Legislative Council.

Wednesday, 22nd November, 1950.

CONTENTS.

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

QUESTIONS.

MINING.

As to State Battery, Coolgardie.

Hon. G. BENNETTS asked the Minister for Mines:

(1) Is the Minister aware—

(a) that prospectors are dissatisfied with the slow progress in the construction of the Coolgardie State Battery, as expressed at a meeting held by the Prospectors and Leaseholders' Association on Sunday last;

(b) that this mill has been out of operation since July last and there are approximately two to three thousand tons of prospectors' ore awaiting crushing; and

(c) that these prospectors are suffering drastic hardships on account of not having their crushings put through the battery for the Christmas holidays?

(2) In view of the foregoing, will he endeavour to investigate the position and have the repairs effected urgently?

The MINISTER replied:

(1) and (2) The repairs at the Coolgardie State Battery have been delayed owing to three new standards having to be cast. This work which is difficult is being done at a Perth foundry, which although very busy has promised two standards by the end of November and the third by the middle of December.

Meanwhile other necessary materials are on the job, and the work preliminary to the receipt of the standards is proceeding.

Some Coolgardie ore can be treated at the Kalgoorlie State Battery and it is understood that 600 tons is already broken there.

HEALTH.

As to Conveyance of Patient to Wooroloo Sanatorium.

Hon. G. BENNETTS asked the Minister for Transport:

(1) Is the Minister for Health aware—

(a) that a serious female stretcher case of T.B. was brought on the Kalgoorlie-Perth train yesterday, in charge of a special nurse, and on arrival at Wooroloo an old utility truck was sent to convey this patient from the train to the hospital without stretcher or any equipment;

(b) that the train was delayed for 48 minutes on account of the nurse refusing to allow the patient to be taken from the train until the driver of the utility returned to the hospital for a stretcher, equipment and another nurse?

(2) In view of the foregoing, will he take immediate steps to prevent such a recurrence, and in future to see that a proper ambulance conveyance is supplied?

The MINISTER replied:

(1) and (2) Yes. Unfortunately, advice from Kalgoorlie did not indicate that this was a stretcher case. These are very rare and the query, therefore, did not arise. If it had been known, proper provision would have been made.

MEAT.

As to Supplies at Kalgoorlie.

Hon. E. M. HEENAN asked the Minister for Agriculture:

(1) Has the Minister's attention been drawn to an item appearing in "The West Australian" of the 21st November, 1950, under the heading "Meat Supplies at Kalgoorlie"?

(2) Has the Government any plans in hand for dealing with the meat situation on the Goldfields, which threatens to become even more acute during the summer months?

The MINISTER replied:

(1) Yes.

(2) The Government has recently constructed up-to-date abattoirs at Kalgoorlie at a cost of £45,000.

There is nothing to prevent butchers at Kalgoorlie purchasing cattle and sheep through normal channels and having meat treated at the abattoirs.

The Government has assisted the meat position on the Goldfields in the past six months by supplying to master butchers at Kalgoorlie and Boulder 3,500 carcases of frozen sheep and lambs and 114 tons of frozen beef.

BILL—CONSTITUTION ACTS AMENDMENT (No. 3).

Recommittal.

On motion by Hon. E. M. Heenan, Bill recommitted for the further consideration of Clause 2.

In Committee.

Hon. J. A. Dimmitt in the Chair; Hon. Sir Charles Latham in charge of the Bill.

Clause 2—Amendment of Section 15:

Hon. E. H. GRAY: I move an amendment—

> That in line 12 of paragraph (g) (iii) after the word "sleeping" the words "and living" be inserted.

Later I propose to move for the deletion of the words "cooking and bathroom" before the word "accommodation". If Sir Charles will agree to my amendment, difficulty will be overcome, particularly on the Goldfields and in parts of Fremantle. Otherwise, between 1,000 and 2,000 flat-dwellers will be affected.

Hon. Sir CHARLES LATHAM: I cannot see why these words are required. Unless a person were living in the flat, he would not be permitted to have a vote. The clause already refers to the flat being partly occupied. I am afraid I cannot agree to the amendment.

Hon. E. M. HEENAN: I am sure it is not the intention of Sir Charles, or any other member, to disfranchise people who are entitled to vote as flat-dwellers. I give Sir Charles full credit for trying to overcome the shortcoming in the Crown Law ruling. As a matter of fact, I support him in that endeavour because I believe these people are entitled to a vote. On the Goldfields, we have no groups of flats such as are to be seen in the city, but we have many delicensed hotels and other buildings which have been converted into flats and which, in all respects, conform to the definition here except that many of them have groups of showers or bathrooms in the backyard, which are available to the people who occupy the flats.

Many single men have flats of a couple of rooms and the use of showers in the backyard, and they have their meals downtown. Such places are not apartment-houses. The occupiers come within the accepted definition of flat-dweller or householder. Previously they were not called flat-dwellers but householders. If we pass the definition without some modification, those people will be disfranchised. I plead with the Committee not to do that. They are just as much flat-dwellers as is Mr. Hearn, who lives in a Lawson flat. If we insist on a flat containing separate sleeping, cooking and bathroom accommodation, undoubtedly we shall disfranchise many people on the Goldfields, because their flats do not include a bathroom.

Hon. J. M. A. Cunningham: Where do you draw the line between a flat and an apartment-house?

Hon. E. M. HEENAN: An apartment-house is somewhat akin to a boarding-house. In a boarding-house, a person rents a room and has his meals provided, whereas in an apartment-house he pays so much a week for a room and has his meals out.

Hon. N. E. Baxter: How would you exclude an apartment-house?

Hon. E. M. HEENAN: I think the definition does that, because it states, "and is structurally severed from any other part of the structure." It is most difficult to get a satisfactory definition. However, there is a real danger from the Goldfields point of view if we insist that a flat must contain cooking and bathroom accommodation.

Hon. W. R. HALL: Mr. Heenan has tried to get over the points with which we are faced on the Goldfields. Unfortunately, these flats are vastly different from those in the metropolitan area. There are quite a number of delicensed hotels on the Goldfields and they are not to be compared with apartment houses.

Hon. L. Craig: Yes, they are.

Hon. W. R. HALL: No, they are not. These delicensed hotels are divided into flats. A large number of these flats have separate bathrooms but some of the people

who occupy other flats use communal bathrooms. There is a block in Hannan-street that has about 12 or 14 camps on it. The camps consist of a bathroom, a kitchen and a bedroom. These people are entitled, I think, under the existing legislation to be enrolled for the Legislative Council as householders. There are also blocks of land where single men are housed and those blocks are certainly worth more than the clear annual value of £17. A lot of those men are boarding because they have not the living facilities, but they would have the franchise under the present legislation where a clear annual value of £17 is set out. That is only in the vicinity of 7s. a week so that if they rented a camp at 7s. a week they would be on the roll.

Hon. H. S. W. Parker: We are not discussing universal franchise.

Hon. W. R. HALL: I am trying to explain the difference between the problem on the Goldfields and the position which exists in the metropolitan area. We are trying to get down to some satisfactory definition which will be suitable to all concerned. I am in favour of giving everyone a vote without this strong line of demarcation in regard to qualifications required.

Hon. H. S. W. Parker: Will you support this?

Hon. W. R. HALL: I will support anything that will give votes to married couples living in any sort of accommodation.

Hon. A. R. JONES: The claims made by Goldfields members are to some extent justified. I have lived on the Goldfields and I know the position that exists. Possibly there is some means of telling which is a boarding-house, which is a lodging-house and which is a flat. When these places are registered, that should be stated on the registration, which might provide some solution to the problem.

Hon. H. S. W. PARKER: The sole question is the definition of a self-contained flat. This will give everyone in an apartment-house a vote. It is not a definition of a self-contained flat. Firstly, a self-contained flat must be a dwelling—a residence. How can it be a residence if this amendment is agreed to? Every boarding-house has separate living and sleeping accommodation.

Hon. E. H. Gray: But that does not apply to the other part.

Hon. H. S. W. PARKER: You have only to shut a door.

Hon. E. H. Gray: No.

Hon. H. S. W. PARKER: There is no difference between a young single man living on the Goldfields or living in any other part of the State. They all live in apartment or boarding-houses, or they rent rooms. But that does not make it a dwelling, which is what we are discussing. We are not debating the rights and wrongs of manhood suffrage. If a man has a shed in the back yard in which he sleeps—

Hon. E. H. Gray: And lives.

Hon. H. S. W. PARKER: Yes, lives and sleeps, he will come into the category. Rent does not come into the question at all.

Hon. E. H. Gray: Yes, it does.

Hon. H. S. W. PARKER: Well, say he pays any sum the hon. member likes to mention. Take the case of a man who has got a shed in the back yard paying 7s. 6d. a week rent, lives in it and sleeps on a camp bed. Are we going to ask members to call that a flat?

Hon. L. Craig: Not only a flat, but a self-contained flat.

Hon. H. S. W. PARKER: Yes. This amendment if carried will make every person, who is not living with someone else, a householder, and therefore enable him to get a vote. The intention of the definition of flat is to bring into line a house which is a modern form of dwelling—a self-contained residence, where there are a number of residences joined together under one roof and very often with one entrance, but are separate self-contained premises.

Hon. E. M. HEENAN: I am going to say quite clearly that Mr. Parker, I hope unconsciously, is mis-stating the position. Whether a person be at Nedlands, East Perth, Laverton or Kalgoorlie, if he occupies a flat—a dwelling in the back yard to use Mr. Parker's own words—and lives in it and has his meals and bathing facilities there, it is still a flat.

Hon. H. S. W. Parker: A dwelling.

Hon. E. M. HEENAN: What is a structure made of iron and wood but a dwelling; a place where one dwells? It is of £17 clear annual value and a man pays 7s. 6d. a week.

Hon. H. S. W. Parker: I agree.

Hon. E. M. HEENAN: I know the hon. member will agree, and I think Mr. Craig will agree too. I want to make it quite clear to the Committee that that is a dwelling and the man comes under the definition of householder.

Hon. H. S. W. Parker: I have endeavoured to point out that we are only considering flats. I was not referring to the case you have in mind. I was referring to the definition of a flat.

Hon. E. M. HEENAN: Mr. Parker distinctly said we are being asked to give a vote to a man who occupies a dwelling in a back yard. The law of this country gave him a vote in 1889, provided he lived in a dwelling in the back yard and paid a certain rent for it.

Hon. H. S. W. Parker: Are you sure that is the date?

Hon. E. M. HEENAN: The hon. member can look it up if he does not believe me.

The CHAIRMAN: Order! Will the hon. member please resume his seat? I would ask members to allow Mr. Heenan to finish his speech. Each hon. member can rise and address the Committee but let us have one member at a time.

Hon. E. M. HEENAN: Let us not mislead ourselves, or anyone else. Section 15, paragraph (2), of the Constitution Acts Amendment Act says a person is entitled to vote if he—

> is a householder within the province occupying any dwelling-house of a clear annual value of seventeen pounds sterling.

On the Goldfields we have a number of people who live in little iron places for which they very often pay 7s. 6d. or 12s. 6d. a week in rent. They are dwellings, and these people are householders, and they are as much entitled to be on the Legislative Council roll as is the person who owns one of the finest houses in the street opposite Parliament House.

The CHAIRMAN: I would draw the hon. member's attention to the fact that we are discussing the definition of "flat."

Hon. E. M. HEENAN: I am trying to make that clear so that no-one will be misled by what Mr. Parker says. Take as an example Glen Devon, which was purchased and converted into flats. The building has been subdivided and new walls have been put up, and the flats are rented at probably £7 or £8. They are undoubtedly flats. In quite a number of cases there are three or four bathrooms out in the back and although people live in these flats and possibly cook in them, they all sleep in them. I hope this Bill is not intended to further restrict the franchise. If this clause is passed it will undoubtedly do that. We have never had a definition of self-contained flats before. They were included in the definition of a dwelling.

Hon. J. M. A. CUNNINGHAM: I think a lot of the trouble is due to the fact that we have called these places "self-contained flats." Up till now, the definition with which we have been troubled deals simply with a flat. It must be definitely a separate dwelling of its own. The £17 that has been mentioned was originally intended to apply to a four-roomed cottage.

Hon. E. M. Heenan: Where was the number of rooms mentioned?

Hon. J. M. A. CUNNINGHAM: Seventeen pounds would not cover a two-roomed dwelling.

The CHAIRMAN: Order! We are not discussing the rental value; we are discussing the definition of a self-contained flat and I would like the hon. member to confine his remarks to that.

