because I recognised that a person holding it should be free from party bias ; should be one who in the Chair knows neither one side of the House nor the other, and should be able always, therefore, to express an opinion and give a ruling on the merits of any case that might arise. It is impossible for me to know what conversations may have taken

place between different members of the House in connection with that position, but I know that, so far as I am concerned, had it been suggested that I had any ulterior purpose in accepting such an appointment I should at once have declined to do so. I desire to state that should I at any time find that the holding of such a position interferes with the discharge of my duties to my constituents, or to my country, I should at once without a moment's hesitation, submit my resignation, so that my full duty to those who sent me to Parliament might be adequately performed.

## BILL—ELECTORAL.

*Second Reading moved.*

The ATTORNEY GENERAL (Hon. N. Keenan) in moving the second reading said : I feel sure it is in the recollection of members that I spoke at some length only a short time ago in introducing this measure, and therefore it would be to some extent challenging the possession by them of ordinary memories if I were to cover the ground again which I covered so recently. I desire therefore to curtail my remarks on the present occasion to very narrow limits. I wish to point out to the House that the Bill now submitted has inserted therein those amendments which Parliament, during the late session, made in the measure in so far as progress was made in the committee stage. There is one exception, however, which is due to a clerical error, and that deals with a clause which has not yet been reached in Committee, but in respect of which I gave an understanding that, when it was reached, it would be amended by a certain provision being inserted. That is the clause dealing with those authorised to witness signatures to electoral claims, and members will bear in mind that I agreed that, when the clause was reached, it should be amended by including among those officers every elector of the same district. That has not been done, but it has been overlooked in the printing. However, I want members to understand that my undertaking still stands good, and that if when the clause is reached no other member moves that amendment, I shall do so myself. There is one other matter I would point out, and that is with regard to the question of sub-districts. The Leader of the Opposition will remember that, acting at my request, he agreed that this matter should be postponed until we reached the clause which enabled a Minister to create sub-districts. Since that agreement was arrived at the Chief Electoral Officer has placed before me certain reasons which I desire to put before the House in favour of the retention of the clause. At the same time, while I intend to place these reasons fully before the House and ask them to consider them carefully to see if they do not justify the inclusion in the Bill of the provision, I desire also to say that I am not definitely wedded to the principle of sub-districts; and that if, after mature consideration, it can be shown that the provision would hamper the carrying out of the electoral system, I would be prepared to meet hon. members in the matter and accept the rejection of the clause. At any rate if the provision is not included I shall be prepared to make one whereby, in the event of there being sub-districts in any electorate, any elector can vote in any sub-district by making a declaration that he has voted in no other sub-district of the electorate. That will be to make the provision similar to that in other States where sub-districts are in vogue. [*Mr. Troy*: An elector will be all his time making declarations.] The reason why I wish at present to go into the grounds for maintaining the inclusion of this provision or as to the possibility of creating the principle in the Bill, is that I think members would like to consider the matter somewhat more closely. The principal reason, however, is that it will enable an assimilation between our system and the Commonwealth system, and this would lead to a large decrease in the cost not only to the State but also to the Commonwealth. The Chief Electoral Officers of the Commonwealth and the State say, however, that this decrease would not be possible unless some similarity of districts was arrived at, so as to enable rolls to be printed for the use of both parties. I will go into that mat-

ter at greater length when we reach the question, but I merely draw the attention of the House to the fact that it was a matter of discussion and difference of opinion on the last occasion, and that I wish distinctly to let members know that, while the provision is again included in the Bill, my mind remains open as on the last occasion the measure was dealt with. When the proper clause is reached for the discussion on the provision I will lay all the reasons before members, and will leave them to determine whether the principle is to be adopted or not. I trust that in dealing with this measure, while no doubt members are justified in giving me the character of being exceedingly obdurate, perhaps I should use a less complimentary phrase and say pig-headed—[*Mr. Walker*: Say spiteful]—well let us take the member for Kanowna's phrase and say "spiteful," although whether that appellation is justified in fact or not I will not say; I trust hon. members will recognise that, even although "spiteful," I am desirous of meeting them in any reasonable way possible. Despite any drawbacks which might serve to make the meeting of the two opinions difficult, I would ask members to assist me in making an effort to deal with the question; and I can assure them that I shall not be wanting in reasonable conduct when the Bill is dealt with farther. I think members will admit that I cannot say more than that. The only consideration I would ask members to keep before their minds is this, that it is very easy indeed to devise an electoral system which applies to a very large electorate, as, for instance, the whole of Western Australia. If there was only one electorate here we could, with the greatest of ease, devise a system, for there would then be no possibility of trouble arising by people being on more than one roll or of being on no roll, for you would simply have to get a census of all the people over the age of 21 years. When you come, however, to the time when you make your electorates smaller and smaller, difficulties arise, because you must insist on each of these electorates being kept separate from the others. When you agree to divide the country, it is for the express purpose of having representation for that part which you have designed as an electorate, and you have the duty of so framing and administering your laws that the result will be arrived at that you will keep separate each electorate from the others, and secure to those persons living in an electorate not merely that they shall be on the roll, but also that they only shall be on the roll. And hon. members must therefore bear in mind that when you have that problem to face, that difficulty to solve, you are necessarily obliged to include provisions which might well be omitted if you had electorates of the size of Western Australia, such as exist for the Senate of the Commonwealth or those for the Commonwealth Parliament which are larger than the electorates for the State Parliament. I have no desire to reiterate the remarks I made on the last occasion the Bill was before us, and I should be obliged to do so if I went farther. Therefore, I will formally move—

*That the Bill be now read a second time.*

Mr. T. H. BATH (Brown Hill) ; Like the Attorney General, when a Bill somewhat similar to this was before the House last session, on the second reading I dealt exhaustively with the provisions of that measure. I am afraid, although my remarks at that time were the result of a most exhaustive analysis of the measure and a comparison with the one which it seeks to amend and a comparison with the electoral machinery of the other States, my remarks have had little influence or weight with the Attorney General who has charge of the measure, or with those members supporting the Government, on the other side of the House. Taking the measure as now submitted, I turned first to Clause 204—which is Clause 203 of this Bill; and I at once noticed the omission referred to by the Attorney General I am glad to have his assurance that this is a clerical error and that it is his intention to make the amendment promised by him when the Bill was before the House on a previous occasion. Without embarking on a general discussion of the provisions of the Bill, I wish to say that I am still of opinion

