vided with as strong and substantial a building as his money will permit.

Hon. J. J. Holmes: There is no harm in taking the rich man down!

The PRESIDENT: Order!

Hon. J. T. FRANKLIN: I do not know to whom Mr. Holmes refers as a rich man. If he refers to himself, we all agree it will require a smart man to take him down. The Bill has my wholehearted support. It is a step in the right direction, and I hope members will realise the advisableness of following in my footsteps. It will not work any injury to builders. It will do more good than harm.

HON. L. CRAIG (South-West) [8.28]: I strongly oppose the second reading of the Bill. The Factories and Shops Act Amendment Bill was mild as milk compared with this measure. It is a terrible Bill. I can quite understand why the Government did not sponsor the measure. The members of the Government are very brave, but they have not the audacity to introduce such a Bill, especially with an election looming next year. The Bill amazes me. In country towns there are, as a rule, one or two builders only. If the Bill be agreed to, they will have a monopoly for many years to come. As Mr. R. G. Moore pointed out, the board to be appointed will be purely a one-man board. One man by his vote will have the power to call up any registered builder who may do something of which the member of the board does not approve. With the advantage of his one vote that board member may exercise the power of deregistering the builder. Mr. Franklin claims that the Bill will improve building operations. Anyone who calls himself a builder to-day can demand to be registered. In effect, the advocates of the Bill say that everyone who builds houses to-day is a competent builder. We cannot allow legislation of that sort to go through the House, and indeed I wonder why the House has wasted so much time on it. I hope the Bill will be thrown out as quickly as possible. I oppose the second reading.

On motion by Hon. H. Tuckey, debate adjourned.

ADJOURNMENT—ROYAL SHOW.

THE CHIEF SECRETARY (Hon. J. M. Drew—Central) [8.31]: I move—

That the House at its rising adjourn until Thursday next.

Question put and passed.

House adjourned at 8.32 p.m.

Legislative Assembly,

Tuesday, 8th October, 1935.

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

QUESTION—SEWERAGE, CLAREMONT.

Septic Tank Installations.

Mr. NORTH asked the Minister for Water Supplies: Is it incumbent upon a resident in the Claremont electorate who has installed and is using a septic tank, to connect up to the departmental sewers, or is it sufficient if he pays the annual sewerage rate?

The MINISTER FOR WATER SUPPLIES replied: Connection to sewer is compulsory. Septic tanks serve w.c's. only whereas deep sewers dispose of all household wastes.

QUESTION—MINING—OIL LEASES.

Mr. RAPHAEL asked the Minister for Mines: 1, How many leases or prospecting areas for oil are in existence at present in

this State? 2, (a) What are the names and addresses of the holders of each lease or prospecting area? (b) What is the area of each lease or prospecting area? (c) Where are they situated? (d) When were they granted? 3, What action has been taken to enforce the fulfilment of the working conditions on these leases or prospecting areas? 4, If no action has been taken, what action does he propose to take?

The MINISTER FOR MINES replied: 1, 13. 2, There are thirteen (13) oil prospecting areas in existence and they are held as follows:—

No. of Area.	Holder.	Address.	Area.	Locality.	Date Granted.
			sq. miles.		
146H	Freney Kimberley Oil Company (1932), No Liability	Warwick House, St. George's Terrace, Perth	63,000	Kimberley ...	6-10-25
186H	Do. do.	do. do. do.	31,400	Kimberley, W.	20-8-28
196H	Nicholson, Edmund James Houghton; Carcary, William Annand	C/o. Wooramel Oil Syndicate, Limited, Warwick House, St. George's Terrace, Perth	10,000	Gascoyne ...	3-12-28
215H	The Wooramel Oil Syndicate, Limited	Warwick House, St. George's Terrace, Perth	5,000	Wooramel River	19-6-29
221H	Oriomo Oil, Limited ...	National Mutual Buildings, 350 George Street, Sydney	10,000	North-West Division	19-9-29
238H	Do. do. ...	do. do. do.	10,000	Kimberley ...	4-3-32
241H	The Wooramel Oil Syndicate, Limited	Warwick House, St. George's Terrace, Perth	4,500	Wooramel	16-8-32
242H	Do. do.	do. do. do.	500	do. ...	16-8-32
253H	Frank, Edward ...	334 Barker Road, Subiaco	10,000	Swan ...	24-10-33
257H	Church, Harold Whitely	C/o. Criterion Hotel, Hay Street, Perth	10,000	Gascoyne ...	5-4-34
258H	Oil Search, Limited ...	National Mutual Building, 350 George Street, Syndey	10,000	Exmouth Gulf	23-4-34
260H	Johnston, Edward Bertram	259 Adelaide Terrace, Perth	10,000	Gascoyne ...	26-6-35
261H	Johnston, Sidney St. Maur	do. do. do.	10,000	do. ...	26-6-35

(3), It is obligatory upon oil licensees to furnish the department with regular reports of operations. If these are not satisfactory, action can, and often has been taken for cancellation of licenses. 4, Answered by No. 3.

BILL—HEALTH ACT AMENDMENT.

Introduced by the Minister for Health and read a first time.

BILL—ELECTORAL.

In Committee.

Resumed from the 3rd October; Mr. Sleeman in the Chair; the Minister for Justice in charge of the Bill.

Clause 20—Disqualifications:

The CHAIRMAN: The member for Nedlands had moved an amendment as follows—

That subparagraph (iii) of paragraph (e) of Subclause 1 be deleted.

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

Ayes	12
Noes	23
Majority against	11

Ayes	
Mr. Boyle	Mr. North
Mr. Ferguson	Mr. Patrick
Mr. Keenan	Mr. Sampson
Mr. Latham	Mr. Stubbs
Mr. McLarty	Mr. Thorn
Mr. Mann	Mr. Doney
	(*Teller.*)

Noes	
Mr. Clothier	Mr. Needham
Mr. Coverley	Mr. Nulsen
Mr. Cross	Mr. Raphael
Mr. Fox	Mr. Rodoreda
Mr. Hegney	Mr. F. C. L. Smith
Miss Holman	Mr. Wansbrough
Mr. Johnson	Mr. Welsh
Mr. McDonald	Mr. Willcock
Mr. Marshall	Mr. Wise
Mr. Millington	Mr. Withers
Mr. Moloney	Mr. Wilson
Mr. Munsie	(*Teller.*)

Amendment thus negatived.

Hon. C. G. LATHAM: I foresee grave danger if Sub-paragraph (iii) is allowed to

remain unaltered. As this is printed now it will be possible for Asiatic half-castes to vote. In the interpretation clause we do not state who a half-caste is. I have a protest from the people of Broome pointing out the danger of the position with regard to Malay and Japanese crosses with aborigines. Half-castes are to be given a vote for the Legislative Assembly, but cannot go into an hotel for a drink.

The Minister for Justice: They can get a certificate from the director or a justice.

Hon. C. G. LATHAM: A magistrate includes a justice of the peace. In future we may have political parties appointing persons as justices of the peace in order to place half-castes on the roll. I want to see white people placed a little above half-castes.

The Minister for Mines: A white person need not go before a magistrate in order to get a certificate.