Hon. J. M. A. CUNNINGHAM: I apologise, but I am still doing so. We say, "and must contain separate cooking and bathroom accommodation". On the Goldfields I could point out 20 or 30 houses, each complete on a block of land, that have not a bathroom. What is the position there? If we are going to have a self-contained flat, it must have a bathroom. I am very sympathetic about bathroom accommodation.

Hon. G. BENNETTS: Under the principal Act a flat is defined as a house of eight or nine rooms cut into flats. At that time it was necessary to have a separate entrance into each of these flats. The amendment will alter that to mean that the house can be divided as long as a passage is going through the middle with rooms opening off it. At the present time the Kalgoorlie council has served notices on people to supply separate bathroom facilities for the residents, but we find that we cannot get the job done.

Hon. E. H. Gray: You cannot get baths.

Hon. G. BENNETTS: We have had to engage another health inspector to try to bring the work up to date. From his report it would seem that we are up against the material shortage and the labour to do the work. Some of it is in sewered areas and some in non-sewered parts. A lot of these places are condemned hotels turned into flats. Many have a kitchen and bedroom and some have two bedrooms. At the back there is a community bathroom. There are in effect six flats with three bathrooms for the people to share. Previously they went in by a separate door to their flats and were thus enrolled; but if this Bill is agreed to, these folk will be debarred from enrolment. People in outlying areas suffer more from the shortage of building material and labour than do those in towns and cities.

Hon. H. S. W. PARKER: On a point of order, Mr. Chairman. This is purely an argument as to altering the franchise and the hon. member is asking that a certain type of person should have the franchise. He is not discussing the question.

The CHAIRMAN: I will try to keep the hon. member within bounds. I would ask him to confine his remarks strictly to the amendment, which is to insert the words "and living" after the word "sleeping." The matter of bathrooms and cooking accommodation is dealt with in the next amendment.

Hon. G. BENNETTS: So long as a person has sleeping accommodation he is entitled to be enrolled as a flat owner. If people cannot obtain homes and are paying a prescribed rent, they are entitled to be on the roll.

Hon. L. CRAIG: I am glad, Mr. Chairman, that you have brought us to order and that we are to confine our remarks

to the definition of a self-contained flat. Those words mean a dwelling complete in itself, because "self-contained" means "complete in itself." The original intention was to provide for people who had dwellings and lived in them. In these modern times we say that a self-contained flat is a house. The proposed amendment is to make it anything but a dwelling or a house. We need to be careful to define just what we mean, that the franchise for this house shall be occupancy of a dwelling complete in itself and a self-contained flat is not a dwelling unless it has all the facilities of a dwelling.

Amendment put and negatived.

Hon. E. H. GRAY: I move an amendment—

> That in lines 12 and 13 of subparagraph (iii) of paragraph (g) the words "cooking and bathroom" be struck out.

The reference to cooking does not mean very much. One can install a kerosene stove or gas ring and thus provide cooking accommodation. I do not think we should do anything in this Bill to restrict the franchise, but this will definitely do so. There are a number of old houses in Perth, East Perth and Fremantle that will be standing in 100 years' time when the present-day flats are tumbling down. They have big rooms 12 feet high, and ample air space and plenty of width in their halls. People are waiting to convert those places into self-contained flats. Is it reasonable to insist that two young couples occupying such flats should have two bathrooms? The big objection is that they could not obtain piping or baths. Yet because a newly married couple have not a separate place in which to wash, they are to be told they cannot have a vote. It is absolutely ridiculous!

Hon. L. Craig: Rare cases make bad law.

Hon. E. H. GRAY: These are not rare cases. We want to see houses converted into flats, and we need to make this definition of a self-contained flat reasonable and fair. The present definition is neither and it does not comply with existing standards. It is not reasonable to insist on flats having bathrooms; because, with new houses being erected, it is not possible to obtain the necessary equipment to make separate bathrooms for flats in old houses. This definition of a self-contained flat, if not amended, will be a step backward and will further restrict the franchise.

Hon. Sir CHARLES LATHAM: The idea behind this legislation is not only to extend the franchise but to discourage slums being established in the city or anywhere else. Mr. Gray said that baths are not available, but they are. Very high quality baths may not be procurable but there are plenty of baths to be obtained; and I do not think there is any local authority which would not attempt to provide sufficient water piping to connect them.

Hon. L. Craig: Piping for domestic purposes has a No. 1 priority.

The Minister for Agriculture: You have not tried to get it as I have!

Hon. Sir CHARLES LATHAM: I will admit that when it is necessary to lay five or six chains of piping there is a difficulty, but not in buildings themselves. All the plumbers I know in the city can provide short pieces of piping for baths and even for the extension of gas into bathrooms.

Hon. E. H. Gray: It would mean 50 or 60 feet of piping.

Hon. Sir CHARLES LATHAM: I cannot believe that.

The Minister for Agriculture: In some cases that would be so, when bathrooms are not connected with the water main.

Hon. Sir CHARLES LATHAM: Does the hon. member suggest that a big building capable of being turned into flats would not have the water laid on?

The Minister for Agriculture: There would be some distance to take it.

Hon. Sir CHARLES LATHAM: I am prepared to allow the Minister to disagree with me.

The Minister for Agriculture: I base my remarks on personal experience.

Hon. Sir CHARLES LATHAM: The Minister is building a new place, and I know that there is some difficulty experienced with regard to new houses. However, I am getting away from the amendment.

The CHAIRMAN: I am afraid the hon. member is.

Hon. Sir CHARLES LATHAM: The Minister is the worst offender in trying to draw me away from the subject-matter of a discussion. I hope this amendment will not be approved by the Committee. I cannot see how this Bill will prevent those people Mr. Gray thinks should be entitled to a vote from having one. This does not alter the position.

Hon. E. H. Gray: Your definition does.

Hon. Sir CHARLES LATHAM: All we are dealing with is a self-contained flat. Surely the hon. member is not going to discourage me or anyone else from providing that a self-contained flat should be as good as possible from a hygienic point of view!

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

Ayes	9
Noes	15
Majority against	6

Ayes.

Hon. G. Bennetts	Hon. A. R. Jones
Hon. E. M. Davies	Hon. H. C. Strickland
Hon. E. H. Gray	Hon. G. B. Wood
Hon. W. R. Hall	Hon. J. Cunningham
Hon. E. M. Heenan	*(Teller.)*

Noes.

Hon. N. E. Baxter	Hon. W. J. Mann
Hon. L. Craig	Hon. H. S. W. Parker
Hon. Sir Frank Gibson	Hon. C. H. Simpson
Hon. H. Hearn	Hon. J. M. Thomson
Hon. J. G. Hislop	Hon. H. K. Watson
Hon. Sir Chas. Latham	Hon. F. R. Welsh
Hon. L. A. Logan	Hon. H. Tuckey
Hon. A. L. Loton	*(Teller.)*

Amendment thus negatived.

Hon. E. M. HEENAN: I desire to move an amendment as follows:—"That at the end of subparagraph (g) the following words be added:—'provided or annexed.' "

The CHAIRMAN: I would call attention to Standing Order 204a, which reads—

> No amendment shall be made in, and no new clauses shall be added to, any Bill recommitted on the Third Reading, unless notice thereof has been previously given.

The hon. member would therefore be out of order in attempting to move a further amendment to the Bill on its recommittal.

Clause put and passed.

Bill again reported without amendment, and the reports adopted.

Third Reading.

HON. SIR CHARLES LATHAM (Central) [5.37]: I move—

> That the Bill be now read a third time.

HON. E. M. HEENAN (North-East) [5.38]: I feel unhappy about this measure, as I am sure a number of members have voted for it under a misapprehension. I desire to place on record that we should bear in mind the fact that previously there was in the legislation no qualification known as a self-contained flat. All parties within that group then came under the heading of "householders." I wish categorically to deny the claim of Sir Charles Latham that this Bill will increase the franchise for this House. It will, on the contrary, greatly diminish it.

We have been talking about self-contained flats as though previously such flats did not qualify their occupants for votes. In the past they did have votes, with the exception of the tenants of Lawson flats who, by virtue of the peculiar construction of that building, which has a common entrance, were somehow precluded—

Hon. Sir Charles Latham: And those in Stirling-highway were also excluded.

Hon. E. M. HEENAN: It is a great pity that we could not have amended the Constitution in such a way as to have included them. I am wholly in favour of including them but am hurt to think that a lot of people living on the Goldfields—people who are doing a good job and have a stake in the country at least equal to that of dwellers in Lawson flats or any other flats—will by means of this amendment be precluded from exercising the franchise for this House. I will vote against the third reading.

HON. H. S. W. PARKER (Suburban) [5.40]: Under this measure we are not altering the law except to make the ruling of the Crown Law Department legal so that it cannot be challenged by some lawyer who has a different opinion.

Hon. E. M. Heenan: Then why did you not adopt that definition?

Hon. H. S. W. PARKER: Where the Crown Law ruling at present is that a separate entrance is necessary, the Bill provides that it shall not be necessary. From the interjection of the hon. member, it appears that on the Goldfields they have in some way got round the ruling of the Crown Law Department. I think it is high time that the law was settled so that all registrars would have something in writing, approved by Parliament, with regard to what constitutes a flat.

Point of Order.

Hon. E. M. Heenan: The hon. member who has just resumed his seat, Mr. President, said that on the Goldfields they—and "they" includes me, as I live on the Goldfields—have somehow got round the Crown Law Department ruling.

The President: What is the point of order?

Hon. E. M. Heenan: My understanding of the words "got round" connotes something irregular. I take offence at that wording and ask that it be withdrawn.

Hon. H. S. W. Parker: I said "apparently," but if my words were offensive to the hon. member I have pleasure in withdrawing them.

Debate Resumed.

HON. A. R. JONES (Midland) [5.42]: Before the Bill is read a third time I wish to point out that I think we are framing something ridiculous. To substantiate that claim I would point out that a self-contained flat is now defined as requiring a bathroom, kitchen and bedroom. It is possible for anyone to rent a house, providing he pays £17 or more per year for it, and become a householder. That dwelling might have no bathroom, yet the occupant would qualify for the franchise. The measure seems contradictory and conflicting. We should not pass it in a form providing that one person can be penalised because his dwelling or flat contains no bathroom while a householder whose dwelling does not contain a bathroom can exercise a vote. The position should be straightened out.

HON. J. M. A. CUNNINGHAM (South-East) [5.43]: I am becoming somewhat confused, Mr. President, and I would like members who see this thing more clearly than I do, to prove to me that the qualifications for anyone on the roll today have been altered so as to preclude any person who previously qualified from having the franchise. What we have done in the measure is to define a self-contained flat so as to allow persons, such as the occupants of Lawson flats, who have previously been excluded, to vote at Legislative Council elections. We have not debarred anyone previously qualified from being on the roll, and that applies to flat-dwellers.

Hon. E. M. Heenan: What is the definition of a flat-dweller?

Hon. J. M. A. CUNNINGHAM: How did they previously get on the roll?

Hon. E. M. Heenan: Because they were householders.

Hon. J. M. A. CUNNINGHAM: They are still householders.

Hon. E. M. Heenan: They are not.

Hon. J. M. A. CUNNINGHAM: This measure does not say so, and it is not intended to say so.

HON. H. C. STRICKLAND (North) [5.44]: Sir Charles Latham has attempted to broaden the franchise by means of this Bill, but in my opinion the effect of the measure would be to restrict the franchise. I say that on the same grounds as I put forward yesterday. As Mr. Parker says, whereas previously a flat-dweller had to prove he had separate ingress and egress before his flat could be defined as a dwelling, the position is now restricted as the flat must be wholly self-contained and must contain the same accommodation as a house. It now requires a bathroom kitchen and sleeping accommodation, all structurally separate from any other portion of the building under the common roof.

Those occupiers who were fortunate enough to be housed in modern flats were certainly eligible to be enrolled under the old definition but they were debarred from such right simply because all the occupants of the building had to use the same entrance. That has now been overcome and other restrictions have been imposed by us defining the construction of the building itself in stating that the rooms must be separate and have their own conveniences. Previously, those restrictions were not in the Act. Certainly, the reference to a separate entrance was a restriction, but now those having a separate entrance, because they have to share the same bathroom with other occupants of the building, are debarred from the franchise, and they might be paying £8 or £10 a week for their flat.

Members: Oh!

Hon. H. C. STRICKLAND: I inspected a house today where people are paying 30s. and £2 a week for a room. That is in West Perth, and the landlord does not have to advertise to let the rooms. I repeat that this Bill will have the effect of clearing up the franchise for some, but it will disfranchise others who have not a separate bathroom in their flats. That restriction is rather harsh and will disfranchise many people who are entitled to be enrolled in the same way as anyone else.