that the proposals contained in this measure are in no sense in advance of the provisions of the Electoral Act of 1904. And I think a great deal of the time of this Assembly could have been saved if, instead of bringing down a measure of this character, it was merely sought to remove one or two defects that have been found in the Act of 1904, and which it was only natural to be expected would occur in the working and administration of that measure. I desire also to say that while the electoral machinery is necesarily of considerable importance, after all the reform in our electoral laws, in the vehicle by which we give the people an opportunity of expressing their opinions, must come more in the matter of administration than in the mere provisions in the electoral machinery ; and I wish to reiterate my statement that it has been in the administration of our electoral laws rather than in the provisions of the Act itself that the fault has been found. I say that the Act of 1904 was quite good enough and liberal enough, and equal to the necessities of Western Australia, if the administration had only been as liberal and if those charged with its administration had been desirous of giving it a fair chance. Whatever defects have occurred in the past in the duplication of names, in the fact that people have been left off the roll and other matters which have cropped up and have led to criticism of the Electoral Act, have been due to the fact that we have not had effective administration of the measure. It is there that the difficulty lies. It is my intention to again place on the Notice Paper the amendments I had before the House when the Bill was before us last session ; and as far as my attitude goes it will depend largely on the way in which the clauses with which those amendments deal are treated as to what my opinion will be of the Electoral Act when it is eventually passed. I am somewhat afraid that in this measure it is not possible to make any improvement on the Electoral Act of 1904 ; and I am hoping more from the present Chief Electoral Officer, hoping more that his administration will remove many of the defects, than I am hoping from any amendments which this House may devise. I have no desire to refer farther to the measure on the second reading, except to express my regret that the Attorney General has not seen his way clear to go, as the member for Leonora has expressed it, "the whole hog" in regard to the question of enfranchising those who happen to be in receipt of charitable assistance. The Attorney General has made an amendment in consonance with the promise given when this matter was discussed previously; but that is altogether insufficient from my point of view to do justice to those who may happen to be in receipt of charitable relief from the State. The one argument that has been advanced, that they are likely to use some undue influence if given a vote by reason of this fact applies equally to every member of this Assembly. We see in another branch of the Legislature—without any desire to reflect on the motives of members of another place—we see that members of another branch of the Legislature, as soon as their interests are affected by a proposed act of this House, they are as keen as any inmate of the Old Men's Depot or anyone in receipt of a pension would be likely to be in regard to the protection of their interests, irrespective of what was considered to be the interests of the State as a whole. And when opposition to a proposal to enfranchise these people is based on the contention that they might exercise some undue influence on the Government of the State, it is reduced to an absolute absurdity. Even if we were to admit that these people would be inclined to use undue influence, what influence can they possibly exercise—a comparative handful in the large number of electors who are entitled to be enrolled in this State? No more influence than any other body of electors, whether they be rich or poor, in relation to the State, can exercise and have the right to exercise, by recording their votes. I may say in conclusion that the Attorney General seems to think all we need in our electoral machinery are elaborate safe-guards in order to prevent possible corruption and misuse of the powers which are entrusted to the

people of the State as voters. But I would like to point this out, that if we cannot trust the electors of this State in the mere matter of enrolment on the electoral rolls of the State, how are we in a position to trust them as electors when called upon to decide the wider and graver issues involved in the Government of the State. If we cannot trust them in the smaller matters, we cannot trust them in the higher; and in hinting that it is necessary to do these things, we doubt the essence of responsible government and democracy of this State. I have no farther remarks to make, except to intimate when the Bill is in Committee I will exercise the same vigilance in regard to each clause as I did when the Bill was before us last session.

Mr. M. F. TROY (Mt. Magnet): The remarks I intend to address to the House on the Bill must necessarily be brief, because there is little that can be altered on the second-reading discussion, and it would not be wise to waste the time of the Chamber in discussing a measure such as this when little good will result. In the Committee stage there is a possibility that a strenuous endeavour will be made to amend various provisions, in order that the Bill may be made more commendable to this House and more commendable to the people. I have several objections to offer to the Bill because, like the Leader of the Opposition, I feel that the Bill is in no sense more liberal than the Act of 1904; and with regard to the few fads which have been introduced, such as the preferential voting provision and the provision for dual constituencies, when they occur, I think there is very little alteration in this Bill, for good or evil. The first matter to which I must take exception is the provision made in the Bill for disfranchising those in receipt of charity from the Government. [*The Attorney General*: Only those wholly dependent on charity.] Yes; those wholly dependent on charity —those in the Old Men's Home and the Old Women's Home, for instance. I cannot understand by what logic the Attorney General argues that these people should be disfranchised. To my mind they are equally entitled to a vote with any other citizen of the State. If there was an old age pension system in vogue here to-day, I take it these people would be in receipt of old age pensions; and if they were in receipt of old age pensions probably the Attorney General would give them a vote, as is provided for other pensioners. We have in this State pensioners receiving yearly sums much in excess of what is received by those in the charitable institutions; and they would be equally influenced by the policy of any Government or by any candidate. I cannot see how people depending on the State in the Old Men's Depot would be likely to have more influence regarding an election than other persons. No person would vote for any candidate unless he were influenced so to do for some reason or other; and if votes are to be refused to these people on this ground, they should be refused to others in the community for the same reason. We find these people have taken their share—and a big share—in the development of this State. Many of the people to-day in the Depot, to my knowledge, have assisted during the past ten, twelve and fifteen years in the opening up of our goldfields. They have had very little luck, and now in their old days they are dependent on the State for their livelihood, and despite the fact that they have done considerable good in developing the State, the Attorney General and the Government with which he is associated propose to penalise them by depriving them of a vote. In this connection we find that under the Commonwealth Act all these persons are entitled to vote, and why the State should pursue a more conservative policy in regard to its electoral laws than is pursued by the Commonwealth is a matter that will take some explaining. There is no doubt that in connection with their various electoral systems the States are inclined to lag behind the Commonwealth Parliament. The State Parliaments are much more conservative, and we find the Commonwealth Parliament more representative of the wishes of the people. If the States would take into consideration this fact it will be recog-

nised that the Commonwealth is gaining influence with the people not because the people are diffident or deaf to the best interests of the States, but simply because the Commonwealth Parliament is more representative of the people, and because the aims and aspirations of the people are better considered by the Federal Parliament. In this also, the Commonwealth Government have gone farther than the State Government and given the people in the charitable homes a vote. Because the people who compiled and passed the Commonwealth Electoral Act recognised that among these people are many citizens who have, during the whole of their lives, assisted in the development of Australia. And in this State the Government are so absolutely conservative that they are not willing to go as far as the Commonwealth Parliament have gone, by giving those aged people a vote. Why, as the leading journal of the State truthfully said, it shows an absolute irreverence for old age; and the Attorney General's refusal of a vote to those people is not to the credit of the Government. I shall say no more now regarding that matter, but in Committee I shall do my utmost, and I hope every member will do the same, to see that the old people, who are certainly deserving of a vote, receive that privilege. I take strong exception to the provision that the Minister shall direct when the roll shall be printed. I do not think that the printing of a roll should be left to the direction of any Minister.

*The Minister for Mines*: The Minister must control the expenditure.

Mr. TROY: Just so; but, as in the New South Wales and New Zealand Acts, certain times should be stated when new rolls should be printed. The present method is considerably more expensive than if we had a stipulated time.

*The Attorney General*: Will the hon. member read Clause 24?