Hon. C. G. LATHAM: That is so, but under this paragraph a Japanese or Malay half-caste may get a certificate. I move an amendment—

That the following words be added to subparagraph (iii) of paragraph (c) of Subclause 1:—"and who is qualified to be enrolled as an elector for the Legislative Council."

The MINISTER FOR JUSTICE: I cannot accept an amendment of that description. The contention by the Leader of the Opposition regarding half-castes of Asiatic blood being entitled to be enrolled will not stand, because the Bill contains other restrictions regarding persons having Asiatic or African blood. In those circumstances, the half-blood progeny of Africans or Asiatics would also be disqualified. There are thousands of eligible citizens who can have their names placed on the Legislative Assembly roll, but are not entitled to be enrolled for the Legislative Council.

Hon. N. Keenan: Would you restrict this to half-bloods, the result of an association between whites and aborigines?

The MINISTER FOR JUSTICE: That is the intention.

Hon. N. Keenan: It does not say so in the Bill.

The MINISTER FOR JUSTICE: The Bill provides that any person with Asiatic or African blood or an aboriginal is disqualified from enrolment. Surely it must follow that their progeny will also be disqualified. The intention is that the half-blood resulting from the association of a white and an aboriginal shall be entitled to be enrolled, provided he secures the necessary certificate. That carries out the ruling of the Federal Attorney General when he said that the half-blood meant a person in whom black blood did not predominate. I would have no objection to an amendment along the lines suggested by the member for Nedlands confining the interpretation of a half-blood to the progeny of a white and an aboriginal.

Hon. C. G. Latham: If you were to embody in the definition clause an interpretation of what a half-caste shall be, it would be all right.

The MINISTER FOR JUSTICE: I do not mind if that course is followed. I am prepared to look into the matter to see whether it is necessary to include a definition of a half-blood. The report of the Electoral Commission contains the following:—

The proposed law relating to half-castes and their right to exercise the franchise is substantially that of the Commonwealth. The Commonwealth electoral authorities proceeded on the basis of an opinion which was given many years ago by the then Solicitor General, Sir Robert Garran, which is to the effect that half-castes are not aboriginal natives within the meaning of Section 127 of the Constitution and that therefore half-castes are not disqualified, and that all persons in whom aboriginal blood predominates are disqualified. This opinion was supported by the then Attorney General, Sir Isaac Isaacs, whose comment thereon was: "this is reasonable, and should be followed."

It is only a matter of the procedure to be adopted. If it is desired to amend the Bill to make the position regarding the half-castes quite clear, I shall have no objection. The procedure indicated in the extract I have read is the one that will be followed. It is not usual to interpret everything that is included in a Bill; we leave much of it to common sense. Nevertheless I will agree to insert a safeguard that will have the effect of carrying out what has been followed by the Commonwealth for upwards of 30 years.

Hon. C. G. Latham: How many half-castes are on the roll? Absolutely none.

The MINISTER FOR JUSTICE: There are one or two in my electorate, and I could name half a dozen who are on the Commonwealth roll.

Mr. Patrick: There are one or two on the Geraldton State roll.

The MINISTER FOR JUSTICE: And half a dozen on the Greenough roll.

Mr. Patrick: I know one who has gone bush with the natives again.

The MINISTER FOR JUSTICE: Then, of course, his name would be struck off the roll.

Mr. Marshall: We do not give them encouragement to do anything else.

The MINISTER FOR JUSTICE: I do not mind if the member for Nedlands moves an amendment along the lines he has suggested.

Hon. N. Keenan: I will not press the matter.

The MINISTER FOR JUSTICE: The practice has never been abused under the Commonwealth law.

Hon. C. G. LATHAM: As a final protest, I want to point out to the Committee what they are doing. We are giving power to magistrates or justices of the peace, appointed by the Governor for that purpose, to say whether a half-caste who may apply to be enrolled is a fit and proper person to be enrolled. How will it work out? A magistrate or a justice of the peace will be appointed at Katanning, and he will go into all the applications received there. Another will be appointed for Beverley, and another for York. There must be hundreds of half-castes there.

The Minister for Justice: There are not hundreds that will make application to be enrolled!

Mr. Thorn: What is to stop them?

Hon. C. G. LATHAM: It is useless for the Minister to pretend he is so innocent. Then another will be appointed to deal with applications received at Moore River. There will be a large number at Greenough, and then further north appointments will have to be made at each port. This is how it will work out. We know how candidates act at election time. They will ask these half-castes to lodge applications for enrolment.

Mr. Wansbrough: Do you believe that suggestion?

Hon. C. G. LATHAM: I do. I know what candidates do to-day.

Mr. Withers: Some candidates.

Hon. C. G. LATHAM: I do not say all candidates; I know there are some who would not think of doing it, but others will. The half-castes will lodge their applications and the justice of the peace will have to decide the question. On what basis will he arrive at his decision? Will he go on their appearance or on his knowledge of them individually? Then, again, there will be no similarity between the decisions arrived at independently by these justices of the peace. Under such conditions, I do not know what sort of a roll we shall have. It is very unfortunate that we should place half-bloods on the same footing as the whites, particularly at this juncture.

Mr. Rodoreda: We are not doing that.

Hon. C. G. LATHAM: We are, practically speaking. We know how people of this description can be easily influenced. The candidate who visits them last and makes the greatest number of promises will secure their support.

Mr. Marshall: That is how you get your support.

Hon. C. G. LATHAM: Nothing of the sort. I know of only one name that appeared on the roll under this category and I drew the electoral officer's attention to it and suggested that he should make some inquiries. As a result, the name was struck off the roll. There are too many half-castes' names on the roll now. I saw at least two half-castes at the front who were quite capable of doing a white man's work. They hold themselves aloof from the aborigines such as those who live in mia-mias on native reserves; yet there are others, and those are the people who can be enrolled.

Ministerial members: No.

Hon. C. G. LATHAM: Yes, that is what we are telling the magistrates they can do. Who is to tell the magistrate how he is to decide the question?

Mr. Rodoreda: A magistrate can secure plenty of evidence in the country districts if he desires to reach a proper decision.

The Minister for Health: Do you think the magistrate would say that the man who is living in a mia-mia with a gin was a fit and proper person to be enrolled?

Hon. C. G. LATHAM: I do not know whether the Minister has ever travelled through the back country: if he has, he will probably know that there are some white men living under those conditions whose names appear on the roll.

The Minister for Justice: But there is a distinct qualification.

Hon. C. G. LATHAM: I know the Committee will pass the clause, but I want members to understand what they are doing. The power embodied in the paragraph

is broad. I do not know what "in the prescribed manner" may mean. It is left entirely to the justice of the peace to say whether the half-caste is a fit and proper person to be enrolled. That is a very dangerous power to place in the hands of a justice of the peace. It means handing out votes ad lib. to the half-castes who cannot deal with matters in the same way as the whites. I would like to read part of a letter of protest I received from a person in Broome. I do not know what qualifications he possesses, but he says he has lived there for 35 years and knows the people well, their lazy mode of life and how impossible it is to rely upon them. On behalf of those people at Broome, I propose to lodge this protest, or at least one paragraph of it. The writer of the letter points out that there are up there 2,000 indentured Asiatics intermixed with other coloured people, and that to-day they are on the verge of receiving the same electoral privileges as white men.