HON. W. R. HALL (North-East) [5.48]: I also wish to raise objection to the Bill at the third reading stage because many people will be disfranchised who previously were able to vote. How can we expect some of those people to know whether they are eligible for enrolment or not when we have members in this Chamber in doubt themselves? The fact remains that the conditions pertaining on the Goldfields with regard to the Legislative Council franchise are altogether different, in many respects, from those which exist in the metropolitan area. I can quite appreciate that some members representing other portions of the State do not realise what happens in a mining district. It seems a pity that these people are to be disfranchised because of restrictions imposed by this Bill, and it will cause a lot of trouble when they realise they are not entitled to a vote.

Hon. W. J. Mann: There will be a lot of smoke.

Hon. W. R. HALL: Yes, and as far as I can see, it will be blue smoke. The people living in Lawson flats, who seem to have been mentioned on many occasions during this debate, are certainly entitled to a vote. Nevertheless, a person who has not a bathroom in his flat should not be disfranchised, because there are many people who did not enjoy the luxury of having any bathroom available until recently, when regulations were introduced providing that such conviences must be be installed.

HON. N. E. BAXTER (Central) [5.50]: There seems to be some misconception on the definition of a flat and a self-contained flat; they are two entirely different types of dwelling, as is well recognised by estate agents and others dealing in real estate. Members are making a great song about these people being disfranchised. If people are on the roll, they must be entitled to the franchise as householders. The principal Act mentions nothing about a flat, and the Crown Law Department, according to members, gave a ruling that a flat was a house and the occupier could be treated as a householder. This Bill contains nothing to preclude those flat-dwellers from being enrolled, because it deals with a self-contained flat and does not affect them in any way.

HON SIR CHARLES LATHAM (Central—in reply) [5.52]: A lot of alarm has been created quite unnecessarily. The claim card which I have here briefly sets out the qualifications required for enrolment. As they appear there they are—

1. Freeholder who has a legal or equitable estate in possession situate in the Electoral Province of the clear value of £50.

2. Householder within the Province occupying any dwelling house of £17 clear annual value.

3. Leaseholder who has a leasehold estate in possession situate within the Province of the clear annual value of £17.

4. A Crown leaseholder who holds a lease or license to depasture, occupy, cultivate, or mine upon Crown lands within the Province at an annual rental of at least £10.

5. A person whose name is on the Electoral List of any Municipality or Road Board in respect of property within the Province of the annual ratable value of not less than £17.

In the past, those people must have been registered under one or other of those qualifications.

Hon. E. M. Heenan: They are registered as householders.

Hon. Sir CHARLES LATHAM: All the Bill seeks to do is to give the franchise to people within the metropolitan area and other places because they live in what is known under this Bill as a self-contained flat. I have set out what that is, and it will not interfere with those people. If it does, then they must have lodged a claim for enrolment to which they are not entitled.

Hon. E. M. Heenan: You are going to conflict with the definition of "householder".

Hon. Sir CHARLES LATHAM: I am not; the hon. member has not read the Bill.

Hon. E. M. Heenan: I have read it backwards.

Hon. Sir CHARLES LATHAM: I have stated what it is. I have stated the two separately.

Hon. E. M. Heenan: That is your definition.

Hon. Sir CHARLES LATHAM: I am not going to continue an argument of that sort.

Hon. E. M. Heenan: Because there is nothing to argue about.

The PRESIDENT: Order!

Hon. Sir CHARLES LATHAM: I will have to refer to the Constitution Acts Amendment Act. I am satisfied that what members are fearful about is that they have done something which they should not have done. Section 15 of the Constitution Acts Amendment Act includes the following:—

> (2) Is a householder within the Province occupying any dwelling-house of the clear annual value of seventeen pounds sterling;

I have struck that out and put in "Is a householder of a dwelling-house or self-contained flat".

Hon. E. M. Heenan: That is so.

Hon. Sir CHARLES LATHAM: I have separated them and provided another reason for a person making a claim.

Hon. E. M. Heenan: And you have restricted the term.

Hon. Sir CHARLES LATHAM: I cannot alter the hon. member's opinion, and I repeat that I have not interfered with what is already on the claim card. If they are qualified to be enrolled under any of those conditions—

Hon. E. M. Heenan: What you have just said is utter rot!

Hon. Sir CHARLES LATHAM: I have made two clear definitions; one covering a person who is a householder and the other a person who occupies a self-contained flat. If a person is enrolled as a householder, I have not interfered with the interpretation of "householder", which will remain. But I have given to people who live in flats in such places as West Perth and along Stirling-highway the right to have their names put on the roll, to which they have not been entitled in the past.

Hon. E. M. Heenan: Those who are entitled to qualify as householders will not now be eligible.

Hon. Sir CHARLES LATHAM: All I can say is that someone has done something which they know they should not have done, because in the past those people have been enrolled as householders.

Hon. H. S. W. Parker: It does not say that.

Hon. Sir CHARLES LATHAM: I say definitely that it does. I have not interfered with their franchise. A self-contained flat is a place where there is sleeping accommodation, cooking facilities and a bathroom.

Hon. E. M. Heenan: You are dealing with those flats in Kalgoorlie.

Hon. Sir CHARLES LATHAM: I am not dealing with them; I have left them alone. They do not come within the definition of a self-contained flat. If the hon. member argued along those lines in a court of law, I feel quite sure he would fail.

Hon. E. M. Heenan: You are a very bad judge.

Hon. Sir CHARLES LATHAM: I cannot reason it out. I have not interfered with the definition of "householder", and if the word "householder" was abused in the past, there is no reason why it should not be abused in the future.

Hon. H. K. Watson: On the claim card, a dwelling-house is referred to.

Hon. Sir CHARLES LATHAM: They are still dwellings; I have not interfered with them. If a person was entitled to a vote then, and if what the hon. member says is correct, how is that person not entitled to a vote now? I have not interfered with the word "householder".

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

Ayes	18
Noes	8
Majority for	10

Ayes.

Hon. N. E. Baxter	Hon. A. L. Loton
Hon. L. Craig	Hon. W. J. Mann
Hon. J. Cunningham	Hon. H. S. W. Parker
Hon. J. A. Dimmitt	Hon. C. H. Simpson
Hon. Sir Frank Gibson	Hon. J. M. Thomson
Hon. H. Hearn	Hon. H. K. Watson
Hon. J. G. Hislop	Hon. F. R. Welsh
Hon. Sir Chas. Latham	Hon. G. B. Wood
Hon. L. A. Logan	Hon. H. Tuckey
	(Teller.)

Noes.

Hon. G. Bennetts	Hon. E. M. Heenan
Hon. E. M. Davies	Hon. A. R. Jones
Hon. E. H. Gray	Hon. H. C. Strickland
Hon. W. R. Hall	Hon. R. J. Boylen
	(Teller.)

The PRESIDENT: I declare the third reading of the Bill carried by an absolute majority.

Question thus passed.

Bill read a third time and transmitted to the Assembly.

BILLS (7)—FIRST READING.

1, Increase of Rent (War Restrictions) Act Amendment (No. 2).

2, War Service Land Settlement Agreement (Land Act Application) Act Amendment.

3, Milk Act Amendment.

4, Physiotherapists.

5, Rural and Industries Bank Act Amendment.

6, Judges' Salaries and Pensions.

7, Legal Practitioners Act Amendment.

Received from the Assembly.

BILL—WAR SERVICE LAND SETTLEMENT (NOTIFICATION OF TRANSACTIONS) ACT CONTINUANCE.

Read a third time and transmitted to the Assembly.

BILL—VERMIN ACT AMENDMENT.

Reports of Committee adopted.

BILL—NOXIOUS WEEDS.

Further Recommittal.

On motion by the Minister for Agriculture, Bill again recommitted for the further consideration of Clauses 51, 52 and 53.

In Committee.

Hon. J. A. Dimmitt in the Chair; the Minister for Agriculture in charge of the Bill.

Clause 51—Cost of administration:

The MINISTER FOR AGRICULTURE: As I promised yesterday, I consulted further with the Crown Law authorities and received advice similar to that tendered to me formerly. The advice is that the taking out of the word "secondary" only is necessary in Clause 52. I did make a slight mistake yesterday, to which Mr. Baxter drew attention, and I agree now that a similar amendment is necessary in Clause 51 where reference is made to the same rate. I intend to ask the Committee to delete the word "secondary" in both clauses where it refers to the secondary noxious weeds rate. The Crown Law authorities advise me that there is no need to define the word "noxious". The reference is to a weeds rate only. The Committee has to decide whether it will accept Mr. Parker's advice or the advice of all the Crown Law officers. I have not been able to discuss the matter with the Chief Parliamentary Draftsman, who is ill, but I did confer with all the other officers of the Crown Law Department. I move an amendment—

That in line 5 the word "secondary" be struck out.

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

Sitting suspended from 6.15 to 7.30 p.m.

Clause 52—Power to levy noxious weed rate:

The MINISTER FOR AGRICULTURE: I move an amendment—

That in line 6 of Subclause (1) the word "secondary" be struck out.

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

Clause 53—Supplementary secondary noxious weeds rates:

Hon. L. A. LOGAN: It seems extraordinary to include this clause, which might well result in the imposing of a further levy on producers. The Minister seemed to think that the clause was not required and I agree that it should be struck out.

The MINISTER FOR AGRICULTURE: I hope the clause will be retained. It will mean that a local authority would strike a fairly low rate, but if an emergency occurred, it would be in a position to strike a supplementary rate. The whole business

would be in the hands of the local authority, whose members would be mostly farmers, and they would be only too anxious to keep the rate as low as possible. If the clause were struck out, a local authority might rate at the maximum in order to get all the money it could.

Hon. L. A. LOGAN: We have already provided for a maximum rate, which some of us endeavoured to get reduced from 2d. to 1d., but were unsucessful. That rate would permit of a fair margin.

The MINISTER FOR AGRICULTURE: There is provision for a board to strike a rate up to 2d. If I were a member of a local authority, I would favour a rate which I thought would be adequate to meet ordinary requirements, say ½d. or 1d., knowing that if an emergency arose, a supplementary rate could be struck. If the clause were struck out, a local authority might be inclined to impose the maximum straight out.

Clause put and passed.

Bill again reported with further amendments.

BILL—CHILD WELFARE ACT AMENDMENT.

Second Reading.

Order of the Day read for the resumption from the previous day of the debate on the second reading.

Question put and passed.

Bill read a second time.

In Committee.

Bill passed through Committee without debate, reported without amendment and the report adopted.

BILL—INDUSTRIAL ARBITRATION ACT AMENDMENT.

Second Reading.

THE MINISTER FOR TRANSPORT (Hon. C. H. Simpson-Midland) [7.40] in moving the second reading said: This Bill contains several amendments of a minor nature. The first of these refers to Section 103 of the Act, which vests in any police or resident magistrate, who is appointed as an industrial magistrate, the powers and jurisdiction of the Arbitration Court as they relate to the enforcement of awards and industrial agreements, and to the determination of all charges of offences against the Act or the regulations. It is provided, also, that any party to proceedings before an industrial magistrate may appeal to the Arbitration Court against a decision of or a penalty imposed by an industrial magistrate, and that the court may reverse, modify or vary the decision or penalty.

The President of the Arbitration Court states that, although this right of appeal has proved of material assistance, it is not entirely satisfactory, inasmuch as, in his opinion, it does not give authority to the court to rehear a case or to remit it to the magistrate. Nor in such cases does it give the court power to take evidence or to administer justice fully and efficiently as the particular case demands. The wishes of the President are met, therefore, by giving the court power to hear and determine appeals upon the evidence and proceedings before the magistrate, or to call and admit such additional evidence, either orally or by affidavit, as it thinks fit. The court is also given authority to make findings of fact and to draw inferences from fact, and to remit the whole or part of the case to the industrial magistrate, or another industrial magistrate, for hearing or rehearing.

The second amendment also deals with appeals, in this case, from the decision of a conciliation commissioner. Section 108C of the Act provides that any party to any proceedings before a conciliation commissioner may appeal to the Arbitration Court from any decision, award or order made by the conciliation commissioner, and the court shall have jurisdiction to hear and determine the appeal. The President states that this does not provide the court with the scope necessary to adjudicate and determine an appeal. The Bill, therefore, gives the court power to confirm, reverse, vary, amend, rescind, set aside or quash the decision of the commissioner, and to remit the whole or part of any case to the commissioner, for report to the court or for determination.

The third amendment relates to that part of the Act which brings Government employees within the scope of the Act. The statute provides that its jurisdiction extends to officers receiving not more than £699 per year. Reclassifications and basic wage increases since the figure of £699 was fixed require an amendment to the amount. The possibility of further rises in salary makes it difficult to set down a specified sum, and so it is proposed to replace the "£699" with the words "the justiciable salary."