Mr. TROY: It provides that the roll shall be printed and issued under the hand of the Chief Electoral Officer whenever he thinks fit; but by Clause 27, whenever the Minister so directs, the roll, or any supplementary roll, may be printed in an amalgamated form. I should like to draw the attention of the Attorney General to Clause 25, which provides that if it is not practicable to print any supplementary roll after the issue of a writ, such supplementary roll may be issued in writing.

*The Attorney General*: Will the hon member acknowledge he is wrong?

Mr. TROY: I shall not. Anyhow whilst I may be wrong about that provision, I am not wrong as to the printing of a supplementary roll in an amalgamated form. And this is a most important matter; because the supplementary roll may be attached to the general roll on the eve of a general election; and on such an occasion the Minister might not be prepared to direct that the roll be printed.

*The Attorney General*: He has no authority to give such a direction.

Mr. TROY: No matter what may be provided in this measure, no better provision is obtainable than that of the Electoral Acts of New South Wales and New Zealand, whereby the rolls must be printed on certain specified occasions That avoids a considerable expenditure For instance, a number of rolls is being printed at the present time, and there may be no other rolls printed during the next twelve months. Many electorates have floating populations; voters frequently change their electorate; and they will make application for enrolment in another electorate. In some electorates we shall have an almost entirely new body of electors; unless the rolls are in print there will be repeated claims sent in; and thus more printing will be required than would otherwise be necessary If the rolls had to be printed by certain specified dates, and the people knew of it beforehand, there would be no repeated applications for enrolment. People would know that the rolls were to be issued, and all the applications would be sent in a month or so previously.

*The Attorney General*: Will the hon member read Clause 25?

Mr. TROY: I have read it, and will not bother about it farther. I am satisfied that with such a provision as I indicate the expense of printing the roll will increase. As to the provision for

witnessing claim forms, the Attorney General has promised to make an alteration. It is extraordinary that the alteration has not been made, though many parts of the Bill have been reprinted. If this provision is not altered, people will have scanty facilities for claiming their votes. The Bill provides for postal voting, and a postal voter must make a declaration—I presume before any person entitled to record a postal vote. This will be a very clumsy system. I am not enamoured of the postal vote system, though in many localities it cannot be dispensed with, as in mining districts where people are scattered throughout the country, or in pastoral areas, with their station hands and other scattered voters. These people cannot vote except through a postal vote officer. The system has been much abused ; but I think the abuses have generally occurred in the appointment of the officials. These officials are often the appointees of the Government, and are appointed in a similar fashion to justices of the peace. To-day the member for the district is never consulted about these appointments, though at one time he was always consulted as to the qualifications of a person desirous of being made a justice. When I first entered the House the member was always consulted. However, we are not discussing that, though I believe the member will rarely be consulted as to the appointment of postal vote officers.

*The Premier* : There is a very bad habit growing up of appointing justices by election at meetings.

Mr TROY : I prefer an election at a meeting to an appointment by a Government desiring to confer a favour on the person appointed. If he is elected by the people, he deserves their respect and esteem. Will the Premier tell me that because the people of Bunbury elected him their representative, they made a bad choice ? Why, it is not possible that people will elect a justice of the peace whom they consider a bad man. They place too much power in the hands of the justice to make such an error.

*The Premier*: What has this to do with an Electoral Bill ?

Mr. TROY : I will deal later on with that matter. The same abuse will be found in the appointment of postal vote officers. During the election of one of the present Ministers he wired to Perth and got persons of his own choice appointed electoral officers. The wire can be found to-day in the Electoral Department. The electorate was in the southern portion of the State ; and I am told on the best authority that on one of the stormiest days of the year the postal officer went canvassing over thirty to forty miles. That is how the postal vote system has been abused. I was in the locality when this gentleman came back after his canvassing tour, and I am fairly well satisfied that what I state is absolutely correct. I say the appointment of electoral officers should never be left in the hands of the Minister controlling the Electoral Department. The electoral registrar in the electorate is generally the person who should be allowed to make those appointments. He has at times his private opinions and prejudices, but in the majority of cases he is generally a fair-minded officer and competent to furnish the names of persons who should be appointed to take postal votes. The postal vote system has been much abused ; but if we abolished it we should disfranchise many electors of this State. Yet another feature of the Bill, not to be found in any Electoral Act I have seen, is the provision that the electoral registrar shall have power to object to the enrolment of any claimant ; and that any other person, by paying one shilling, can also object to the enrolment of a claimant. But whilst the registrar must give reasons for his objection, the ordinary, irresponsible objector is not asked to give any reason.

*The Attorney General* : Yes, he is.

Mr. TROY : I am glad he is, and I hope he will be ; because in many localities, particularly where the electorates are large and where some centres are distant a hundred or two hundred miles from the electoral registrar's office, many persons might otherwise be disfranchised. Black Range is a hundred miles from the electoral registrar at Mount Magnet ; and some organisation in Mount Magnet might put up a few pounds and object

to forty or fifty people at Black Range, thus compelling those people to travel a hundred miles to satisfy the registrar that they were qualified. This is a very bad provision, to allow any person by paying any fee, no matter how small, to put electors to expense. It is provided also that if the objection is not upheld, the person objected to may be compensated for his trouble and expense. But the objector may be a man of straw. An organisation may put up a dummy objector who may not have a penny, and who will be unable to pay any damages the court may award. Of what value would the award then be to the persons objected to? They would have all their trouble and expense for nothing. This provision might reasonably be struck out, for it will serve no good purpose. We find cropping up again a former provision for limiting candidates' expenses. The maximum amount spent by any candidate for the Legislative Assembly shall be a hundred pounds. I believe there are not many members who exceed that amount. I can safely say that not one member on this (Opposition) side of the House has expended more than a hundred pounds on his election. But it is different in many constituencies, and very different in the election of a member for another place.

*The Attorney General*: There is a £500 limit for the Council.

Mr. TROY: I am satisfied that in the South Province election at which Mr. Glowrey was returned last year, more than £500 was spent. The subsequent proceedings to that election were absolutely disgraceful. For two or three months afterwards we heard of nothing but police-court proceedings at Kalgoorlie, people suing the successful candidate for payments he promised. Yet we have this provision in the Bill, which the Attorney General knows is never obeyed. We have the hon. gentlemen's alleged intention to purify the electoral law; but there is no desire on his part to purify this, which is one of the greatest abuses of the law. It has been said that candidates are often not responsible for much of the money spent during an election, because the friends of the candidate spend money on behalf of candidates. Therefore we should insert in this Bill a provision preventing any friend or person associated with the candidate, or the candidate himself, from spending more than £100. We can easily do that. There is need to do it, because in this regard the law has been abused in State elections and in the Commonwealth elections. At the last Commonwealth elections the expenses were so high that a certain organisation fell out very badly over it. The printing of newspapers for the post must have cost a considerable sum, and there is no doubt that the maximum provided under the Commonwealth law was exceeded, as it is exceeded in connection with the elections for our State House. If the Attorney General is conscientious in his desire to purify the electoral law, as he has assured the House on more than one occasion, I hope that he will introduce some provision on the lines that I have suggested in order to prevent this abuse. Clause 38 provides that new rolls shall be prepared on the census, or by the electoral office as the Governor may direct. The Governor always means the Minister. This power which is given to the Minister is a power to which I object; because whoever the Minister may be, he is not the best person in whose hands to place any power so far as our electoral law is concerned. When we take into considerations the way in which elections have been rushed and conducted in this State, I would almost sooner trust his Satanic Majesty than some of the Ministers we have had, because no doubt in connection with the Menzies electorate, and in connection with the recent East Province election and one or two others the action of the Minister was not creditable.