The Minister for Agriculture: But to get on the roll, the coloured person must have the qualification of being a fit and proper person.

Hon. C. G. LATHAM: I have told you of a white man living in mia-mias with aborigines, and yet he has the right to vote.

The Minister for Agriculture: How many white men are there living in mia-mias with aborigines?

Hon. C. G. LATHAM: At all events there are some. If there is any qualification at all in that paragraph (iii) I should like the Minister for Agriculture to tell me where it is. This is handing terrific power to justices of the peace, a power they should not have.

The MINISTER FOR JUSTICE: This is not handing a terrific power to ordinary justices of the peace. This power will be given to a stipendiary magistrate. Of course, the Governor may appoint a justice of the peace to take some case which is ordinarily reserved to a magistrate, but the Governor is not going to appoint every justice of the peace in the State to do this work. It is only once in every two or three months that the Governor is called upon to appoint a justice of the peace temporarily to take the place of a magistrate because, for some good reason, that magistrate is not able to take a certain case. It will not be the general rule; indeed, it will be an exception to the general rule. The probability is that all applications of half-castes to get on the roll will be dealt with by stipendiary magistrates, and I am sure we can leave it to any of them to decide who amongst the half-castes are fit and proper persons to be placed on the roll. That being so, questionable half-castes will not apply at all. Each application, of course, will mean some little expense, and half-castes of the type mentioned by the Leader of the Opposition would not have the wherewithal. The applications will be heard in open court.

Hon. C. G. Latham: No fear, they will not be.

The MINISTER FOR JUSTICE: But they will be.

Mr. MARSHALL: There may be something in what the Leader of the Opposition said. But it is remarkable that the hon. member should have moved an amendment which does not touch the objectionable features of paragraph (iii) at all. The Leader of the Opposition says it is most objectionable to him that a half-blood shall be entitled to enrolment; but in his amendment he says that, so long as the applicant has the electoral qualifications for another place, all his objections go by the board. That is the meaning of the hon. member's amendment. He contends that half-bloods by the hundred will apply to be enrolled, and that that would be objectionable; but in his amendment he says that so long as they have the qualifications required in voters for another place, he will have no objection. Where is the consistency in the hon. member? On his reasoning, so long as a half-caste has a little block of land, he is more worthy of consideration than his brother who is less fortunate in that he owns no property at all. Why does not the hon. member move an amendment defining what the magistrate shall require in an applicant before enrolling him? For years past the half-castes have had the right to be placed on the Federal roll, yet perhaps not more than 50 of them in the whole State have bothered to secure enrolment. I know a magistrate who at one time was the resident magistrate at Broome. I am sure there would be very few permitted to be enrolled under this paragraph if that magistrate were still at Broome—and I have just as much confidence in his successor. The Broome letter quoted by the Leader of the Opposition points to sinister possibilities,

but the writer of the letter evidently did not fully understand paragraph (iii).

Mr. Coverley: Probably it was some busybody female.

Mr. MARSHALL: I would not doubt that. In the preceding clause there is set out all the types of half-bloods that would necessarily be excluded from the privilege. I would have liked a stricter definition of "half-caste," but still I am prepared to trust the magistrates. In my electorate magistrates have virtually tried men for their lives. Since we give them the power practically to condemn a man to death, we ought to be able to trust them with the power contained in paragraph (iii).

Hon. C. G. Latham: We do not give that power to justices of the peace.

Mr. MARSHALL: Does the hon. member know any justice of peace who would not be fair and honest in his interpretation of paragraph (iii)? Of course he cannot name one. I should like to tell the writer of that letter that while those people at Broome are prepared to exploit the poverty of the Asiatics, yet when it comes to giving them a vote, those people say no.

Mr. McDonald: Do you want to see Asiatics on the roll?

Mr. MARSHALL: No, but neither do I want to see their poverty exploited. I am prepared to vote for an amendment on the lines suggested by the Leader of the Opposition, but not to support the amendment he has actually placed before the Committee. I would support the Leader of the Opposition in an effort to define half-bloods clearly, but I will not be a party to creating class distinctions. There are one or two half-castes in the Murchison whose parents trip about Perth and are rather sedate gentlemen. People are apt to become sedate when they reach a position of affluence. The half-blood who endeavours to rise in the world should be encouraged, but the white who lowers himself by consorting with a gin should be denied the vote.

Hon. C. G. LATHAM: I regret that the member for Murchison should have waxed so eloquent over my amendment. My reason for inserting a property qualification was that it would place a man who was prepared to adhere to some of the customs of the whites in a position to exercise the franchise. If a half-blood lives in a home, he is living under some of the conditions that white people observe. The clause would permit almost anyone to make an application, and he could approach a magistrate in chambers, without going into court.

Mr. Wansbrough: The magistrate would have to hear evidence and determine.

Hon. C. G. LATHAM: If that were so, it would assist.

Mr. Wansbrough: Go back to the definition.

Hon. C. G. LATHAM: The definition does not apply to these cases. In reply to the member for Murchison, let me say that the parent of a half-caste does not enter into the question. If the discussion has accomplished nothing else, it might have brought home to the Minister the danger of the paragraph.

The Minister for Justice: It is in the Commonwealth Act.

Hon. C. G. LATHAM: I have not had time to investigate that point, but before the third reading I shall clear up the doubt.

The Minister for Justice: Anyone without a predominance of black blood can be enrolled.

Hon. C. G. LATHAM: That is probably a ruling by the Federal Attorney General. Who is going to prove it? Those people have not a birth certificate, and many of them have not even been registered.

Mr. Marshall: The Federal law is so generous that it allows the individual himself to decide whether he has a predominance of white blood. Here we impose restrictions. He has to give proof.

Hon. C. G. LATHAM: Probably there is protection in the clause as regards the Asiatic-aboriginal combination. I realise that the Minister does not desire to give the franchise to everybody. At least he should look into the matter, insert a definition of "half-blood," and instruct the magistrates that commonsense should be exercised before extending the franchise.

Mr. Rodoreda: Provide for a magistrate under this provision, not a justice of the peace.

Hon. C. G. LATHAM: We could provide that a magistrate in this instance shall not include a justice of the peace.

Mr. MARSHALL: I suggest that the Leader of the Opposition withdraw his amendment in favour of one to add to the paragraph "provided that a half-blood shall have a predominance of white blood."

The MINISTER FOR JUSTICE: If one were a half-blood, there would be no predominance of white blood. The Federal Attorney General ruled that where there was a predominance of black blood, the applicant was disqualified. The Electoral Department would be guided by that ruling. I do not know that many half-castes could find the money necessary to test the point in the High Court. That is how the law will be administered, and I think the paragraph as it stands can safely be passed. The suggestion of the member for Roebourne might meet the wishes of the Leader of the Opposition. It could be provided that for this purpose a magistrate shall mean a stipendiary or resident magistrate. I do not consider the amendment necessary, but I am anxious to allay the serious alarm of the Leader of the Opposition.

Hon. C. G. LATHAM: I ask leave to withdraw my amendment.

Amendment, by leave, withdrawn.