This term is defined as being the equivalent of the sum of £1,005 per annum, plus or less all basic wage variations as from the 1st July, 1950, or other variations authorised under the Act from that date. The numerous salary adjustments have made the limit of £699 so inoperable that it has not been used for some time. Instead, agreements have been entered into with the Civil Service Association based on the intention and not the strict legal interpretation of the limit. The insertion in the Act of the term "justiciable salary" and its interpretation will solve the problem and will provide a clear line of demarcation between those officers within and those without the jurisdiction of the Arbitration Court.

The Act provides at present that Government officers shall not receive the benefits of variations in the basic wage until the variations amount to the annual sum of, or multiple of, five pounds. This procedure has not operated since the 1st January, 1946, when by agreement with the Civil Service Association, the Public Service received the immediate benefit of any rise in the basic wage. The Bill proposes to give effect to this practice which has been recognised and approved by the Arbitration Court.

Three other small amendments refer to the regulations made under the Act. One is consequential on the increased appellate jurisdiction of the court, and the other two delete provisions in regard to the gazettal and tabling in Parliament of regulations. The deleted provisions are redundant as the necessary procedure is detailed in the Interpretation Act. Also the provisions conflict with those in the Interpretation Act which were amended in 1948. I move—

That the Bill be now read a second time.

On motion by Hon. E. M. Heenan, debate adjourned.

BILL—RAILWAY (PORT HEDLAND-MARBLE BAR) DISCONTINUANCE.

Second Reading.

Debate resumed from the previous day.

THE MINISTER FOR RAILWAYS (Hon. C. H. Simpson—Midland—in reply) [7.47]: I was rather surprised to hear the amount of opposition expressed to this Bill, in view of the fact that intensive inquiries over a lengthy period were made by a highly placed committee, and that obviously it is extremely economically unsound to continue to maintain the railway, apart from the amount of approximately £100,000 that it would cost to replace the line in reasonable working condition.

In the course of his remarks, Mr. Strickland referred to the fact that a loss of only £1,200 was made on the line in 1949, and that a profit of £3,691 occurred in 1950. He declared that this justified Mr. Ellis's minority opinion that the line should not be closed. However, Mr. Strickland's figures do not show the true picture by any means. In 1949 working expenses amounted to £24,584, and interest on capital to £14,217, or a total of £38,801. As earnings were only £23,348, a loss of £15,453 was incurred. In 1950 this loss amounted to £11,135.

In 1949-50 working expenses of the mechanical branch were almost negligible, and expenditure by the civil engineering branch over the two years ended June, 1950, were appreciably below those of the earlier two years. The reason for this is the reduction of maintenance costs following on the report of the special committee which in November, 1948, recommended the closure of the railway. Had normal maintenance been carried on during the years 1949 and 1950, the losses on operation would have closely approximated those of the preceding two years, despite the increased earnings resulting from the raising of charges in 1948 and 1949. In the previous two years losses amounted to over £24,000 each year.

In regard to tonnage carried over the line, the committee, in its report, indicated that over the three years ended June, 1948, the average freight carried had been less than 3,500 tons. The average for the two years since has been 3,200 tons, which figure does not indicate an expansion of development; at least in directions which are likely to affect future railway earnings.

When the committee which recommended the closure of the line examined the position, the estimated cost of restoring the line to proper working condition was set down at £50,000 to be spent over two years, and thereafter £20,000 annually on normal maintenance. Rising costs have considerably increased this figure and it is estimated that to put the line in order for permanent operation would, at present day costs, run into £100,000 if wood sleepers were available for re-sleepering, and £250,000 if steel sleepers had to be used. If steel sleepers were used they would obviate the effects of dry rot and white ants, but they would be very expensive.

Hon. Sir Charles Latham: They would rust.

The MINISTER FOR RAILWAYS: Not the kind that the department uses there. They are a sort of alloy.

Hon. H. C. Strickland: Stainless steel.

The MINISTER FOR RAILWAYS: Approximately 80,000 sleepers would be required to re-condition the line apart from other timber required for the repair and renewal of bridges and culverts. For the handling of traffic averaging 60 tons per week, the expenditure of such an amount and the usage of materials—if they could be obtained—which could be put to much better and more profitable services elsewhere, cannot be justified. The new road will handle the traffic requirements of the area at a much lower operational cost to the State.

Until the commencement of construction of a road between Port Hedland and Marble Bar in the vicinity of the railway line, only seasonal road access was possible between Marble Bar and the coast as the road consisted of tracks and most of the streams had very limited treatment such as spinifex tracks, which were washed out with the first flow of the rivers and generally not replaced until after the end of the wet season. The main route usually taken by traffic is via the De Grey Crossing on the North-West Coastal-highway, and this crossing is generally unserviceable for about four months of the year.

The road under construction in the vicinity of the railway crosses the major streams much higher up their courses and periods of interruption to traffic by river flow are not so prolonged. With the provision of river crossings built of stone at a suitable level it will be possible for road traffic to operate at all times except periods of high river flow. In the North-West the general term "all-weather road" is a broad interpretation of traffic conditions where it is recognised that provision of bridges over the major rivers cannot be considered as a practical proposition. In the case of the Port Hedland-Marble Bar-road the term "all-weather" has been applied to indicate conditions similar to those existing on the railway.

At the major rivers, such as the Coongan, Shaw, East and West Strelleys and the Tabba Tabba, the railway track is built approximately at stream bed level, and therefore rail traffic is interrupted during floods or periods of substantial flow. Suitable stone crossings will be provided on these rivers for road traffic and will be at least equal, and generally superior, to those existing on the railway. If the railway service to Marble Bar is discontinued, haulage of goods to and from the Marble Bar area can be more suitably and economically catered for by road via Port Hedland—a distance of 124 miles—and by boat to Fremantle, than by road between Marble Bar and Meekatharra—a distance of approximately 475 miles—and then by rail.

The quantity of loading that will be diverted to road transport when the railway is closed will not be very great as, since the war, the freight on the railway has averaged less than 60 tons per week or 10 tons per day, this including freight in both directions. If all goods have to be hauled by road then regular maintenance of the road throughout its full length will have to be provided. This is a condition that has not existed on the roads in this area to date. Construction of the road is proceeding, but substantial work still remains to be carried out, although traffic is operating on the partly constructed job.

The traffic likely to be operating in the near future could not justify a bituminous surface which would involve expenditure of at least an additional £300,000. In common with all roads in Western Australia future improvements will depend on traffic developments. I might add that the House may rest assured that the Government does not and will not, take any action in regard to the closure of railways, unless it is fully satisfied, after intensive inquiries, that such action is in the interests of the State and the public generally.

Replying to Mr. Strickland's reference to mining development, I have a few figures which give the actual returns of the number of men employed there for the years 1939 to 1949. If members are able to follow them they will be struck at the diminution over the years in the number of men employed, which, of course, is reflected in the traffic that has to be hauled. The number of men employed for the different years were as follows:—

	Marble Bar.	Nullagine.
1939	268	79
1940	208	84
1941	157	56
1942	134	39
1943	111	37
1944	104	50
1945	107	64
1946	126	84
1947	80	95
1948	62	72
1949	52	50

The years up to 1945 were, of course, war years. The totals have been reduced from 347 in 1939 to 102 in 1949.

Hon. H. C. Strickland: Your figures for 1950 are different from Mr. Telfer's figures.

The MINISTER FOR RAILWAYS: These figures were given me by Mr. Telfer.

Hon. H. C. Strickland: He gave me mine, also.

The MINISTER FOR RAILWAYS: These were taken from the Government Statistician. The figures relating to the recovery of gold are as follows:—

	Marble Bar. Fine oz.	Nullagine. Fine oz.
1939	12,251	2,465
1940	13,969	2,467
1941	17,538	2,728
1942	15,892	1,009
1943	14,910	669
1944	14,046	546
1945	7,098	1,699
1946	9,623	2,868
1947	5,405	5,621
1948	3,848	4,680
1949	2,608	3,104

The Blue Spec Co. at Nullagine is the main employer of labour and those in charge there advise that they use both rail and road transport from Port Hedland to shift plant and stores. They claim that if a good road were provided, road transport would suit them better. An interesting comparison is the Wittenoom Blue Asbestos mine where road cartage from Roebourne to Mt. Wittenoom is the method of transport. The distance is 140 miles and the distance from Port Hedland to Marble Bar, by the new road, will be 110 miles. If they are quite satisfied with road transport, that should be sufficient.

Hon. H. C. Strickland: Is that subsidised transport?

The MINISTER FOR RAILWAYS: Yes, to a certain extent. I think the Marble Bar people will be equally well catered for by the new road which will be a better and shorter one than the old road. Going back to the beginning, members will appreciate the fact that when this line was

constructed in about 1912, the railways were the only practical means of transporting goods necessary for production in that area. There was no such thing as road transport by motor vehicle.

Today, conditions are very different and where road transport can fill the bill for small tonnage and give a better and more frequent service, we claim that the time has come when the inefficient and very expensive railway, which is costing us so much, should be replaced by adequate road conditions. I trust that members will accept the Government's submissions and approve of the Bill which calls for the closure of this particular railway.

Question put and passed.

Bill read a second time.

In Committee.

Hon. A. L. Loton in the Chair; the Minister for Railways in charge of the Bill.

Clause 1—agreed to.

Clause 2—Commencement:

Hon. H. C. STRICKLAND: I move an amendment—

> That in line 2, after the word "proclamation" the following words be added:—"after the thirty-first day of December one thousand nine hundred and fifty-one."

The people in Port Hedland have been given an assurance that the line will not be taken up until the water main is put into Port Hedland. That water main comes from the Turner River which is between 30 miles or 40 miles from Port Hedland. The Port Hedland people require this line only for water purposes, but the people in Marble Bar want it to cart their goods. They held a protest meeting to make representations to the Commissioner of Railways and telegrams of protest were presented to the Commissioner from station managers at Corunna Downs, Callawa, Muccan and Yarrie. That proves that the pastoralists are protesting against the railway being pulled up. This railroad serves Bamboo Creek goldmining, Moolyalla and Cooglegong tin fields, Braeside and Ragged Hills lead fields, Nullagine gold and antimonial deposits, plus hundreds of miles of sheep stations.

I have just read portions of a press cutting of the protest meeting I have referred to. The Minister told us that it was laid down in the first place to serve the mining interests. Mining has passed through a slack period but since the revaluation of the pound and improvement in gold value, there are many more people in search of it. If some date is not fixed, I would not be surprised if next week it was decided to run a train no further than the Turner River.

The Minister for Railways: That could be done without a Bill at all.

The Minister for Agriculture: What about the upkeep? It is getting into a dangerous condition.

Hon. H. C. STRICKLAND: If it is dedeclared to be dangerous, then the department cannot run the trains at all. The Minister talked about an all-weather road, but after the 1941 blow it was five weeks before the crossing over the Coongan River was repaired, and it was more like five months before a motor vehicle passed through. The same thing will happen again because there are hundreds of creeks and rivers along that line and they all wash out the roads. If the train is to bring water into Port Hedland, the people in Marble Bar should also get some benefit. The train has to be kept in Port Hedland to shift the goods to and from ships, along the jetty. The engines and so on will have to be kept there for that purpose, no matter what happens to the line. So, I hope my amendment will be agreed to.

The MINISTER FOR RAILWAYS: I hope the amendment will not be accepted for two good reasons. One is that the line has been permitted to get into such a condition, with a view to having the report of the committee adopted and the line pulled up, that it will cost a tremendous sum of money to repair it. The second reason is that the engineers who are constructing the road point out that there are sections of the permament way which could be easily used and would save a tremendous amount of money. Clause 2 was included because the Government had in mind the protection of the water supply for Port Hedland. Those associated with the largest mining company now operating said that if a good road were built, they would be happier to transport their goods over the road than over the railway.

Amendment put and negatived.

Clause put and passed.

Clause 3, Schedule, Title—agreed to.

Bill reported without amendment and the report adopted.

BILL—FREMANTLE HARBOUR TRUST ACT AMENDMENT.

Second Reading.

Debate resumed from the 27th September.

THE MINISTER FOR TRANSPORT (Hon. C. H. Simpson—Midland—in reply) [8.13]: I would like to take the opportunity to reply to some questions asked by Mr. Watson in his second reading speech. As members will recall, this Bill proposes to give the Commissioners of the Fremantle Harbour Trust authority to make regulations limiting or exempting the Commissioners from liability in the event of certain occurrences, such as an act of God, an act of war, strikes, etc. Mr. Watson expressed some concern in regard to the last of these

provisions for which the Bill empowers regulations to be made. This is "the use for purposes of war or defence or training or preparation for war or defence of any of the property vested in the Commissioner." Mr. Watson asked for an assurance that the Harbour Trust would not frame a regulation under this provision exempting itself from liability for damage caused by its own negligence, as distinct from a real act of war.