*The Attorney General*: What was the action in connection with the East Province election?

Mr. TROY: The election was so hurried on that in many instances the electors did not know that it was being held, and in other cases there were not sufficient ballot papers provided.

The ATTORNEY GENERAL (in explanation): I do not wish the hon. mem-

ber to be under any more misapprehension than he seems to labour under. The writ was issued wholly independent of any desire or advice from the Minister. It was issued by the President of the Legislative Council and that gentleman fixed the time. There was no consultation with any officer of the Electoral Department or myself.

*Mr. Collier* : Have they not been consulted in the past ?

The ATTORNEY GENERAL : Not while I have been in charge of the department. So far as I know there has been nothing which in any way suggests to the Speaker and President that they shall do anything except exercise their own discretion. In connection with the East Province election the President exercised his discretion. I presume he had some reason or desire actuating him.

Mr. TROY : No doubt the East Province election was not carried on in a manner which permitted the electors to record their votes as they desired. Many people were disfranchised through not getting the opportunity to vote, and whoever was responsible for it should have the responsibility removed from his shoulders. I am not referring to the Attorney General in connection with anything I say on this matter. Let us take as an instance the last dissolution and the ensuing general elections at which this Parliament was elected ; those elections were so hurried on, for no reason, that thousands of electors were disfranchised. The Menzies electorate is an example. Over 500 people in that electorate were disfranchised because their applications were not in 14 days prior to the issue of the writ. They were in 13 days prior, but the writ was issued just one day too soon to allow those names to be put on the roll. This thing has been done so flagrantly in the past that it is time action was taken and time the House took some means to rectify it. It is provided in this Bill that no declaration of policy or any promise during an election is to be deemed a breach of any provision. The Attorney General is to be complimented on his candour in this connection, because the Government with which he is associated have done this so recently and so often that I think it is right they should be candid with the House with regard to their intentions for the future. In the East Province election the policy of the Government was one of buying votes. Did not the Minister for Railways telegraph to Northam that he was going to reduce the railway rates to assist the farmers, and by other means were not the electors of Northam told of benefits and asked because of the favours given to them to return Mr. Throssell ? There was also the Fremantle election, and the notorious circulars of Mr. Price which secured his return. The electors were told to vote for a man who was in charge of the Works Department as against one who would be in Opposition. That was obviously buying votes. We had the same thing years ago when Mr. Ferguson was elected for North Fremantle. The then Minister for Works, now the Agent General, went to North Fremantle and promised the people a dock if they would support Mr. Ferguson. This sort of abuse is so contrary to the intention of the Attorney General to have pure elections that I am surprised at his audacity at introducing such a provision in this measure.

*The Attorney General*: What sort of an election would there be if no public policy was laid before the electors.

Mr. TROY: I do not object to a public policy, but I object to promises, and I object to this provision, because there is no gentleman more capable of interpreting anything to suit his own purpose than the Attorney General. I can imagine him justifying a promise given to some electors. The hon. gentleman would claim that the Electoral Act provided so and so, and that it was passed by this House and was the wish of the people as represented in this House and that he had violated no provision of the Act. That would be the hon. gentleman's attitude if he were taken to task in this House, and I am surprised at his audacity in this proposal. Few men would ask the support of members for such a proposition. The hon. gentleman appeals for assistance to bring in a measure that will purify the mode of electing members to this House ; I remember with

what scorn he attacked members of the Opposition as being opposed to purification; and this is a species of the manner in which the Attorney General wants to purify elections. I hope that in Committee members of the Opposition will put up a fight to purify elections at least by deleting this provision. In reference to preferential voting, we are asked to provide means for the election of members for dual constituencies, though we were told by the Attorney General when he first introduced this measure that it was not contemplated to bring in a measure providing for dual constituencies at least in this Parliament. Why are we asked to provide the machinery for something that is not in contemplation? This proposed system may be a preferential system in the Attorney General's mind, but to me it does not appear to give that preference to the wishes of the people of the State that they would desire in connection with the election of representatives to this House. For instance, if there were four candidates in a constituency returning three members, naturally the great proportion of the people would be desirous of electing the three candidates whose views were most akin to their own, and naturally the fourth candidate would be absolutely opposed to the opinion of the great proportion of the people; but by the system of preferential voting as provided in this measure that fourth candidate will get top place on the poll. No doubt the system outlined by the Attorney General is not a preferential system. It does not enable the people to exercise their preference in regard to the views of candidates seeking to represent them. I hope this preferential system introduced by the Attorney General will not receive the support of the House. In conclusion I hold that the occasion for a general election should be a public holiday. This opinion has been voiced more than once. We have public holidays for less important matters.

*Mr. Scaddan*: If you provide that you will need to provide for compulsory voting.

*The Premier*: The people will go away holiday-making.

*Mr. Scaddan*: Yes; they will go out on flower excursions.

Mr. TROY: Then let them go out on flower excursions. They now go away on flower excursions on public holidays which are given for no special occasion. People are compelled to take holidays for no particular purpose. There should be a holiday on election day, so that the great majority of the people would be able to exercise their franchise. Take the great majority of men on the railways, who all experience a difficulty in voting; many of them are 50 or 60 miles from a polling booth, and are unable to record their vote unless they lose a day. In their interests a public holiday might be provided.

*The Attorney General*: They vote by post.

*Mr. Scaddan*: They would lose a day just the same.

Mr. TROY: Yes, for if they have to vote by post they lose a day in order to do so. They should not be compelled to lose a day's wages in order to exercise their franchise. I support the measure generally, or rather I support a portion of the measure. I do not think it is a very good one, and consider there are many provisions which might with advantage be deleted. I am perfectly satisfied that no matter how bad members may say the 1904 Act was it was a better one than this.