Hon. C. G. LATHAM: I move an amendment—

That the following words be added to subparagraph (iii):—"Provided that the term 'magistrate' in this section shall apply only to a stipendiary or resident magistrate."

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

Clause 22—agreed to.

Clause 23—Existing rolls:

Hon. C. G. LATHAM: As we are bringing the principal Act up to date and trying to obviate abuses which have occurred, I ask the Minister will he, as soon as possible, have new rolls prepared, so that an election may produce a true reflex of the views of the electors.

The MINISTER FOR JUSTICE: That matter does not arise under the clause, but I do not mind giving the assurance desired. The new rolls should be available in two or three weeks.

Clause put and passed.

Clause 24—New rolls:

Mr. MARSHALL: I have to complain of the present state of the rolls, a matter which the Bill does nothing to rectify. We go from one election to another, having only one roll. Names are added, or struck off; and addresses are changed. In the circumstances, it is most difficult to keep a roll pure. At least once annually a roll should be issued, so as to give organisations and candidates a chance of knowing who is on the roll and who is off it. The checking of rolls now is a most complicated and laborious process.

The MINISTER FOR JUSTICE: The hon. member will have an opportunity to move such an amendment on Clause 31. The practice had been to print supplementary rolls every six months; but during the depression that practice was ignored, and it is still ignored.

Mr. WANSBROUGH: Would it not be possible to combine the Council and Assembly rolls? It is only a matter of margins. Then it would not be necessary to look up two separate rolls.

Clause put and passed.

Clause 25—Names to be inscribed from existing rolls:

Mr. F. C. L. SMITH: In this clause the words "appear to" occur frequently. In my opinion they occur once too often, and that is in Subclause 1, paragraph (b), subparagraph (iii), which reads—

In the case of Assembly rolls, who do not appear to reside at their enrolled address in the district.

That subparagraph affords too wide a scope of discretion. A person may "appear" to have moved without having moved at all. To omit a person's name from a new roll is tantamount to striking him off the roll. Under the existing law a notice has to be sent by the Chief Electoral Officer to the person whose name is to be struck off; and if that person sends in an application to be enrolled, his name must be placed on the list. In actual practice, the claim of a person struck off because he appears to have left his former residence is still good if he has not left; but the only way in which he can be restored to the roll is by making a new claim. This puts people to much unnecessary trouble. A person frequently "appears" not to reside at a particular address if that address is in an area without a postal delivery. What often happens is that an enterprising firm of traders in Perth gets hold of an electoral roll and sends circulars to the persons whose names and addresses appear thereon. The area being without a postal delivery, many of these circulars are returned through the Dead Letter Office. Then occasionally the firm sends the returned letters to the Chief Electoral Officer, who thereupon sends notices to

the persons in question, which notices are returned because of the absence of a postal delivery; and such persons are struck off the roll because they no longer appear to live at the addresses stated. Many of these people do not get letters from one year's end to the other; they do not even call at the post office to inquire for letters. Consequently, they receive neither the circulars of the enterprising Perth firm nor the notices of the Chief Electoral Officer. That official should send someone out to see whether the persons referred to reside at the addresses or not. I propose to move an amendment striking out the words "appear to" in the subparagraph indicated.

Mr. MARSHALL: Before the hon. member goes any further I should like to move an amendment at the beginning of the clause. Paragraph (a) reads, "The names of all persons who appear to be qualified shall be inserted." I do not know why the words "appear to be" occur so frequently in the clause. It is left entirely to an officer to say whether a person is or is not a resident at a particular place. The clause deals with the preparation of new rolls, and I am assuming that the officer will take the old roll and to compile the new roll will be guided by the paragraph I have just read. That paragraph leaves the matter entirely in the hands of the officer. I know of one instance where a man who had resided in the Murchison electorate for over 25 years had his name struck off the roll. When I inquired the reason I was informed that a person by the same name had applied for a transfer to Bunbury, and the department thought that it was the individual in question and therefore struck his name off the Murchison roll. If I succeed in having the words "appear to be" struck out I shall move to insert the word "are," and the clause will read, "the names of all persons who are qualified shall be inserted." This is a strange clause altogether, because a little further down we find that it refers to persons "who appear to be dead." A person may be very much alive, but so long as he "appears to be dead" he is not entitled to enrolment. I do not want to leave matters such as this to the officers of the department. If individuals are not qualified, they need not be enrolled, but if they are qualified they are entitled to enrolment, never mind about "appear to be." I move an amendment—

That in line 1 of paragraph (a) "appear to be" be struck out.

The MINISTER FOR JUSTICE: Some discretion is always allowed officers in the preparation of a roll. The phraseology is exactly the same as that in Section 40 of the existing Act. There may be an individual case of hardship such as that to which the member for Murchison referred, but it must be remembered that the Electoral Department deals with the names of a hundred thousand people, and the officers of that department do not claim infallibility. Mistakes must occur when they are dealing with people who are moving about the State. The interpretation here is that all persons who are qualified shall be enrolled, and the position cannot be made any more definite.

Hon. N. Keenan: Or any wider.

Mr. MARSHALL: I can give an instance of what can happen. No one knows better than the Minister for Justice that individuals are constantly going round the metropolitan area inviting people to affix their signatures to petitions for publicans' licenses. An individual whose name is on the roll may happen to be a sustenance worker and may be temporarily away on some job. The canvasser reports the fact to the Chief Electoral Officer, and the name is struck off, or, under the clause, it will appear to the canvasser that the absentee has not the qualification for enrolment.

The Minister for Justice: That is not so.

Mr. MARSHALL: It is so. He has not the qualification because he does not happen to be living there just at that time. If my amendment is carried the position will be made secure for that man.

Amendment put and negatived.

Mr. F. C. L. SMITH: I move an amendment—

That in line 2 of subparagraph (iii) of paragraph (b) the words "appear to" be struck out.

I do not think the same objection can be raised to striking out these words as was raised in the case of the amendment just disposed of. Before a person is struck off the roll because he does not appear to reside at the enrolled address, it is essential that there should be some qualifying

protection. The non-delivery of a letter makes it appear that a person no longer resides there. Many people reside in camps on the goldfields, and they are qualified to be on the roll. In many instances those people never go near a post office.

Mr. NEEDHAM: I support the amendment. If those words remain in, they will give too much latitude to the department, and will provide continued opportunities for people to go round the camps and secure the removal of names from the rolls. Names are often omitted from the roll because the residents are temporarily absent from their domiciles, either through being in hospital or through working elsewhere. I know of electors who have had the same home for 15 years, and have suddenly discovered that their names have been removed from the roll. The department should find out for certain that a person is a non-resident before striking his name off. The amendment will minimise the danger of qualified persons having their names removed from the roll.

Mr. LAMBERT: In mining districts where there are no post offices and no regular postal services, notices may often fail to reach the addressees, with the result that names are wrongfully taken from the roll. Too much latitude is given to the department in these cases. The onus should be placed upon it to see that all reasonable care is taken before it is decided to strike out names from the roll. Probably 500 electors in my district are not enrolled, merely because they have moved from one locality to another, temporarily or otherwise.