Firstly, I would like to say that the Solicitor General and the Harbour Trust's solicitors consider that the provision is most necessary. They state that it cannot be forecast to what extent the Commonwealth would utilise the port in the event of war, nor to what extent it might use it for defence purposes in times of peace. These legal authorities consider that it is essential that the Harbour Trust possess the power to protect itself from any liability for damage caused by the use of its property for war or defence purposes. Furthermore, the Bill merely gives the Harbour Trust authority to make regulations in this regard. Any such regulation would have to run the gauntlet of both the Minister in charge of the Harbour Trust and Parliament.

I can assure the hon. member, without equivocation, that neither the Government nor the Harbour Trust has any intention that the trust should avoid any liability that might be caused by its own negligence. The trust, at all times, is, and will be, prepared to accept responsibility for any negligence by itself or its employees. Active action is continually taken by the trust to avoid negligence which, if it occurred frequently, would have as one of its sequels the avoidance of the port by shipping, a contingency that must not occur.

This Bill has been delayed for some months. I would like to explain that there had been an intimation by the High Court, I think, which was then considering the "Panamanian" judgment, that if this Bill were proceeded with at that time it would possibly be construed as some criticism of any judgment it might make. We have been assured that the hearing of the case has been completed and the judgment has in fact been expected for some weeks. We have been advised by the solicitor for the trust and by the Attorney General that it would be in order now to proceed with the Bill.

Hon. Sir Charles Latham: Has the case been finalised?

The MINISTER FOR TRANSPORT: I am given to understand that the case has been finalised, but judgment has not yet been issued.

Question put and passed.

Bill read a second time.

In Committee.

Bill passed through Committee without debate, reported without amendment and the report adopted.

BILL—NATIVES (CITIZENSHIP RIGHTS) ACT AMENDMENT.

Second Reading.

Debate resumed from the 16th November.

HON. R. J. BOYLEN (South-East) [8.20]: It is my intention to support this Bill. I think the amendments which it seeks to introduce into the principal Act are very reasonable, and I feel that their inclusion will improve the administration of the Act. The first provision seeks to reduce the time given to the Commissioner of Native Affairs to make inquiries from two months to one month, when he is considering whether he should lodge an objection or support the application of a native in his attempt to obtain citizenship rights. The circumstances of many natives justify the inclusion of this amendment.

The Department of Native Affairs is so constituted at the present time that this makes it a much more simple matter to obtain accurate evidence either in support or rebuttal of an application that may be put before the court by the Commissioner of Native Affairs. As many of those affected live far from the city, it is a definite inconvenience for them to have two months instead of one month in which to make inquiries. I also support the third clause of the Bill. The Act at present makes provision only for a husband and wife to obtain citizenship rights, whereas this amendment proposes to include the children of natives as well.

If the husband and wife have proved that they are sufficiently responsible to have obtained citizenship rights, it can be assumed that they are sufficiently responsible to safeguard the interests of their children and make some provision for their future education. At the present time, natives under the age of 21 years, irrespective of whether their parents have citizenship rights or not, are still under the guardianship of the Department of Native Affairs, and are permitted to leave the district only with the permission of the Commissioner of Native Affairs. I think this is unreasonable if the parents have citizenship rights and wish to do something for their children.

The third amendment safeguards the provisions of the first two, in that it provides for the child or children of natives who have been granted citizenship rights to lose those rights in the event of their parents committing any grievous crime. The children will be deprived of their rights as well as the parents, and consequently will not become a burden on the State. It may be argued that if a parent has committed a crime it is possible that the child will do so as well. I support the second reading.

HON. A. R. JONES (Midland) [8.24]: I support the Bill on principle. There are one or two provisions with which I do not agree, but I think the principle of the Bill is a very good one. If a magistrate has seen fit to grant citizenship rights to certain married natives it seems wrong to me that when they bring up a family, their children should not be entitled to enjoy similar privileges to those accorded the parents.

The Minister for Transport: The mother does not enjoy the rights; she is not provided for.

Hon. A. R. JONES: Where the person who is responsible for the welfare of the children has citizenship rights, then the children should also enjoy the rights granted by the magistrate.

The Minister for Transport: Why not treat each individual case on its merits?

Hon. A. R. JONES: Once a magistrate has dealt with an application and has granted citizenship rights to a person or persons—

The Minister for Transport: And sometimes overrules the Commissioner of Native Affairs in doing so.

Hon. A. R. JONES: Mr. President, have I the right to continue without further interruptions? I am trying to express what I have seen in practice, and I think it is not good for the native children. I have seen a father and a mother enjoying citizenship rights but the children of those parents are still regarded as natives. They go to school and mix with white children who enjoy the citizenship rights of the country. It seems wrong that a mother and father of coloured children should enjoy these rights while the children are not permitted to do so.

If we are to do anything with the native people in this country, we must give them every encouragement to grow up as decent citizens. I think the best time to do that is during the early training of the child—during his school life and until he attains the age of 21 years. Of course, all that time the young natives come within the scope of the Act and if they do not do the right thing, the Department of Native Affairs has power to deal with them. At the age of 21 years, they should be put on their own mettle and not have the protection they enjoyed under the citizenship rights of the mother and father or whoever may be responsible for their well-being.

There should be a further amendment included in this Bill and I have put one on the notice paper which I will read to members. The object is to provide a safeguard that may prove a means of keeping them up to their responsibilities when they attain the age of 21 years. They can re-apply if they so wish to the court or magistrate so that they can continue with their citizenship rights. I propose to add a proviso as follows:—

> Provided that a certificate of citizenship insofar as it concerns children shall be deemed to include those persons only so long as they are under the age of 21 years.

If they enjoy the citizenship rights of their father and mother or of the person responsible for their upbringing, they will be given every encouragement to lead decent lives in the districts to which they belong. It will help them to take a pride in the knowledge that they are at least citizens, the same as any other children, and that they will receive that protection until they reach 21 years.

After that they can apply on their own account, if they so desire, to have their citizenship rights continued. Whether it will be granted by the magistrate will, of course, depend on their own conduct. Therefore I would ask the House to view this matter very seriously, because I think it is one way in which we can give the children of these people something further to look forward to rather than be brought up as natives until they reach 21 years of age. We could then accept them into our community life just the same as we would accept their mother and father if they had the privilege of citizenship rights.

HON. H. TUCKEY (South-West) [8.30]: I would be the last one to prevent these people from improving their lot in life, but it seems to me that each time we deal with this subject we more or less tinker with the whole question. It is not easy to control these people. I would instance one South-West town which was anxious to help the natives and there were a few families who did a lot of work for the people round about. The children went to school and everything seemed to be quite in order; but eventually some of the children attending the school were found to be suffering from venereal disease. It appears that some of the adult natives took the disease to the camp and the children contracted it in their eyes. It is a serious matter to attempt to do all kinds of things for these natives unless we have some major plan for looking after them and controlling them, making inspections of their homes and not turning them adrift amongst the public in the belief that they are quite all right and can be given the same treatment as white people.

When folk talk about doing so much for the natives, they need to bear in mind that there is another side of the picture and they cannot have it both ways. When natives are given citizenship rights and their children are mixing with white children on equal terms and conditions, some protection should be afforded the whites. The case I mentioned was a very bad one. The people who carried the disease to the

camp at Pinjarra had been roving around the district some time before they were apprehended. Such folk can cause quite a lot of trouble. I find it hard at the moment to make up my mind what to do about the Bill. We must make sure that these people measure up to our requirements before they are taken into our social life.

THE MINISTER FOR TRANSPORT (Hon. C. H. Simpson—Midland) [8.33]: In connection with a question like this, it is necessary for members to have some idea of the background of natives and the conditions under which they live, because there are not many of us to whose lot it has fallen to have lived in fairly intimate contact with aborigines for any length of time. I had a fairly intimate contact with them for a period of 25 years and my opinion of the Bill is that it is premature. It provides for many things and it does not provide for others.

The Bill consists of two main sections. The first is to cut down the time for qualification from two months to one month which, in effect, could be from four months to three months, because the Commissioner of Native Affairs can make application for an extra two months to inquire into the merits of a case if he so desires. Sometimes that is necessary. With this particular provision there is no quarrel. It does not do any harm, though I do not think it does any good either. The second amendment is more serious. It asks that the children of a native receiving citizenship rights shall automatically also receive those rights.

Hon. H. C. Strickland: No; only with the approval of a magistrate. It is not automatic.

The MINISTER FOR TRANSPORT: I think it would be found in actual practice that that is what would happen. It would be much more desirable respecting natives applying for citizenship rights if the granting of those rights was subject to the recommendation of the Commissioner. It has happened that a magistrate has overridden the recommendation of the Commissioner not to grant citizenship rights and has granted them in defiance of the Commissioner's suggestion.

Hon. H. C. Strickland: Is he not the judge?

The MINISTER FOR TRANSPORT: That is so; but the Commissioner of Native Affairs is a specialist, who does not make recommendations without good reasons.

Hon. H. C. Strickland: How long has he been Commissioner of Native Affairs?

The MINISTER FOR TRANSPORT: For about two years, I think, and it is admitted by a very big section of the public that he is doing a good job. Later on I hope to give some examples of the work that is being done.

Hon. H. S. W. Parker: He is highly qualified.

The MINISTER FOR TRANSPORT: For the moment I want to confine myself to the implications of this Bill. In regard to a native applying for citizenship rights, we will take a possible case. Let us say a man of 60 applies. He may be a very worthy individual and, quite possibly, would be recommended by the Commissioner. The magistrate might grant him the rights sought. It is very probable that at that age he would be an applicant because if he were granted citizenship rights that would make him automatically eligible for old age pension rights and other rights which the white man enjoys. But a man of 60 might have a family of 12 children.

Hon. H. C. Strickland: They pay taxation.

The MINISTER FOR TRANSPORT: That has nothing to do with the question at the moment. Under the Bill those children would also obtain citizenship rights. Each of them might be married and have a family and some of those families might have children, all of whom would be eligible for citizenship rights, without any question of merit in regard to each individual case and without any suggestion that the Commissioner should have the right to recommend them or otherwise. Another thing this Bill fails to provide for is the wife of a native. The children are to get these rights, but apparently the wife is not. I am of the opinion that this is attempting to go too fast and too far. I happen to know that the Commissioner has in mind some recommendations which he is testing out in the course of time and which will have the effect of doing many things this Bill does not attempt to do. But they will be done having regard to the merits of each particular case.

As I said earlier, unless one has lived amongst natives and has an idea of their mentality, it is easy to have wrong ideas about them. In my first speech in this House I spoke of the native question at Mullewa, where native children were attending the school. I have known of a case where a child has come home and said to its mother, "I do not like going to school and sitting alongside Johnny Come-Again. He stinks and makes me sick." I spoke to the teacher in that instance and he said, "Our trouble is that we have these children in the school five days a week and five hours out of the 24 each day. For 19 hours out of 24 hours, plus weekends, plus walkabouts and any holidays they like to take—and sometimes they take quite a few—they are subject to home conditions and influences. We find a child coming to school who is obviously not up to our standard. We send him back to be scrubbed and tidied up, but according to the mother's idea or the guardian's

idea, he is quite all right." The child is sent back to the school and the result is that the male or female teacher has to set to work and scrub him before he is clean enough to associate with other members of the class.

In this particular town there was a Church of England padre who sent his three children to the Catholic school because he thought the conditions at the State school, which the native children were attending, were such that he did not like his children to go there. He sent them to the Catholic school because it barred natives from attending. I could give quite a number of instances which would provide an insight into the mentality of natives generally.

Some years ago, during the depression, there was a native I will call Jack Cameron, mainly because that was his name. He came to me wanting tucker because he was practically starving and could not get any work. I gave him a little to carry on with and, quite casually, he picked up an old, broken, rusty pocket knife from a scrap heap, went over to the grindstone and put an edge on the blade and in a matter of minutes had carved a little chain out of a piece of stick. At one end of the chain there was just the piece of stick with bark on it and on the other end he had carved, very artistically, a horse's hoof. I said to him, "I think you could make money out of that. If you like to bring those chains to me I could not only give you all the tucker you want but you could also make a few pounds out of it." He seemed quite thrilled with the idea.