Mr. T. WALKER (Kanowna): I should be sorry to let this occasion pass without entering my protest against this unwarranted, uncalled for innovation, especially at this stage of the year's history. After last session's exposure of the defects in the Bill I marvel at the temerity of the Attorney General in bringing the matter on. As has been pointed out, the measure is in no sense of the word an advancement on the previous one. The only excuse for it is that there are some startling alterations in the system of voting. It appears to me that this is the only purpose to be served by the Attorney General, and I submit that he has taken a very dangerous way of introducing changes that are not provided for in their completion; a

all events in the Bill now under consideration. I am speaking now of proportional representation. That is a distinct alteration from the old system, and what is more it is anticipatory of what may be in the mind of the Attorney General, but which has not been expressed here in the Chamber or to the country. We have not under our present constitution constituencies for proportionate representation. Before a change of that kind we should have to pass another measure which would divide the constituencies differently from what they are at the present time, and we should have to bring other machinery into operation in order to make the system effective. The wisdom or otherwise of that course is scarcely discussable in the Bill. The measure is chaotic, the system is not defined, no word has been said of the purpose to be served. What is defective in the present system whereby there is one constituency one representative? This has not been shown to the Chamber, and yet we are taking steps now to lead us we know not where. The Attorney General apparently has imagined that this matter will pass quietly by, that the first step of the innovation will be taken, and that the House and the country will be pledged to carry it out subsequently; then, if something comes up later that startles us, we can be referred back by the Attorney General, who will say, "Why, during such and such a session, the country affirmed the requisite character of this principle." I object to be blindly led in the manner set out by the Attorney General. What is defective in the present system of voting? Has any candidate, deserving of being returned, lost his opportunity, lost his chance, lost his right, by virtue of the present system of voting, or is it in order to give some persons who, by virtue of their merits or by virtue of their influence, or their abilities, ought to be here but are now left out in the cold owing to the present system? I am not referring now to the system of preferential voting alone, but to this evident intention ultimately to introduce constituencies with more than one representative. That is an alteration which stands on a different footing from preferential voting, which in itself is an innovation that may or may not be desirable; but it certainly has been very loudly protested against by a large section of the State, and therefore should not be lightly undertaken. I know that the Attorney General said something about it on the occasion of the last discussion of this question but he did not make it at all clear that this was an urgent and necessary reform, or would be in any sense a beneficial change. It was simply one of those experimental fads of the Attorney General. That is what I made out from his statement on the last occasion. Though that is an innovation which may be discussed on its merits, the farther innovation of proportional representation is taking a step without any warranty whatever, and is asking the country to provide for something in one Act that is to be entirely done by another. It is a false way of going about the matter. Before taking that step let us see what are his reasons for the suggestion that constituencies should have dual, treble, or quadruple representation instead of single representation as at present. How does the Attorney General propose to divide the constituencies that he asks a warrant for under this Act?

*Mr. Scaddan*: I could give you an idea.

Mr. WALKER: The hon. member might be able to do that, but I certainly could not.

*The Attorney General*: The member for Ivanhoe can tell you what everyone will do.

Mr. WALKER: I cannot enter into these asides between the Attorney General and the member for Ivanhoe, but I think it was the duty of the Attorney General to tell us what he meant. Did he think it possible that this change was an entirely insignificant one, and not worth a word of notice or explanation? This House has a right to be taken into his confidence in a matter of such importance. From my experience of this Chamber, Bills are repeatedly passed on the assurance of those in charge of them, without hon. members taking the ade-

quate time necessary to study or understand them. There are numbers of measures that have never been read, which members have adopted *en masse,* because they have followed one side or the other. The defect is not entirely on one side. The Leader is repeatedly followed by those having confidence in his judgment, particularly when they have confidence also in his honesty. If they believe the member in charge of the Bill will not blindly lead the Chamber they are content to take his opinion and to vote accordingly. It looks as if there is something of that kind in this proposal, or why has the Attorney General been so silent; why has he not taken us into his confidence, what is the change sought to be attained, the ultimate good to accrue from passing this principle of proportionate voting? Once we have passed that we are committed, and if we commit ourselves now we do it without having one word of confidence given to us by the Attorney General, without one word of explanation. I for one object to voting for the second reading of a Bill providing for such a complete change in our electoral system. It is my duty, until I know absolutely where we are drifting to, or where we are being taken, to vote against an alteration of that kind. This is one of the reforms that has been effected in other parts of the State after much deliberation, and after long experience of the dual system. I will not deny but that there may be in large centres of population some advantage in having more than one representative so that there may be a possibility of getting the representation of the minority; but how comes it that, where the system has been tried, experience has taught the people to go back, or rather to advance to the doctrine of one constituency one representative. It does not come to us as an old, effete doctrine but as a new experiment, and I want to know why the Attorney General wants to take us back to the old way. It is a question that seems to have escaped the notice of all who have dealt with this Bill up to the present, and I cannot vote for a principle of that kind, more particularly when I remember the way in which it is sought to be brought into existence. A matter of such importance requires a Bill entirely to itself. It is a change from our present electoral system and alters every underlying principle that guides us to do that which gives to every individual in the State equal electoral power; for that is the object of one man one vote, and its corollary one man one constituency; that is the purpose of the Act as we have it now, to make it so that no person, however wealthy, can have more power than the poorest citizen of the State.

*The Attorney General*: Could he have more power under proportionate representation?

Mr. WALKER: Certainly.

*The Attorney General*: Let the hon member show me how.

At 6.15, *the Speaker* left the Chair.
At 7.30 Chair resumed.

Mr. WALKER (continuing): When I was interrupted, I was challenged in my assertion that the introduction of proportional voting gave inequality in voting. I had expresed the view that the only corollary of one-man-one-vote was one man to represent one constituency. That was the reason of the alteration having been made in consequence of the agitation in the East for the abolition of plural voting, giving to each man equal voting power in the community. I said that the privilege of equality was necessary to abolish any power on the part of the rich, in other words to give equality to the poorest of the land as well as to the rich. I was challenged in saying that was so, but I did not think I could be challenged on that question. The experience has always been in a plural constituency that the rich man has the best every time. If we had that kind of division in this State there would be some constituencies in populous centres that would have as many as four representatives, some in less populous centres, but still populous, which would have three, there might be some with two, and finally we should come down to one. A constituency with four representatives, although in one sense a man would only