The MINISTER FOR JUSTICE: The clause was framed in this way to allow the department to exercise a reasonable amount of discretion. It is not claimed that everything is 100 per cent. correct, because in dealing with so many hundreds of thousands of people it is impossible to guarantee absolute efficiency. Every three or four years 150,000 or 160,000 alterations have to be made to the roll. In some electorates more alterations are made than there are names on the roll. If the words "appear to" are struck out, it would mean that the department would have to make a personal visit to every house concerned, and search the rooms to see that the individuals involved were not on the premises, and were no longer resident there. When a person moves from one place to another, the onus is on him to make a fresh claim. Every precaution is taken by the department before names are removed from the roll. If the authorities had to verify every claim, they would be unable to do the job unless a great deal of expense was incurred.

Mr. Marshall: If one person says of another that he is no longer in a certain place, that is quite sufficient for the department, and out he goes.

The MINISTER FOR JUSTICE: No one claims that the system is absolutely perfect, but a reasonably efficient job is made of the enrolments. I would have no objection to the amendment if it could be demonstrated that it was possible to take reasonable precautions to ascertain that a particular person did not reside on the premises. It may well be that such person would not desire to be known as living there, for reasons of his own.

Sitting suspended from 6.15 to 7.30 p.m.

Amendment put and negatived.

Mr. WITHERS: I do not know how Subclause 3 could be amended to provide for difficulties that have arisen in the Bunbury electorate from time to time. After certain individuals were notified that their names had been struck off the roll because it did not appear that they were residing at the given addresses, they submitted claim cards for re-enrolment and were enrolled on the supplementary list. Against their names, however, appeared the words, "Stuck off roll." Because of that, they were refused the right to exercise the franchise at the last election. They overcame the difficulty by driving to another polling booth where they were able to record their votes. I would like the Minister to look into the matter. Perhaps it could be dealt with when we consider Clause 108.

Clause put and passed.

Clauses 26 to 30—agreed to.

Clause 31—Amalgamation of rolls:

Mr. MARSHALL: The clause provides that whenever the Minister so directs, the roll and supplementary rolls may be printed in an amalgamated form. I suggest that the Minister should direct the Chief Electoral Officer to issue annual rolls. That is specially necessary for Assembly members

because their electors are more of the nomadic type than are those whose names appear on the rolls for the Legislative Council. The Murchison State roll is a positive disgrace to all concerned. I am the only person in the Murchison electorate who has anything like an up to date roll, and that is because I secured from the Chief Electoral Officer one of the latest "pulls," so that I could get somewhere near to the position in my constituency. The system that has been adopted so far by the Electoral Department has been anything but efficient. They are quite ready to strike off names, but it is a different matter when it comes to enrolments. Apart from the departmental canvass that may be made in certain electorates every three years or so, the other electorates remain in a state of chaos. There are at least 3,000 persons in the Murchison electorates whose names do not appear on the roll. The obligation should not be on a member of Parliament to place persons on the roll.

The Minister for Justice: What about the mining registrars?

Mr. MARSHALL: I will not ask the mining registrars in my electorate to do any extra work. They have enough to do now. The mining registrars are agents for all sorts of Government departments, and have to act in many capacities. In fact, they ought to be provided with electric batteries to enable them to keep going. The Chief Electoral Officer should devise some other method by which the work of enrolment may be undertaken. If we are to compel people to be enrolled, we should provide them with better facilities.

The Minister for Justice: There are plenty of claim cards available, and enrolments can be effected at post offices, with mining registrars, and so forth.

Mr. MARSHALL: The postal officials in the main are fairly careful, and send out State and Federal cards; but we should not rely upon the Federal authorities for our work.

Clause put and passed.

Clauses 32 and 33—agreed to.

Clause 34—Regulations may provide method of preparation of roll:

Mr. F. C. L. SMITH: Has the clause any bearing upon Clause 25?

The MINISTER FOR JUSTICE: Yes. When the names of persons have been struck off, and those concerned have proved they are entitled to be enrolled, their names are reinstated on the roll. This clause gives the Chief Electoral Officer power to place the names of such people on the roll again.

Clause put and passed.

Clauses 35 to 39—agreed to.

Clause 40—Compulsory enrolment for Assembly:

Hon. C. G. LATHAM: The remarks of the member for Murchison draw attention to the fact that in the past little attempt has been made by the Electoral Department to enforce compulsory enrolment.

The Minister for Justice. That is so.

Hon. C. G. LATHAM: I would like an assurance from the Minister that the department will act differently in future. It is useless retaining such a provision in legislation unless it is to be enforced, otherwise the position will become farcical. Usually candidates are active in securing enrolments just before elections, but they are the least qualified for the work.

The Minister for Justice: Not the least qualified, but they should not be expected to do it.

Hon. C. G. LATHAM: I am afraid that if there is any doubt about the individual's political faith, his claim card is not sent in as expeditiously as it would be if his politics had a different flavour. I have known instances of people, who have resided in a district for years, having their names struck off the roll, and no action taken regarding them, although the returning office had been notified.

The MINISTER FOR JUSTICE: It is the intention of the Government to endeavour to enforce the provision regarding compulsory enrolment. There has been such a tremendous migration of electors from one part of the State to another, particularly during the period when relief work was made available, that difficulty has been experienced. Men have been sent from one electoral district to another on part-time work and have been so situated that they were really not entitled to be enrolled at all, because they were never in one particular district, or at one specific address, sufficiently long to enable them to become eligible. To prosecute persons in such circum-

stances would not be justifiable. The same position arises in connection with the mining industry. Upwards of 3,000 men have been employed on the Government prospecting scheme and, after working in one centre for a week or two, they move to a different district and continue doing so while they do not consider their prospects at any particular centre are satisfactory. Apart from them, there are thousands of people who do not remain in any one place for more than seven or eight weeks at a time. In those circumstances it would be unjust to institute wholesale prosecutions against people so unfortunately placed. But in settled areas, where people have plenty of opportunity for enrolment and wilfully neglect that opportunity, some prosecutions will certainly take place unless those people rise to their responsibilities. We are having a count made in some districts with a view to getting the rolls up to date as soon as possible. If people will not obey the law and become enrolled, prosecutions will certainly follow. At one stage the Federal Electoral Department were particularly keen on prosecutions, and I have heard men say that they must get on the Federal roll else they would be fined, but that it did not matter so much about the State roll. However, during the last five or six years no State Government could be blamed for the state of the rolls, because there has been tremendous migration from one district to another. Many of those people moving about have not yet settled down, and do not know where they are going to settle because they are not in sufficiently permanent employment. It would not be justifiable to prosecute such people for not being on the roll. However, if the department go to the trouble and expense of getting the rolls up to date, and if due announcement is made that prosecutions will follow, nobody can find any fault with that, and it should have a good effect in keeping the rolls up to date. This policy will be put into operation very shortly now.

Clause put and passed.

Clause 41—agreed to.

Clause 42—Removal of names repeated on roll:

Hon. C. G. LATHAM: This clause gives the Chief Electoral Officer power to remove names from the roll. Frequently father and son have exactly the same name. When the son reaches the age of 21 years he applies to have his name put on the roll. The registrar, on receiving the application, strikes off all the same names already on the roll. We should make provision that no names shall be struck off the roll without authentic authority. I move an amendment—

That at the end of the clause the following be added:—"Provided that no names shall be removed until notification has been served on all such persons."