That man could have earned about £1 a day, because that was the amount I could easily have realised on the sale of the chains on his behalf. He kept working at them very spasmodically for about 10 days, during which I booked a number of orders. Then he came to me and said, "I have got a job with Mr. Jones. He is going to give me my tucker and five bob a week." Yet he could easily have earned £1 or £2 a day, because there was a big market for the things he was making. I mention that as an instance of the mentality of the natives and their lack of a sense of responsibility and initiative as judged by white standards.

Some years ago another native was entrusted with a consignment of bullocks which had come to Pindar to be trucked to Perth. They were a mixed lot. There were some heavy bullocks, some cows and some calves. The owner had offered to come to Mullewa to help me truck them but I said it was not necessary. I indicated that we would segregate them, putting the heavy bullocks into two trucks and dividing the rest accordingly. In the evening, while waiting for trucking in the morning, I heard a commotion in the yard. The cattle were milling around and had broken a panel and some had got out. I did not then know what was the matter. At daylight I went over to check and found a number of cattle missing. I sent a native drover and an assistant out after the cattle and proceeded with the trucking of the others.

Eventually the drover brought back all but three of the missing cattle and they were sent away on the trucks. When they were on the way down, I had word that at Morawa there were four dead in one truck. The rest went on to Dalwallinu where it was found that another five were dead. The station-owner seemed to think this was because the cattle had broken out of the yard. But I had kept a check on the cattle that were in the trucks and was able to inform him that they were the ones that had stayed in all night. I found out afterwards that the drover and his assistant had brought the cattle through a patch of poison. That drover had been travelling on the road for years in company with white drovers and he knew the poison was there. I contend that he had not enough sense of responsibility to avoid that patch of poison and the death of the cattle was the result.

I know of a female native who worked on a station for about 25 years, being an excellent housegirl and a good cook. Every year or two she went away on walkabout and if members could have seen her in a native camp, unwashed and smoking a pipe, they would have wondered whether her association with white people over the years had had any good effect. It was just a case of reversion to nature. A friend of mine on a station went out to one of the camps. He complained that it was dirty and untidy and that food was lying about with flies on it at 11 a.m. The natives replied that they were too busy, as they had been up all night gambling.

Hon. R. J. Boylen: Whites do that, also.

The MINISTER FOR TRANSPORT: I do not think they carry it to that extent or claim it as a legitimate excuse for avoiding their duties. Another native girl, brought up on a station, had had every advantage of upbringing. She came to work for a friend of mine who used to take her around quite a lot. After a month or so she left and the lady then found that the girl had taken a lot of goods belonging to the station with her. That girl was eventually sentenced to four months at the mission, but she broke away and went back to near her old stamping ground.

The police had great difficulty in locating her. When found she had wandered up to near Pindar. The police came up at night and we went to the native camp, but the occupants said they had never seen this girl. We found out afterwards that the slight noise made in approaching the camp had given the girl warning and she had hidden for the time being in the local school. That proves that natives are willing to lie to any degree to protect their kind, even though they are fugitives from justice.

Hon. H. C. Strickland: Not only natives are prepared to do that.

The MINISTER FOR TRANSPORT: I do not think it would apply amongst white people to the same extent. It is only on rare occasions that natives or half-castes can obtain credit at the stores in such areas as business people know that natives have let them down time and time again. There was a street in Mullewa known as Kid Alley and in it there were about half a dozen houses. The condition of those dwellings would have made anyone realise the squalor in which natives live. The police and health officers have had to take strict action regarding those houses. Such things indicate what natives will do if left to themselves. We have still a long way to go in the control and regulation of our natives and I think we should leave the job in the hands of the present Commissioner of Native Affairs, as he and his department are doing a good job.

Hon. J. M. Thomson: Does he propose to submit to Parliament a Bill in the near future along the lines you have suggested?

The MINISTER FOR TRANSPORT: Undoubtedly that will develop in time as the present Commissioner has a number of ideas that he is testing out and to implement which he requires powers other than he now possesses. A brief report that I received from him in regard to what has been done in the last two or three years, for part of which period he has been in control, is as follows:—

> During the regime of the present Government, considerable progress has been made with the programme designed to improve the conditions of the natives generally and specifically include the vast improvement in the Moore River Settlement area.
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> Dealing with the Moore River. Considerable operations have been carried out and hygiene and sanitation have been greatly improved by the installation of ablution, and sanitation facilities, and the function of the settlement has been considerably altered by transferring all children from the settlement, where they had been closeted with adult natives, undergoing reformative treatment as delinquents, and medical treatment for objectionable social diseases. The girls from both Moore River and Carrolup have been placed in well established Christian Missions, namely Wandering Roman Catholic, and Roelands Protestant and others. Girls were transferred from Carrolup to Moore River and Carrolup re-organised as a technical and rural training centre for native boys. A primary school for boys has also been carried on at Carrolup, but because of the lack of certain fundamental spiritual training facilities, it is intended early in the new year, to transfer the younger boys also to the missions above mentioned. Those of school-leaving age will remain at the settlement and undergo a course of training as above mentioned.
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> The field service has been considerably extended. There were four inspectors employed by the department at the time the present Commissioner took charge two years ago. These officers were required theoretically to cover the whole of this vast State, and to attend to the administrative requirements of approximately 25,000 natives. Obviously this was an impossible task. It has been established, for example, that the officer in charge of the North-West district at the time, if he had visited one station for every day in the year, would be in arrears of visits at the end of the year. There are more stations than days in the year.
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> The number of field officers has been increased to 12, and the State subdivided into 11 districts and subdistricts, each of which is now in charge of a field officer, with executive authority to make decisions on matters of normal administrative procedure within his own district or subdistrict. This leaves the Commissioner free to attend to matters of policy and planning.
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> The working conditions of natives have been vastly improved. As from the 1st July of this year, a scale of wages has been brought into operation to cover all working natives throughout the Kimberleys district; previously no wages were paid, and whilst this did not inflict economical hardship on the natives themselves, it involved this State in embarrassing criticism within the Commonwealth and on an international level. It was mentioned at the United Nations Organisation at Lake Success.
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> The accommodation of natives working and living on stations has undergone considerable improvement by the implementation of a policy and plan drawn up by the department in collaboration with the Pastoralists' Association and the resident owners and managers in the North. This takes the form on many stations of the erection of Nissen Huts, with ablution facilities and septic sanitation systems on a number of stations. Improvements have been carried out on every station in one way or another.
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> The result of this is evidenced by a much more contented outlook towards their white employers by the native labourers, and the enthusiastic inducement of the pastoralists themselves. That is not an over-statement. A similar improvement is being manifested in other parts of the State.

Station-owners have been particularly co-operative in providing these facilities. Another point, of which members may not be aware—because there is a tendency sometimes to think and claim that station-owners exploit the natives—is that when a native comes to work on a station he brings along his family, and sometimes his aunts, uncles and cousins as well. The station-owner has to support not only the working native, but perhaps also half a dozen dependants.

Hon. F. R. Welsh: And a large number of kangaroo dogs.

The MINISTER FOR TRANSPORT: Yes.

Hon. H. C. Strickland: The station-owner can put the relatives on the native reserve, if he so wishes.

The MINISTER FOR TRANSPORT: The labour question has probably entered into it. The station natives have done a good job and they have a wonderful sense of bushcraft.

Hon. Sir Charles Latham: They would not remain on a station unless they could have their families with them.

The MINISTER FOR TRANSPORT: As long as the pastoralist gets service from a native, he is satisfied and is prepared to keep the native and his people. The utmost consideration is given to them. I have known of a station-owner or manager driving up to 200 miles to take a sick native or native child to hospital and medical attention.

Hon. L. Craig: That is a common practice.

Hon. E. M. Heenan: They have to do that, under the Act.

The MINISTER FOR TRANSPORT: That may be so, but if a station-owner confined himself to the service of the native alone, he would not be under that obligation with regard to members of the native's family. Mr. Strickland mentioned that natives in the North who had acquired citizenship rights could not send their children to high school, and he thought that position should be remedied and that it could be altered under this Bill.

Section 10 of the Native Administration Act, introduced in 1941 by Hon. A. A. M. Coverley, restricts the movement of any native resident north of the 20th parallel to any point south of that line for any purpose other than those prescribed under the relevant section of that Act. Those provisions cover specialist medical treatment and the accompanying of droving plant for a brief period only. Those are the only conditions in the present Act under which a native may be brought south of that line, and there is thus imposed on the natives a limitation that this Bill does not remove.

Some time ago I mentioned that contacts between natives and whites are on occasion not particularly happy. In "The West Australian" of the 21st November, under the heading of "Natives in Hospital," there appeared the following:—

> Sir, I suggest that Madeline Cope, President of the Native Rights Welfare League, would be more than disgusted if she had to share a hospital ward with a native mother. She says the mother is bathed and given clean clothes on entering hospital. Does she realise that by admitting her with equal rights to white women's, she has the privilege of receiving visitors also? Has Madeline Cope ever been in bed alongside the bed of a native woman especially when she has her relations calling who are not always bathed and dressed in clean clothes? They should certainly be provided with a separate ward.

In the town near which I lived for many years the hospital provided a separate ward for natives, and the difficulty that apparently has arisen in this case did not arise there. That special ward was provided because those concerned foresaw the possibility of something occurring such as has apparently happened in this case. We claim that the natives require uplift and I heartily agree with that, but I think the scheme should be proceeded with scientifically and cautiously over a considerable period.

It must be remembered that the Australian aboriginal is a very primitive type. Those who came to this country in the early days found very little evidence of inclination on the part of natives to go in for agriculture or animal husbandry. There was no evidence that they had ever done anything constructive in building, architecture, sculpture or music. Admittedly they were carvers and had produced a certain amount of pictorial art, but there is no evidence of any ability in counting, arithmetic, science, astronomy, geometry or mechanics. They were dominated by superstition and ancient tradition. Although the half-castes are probably much superior in mentality to the primitive bush native, at least in most of the things we consider part and parcel of the civilised make-up, fundamentally they inherit from their forbears a lack of responsibility and initiative.

That is one thing which the Native Affairs Department has in mind in its programme for building the native up. The native is essentially a socialist. Repeatedly, in the little colonies which used to congregate around our small wayside towns, I have seen that when a native came into town with a cheque it immediately became communal property, and they probably would spend and spend until it had all gone. One very rarely encountered

a native who was prepared to open a bank account, save money and possibly build a home for himself. It is because of that that we must proceed cautiously in dealing with natives. I say again that I think this Bill is premature and I will vote against it and suggest that other members do the same.

HON. J. G. HISLOP (Metropolitan) [9.2]: The House could not possibly pass a Bill of this sort. One could leave out altogether the question about which the Minister has been speaking, namely, the standard of natives. Let us look at the Bill from a purely family aspect and it will be found there is a psychological side to the result that will accrue if this legislation is passed. As far as I can read the Natives (Citizenship Rights) Act a mother can never obtain citizenship rights, but only the father.

Hon. H. C. Strickland: That is wrong.

Hon. J. G. HISLOP: If I read the Act aright, it says that he can obtain citizenship rights if he has served in the Navy, Army or the Air Force. If that is true, then we find ourselves in the position that the mother and her family are not entitled to citizenship rights but the father and his family are. What position would we be in if that is so?

Hon. H. C. Strickland: The mother automatically obtains citizenship rights if they are granted to the father.

Hon. J. G. HISLOP: Does she automatically get them?

Hon. H. C. Strickland: Yes.

Hon. J. G. HISLOP: Well, that becomes exceedingly difficult, too, because if a man proves himself as fit for citizenship rights, the woman automatically does also.

Hon. H. S. W. Parker: If she were not eligible for citizenship rights, he would be committing an offence.

Hon. J. G. HISLOP: The whole thing is too difficult for words. I do not like the implications that would be possible if this amendment were passed. It is also possible, of course, that those children who obtain citizenship rights until they are 21 might automatically lose them because they are brought up in a home which is frowned upon by the department and then they could, for various reasons, make application to obtain them again.

Finally, the Bill does not provide for any way by which the child can lose its citizenship rights. The only means by which a child would do so would be for the prime holder to lose them, that is the father, but there does not seem to be any ground mentioned in the Bill that would cause the child itself to lose its citizenship rights because of any act or misdemeanour. Unless that angle is covered it could quite easily be that we would find ourselves in difficulty with the children.

As the Minister pointed out quite clearly, it is not possible to know what every member of a native community can do or how he is going to turn out as a citizen. This Bill is going to open up too many difficulties and would certainly disturb, in some cases, a good deal of psychological responsibility in families even if only one in the family lost citizenship rights because that would tend to upset the whole family and would produce in the State something of which we could not be proud. I would not support this Bill for a moment.