have one vote, that one vote would be distributed in the securing of four representatives. [*The Attorney General*: No.] Undoubtedly. If there is a constituency with four men to be returned, if there is a contest at all, out of the number running, say eight in a case of that kind, an elector could give his vote to secure four out of the eight to represent him. He would therefore be represented by four, his vote would have four times the representative power of the vote of a man away in the backblocks where only one representative could be secured. That stands to reason, it is demonstrable, it does not require any argument; it does not matter when you come down to units, the one man has four candidates to vote for and the other has only one. [*The Attorney General*: How often does his vote count?] It will only count as one vote in the ballot box, but that one vote will have four times the power; the representation is a corollary to it; undoubtedly it will. The one man with a vote where the population is small will only be able to obtain one representative with one vote, but the man in the city will be able to obtain four representatives with his vote, four of his way of thinking. The danger too is worse in this, that the populous centres must invariably rule, and it is in cases of that kind where the rich man and the rich organisations are able to organise and to get their sway in the Assembly by all kinds of devices; for unless voting is made compulsory and you compel a person to vote for representation, where there are four representatives to a constituency there will be an understanding, a concerted action among cliques and organisations to plump for one, or to distribute their vote for two, and by that means obtain the advantage, as is often done by skilful electioneering agents. That kind of electoral machinery is invariably and in every case to the advantage of the rich man in the community. There is no kind of voting which more assisted the working population of the States of Australasia than the introduction of one man one vote, and one man constituency system. It seems to me this is a proposal of a reactionary character; the possibility of getting labour represented is so manifest in the present system, and the Attorney General who has views of a conservative character, and has a leaning to what possibly we might concede to be the superior classes, is anxious to go back to the old order of things and give the rich organisations and rich candidates an opportunity. Proportional representation has been tried. [*The Attorney General*: Where?] In New South Wales. I have been reurned myself three times under the plural constituency system, which is invariably in the proportional representation scheme. What I am pointing out is that this is an evil that ought to be nipped in its origin, introducing ulterior legislation not provided for in the measure before the House, but which is pledged in the Bill to eventuate. That is the evil. If we are going to have a system in vogue, with a redistribution of seats which it implies, we should have a different measure to effect the purpose. If we are going to have that let us have the whole scheme set out in a measure; we shall then know what we are doing. Here we have the beginning of a thing that is not complete, or cannot be complete until succeeding legislation is introduced and passed. This is a leap in the dark, it is not worthy of an enlightened Assembly, to pledge itself to a principle that is not outlined even by the speech of the Attorney General, let alone put down in black and white; I will always protest against that. We have no right to mix up this measure with a measure that may or may not be taken; to start on a course and only get to the threshhold of it and stop there. We want to have the thing complete or not at all. If there be a necessity for that change let the Attorney General introduce a Bill to effect that change and that change only. If we mix it up with another measure let us have that part complete in itself. It is a system that to my recollection I have not read of or hear of ; introducing a principle to make changes by and by. That is not the style in which a deliberative Assembly should do its work, it shoud deal with a measure complete in itself and this is not complete ; it is a measure introduced

to do some thing that is to come ; we have no guarantee that it will come. We are at the fag end of this Parliament, and certainly at the fag end of this newly begun session ; what guarantee have we that this Government will be in power next session or next Parliament ; how can they pledge their successors to introduce a Bill afterwards to make this complete. It is only a quarter of the thing that is done, why cumber our statute book with matters that may never be completed ; this incomplete, inchoate matter, this question of possible alteration by and by. I do object to that; I know, having made this objection, that it is my duty to do so, I need not labour it, it is my duty now to define the principles to which I object. I have only a little more to say. I particularly wish to emphasise my objection to the reintroduction of the courts of revision. I submit all the evils of the old Act are to be traced to the existence of the revision courts ; the removal of responsibility from the electoral officers, and placing in the hands of the revision-court magistrate the immense power of practically making, unmaking, and disfiguring the rolls. I had intended reading at length the evidence taken from the various sources and from experienced men by the select committee which considered the Bill during last session. If there was anything made clear by the committee, it was the facility which the old form, repeated in this Bill, gave for stuffing and for depleting the rolls through the agency of a revision court. That was the principal evil in the existing Act, the injustice committed at revision courts, that caused the outcry at the last general election ; it was that evil which caused the suffering and the unjust punishment of certain candidates for seats in this Assembly. It was that method of procedure which made it impossible for men justly entitled to be here to enter this House. But, with peculiar persistency, this imperfect and illogical method of revising the rolls is embodied in the present Bill. Against that I shall be compelled to fight. It is not reformation ; it is adherence to the worst features of the existing Act, which if it were amended in that one feature alone would be infinitely superior to this Bill with all its new fads. The existing Act, imperfect as it is, gives greater and better facilities for fighting an election than are given by this Bill ; for with the existing facilities for making claims, and with the greater care which the new departmental officers are giving to the collection and registration of claims, the Act is infinitely better than the Bill in its present form. The Bill is no improvement, but goes back to a worse form than the parent Act, anticipates something that may never be realised, is piecemeal legislation—the very worst kind of legislation that could be introduced in any Parliament ; and it retains to a degree that is astounding when a reformatory character is claimed for the measure, the gross defects of the Act of 1904. On this score, leaving myself free to deal in Committee with the charity clauses that have been referred to, and with the necessity for a witness to the signature of the man exercising his right as a citizen by claiming his vote, I shall certainly be compelled to vote against this anomaly, this incongruity, this backward step in legislation, this unwarranted leap in the dark, called a reforming Electoral Bill.

The TREASURER: I move—

*That the debate be adjourned.*

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

| | | |
|---|---|---|
| Ayes | .. .. .. | 19 |
| Noes | .. .. .. | 11 |
| Majority for | .. | 8 |

| AYES. | NOES. |
|---|---|
| Mr. Barnett | Mr. Bath |
| Mr. H. Brown | Mr. Bolton |
| Mr. Cowcher | Mr. Collier |
| Mr. Davies | Mr. Hudson |
| Mr. Draper | Mr. Johnson |
| Mr. Eddy | Mr. Scaddan |
| Mr. Gull | Mr. Taylor |
| Mr. Hardwick | Mr. Underwood |
| Mr. Hayward | Mr. Walker |
| Mr. Keenan | Mr. Ware |
| Mr. McLarty | Mr. Stuart (*Teller*). |
| Mr Male | |
| Mr. Monger | |
| Mr. N. J. Moore | |
| Mr. S. F. Moore | |
| Mr. Price | |
| Mr. Veryard | |
| Mr. F. Wilson | |
| Mr. Layman (*Teller.*) | |

Motion thus passed ; debate adjourned.

## BILL—GOVERNMENT RAILWAYS ACT AMENDMENT.

*Postponement.*

Order read for the second reading.

The PREMIER moved—

*That the Order of the Day be postponed.*

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

| | | | |
|---|---|---|---|
| Ayes | .. | .. | 19 |
| Noes | .. | .. | 11 |
| Majority for | .. | .. | 8 |

| AYES. | NOES. |
|---|---|
| Mr. Barnett | Mr. Bath |
| Mr. H. Brown | Mr. Bolton |
| Mr. Cowcher | Mr. Collier |
| Mr. Davies | Mr. Hudson |
| Mr. Draper | Mr. Johnson |
| Mr. Eddy | Mr. Scaddan |
| Mr. Gull | Mr. Stuart |
| Mr. Hardwick | Mr. Taylor |
| Mr. Hayward | Mr. Walker |
| Mr. Keenan | Mr. Ware |
| Mr. McLarty | Mr. Underwood (*Teller*). |
| Mr. Male | |
| Mr. Monger | |
| Mr. N. J Moore | |
| Mr. S. F. Moore | |
| Mr. Price | |
| Mr. Veryard | |
| Mr. F Wilson | |
| Mr. Layman (*Teller*). | |

Motion thus passed; the order postponed.