Again, we have had instances of persons dying in a district and the registrar, having sent along the necessary notification, the Electoral Department strikes out all such names. If we make it compulsory for everybody to have his name on the roll, we should take every precaution against improperly striking off any names.

The MINISTER FOR JUSTICE: I have no objection to the principle contained in the amendment. I agree that we should take every possible precaution against wrongfully striking off names from the roll.

Mr. McDONALD: I think the word "served" in the amendment is technically wrong. It might be more workable if the amendment read "until notification has been sent to the person objected to at his address appearing on the State roll."

Mr. WANSBROUGH: I have had a curious experience in my district. For ten years I have been trying to have a name struck off the roll. This man has two properties in the district. In the one instance his christian name appears as "John" and in the other as "John James." Consequently he gets two notices, addressed really to the same person. I have been trying for 10 years to get that name off the roll.

Hon. C. G. LATHAM: I have no objection to the suggestion made by the member for West Perth. With your leave, Mr. Chairman, I will alter my amendment to read—

Provideed that no names shall be removed until notification has been sent to all such persons.

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

Clause 43—Alteration of rolls:

Hon. C. G. LATHAM: Unless the Minister can tell me the reason for this, I propose to move to strike out paragraph (b). I suppose this was inserted in the original

Act, when there was no compulsory enrolment. Surely it was never intended that because a man writes in saying he wants his name taken off the roll, the registrar should be compelled to take it off. Whatever may have been the reason for it, we no longer need that provision.

The MINISTER FOR JUSTICE: I have no explanation of it. At the same time, it has been there for 25 years and no complaint has been made. Of course, if a man should make application to be enrolled for a certain district and at the same time notify the department that he was already enrolled for some other district, that provision would apply.

Hon. C. G. Latham: But that is provided for in paragraph (c).

The MINISTER FOR JUSTICE: Yes, so it is.

Hon. C. G. Latham: If the Minister will give me an assurance that he will look into this, I shall be satisfied for the time being.

The MINISTER FOR JUSTICE: Yes, I will do that.

Mr. RODOREDA: This may have relation to the Council rolls, for which there is no compulsion. I should say that is the reason why this provision is to be found in the Act.

Mr. MARSHALL: And there is another reason. When enrolling people who have just arrived in the district, a candidate cannot say exactly in which electorate those people were last enrolled. In those circumstances it is customary for the candidate to write on the claim card "no other electorate." Then the Chief Electoral Officer finds out that those people now enrolled for, say Murchison, were previously enrolled for Swan, and so he writes to the registrar of the Swan district and the name is struck off that roll.

Hon. C. G. Latham: But paragraph (c) provides for that.

Mr. MARSHALL: No, it does not. Read the first two lines of the clause, "In addition to other powers of alteration conferred by the Act." How could the Chief Electoral Officer know that it was one and the same person, unless that person wrote in about it?

Clause put and passed.

Clause 44—Time for altering rolls:

Hon. C. G. LATHAM: Does this mean that the rolls will close at 6 o'clock in the afternoon of the day of the issue of the writ?

The Minister for Justice: Yes.

Hon. C. G. LATHAM: On one occasion they did not close till midnight. I should like to make sure that we are bringing this into line with the provisions for the Legislative Council. If we fix this at 6 o'clock here for the closing time of the roll, it would mean that no names received after 6 o'clock would be admitted.

The MINISTER FOR JUSTICE: That is right. Previously the names were not enrolled when the claims were received; they had to lie for a period of a fortnight before the enrolment was made. Under the existing law no claim received within 14 days of the issue of the writ can be enrolled. Under this measure claims received up to 6 p.m. on the day of the issue of the writ will be enrolled. The difference is that claimants will have an extra fortnight.

Clause put and passed.

Clauses 45 to 48—*agreed to.*

Clause 49—Persons entrusted with claims must give receipt and forward claim forthwith:

Mr. RODOREDA: The Minister indicated that he would accept an amendment to overcome the drastic nature of the words "shall forthwith" transmit the claim to the registrar. I suggest substituting the words "at the first possible oppprtunity."

Hon. C. G. Latham: "Forthwith" would cover that.

Mr. RODOREDA: The provision might be satisfactory for the city, but in the country conditions are different. An offender would be liable to a penalty not exceeding £50. A person might withhold claim cards merely through negligence and still be subject to that penalty.

The MINISTER FOR JUSTICE: Fears of what might transpire are not likely to be realised in practice. Some enthusiast might allege that a person had received a claim card and had taken a drink at the hotel before lodging the claim. Such an allegation would be extravagant. All that the department desire is that the claim cards shall not be wilfully withheld.

Hon. C. G. Latham: Retain the words as printed.

The MINISTER FOR JUSTICE: The dictionary meaning of "forthwith" is "without delay." I would be prepared to substitute "without delay" or "without unreasonable delay."

Mr. Thorn: I suggest "at the earliest possible moment."

The MINISTER FOR JUSTICE: That means "forthwith."

Hon. C. G. Latham: People in the back country would not be asked to do something that was impossible.

The MINISTER FOR JUSTICE: According to the law, for one person to place his hand on another's shoulder constitutes an assault, but such a law is not harshly administered. The object of the provision is to prevent abuses that have occurred.

Hon. C. G. Latham: Particularly is that so in connection with licensing polls.

The MINISTER FOR JUSTICE: Yes, I explained that on the second reading.

Mr. Rodoreda: I accept the Minister's explanation.

Mr. NEEDHAM: In other parts of the measure certain times are specified. The objection of the member for Roebourne could be overcome by inserting a specified time. I suggest "not later than seven days."

The MINISTER FOR JUSTICE: That could not be applied in some of the outback areas. Claim cards received six days before the issue of the writ could be held until the day after the writ was issued.

Clause put and passed.

Clause 50—Registration of claims:

Mr. RODOREDA: Subclause 6 provides that the registrar shall give notice to a person whose claim has been rejected. Subclause 8 provides that an appeal may be lodged by sending a notice in the prescribed form. One calendar month within the time of receiving the notice is allowed. That would not give the claimant sufficient time as he would have to write to the registrar requesting to be supplied with a form on which to set forth his appeal. I suggest adding to Subclause 6 the words "and shall send him a notice of appeal in the prescribed form." A letter stating grounds of appeal should suffice, without insistence on the prescribed form.

The MINISTER FOR JUSTICE: In the absence of a prescribed form, the person objecting would frequently send a letter omitting particulars essential to the registrar in arriving at a decision. I would agree to the insertion of words directing that the notice shall be accompanied by the prescribed form.

Mr. RODOREDA: I move an amendment—

That the following be added to Subclause 6:—"and such notice shall be accompanied by the prescribed form as provided in Subsection 8."

Amendment put and passed.

Hon. C. G. LATHAM: I move an amendment—

That in Subclause 11 the following words be struck out:—"but no reasons for the rejection shall be considered, except such as have been furnished by the Chief Electoral Officer."

The person objecting should be permitted to state his reasons.

The MINISTER FOR JUSTICE: The Chief Electoral Officer is the person objecting. The words in question represent a safeguard to the elector, by preventing the Chief Electoral Officer from raising other objections than those set out in the notice.