HON. W. R. HALL (North-East) [9.5]: I support the Bill for one or two reasons. Firstly, I want to see these people obtain what are their due rights, but which they have been denied. The magistrate will have power under the Bill to give them citizenship rights, and I certainly want to see them obtain that privilege. We have heard a lot about these people but little has been said in their favour; everything that has been uttered has been against them.

I have always been sympathetic towards the natives because they are people who are not wanted by anybody and I have known them to be treated worse than cattle. It is all very well for people to say various things about them, but there are very few who want them or want to do anything for them. We invite coloured members of foreign races to enter our University and are prepared to do something for them—to a large extent, free—and yet the coloured people in this country through no fault of their own are made to suffer by white people.

The Minister for Transport: They can enter our University, but we want to ensure that only the right ones are admitted.

Hon. W. R. HALL: That might be so. Although, according to the remarks of some members, the Bill may be a little premature, at the same time, whenever some such move is made, it will always be found that someone will say that the time is not yet opportune. It is possible for natives to be raised to a high standard.

The Minister for Transport: We are doing that.

Hon. W. R. HALL: We are very slow about it.

The Minister for Transport: Slow and sure.

Hon. W. R. HALL: We are quite prepared to do many other things for people who enter this country from foreign parts and provide them with various privileges, some of whom possibly have not the qualifications enabling them to benefit from them, but we are taking a long time to do anything for the natives of our own country. At the Mt. Margaret mission station in my electorate, natives can be

seen who are very nearly as white as members of this House. It makes one's heart bleed when one considers that there are people in those missions who are likely to be there for ever and a day. That is wrong. We are lacking in a proper outlook regarding the provision of social services for these people, and I feel it is our duty to do what we possibly can for them. I have heard pastoralists and farmers, who have employed natives, say very little good concerning them, and some of those farmers have been members of this House.

Invariably, the farmer will say he cannot get much good out of the native and he generally regards him as a nomad who will not stop on the property and who possibly wants to gamble all his money away. However, there is not the slightest doubt in my mind that these farmers and pastoralists would not employ natives if they could not get some good work out of them. At least, in return for the wages paid they have received some relief from the acute employment position that seriously affects them today.

The Bill may be a little premature but I think it is based on the right lines. How we are effectively to overcome the difficulty of dealing with the natives in the right way I do not know; but I can assure members that in the mission stations in various parts of the State, extremely good work is performed by the natives. Many of them have been known to have saved the lives of white people and they should be given the benefit of social services and justice and the privilege of applying to a magistrate for citizenship rights. I am greatly in favour of the Bill because natives will always have my sympathy and will continue to have it irrespective of what other people say about them. They are our responsibility more so than are people from foreign parts who enter our country and obtain many privileges. It is up to us to look after them, and therefore I hope the Bill will be passed.

HON. H. S. W. PARKER (Suburban) [9.12]: Although it may seem a strange way of acting, I am going to vote for this Bill although I do not like it. However, the Natives (Citizenship Rights) Act is one which should never have been put on the statute book.

Hon. E. H. Gray: Not at all?

Hon. H. S. W. PARKER: No, not in its present form. The principal Act provides that a native may apply to a magistrate for citizenship rights and the magistrate is supposed to make all the necessary inquiries he can before he grants the application. The Commissioner of Native Affairs is placed in an extremely anomalous position. He is the principal guardian or protector, the pater familias, of the natives and it is a difficult matter for him to say, "I am doing my best to uplift you and you are doing a very good job, but I am going to oppose your application for citizenship rights." That is wrong.

In fact, the practice now is that a magistrate, by virtue of his office, has a legal judicial mind and acts on the evidence before him. The application is heard in court in a legal atmosphere. When a native applies for citizenship rights in some instances the police say, "I am a protector but I am not concerned about him and I will not oppose his application. I know he is not a fit and proper person, but he wants the rights and he can apply if he wishes." But the magistrate has not that information before him. Because he is acting in a judicial capacity he cannot refuse the application, and therefore he grants it. Citizenship rights for a native only mean that he can demand liquor in a hotel and has the right to be enrolled.

Over a period I happened to be Minister in charge of this department and at one stage I received a request from the Eastern States emanating from a very worthy body interested in the welfare of the natives of Australia. The request was for information on the question of if and when the then Government would grant citizenship rights to natives. I replied that it was not the intention of the Government to adopt that course because it did not consider it proper that a native should have the right to demand liquor at an hotel and, further, that it did not wish the native to become the political plaything of party politics. Obviously, natives have not reached the stage of being interested in politics and therefore, to my mind, they should not have a vote. It would be of no benefit to them nor would it be to their advantage.

Hon. E. M. Heenan: That is inconsistent with a lot of claims brought forward on behalf of the natives.

Hon. H. S. W. PARKER: Just the same as a lot of other claims brought forward are illogical and without reason. One such claim is that because a soldier went to the war when he was 18 years of age, he should be given a vote. Very few natives secure citizenship rights for the purpose of exercising the franchise. If a man applies to the magistrates for citizenship rights and the Commissioner of Native Affairs is opposed to it, the magistrate has power to ignore the objection of the Commissioner. The Minister may then, if he so desires, cancel the rights granted by the magistrate and the native has the right of appeal to the magistrate. Obviously the principal Act should be repealed.

I am greatly in favour of the uplift of natives but I say it should be—I would not lay it down as a hard and fast rule—that the Minister should grant citizenship rights

only if, and when, the Commissioner of Native Affairs recommends that course. Furthermore very grave consideration should be given to the point that if a native is granted citizenship rights, it should not carry with it the right to demand, to have or to consume liquor. To a native up to and over the half-caste stage, liquor is a poison. Unlike some other people, the native when he has some drink does not become happy but he develops a fighting mood and becomes dangerous. A condition in that respect should attach to the granting of citizenship rights to natives.

While the law exists as it stands today it is only right that we should do everything possible to uplift the natives. We should not have the position of people who are perhaps nearly white, the children being whiter than their parents, finding that when their children go to school, the other kiddies say to them, "You are natives." Their parents are not natives; they are white people in every sense of the word except as regards the colour of their skin. Some are whiter than Southern Europeans. In fact, a lot of the trouble that has occurred in the South-West has arisen from the fact that half-castes enter hotels and demand liquor, claiming that they are Italians. The barmen do not know what to do.

The children of natives who have citizenship rights should be permitted to have those rights as well. The parents should be allowed to take a pride in their children as being whites and not natives. Some years ago a half-caste woman came to me in a most indignant and irate mood because she was classed as a native. She was just within the Act by the proportion of native blood in her veins. As a matter of fact, it is the coloured people themselves who do not wish to be considered natives. I feel I must support the Bill because it is only right that natives should be granted citizenship rights and take pride in their children having those rights as well.

I feel, however, that the Act itself should be repealed and a far better and more considered piece of legislation placed on the statute book in its stead. Within the meaning of the Act, there are a great many natives who are far more white than they are native. They have more white than native instincts and are far better citizens than many others I have in mind. They should be encouraged. We have a man in charge of the administration of Native Affairs of whom the State can be very proud. The only danger with regard to Mr. Middleton is that inevitably he will be offered a better position somewhere else. He is a highly qualified man who thoroughly understands natives. He knows exactly which native can be helped and which cannot be helped.

The Minister for Agriculture: He does not approve of this Bill.

Hon. H. S. W. PARKER: I do not wish to speak about any confidences I have had reposed in me. The Minister should not ask me a question like that.

The Minister for Agriculture: I am not asking you; I am telling you.

Hon. H. S. W. PARKER: Then I say that he does—until the main Act is repealed. I have discussed this matter with him more than once. Until the Act is repealed difficulties will arise, and he has pointed out how stupid it is that the native parent may have citizenship rights and yet his children have not those rights as well. The children are classed as niggers by the other kiddies because they cannot claim citizenship rights. Furthermore, he said it was very difficult for his officers to go into the houses of these white people. They have no authority to enter the homes of those possessing citizenship rights than they would to enter my house—but they can go there and see the children.

Hon. H. C. Strickland: But they are the legal guardians of the native children until they are 21 years of age.

Hon. H. S. W. PARKER: That is so. How can we uplift the parent if his children cannot be uplifted as well? The position is most anomalous. I trust the Government will take steps to repeal the principal Act. When I was the Minister in control I discussed that matter time and again. I am not in a position to say how far matters have gone, but we must repeal the Act. Until that is done, I regret to say I must support the Bill.

HON. H. C. STRICKLAND (North—in reply) [9.27]: Mr. Parker has given a very fair indication of the principle underlying the Bill. It is very simple. The principle is the humane one which involves the question of whether the children should be classed as citizens and not as natives. The object is to give children of those who have citizenship rights the same opportunity to be classed as citizens.

The Minister for Agriculture: Is that to be automatic?

Hon. H. C. STRICKLAND: The Bill would not make it automatic. The position has been that although a native might acquire citizenship rights, his children could not apply for a similar privilege until they attained the age of 21 years. Until that stage is reached, Section 8 of the Native Administration Act applies and this reads—

> The Commissioner shall be the legal guardian of every native child, notwithstanding that the child has a parent or other relative living, until such child attains the age of twenty-one years.

That is one anomaly in the Act.

Hon. L. Craig: Suppose the citizenship rights are withdrawn from the father, are they automatically withdrawn from the children?

Hon. H. C. STRICKLAND: It is proposed to amend Section 5 to make provision for the magistrate including in the certificate of citizenship the names of children not of full age of whom the applicant is the responsible parent. If a complaint should be made against the father and he should lose his citizenship rights, the whole family would lose the rights as well. That is anomalous because some of his children might be nearly 20 years of age and in good positions. Such children would lose their rights because of the sin of their parent.

The idea now is to insert a provision so that the family may be dealt with at the discretion of the magistrate, and if any complaint were made by the Commissioner of Native Affairs, a local authority or any person that a native was not living as a citizen, action could be taken. I should like to explain the position of the wife, for whom Dr. Hislop said no provision had been made. In the Native Administration Act, Section 14C, exemptions are set out, which include any native who is a female lawfully married to and residing with her husband who is not himself a native. Consequently, once the husband obtains citizenship rights, she automatically becomes a citizen.

Hon. L. Craig: What about a half-caste?

Hon. H. C. STRICKLAND: These people are on approval for life, and, in the event of any complaint being made, action would follow automatically. A white man or a native who has been granted citizenship rights is not permitted to marry a gin without first obtaining the approval of the Commissioner.

Hon. L. Craig: What about a full-blood native who marries a gin?

Hon. H. C. STRICKLAND: He could not marry without the approval of the Commissioner, and the Commissioner would take the view that if these people returned to the habits of camp life, they would automatically lose their citizenship rights.

The Minister for Agriculture: How would you prove who are legitimate children and who are not?

Hon. H. C. STRICKLAND: If it could not be proved, how could a case be taken to court? However, I do not wish to argue those points. I am dealing with the simple matter of removing an anomaly where a native lives as a citizen and the offspring are classed as natives, no matter how good they may be. How could such children be expected to grow up as good citizens if they were still regarded as natives?

The Minister for Agriculture: They could apply for citizenship rights.

Hon. H. C. STRICKLAND: But, under the existing law, not until they reached the age of 21. The number of natives who have been granted citizenship rights is 411, and over 400 natives enlisted from this State in the Services. They were half-castes. Mr. Welsh told me of a half-caste whom he had known as a little boy in the North, and who is now living quite respectably in one of the suburbs. That is the class of people the Bill seeks to deal with, not the bush natives. Nobody wants to see bush natives get citizenship rights. All the Bill aims at doing is removing an anomaly.

One or two queries were raised by the Minister. He said that the wife of a native who had been granted citizenship rights could not get the rights. I think I have already answered that by my reference to the Act, which provides that a female lawfully married to and residing with her husband who is not himself a native, automatically receives citizenship rights. The Minister also referred to Section 10, which was inserted by Hon. A. A. M. Coverley when he was Minister for Native Affairs. Section 10 provides for certain restrictions to operate and have effect in the case of leprosy, and it was quite right that such a provision should be made.

An amendment has been placed on the notice paper by Mr. Jones. The original purpose of the Bill was to give the children endorsement on application to and approval by the magistrate. On reaching the age of 21, the children would carry on as citizens, and that is as it should be.

Hon. H. Tuckey: What record would you have of their age?

Hon. H. C. STRICKLAND: Everyone I know in the North having citizenship rights has been married in a Christian church, and the particulars are recorded. I do not think it possible for a native to be born without the present Commissioner knowing of it. There is another section of native children with whom this measure cannot deal until they reach the age of 21—I refer to the children who are charitably described as orphans. These orphans are children born in the mulga; they may be half-castes or may have a half-caste father. As soon as they are old enough, they are taken away and put into missions, instead of being left to live in the camps of the blacks. In the missions, they are well educated and taught to live decent, useful lives.