## BILL—SALE OF GOVERNMENT PROPERTY.

*Second Reading moved.*

The TREASURER (Hon. Frank Wilson), in moving the second reading said: This measure, as members will see, is merely a machinery Bill to regulate the keeping of Treasury acounts of Government property which has been sold. The Bill refers more particularly to the addition made to the Estimates of last year and this year, and headed "Sale of Government Property Trust Account." These proceeds we appropriated on our Estimates last year, and we propose to do the same this year.

*Mr. Taylor*: Property purchased out of loan funds?

The TREASURER: Out of loan funds and out of consolidated revenue also. I may explain that for many years the principle followed has been to credit the General Loan Fund with the proceeds of these sales. If loan moneys were being expended in the construction of a work or the equipment of a railway, and any portion of the plant or the material was disposed of, the proceeds of the sale were credited to the General Loan Fund. That method was all right so far as the current year was concerned. If we credited the loan fund whilst the expenditure was going on, we arrived at the nett result at the end of the year, and the accounts were all in order. But it was found that with the number of credits that went through the books the accounts became too complicated. The General Loan Fund Account, which should only deal with the proceeds of loan flotations was dealing with all sorts of small and numerous credits and became too complicated, so that four years ago the Treasury were obliged to institute the trust account to which I have just referred, and from that time onwards the proceeds of these sales have been put to the credit of this trust account. Last year we appropriated £61,000 from that account, and speaking from memory there is this year a further sum of £11,000 in addition to the unexpended balances of the items voted last year and included in this year's Estimates. I introduced this Bill last year, but as we were rather pressed for time towards the end of the session I allowed it to drop. I was under the impression that all we had to do was to pass the Appropriation Bill to have sufficient warranty for keeping the account; but on looking into the matter farther, and after consulting the Auditor General and the Treasury officials, I found that, although the Appropriation Bill was sufficient to legalise the expenditure, it was not sufficient for the keeping of the account. The account does not comply with the Audit Act; hence the necessity for introducing this small measure, practically to regulate the keeping of accounts and to show how these funds are to be dealt with. There are nine clauses in the Bill. They provide that all proceeds of sales are to be credited to an account to be kept in the Treasury called the Government Property Sales Fund, provided that the cost of the undertaking has been charged to General Loan Fund or Consolidated Revenue previous to the financial year in which the sales have been effected; but

if the cost has been debited during the same financial year in which the sales take place, of course the proceeds of the sales are credited, as in the past, to the item, loan or revenue as the case may be, so that at the end of the financial year a correct balance of the actual cost of the undertaking may be brought down. There is also a provision that refunds for overpayments in connection with loan fund expenditure are to be credited to this account. There has been trouble in this connection in the past. An account may have been rendered and paid for material supplied under contract for a loan item undertaking in one year; but after the audit has taken place it may be discovered that the account had been previously paid. Therefore there is a refund to the Treasury; but that refund could hardly go to the credit of the loan item, because the account for that item has been closed. This was found to be the case with many of our public works. On the 30th June, 1902, the expenditure on the item, Additions and Improvements to Opened Railways under General Loan Fund was shown as £1,054,254, but on the 30th June, 1903, the expenditure for the year 1902 was stated to be £1,051,044, being reduced by credits of the description to which I have referred to the extent of £3,209. Again, in the item, Fremantle Harbour Works, the expenditure was shown on the 30th June, 1902, as £846,735, but on the 30th June, 1903, the expenditure for 1902 was shown as £845,842, being reduced by credits of £893 received during the year ending 30th June, 1903. Though possibly members may understand why these amounts have been reduced, it may be complicated to the outside public and those not in the inside running. There is provision in Clause 4 of the Bill for damage to Government property. If a vessel coming alongside a wharf, through neglect of her officers, damages the wharf and there is claim against the vessel, the money received, instead of going into the revenue, will be first utilised to repair the damage and then any balance or profit, as the case may be, goes to consolidated revenue. The only exception is that if railway property is damaged and there is a refund, it will be treated in exactly the same way and used to make good the damage, but the balance will go to railway revenue instead of direct to the consolidated revenue. Clause 5 gives Parliament absolute control of this fund. Any expenditure from the fund must be authorised by Parliament as was done last year, and must be appropriated in the ordinary way, the same as the Estimates for the year. In fact it is part and parcel of the Estimates. Particulars of all receipts in connection with Government properties sold and credited to the fund have to be published yearly in addition to the publication of the accounts, so that members can see exactly how the funds have been derived. The departments are authorised to take credit in their departmental accounts and reduce their capital accounts accordingly. So while it does not interfere with the system of bookkeeping in the departments, it keeps the Treasury accounts clear and obviates the complications to which I have already referred. Clauses 7 and 8 make clear the system that has been in vogue ever since Responsible Government, but which has not been specifically provided for in our Audit Acts in the past. Clause 7 provides that receipts such as rents derived from leasing properties, the proceeds of the hire of rolling stock and such-like, and payments for services, which receipts have not been specially dealt with in the past, are to be paid into consolidated revenue under such headings as the Treasurer may from time to time direct. Clause 8 has a similar effect. It deals with the disposition of the proceeds of sales of any property during the current financial year, making legal the system now existing. It provides that the proceeds shall be credited to the votes for that year. If we are constructing a work from loan funds during the year and sell some of the material or plant in connection with the work, the proceeds must be credited to the loan item. This does not complicate the accounts for the year. It is when we carry on to a subsequent year that the complication arises. Clauses 7 and 8 really cover the existing system that has always been acted on, but the Auditor

General has pointed out that it has not been provided for in any of the existing Acts, and that we should legalise the system in this Bill. This is simply a machinery Bill to simplify the keeping of accounts in the Treasury, and I shall be glad if we can push the Bill through Committee to-night.

*Mr. Bath* : Will you not consent to an adjournment of the second reading ?

The TREASURER : For what reason ?

*Mr. Bath* : I am opposed to the whole principle of the Bill.

The TREASURER : Very well.

On motion by *Mr. Bath,* debate adjourned.