Hon. C. G. Latham: I ask leave to withdraw the amendment.

Amendment, by leave, withdrawn.

Clause as amended, put and passed.

Clause 51—Objections to enrolment:

Hon. C. G. LATHAM: Subclause 2 stipulates a deposit of 2s. 6d. Not long ago at Katanning 140 names were objected to, and 140 half-crowns had to be deposited. A maximum of £5 by way of deposit might be fixed. Would the Minister accept that suggestion?

The Minister for Justice: Yes, provided it applied to a number of objections made simultaneously.

Hon. C. G. LATHAM: I move an amendment—

That the following be added to Subclause 2:—"Provided that when a number of objections are lodged at the one time, the maximum amount required to be lodged shall not exceed £5."

The MINISTER FOR JUSTICE: I have no objection to the amendment. Of course there should not be power to object to everyone on the roll by making a deposit of £5. This is guarded against by the registrar having power to declare objections to be frivolous and in that case muleting the objector in costs considerably exceeding the deposit of £5.

Mr. RODOREDA: I should like to see the deposit made 10s. instead of 2s. 6d. The amendment limits objections to 40 at half-a-crown. An applicant might be willing to pay far more than £5 in order to be enabled to object to names at the time of the issue of the writ. In the North-West many electors live on stations, the post town being merely their postal address. An infinity of trouble has been caused to people in the North-West by being struck off the roll because of not being in a postal delivery area.

Mr. NEEDHAM: I hope the amendment will not be carried. Anyone objecting to a name on the roll should not do so lightly. A man or an organisation taking the stand of objecting without adequate grounds should bear the costs. Some people make a hobby of objecting to names on the roll. The cost of lodging objections should be increased rather than lessened. The infliction of the penalty for frivolous objections is more honoured in the breach than the observance.

Hon. C. G. LATHAM: Paragraph (10) provides that the registrar may declare the objection frivolous and require the objector, not being an officer, to pay costs up to £2. In the absence of that provision I would not have moved my amendment. The desire is to make it easy for people to get on the roll, and having secured that right we now have an amendment to make it as easy as possible to take names off the roll. Up to date 2s. 6d. has been the cost of lodging an objection, and that has curtailed the number of objections in the past. What will happen now will be that it will be made easy, and the objections will not be restricted to a few, but will be made en masse on the payment of £5.

Mr. Needham: Mass production.

Mr. MARSHALL: Exactly. If the clause provided for the Chief Electoral Officer taking action, that would be all right. I am in accord with the Bill as it is printed, and I hope the Minister will not agree to any alteration. The Leader of the Opposition should realise that the law is equitable as it is. If there is a rightful contention that a person is wrongly enrolled, the amount of 2s. 6d. is little enough then for the lodging of an objection. We should not disfranchise people.

Mr. MOLONEY: I also hope that the Minister will stick to the Bill. Whilst not agreeing entirely with the remarks of the previous speaker, I can see that there is a good deal of truth in what he says, that the amendment will make it easier for people to lodge objections. It would be possible to lodge thousands of objections on the payment of £5, and it would be possible also to find that those objections were frivolous. We should discourage that kind of thing. I hope the Minister will stick to the Bill as it is.

Mr. WITHERS: I also hope that the amendment will not be agreed to. What it is possible to do in connection with the lodging of objections was forcibly brought home to me at the last elections in connection with the supplementary rolls in my electorate. Some 20-odd names were objected to. Those names were submitted to the registrar, but not to me, and they were disfranchised at the election. If we agree to the proposal of the Leader of the Opposition, the lodging of objections will be facilitated, and we shall have many more.

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

Ayes	9
Noes	25
Majority against	16

AYES.

Mr. Latham	Mr. Stubbs
Mr. McLarty	Mr. Thorn
Mr. Mann	Mr. Welsh
Mr. Patrick	Mr. Doney
Mr. Seward	*(Teller.)*

NOES.

Mr. Boyle	Mr. Needham
Mr. Clothier	Mr. North
Mr. Coverley	Mr. Nulsen
Mr. Cross	Mr. Raphael
Mr. Fox	Mr. Rodoreda
Mr. Hegney	Mr. Sampson
Miss Holman	Mr. F. C. L. Smith
Mr. Lambert	Mr. Wansbrough
Mr. McDonald	Mr. Willcock
Mr. Marshall	Mr. Wise
Mr. Millington	Mr. Withers
Mr. Moloney	Mr. Wilson
Mr. Munsie	*(Teller.)*

PAIR.

Aye	No.
Mr. J. M. Smith	Mr. Collier

Amendment thus negatived.

Mr. RODOREDA: Subclause 9 deals with objections to names on the rolls and should be consequentially amended. I move an amendment—

That the following words be added to Subclause 9:—"and a notice of appeal in the prescribed form shall be sent to the claimant."

The MINISTER FOR JUSTICE: I think the hon. member means that a copy of the prescribed form of appeal shall be

forwarded to the claimant. In what form was the previous amendment moved?

The CHAIRMAN: The wording was "and such notice shall be accompanied by the prescribed form as provided in Subclause 8."

Mr. RODOREDA: I think that wording is preferable. I ask leave to withdraw the amendment.

Amendment, by leave, withdrawn.

Mr. RODOREDA: I move an amendment—

That the following words be added to Subclause 9:—"and such notice shall be accompanied by the prescribed form."

Amendment put and passed.

Mr. NEEDHAM: Subclause 22, paragraph (a), relates to an elector against whom an objection has been lodged and in respect to which objection a decision has not been reached. Should an election occur, the elector would be entitled to vote as an absent voter but not in person. Why not? A vote in absentia is just as effective as is a vote in person, so long as it is a valid vote.

The MINISTER FOR JUSTICE: If a person who is lawfully entitled to vote has an objection lodged against him, and the appeal does not come off before the election, he should not be debarred from recording his vote. Subsequently it may be proved that he had no right to vote, but on the other hand it may be proved he had every right to do so. The adoption of the absentee form enables the ballot paper to be starred and readily identified if subsequently it is found that the person concerned had no right to vote. The present system permits a man to sign a declaration that he is entitled to vote, and his vote stands, but the proposed system will make for greater safeguards.

Clause, as previously amended, put and passed.

Clause 52—Registrar General to furnish monthly lists:

Mr. F. C. L. SMITH: The qualification of holding a title to a property is just as important as other qualifications which can be referred to the Registrar General. I should like to see added after the word "husband" in paragraph (b) the following:—"The Registrar of Titles during every month in each year shall forward to the Chief Electoral Officer a list in the prescribed form of the transfers of titles of land which have been effected during the preceding month, together with the names of the transferee and transferror." Very often a property changes hands, but the qualifications remain in the name of the original owner. Subsequently the new owner may have his name put on the roll, and his name as well as that of the previous owner is allowed to remain in association with that property. I know of three persons, all living in different places, being allowed to hold the qualification for the same block of land.

The CHAIRMAN: The hon. member had better introduce his proposal as a new clause when we reach the end of the Bill.

Clause put and passed.

Clause 53—Inspector General of the Insane to furnish monthly lists:

Mr. SAMPSON: I move an amendment—

That in line 2 of page 29 the words "or reception house" be struck out.