They have no hope of becoming citizens as children, and so they have to wait until they reach the age of 21, when they can apply to the court, just as any other native may do. To safeguard the position of natives at the age of 21, Mr. Jones has given notice of an amendment to provide that a certificate of citizenship, insofar as it concerns children, shall be deemed to include those persons only so long as they are under the age of 21. This would mean that, on attaining the age of

21, they would have to come up for approval. I would stress that these children would still be on approval; citizenship rights could be taken from them at any time on proof of a complaint against them. Some very bad cases have occurred as a result of natives drinking heavily.

The Minister for Transport: It would be very difficult to take away the rights once they had been granted.

Hon. H. C. STRICKLAND: Early in the session, questions asked in another place elicited that there had been over 500 applications for citizenship rights since the introduction of this legislation in 1944. Of the total, 411 were granted, and 50 were taken away again, while 18 were pending. I know that amongst the pending cases are those of returned soldiers who applied early in October to the court at Shark Bay. They had to wait until they reached the age of 21. I repeat that this is the class of native we are dealing with, not the bush natives, whom we know could not get citizenship rights, and nobody wants them to get them.

Hon. H. S. W. Parker: And they do not want them.

Hon. H. C. STRICKLAND: That is so. It will take hundreds of years to uplift that class of native, and I am satisfied that the Commissioner, Mr. Middleton, will not live to see them classed as fit to associate with whites and take their place in society. The 400 who enlisted slept in the same tents as the white soldiers and fought side by side with them. They did not travel by separate transport, as did the Maoris from New Zealand; they lived with our boys. In the main, these are the men who would become citizens, and yet their children would be classed as natives and the Commissioner would be their legal guardian until they attained the age of 21.

Hence, I repeat that it is just a question of removing the anomaly affecting the family of a native who has been granted citizenship rights. We cannot continue to have parents classed as citizens while the children are classed as natives. What would happen when they reached the age of 14 or 15—the age of awakening—and realised the full force of their position under the law, notwithstanding all the Christian teaching that they had received? Could we wonder if some of them took the wrong turning? The implications are terrific.

One member the other night said there was no stigma in being classed as a native. He surely could not have understood the term, because the Commissioner is the legal guardian of a native until he is 21. A native cannot move from one place to another without the written permission of the Commissioner or his officers. A native must submit to compulsory examination for venereal disease, tuberculosis, or any other disease which a native affairs inspector might think he has. I am not saying that these things should not be so, but I am pointing out the restrictions surrounding the so-called natives, who are not natives but a cross between natives and whites. Only those natives who can prove that they can live up to the reasonable standards of our society can possibly be granted citizenship rights. I hope the House will agree to the Bill.

Question put and passed.

Bill read a second time.

In Committee.

Hon. J. A. Dimmitt in the Chair; Hon H. C. Strickland in charge of the Bill.

Clause 1—agreed to.

Clause 2—Amendment of Section 5:

Hon. N. E. BAXTER: I oppose the clause because a month is not a long enough period for the department or the magistrate to get information. I think it would be wrong to alter the period of two months provided in the Act.

Hon. H. C. STRICKLAND: The reduction of one month applies only to the adjournment of a case. This amendment is requested by some of the pastoralists in the far North, so I understand. It takes two months before an application can be heard. If at a place like Wyndham or Derby a case is adjourned for two months the native concerned will not go back, but will wait in the town, and the station loses his employment for that period.

Clause put and passed.

Clause 3—Amendment of Section 6:

Hon. A. R. JONES: I move an amendment—

> That in line 2 after the word "by" the letter and brackets "(a)" be inserted.

Hon. H. C. STRICKLAND: This is a desirable amendment.

Amendment put and passed.

Hon. A. R. JONES: I move an amendment—

> That a new paragraph be added as follows:—
>
> "(b) Adding at the end of the section a proviso as follows:—
>
> 'Provided that a certificate of citizenship insofar as it concerns children shall be deemed to include those persons only so long as they are under the age of twenty-one years.' "

The MINISTER FOR TRANSPORT: I opposed the Bill, but as it has been accepted I think this amendment is desirable. It will have the effect of bringing the native, especially when he arrives at a responsible age, up for review.

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

Clause 4—Amendment of Section 7:

Hon. H. C. STRICKLAND: I move an amendment—

That in line 3 after the word "child" the words "as a Magistrate may direct" be inserted.

This will give the magistrate the power to reject any or all of the family as he thinks fit.

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

Title—agreed to.

Bill reported with amendments.

BILL—RESERVE FUNDS (LOCAL AUTHORITIES).

Assembly's Message.

Message from the Assembly received and read, notifying that it had agreed to amendments Nos. 1 to 4 made by the Council, and had disagreed to No. 5.

BILL—BUILDING OPERATIONS AND BUILDING MATERIALS CONTROL ACT AMENDMENT AND CONTINUANCE.

Assembly's Message.

Message from the Assembly received and read, notifying that it had agreed to amendments Nos. 1 and 3 to 6 made by the Council, and had agreed to No. 2 subject to a further amendment.

BILL—GAS UNDERTAKINGS ACT AMENDMENT.

Second Reading.

Debate resumed from the 16th November.

HON. J. A. DIMMITT (Suburban) [9.58]: I secured the adjournment of the debate because I had been associated with previous legislation which affected the Fremantle Gas and Coke Company. Because of that, and because of my friendship with some of the directors and executives of the company, I felt that I should at least inquire as to their attitude. I find that they are in complete agreement with the Bill and are anxious that it should be passed without delay. I therefore support the second reading.

Question put and passed.

Bill read a second time.

In Committee.

Bill passed through Committee without debate, reported without amendment and the report adopted.

BILL—FAUNA PROTECTION.

Assembly's Message.

Message from the Assembly received and read notifying that it had agreed to amendments Nos. 1 to 4 made by the Council and had disagreed to No. 5.

BILL—CONSTITUTION ACTS AMENDMENT (No. 1).

Second Reading.

Debate resumed from the 16th November.

HON. E. M. DAVIES (West) [10.3]: I rise to support the Bill. The first amendment provides that the husband or wife of a householder shall be entitled to the franchise; the second amendment refers to returned Servicemen or Servicewomen and the third amendment is in regard to the abolition of plural voting. I support the Bill because I believe that the Government of the people should be by the people. To do that, it is necessary that each and every person who is a citizen of this State should have the opportunity of being possessed of the franchise to enable him or her to vote for either House of the Western Australian Parliament.

It is a heritage of the people, I believe, that they should be entitled to express an opinion, per medium of the ballot box, as to whom their representatives shall be, whether in the Legislative Assembly or the Legislative Council. It is the democratic right of the people to select their own representatives. If we stick to those principles we should not have any fear as to what might happen in the future of the British Commonwealth of Nations. We all feel proud in being able to claim that this is a democratic country with the people having a right to elect those who are to sit in the legislative halls of the State. The people have the right, at a set period, according to the Constitution and per medium of the ballot box, to say what form of Government, or what party Government, they wish to have to govern them for that particular period.

That is quite right, but if we are to deny certain people the right to be able to exercise that franchise, then I do not know that we can claim that we are absolutely democratic. Regarding the female section of the community, it has been stated that the qualification for this House is a property qualification. We know that exists at present, but in some instances where a husband has the necessary financial means to own certain properties, it is only necessary for him to transfer portion of that property to his wife, and, if that portion of the property has a valuation of £50, then she is entitled to enrolment also. Those who are perhaps not so fortunate, but may be regarded as householders—notwithstanding the fact that they are called upon at the moment, in some cases, to pay exorbitant rents—have, in my opinion, as much stake in this country as the wives of freeholders who are able to transfer portions of their properties in order to permit their wives to become enrolled.

For too long have we considered that the female of the species of our country should be consigned, as it were, to the

kitchen or the care of the cradle. In recent years we could all claim that, due to the emancipation of the female section of our community and with the march of time, they have also occupied some important positions in the life of the community. We know that they have entered professions and have carried out this work in those professions in a reasonable and efficient manner, just as efficiently as the male section of this community. The time has long since arrived when they too—notwithstanding the fact that they may be the wives of householders—should have the right to exercise votes for the election of people who enter this particular Chamber. As the years go by, it is generally agreed throughout the world that certain countries have become more democratic. I am not referring to certain of the totalitarian countries with whose opinions we are not in agreement. Times are such that we should do everything in our power to see that our form of government is elected in an absolutely democratic manner.

Hon. N. E. Baxter: You would not call it undemocratic now, would you?

Hon. E. M. DAVIES: I would. Another amendment provides that a vote should be afforded to a returned serviceman or returned servicewoman. Of course, if they are property-owners it will not be necessary for them to have votes under that particular category. However, there are a number of people, both male and female, who have rendered valuable service to this country in times of war, and if they were good enough to defend this country then, certainly they should be good enough to have a vote in the government of the country.

Hon. N. E. Baxter: What about those who stayed at home in industry and so did their part?

Hon. E. M. DAVIES: The hon. member is raising a point that has been mentioned on many occasions, and if he raised it in some places he would not get a very cordial reception. It is essential that certain people are necessary in industry, but it must be borne in mind that they do not run the same risks as those who are in the Armed Forces and, in some instances, are required to meet a common enemy face to face. I believe that this is one of the qualifications in Tasmania for the privilege of having a vote at Legislative Council elections. The provision is incorporated in this Bill and if any member does not agree with it, then he should be honest enough to express his opinion and vote against it, if he so desires. I believe that people generally are beginning to recognise that we should elect our representatives in a more democratic manner. That has been realised because all parties who take part in the government of this country have from time to time agreed that the franchise for the Legislative Council should be broadened. The present composite Government, when it was on the hustings as an Opposition in 1947, agreed that it would be part of the platform of both parties. Naturally, many people thought that having announced that on their platform, it would be their policy.

Hon. L. Craig: This is an independent House.

Hon. E. M. DAVIES: We have heard that many times, but I venture to say there is not one member in this House who has not been elected to Parliament under one or other of the rival political banners. If members in this Chamber take part in election campaigns, they know the policies enunciated by the leaders of the parties and they are entitled to put into effect the policy expressed during the election campaign.

Hon. L. Craig: Therefore you would say that the majority of this House should vote for a party Bill.

Hon. E. M. DAVIES: I am not saying anything of the sort.

Hon. L. Craig: You are implying it.

Hon. E. M. DAVIES: A member of this Chamber, who is elected under the banner of a certain party, knows that that party has made a pledge to the people of the State at election time, and the people naturally expect that the policy of that party, if it is elected to office, will be put into practice.

Hon. L. Craig: That does not commit the Upper House.

Hon. E. M. DAVIES: If some members are not in agreement on the point, then it is not my fault, but it is a question between those members and their particular parties. We drift along from year to year and sometimes one sympathises with people because, to a certain extent, they have roamed about and have become lost in the mists of time. What was good enough some years ago seems to be good enough today. I honestly believe that the community generally is becoming more democratically minded and this is one of the instances that I can see where the people expect they should have an opportunity to exercise a vote for those who enter this Chamber.

The other amendment embodied in the Bill provides for the abolition of plural voting. We know that it is possible for those who have the opportunity, and are sufficiently well off to be property-owners in each of the 10 provinces of this State, to exercise a vote in each province should an election be held.

Hon. A. L. Loton: How many of those electors are there?

Hon. E. M. DAVIES: I would not venture to say; I cannot tell the hon. member how many there are. But the possibility is there. It is also quite possible that a number of people who are entitled to that particular franchise do not exercise it,

but I am not in a position to know that. I only know what the Act provides, and it does set out that if they so desire they can exercise a vote in each province where they possess the requisite qualification.

Hon. F. R. Welsh: That cannot be described as plural voting.

Hon. E. M. DAVIES: The hon. member may have some other definition for it, but I would express it that way. If I can be informed that there is some other name for it, I might be prepared to adopt it. However, the practice is so much regarded as such that on two occasions the Government has introduced Bills in the Legislative Assembly to make provision for the broadening of the Legislative Council franchise. Of course when those Bills came to this Chamber, for some reason or other members decided to oppose them and accordingly the measures did not become law.

This is another occasion on which members in this Chamber will have an opportunity to express their opinions and record their votes as to whether they agree that this Chamber should be elected on a more democratic franchise. Every member knows the contents of the Bill and I will not take up any more time as I am not sufficiently confident of my ability to be able to impress on members the need for changing their opinions. All I can do is to leave it to them to give a just vote on this occasion, and I hope that at least in this instance they will see the light of day.

On motion by Hon. J. A. Dimmitt, debate adjourned.

House adjourned at 10.19 p.m.

Legislative Assembly.

Wednesday, 22nd November, 1950.

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