## BILL—FREMANTLE DOCK.

*Second Reading moved.*

The MINISTER FOR WORKS (Hon. J. Price) in moving the second reading said : It was only on the 10th September that I exhaustively explained the objects of this Bill, but I may briefly state that it is within the knowledge of this House that the one question mainly militating against the settlement of this proposition has been the question of site. Since last year this has been closely investigated, and the Engineer-in-Chief has selected a site which he believes to be a good one, and a site where a dock can be economically built. That site has been adopted by the Government. I may be permitted to say that this is advice which the Engineer-in-Chief is well qualified to give, because I understand that for several years he was associated with a celebrated harbour and river improvements engineer in the old country, Mr. Stoney, and that he assisted Mr. Stoney in building the Dublin Harbour Works. The site which the Engineer-in-Chief has selected was considered in 1895, as I pointed out in my speech five or six weeks ago, but at that time it was thought to be in too exposed a position. Since then 1,350 feet have been added to the North Mole, and in the opinion of the harbour authorities at Fremantle that gives an absolutely smooth water entrance to the proposed dock. I hope that no local feeling of any sort will prevent this Bill going through. There is no doubt, however, that a port is incomplete unless a work of this description is provided. I am quite aware that the prohibitive cost of going up the river for a site has prevented the work from being entertained in the past, but I am convinced that now a satisfactory site has been obtained where a dock can be built for one-half the cost of one on an up-river site, and on a spot which has been recommended and approved by competent authorities, there is no reason why the work should not be gone on with. With the recent improvements in the port, the erection of cranes to facilitate loading, there is very little likelihood of any extension of wharfage in an up-river direction for many years. We have such facilities at the port now that the spectacle of vessels sometimes waiting three or four months to be discharged no longer is seen. Those days have gone and at the present moment the capacity of the port, judging by the increased facilities for discharging, is greater than ever it was. They are at least twice as great as they were six or seven years ago. I think we have to take into consideration the fact that the more facilities provided at the port the better that port becomes in the estimation of ship owners, and lower freights are likely to obtain both to the port and for taking consignments away. This is a very important point and one worthy the consideration of members, We have for many years been hoping that we should reach the export stage with our commodities and we know that this year we shall have anything from 30,000 tons to 50,000 tons of wheat to send abroad. The question of 1s. or 2s. per ton in freight on wheat is not a matter this year of very great importance, for there is every prospect and probability that farmers will get remunerative prices for the wheat they ship to other countries, but the time may come, and probably will, when wheat may be down to a lower figure, perhaps as low as it was last year, and when every fraction of a penny per bushel saved in freights will be a matter of serious consideration to the growers. For that reason I sub-

mit that a work of this description will open this port to a class of shipping which at the present time cannot come here—a class which makes a specialty of cheap and low freights. I refer to the class of steamers known as "tramps" which go from one port to another for any cargo available. They must charter to a port where docking facilities are provided as their classification at Lloyd's renders periodical overhaul necessary. Owing to the lack of such facilities at Fremantle these vessels have in the past, if near their time for docking, been compelled to refuse charters to Western Australian ports. Taking in view the influence which the completion of the harbour by the construction of this work must have on all freights both to and from the State, I think the in- There are a numbeer of vessels regularly trading to the port which will use the dock when one is built. It is all very well to say that our costs at Fremantle will be too high; but in matters of docking it is often a question of the time at the disposal of vessels. Take for instance the North-West trade. If our prices for docking are fair there is no reason why our dock should not secure the trade; for, while the North-West vessels have but a few hours to spare at Singapore, they have several days at Fremantle. That is the terminal port and if there are reasonable prices there is no reason why we should not obtain the docking work. Certain of the cattle boats and the inter-State vessels are sure to be docked there. We know from experience that there are a great number of disabled and injured vessels which call in at Fremantle but which are unable to be repaired properly in Western Australia. On the previous occasion when this Bill was before the House I mentioned the names of a considerable number of vessels which would have utilmantle. I do not propose to weary the House by repating that list now but I would point out that the concomitant to a dock is large workshops. These are sure to be established, and will find employment for a great many of our artisans. In addition there is the regular trade we may expect—it is not always the demand which creates the supply but at times the supply of a good article creates the demand. We know that the South-Western portion of Australia is situated near to one of the great trade routes of the world, and vessels which in the long and stormy voyage from say South Africa meet with accidents will find Fremantle a convenient port to put into for repairs.

*Mr. Gull*: It is very seldom that a supply causes a demand. It is generally the reverse.

The MINISTER FOR WORKS: If the hon. member had much experience in other places than Western Australia he would probably have observed the fact that frequently a supply does cause a demand.

*Mr. Taylor*: He knows more about dairy cows.

The MINISTER FOR WORKS Here we have an illustration of the very point that I have been mentioning. It is in connection with the dairy cattle, and probably the hon. member will appreciate the point. The Government brought these cows here before there was a demand for them, but directly there was a supply the people came forward and applied for the cows. I have a letter in my hand from the Secretary of the Fremantle Harbour Works, who informs me that he has received a letter on the question of the proposed dock from a well-known naval officer. I do not know that it would be quite right to give the name of the officer, but I would be pleased to show the letter to any member privately In this letter the gentleman states that the proposals for the dock are eminently suitable, and that a work of this nature would be a very valuable one to the shipping at Fremantle. I would point out in conclusion that the capital cost of the harbour works to June 30th, 1907, has been £1,390,783. In the Treasurer's statement for this year he estimates the net revenue from the harbour works at £73,000. The interest and sinking fund on the capital involved in this structure amounts to £62,586 per annum, so that there is an anticipated surplus on these particular works of some £10,000 per

year. I think those figures show that the port has justified itself and that the improvements effected there have been for the public benefit. I honestly and sincerely believe that if this work is constructed it will lead, perhaps not to a direct profit on the work itself, but that by reason of the increased facilities provided at Fremantle, the value of the port will be so appreciated by shippers that the indirect gain through lower freights will, we have every reason to expect, be a considerable asset to the State. I hope this Bill will pass the second reading and I am sure that the more hon. members look into the question the more they will agree that it is a reasonable proposal.

On motion by *Mr. J. P. McLarty*, debate adjourned.

## ADJOURNMENT.

The House adjourned at 8.26 o'clock [members' excursion to the opening of a railway], until the next Tuesday.

# Legislative Council,

*Tuesday, 22nd October, 1907.*



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

Prayers.

## ADDRESS-IN-REPLY, PRESENTATION.

The PRESIDENT reported that he had presented the Address-in-Reply to His Excellency the Governor, and had received the following response:—

> "I thank you for your Address in Reply to the Speech with which I opened Parliament, and for your expression of loyalty to His Most Gracious Majesty the King."

## PAPERS PRESENTED.

*By the Colonial Secretary*: 1, Supplement to the Western Australian Timber Tests. 2, Report in accordance with Clauses 54 and 83 of the Government Railways Act for the quarter ending 30th September, 1907. 3, Annual Report of Government Railways and the Roebourne-Cossack Tramway for the year ending June, 1907. 4, Second Annual Report of the Public Service Commissioner for the year ending June, 1907.

## RETURN—SAVINGS BANK DEPOSITS.

Hon. W. T. LOTON (East) moved—

*That a Report be laid on the table showing as at this date the number of accounts open at the Government Savings Bank in which the deposits standing to the credit of the depositor are under £100; and like Returns—(1) Where the deposits exceed £100 and do not exceed £200, (2) Where the deposits exceed £200 and do not exceed £300, (3) Where the deposits exceed £300 and do not exceed £400, (4) Where the deposits exceed £100 and do not exceed £500, (5) Where the deposits exceed £500.*

From the report of the Savings Bank, it would be noticed that the deposits during last year had increased by some £400,000; and as we heard a lot about the dull times, he was anxious to know whether the increase of deposits was due to the small savings of the masses of the people, or whether it emanated from deposits by wealthier classes in larger sums.

The COLONIAL SECRETARY: There was no objection to the motion. The return would be ready in a day or two.

Question passed.