The reception house at Point Heathcote does not take in insane persons, because it is provided that an insane person must be certified to by two doctors. Point Heathcote already suffers a good deal of odium because of the impression that the inmates are insane, whereas in nearly all cases they are people who are subsequently restored to normal mentality.

Mr. CROSS: I suggest the hon. member should withdraw his amendment, and allow me to move another that will more closely fill the bill. My amendment is to the effect that the paragraph shall apply to the inmates of a hospital or reception house who have been certified as insane. That would not debar from the right to vote any person who had not been declared insane.

Mr. SEWARD: I am inclined to agree with the member for Swan. Lemnos is a reception home. Recently there came under my notice the case of a returned soldier for whom I was trying to obtain a pension. He was admitted to Lemnos, although there was and is no doubt as to his sanity. Under the clause as it stands, that soldier's name would have been notified to the Chief Electoral Officer for striking off the roll.

Hon. C. G. LATHAM: It is useless to hide the fact that at Lemnos and Point Heathcote there are persons who could not

possibly act sanely for two minutes. The case instanced by the member for Pingelly would rectify itself. A list of inmates of these institutions is furnished monthly to the Chief Electoral Registrar. The inmates cannot be described as sane, and it would be preposterous to have insane persons voting.

Mr. MOLONEY: I agree with the Leader of the Opposition. The member for Swan is going the wrong way about achieving his desire. The proper method is that suggested by the member for Canning. It would be a travesty of reason to agree with either the member for Swan or the member for Pingelly. An open go should not be given to inmates of the two institutions mentioned, irrespective of one of them being for returned soldiers. In most cases those inmates are not competent to exercise the vote.

Miss HOLMAN: I would like the member for Swan to withdraw his amendment in favour of that suggested by the member for Canning. A man or a woman may go into a reception home in the last week of the month, and the Chief Electoral Officer would instruct the registrar to strike the name of that man or woman off the roll straight away, although in the meantime the person had been discharged from the reception home.

Mr. SAMPSON: No one who is insane can be placed in the reception home at Point Heathcote.

Hon. C. G. Latham: Have you seen the patients there?

Mr. SAMPSON: Unless an inmate is certified to be insane, the provision does not apply. It is not possible for any certified insane person to be held at Point Heathcote. The members for Canning and Subiaco have gathered a wrong view of the institution. A person certified insane is taken to a hospital for insane. The clause presupposes that inmates of Point Heathcote are insane.

Members: No.

Mr. SAMPSON: The clause speaks of "a hospital or reception house for the insane." The inmates at Point Heathcote have not been certified insane. Consideration should be extended to cases of nervous debility.

Hon. C. G. LATHAM: If the hon. member read the clause carefully he would realise that what he has stated is incorrect. The clause refers to the reception houses for the insane. If the contention is that it applies to Heathcote and there are no insane people there, then the amendment will not affect them. The member for Wagin and I know the condition of some of the inmates in Heathcote and Lemnos, for we saw some of them and there is no hope whatever of some of the patients ever leaving the institutions. Probably because their relatives can afford to pay for them, the inmates are permitted to stay for a longer period than otherwise would be allowed. As the member for Swan pointed out, there are many insane people held in other places throughout the State.

The Minister for Justice: A lot of them.

Hon. C. G. LATHAM: It would be dangerous to allow their vote to be exercised by some other person.

Amendment put and negatived.

Mr. CROSS: I have some knowledge of what happened before, and I do not want similar things to occur again. There may be reception homes for the insane, and the inmates include some who have not been certified as insane. In order to make the position clear, I move an amendment—

That in line 7 after "insane" the words "who has been certified as insane" be inserted.

Amendment put and negatived.

Clause put and passed.

Clauses 54 to 65—agreed to.

Clause 66—Candidates to nominate:

Mr. F. C. L. SMITH: Subclause 2 says that no person who is disqualified from being elected as a member of the Council or of the Assembly shall nominate himself as a candidate for an election for the Council or for the Assembly, and if he does nominate, his nomination shall be void. Has regard been had to the fact that an individual may be qualified for the Assembly but not for the Council? For instance, a candidate has to be 30 years of age before he can qualify for a seat in the Legislative Council, but that age is not necessary before a person can nominate for a seat in the Assembly.

The MINISTER FOR JUSTICE: I think the drafting of the clause is quite clear. Formerly if a person was not qualified, he could nominate, and perhaps be elected. Action to prevent him from taking his seat could be taken only after all that expense had been involved. Now the nomin-

ation will become void from the outset. A lot of consideration was given to this clause, and I think it is all right.

Clause put and passed.

Clauses 67 to 72—agreed to.

Clause 73—Deposit to be forfeited in certain cases:

Mr. RAPHAEL: I move an amendment—

That in line 5 "one-fifth" be struck out and "one-third" inserted in lieu.

At many elections we meet with some professional men who have seized the opportunity to evade the rule of their organisation or controlling body that they shall not advertise. These men nominate themselves as candidates for the elections, knowing that they have no chance of success and caring nothing about losing their deposits, which they regard as the price of the advertisement they get out of the election. At the last elections, one man lost his deposit and another saved his by only the narrowest of margins. No man who has every chance of winning an election should be put to the expense of fighting that election if the opposing candidate is a candidate merely for the purpose of advertising his business. So I propose that instead of a man losing his deposit if he fails to obtain at the election a number of votes above one-fifth of the number of votes polled by the successful candidate, he shall lose it if he fails to obtain one-third of that number.

Mr. LAMBERT: I disagree with the views of the hon. member. The widest possible scope should be given to candidates standing for Parliament. I do not think we have the right to lay down a penal provision such as is embodied in the amendment. I warn the Committee against the departure suggested by the hon. member. A person should not be penalised by the loss of his deposit merely because he fails to obtain one-third of the votes polled by the successful candidate.

Mr. Thorn: Do you think there is some ulterior motive behind the amendment?

Mr. LAMBERT: Possibly there is. The Committee would be wrongly advised to impose a penal clause against prospective candidates for parliamentary elections.

Mr. HEGNEY: I, too, will oppose the amendment, for I think the existing provision has worked very well in the past—I know it did in my electorate.

Mr. RAPHAEL: If there be one candidate who is not at all likely to be defeated at the election, the State should not be put to the expense of holding an election. I hope the Committee will agree with the amendment.

Amendment put and negatived.

Clause put and passed.

Clauses 74 to 76—agreed to.

Clause 77—Voting in absence:

Mr. NORTH: I propose to move an amendment that in line 4 of paragraph (b) of Subclause 1 "declaration of nominations" be struck out and "issue of writ" inserted in lieu. The member for West Perth, when discussing this on the second reading, pointed out the necessity for having a longer time for making application to the Chief Electoral Officer or a registrar for a ballot paper. If I move the proposed amendment and it be agreed to, I think the point stressed by the member for West Perth will be gained.

Progress reported.

ADJOURNMENT—ROYAL SHOW.

THE MINISTER FOR JUSTICE (Hon. J. C. Willcock — Geraldton) [9.31]: I move—

That the House at its rising adjourn till Thursday, the 10th October.

Question put and passed.

House adjourned at 9.32 p.m.