

astonished to find that there were 44 applicants. The result was that two boys received appointments and 42 were disappointed. In view of what is being done in the way of junior technical training, I wonder what is going to happen to those 42 lads in two or three years time. There seems to be no possible chance of getting them apprenticed to a trade, and I suppose they will have to accept work such as sweeping out a grocer's shop or something of the kind. The matter of liberalising the conditions for apprentices is one that certainly ought to receive serious consideration. I have pleasure in supporting the motion.

On motion by Hon. G. W. Miles, debate adjourned.

ADJOURNMENT—SPECIAL.

THE CHIEF SECRETARY: I move—

That the House at its rising adjourn till Tuesday, the 12th September.

Question put and passed.

House adjourned at 6.16 p.m.

Legislative Assembly.

Thursday, 31st August, 1944.

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QUESTIONS (7).

ESPERANCE JETTY.

As to Revenue and Expenditure.

Mr. HILL asked the Minister for Railways:

What was the revenue from and expenditure on the Esperance jetty for the year 1938-39?

The MINISTER replied:

	£
Revenue	9,563
Expenditure—	£
Maintenance	7
Operating (a)	375
Interest	2,530
	<hr/> 2,912

(a) the operating costs shown represent the wages paid to lumpers only and do not include supervision or shunting, for which figures are not separately recorded.

METROPOLITAN MILK ACT.

As to Producers Licensed.

Mr. McLARTY asked the Minister for Agriculture:

(1) What are the numbers of producers licensed under the Metropolitan Milk Act in—

(a) No. 1 zone?

(b) No. 2 zone?

(2) Also what is the number of licensed producer retailers in No. 1 zone?

The MINISTER FOR THE NORTH-WEST replied:

(1) (a) 108 as at the 30th June, 1944;

(b) 262 as at the 30th June, 1944.

(2) 41 as at the 30th June, 1944.

SWINE FEVER.

As to Incidence, and Use of Swill.

Mr. KELLY asked the Minister for Agriculture:

(1) Has the incidence of swine fever been entirely eliminated during the past 12 months?

(2) If not, how many pigs have been affected during that period?

(3) What amount of compensation was paid?

(4) Is the regulation prohibiting the feeding to pigs of foods, termed swill, still in operation?

(5) If so, has consideration been given to the lifting of this regulation, as much valuable pig feed is still being destroyed?

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

The MINISTER FOR THE NORTH-WEST replied:

- (1) Yes.
- (2) None.
- (3) No compensation has been paid for swine fever during the past 12 months.
- (4) Yes.
- (5) Yes. It is not considered advisable to lift this regulation at present.

AGRICULTURAL BANK CLIENTS.

As to Local Rates Outstanding.

Mr. BERRY asked the Minister for Agriculture:

(1) Is he aware of the fact that outstanding rates of clients of the Agricultural Bank are causing local governing bodies grave concern?

(2) Can he say how much money is outstanding against such rates and by such clients?

(3) What steps have been taken to make sufficient funds available by Agricultural Bank releases to enable clients of that bank to satisfy these outstanding claims?

The MINISTER FOR THE NORTH-WEST replied:

(1) Local bodies have advised that rates are unpaid.

(2) No.

(3) Releases are granted in accordance with settlers' financial position.

STATE BATTERIES.

Employee-Contributors to Mine Workers' Relief Fund.

Mr. SMITH asked the Minister for Mines:

(1) What average number of men were employed in State Batteries in the year ended the 31st December, 1939?

(2) How many of these contributed to the Mine Workers' Relief Fund for that year?

The MINISTER replied:

(1) Average 250.

(2) Nil.

ICE.

As to Deliveries to Suburbs.

Mr. NORTH asked the Minister for Health:

(1) Can some arrangements be made during the cooler weather to increase ice

facilities and deliveries in the suburbs during next summer?

(2) Will he approach the Federal authorities?

The MINISTER replied:

(1) Contact has already been made with the Ice Manufacturers' Association and survey of individual manufacturers made to this end.

(2) Yes.

DRUNKENNESS AMONGST GIRLS.

As to Restrictive Measures.

Mr. DONEY asked the Minister representing the Minister for Police:

(1) Is the report which appeared in the "Sunday Times" newspaper of the 25th June, 1944, headed "W.A. Police Record show alarming increase in girl 'drunks' correct?

(2) If the same is correct—or substantially so—what steps are being taken to remedy the state of affairs referred to?

(3) Do these steps (if any) include measures to restrict the availability of liquor to these young people and/or to adopt any safeguards against excessive drinking?

The MINISTER FOR THE NORTH-WEST replied:

(1) Yes.

(2) Frequent and close supervision of hotel lounges, cabarets and dance halls by plain clothes and women police.

(3) Yes.

BILLS (2)—FIRST READING.

1, Personal Covenant Liability Limitation

2, Land Alienation Restriction.

Introduced by Mr. Watts.

LEAVE OF ABSENCE.

On motion by Mr. Wilson, leave of absence for one week granted to Hon. J. C. Willecock (Geraldton) and Hon. F. J. S. Wise (Gascoyne) on the ground of urgent public business.

BILL—NURSES REGISTRATION ACT AMENDMENT.

Second Reading.

THE MINISTER FOR HEALTH [4.38 p.m.] in moving the second reading said: This is a very small yet very important Bill. The object is to admit the nurses in mental in

stitutions to a similar status or grade to that occupied to a large extent by nurses in other institutions. The intention was to introduce the measure last session, but, owing to the dissolution of Parliament for the general election, it was necessary to delay it until now. The position is that these nurses, who are termed general nurses in hospitals, and midwives are registered at the end of their training period and receive a certificate which enables them to obtain reciprocity in the Eastern States. By virtue of the fact that they are internationally associated they can obtain reciprocity, in English-speaking countries at any rate. Whether the reciprocity extends beyond that I cannot say at the moment. The nurses in the mental institutions after three years receive a Western Australian certificate, but, owing to the fact that there has been no registration of mental nurses in the Eastern States, there has been no reciprocity.

During the last 12 months we have been in touch with other State Governments and I think there are only two that have not registered their mental nurses, and they are now making provision for them. There will then be reciprocity between the several States so far as these nurses are concerned. They are trying in two different ways altogether. Nurses in ordinary hospitals come under what is known as the A.T.N.A. and the Nurses' Registration Board. Mental nurses, both male and female, are trained under the supervision of the Inspector General of the Insane and the matron and on completing their training are granted a certificate.

This Bill proposes to raise the status of the mental nurses, so that upon the completion of their training and on receiving their certificate they will be entitled to registration, and will thus be able to take advantage of the reciprocity agreement existing between the States. The nurses under the control of the Nurses' Registration Board must pass an examination on an Australian basis, and be trained in a hospital providing for a certain number of patients. They must also attend a course of lectures. Proper facilities for training are provided, but of course there are not many training institutions. The Nurses' Registration Board at present consists of two medical men, Dr. Henzell of Wooroloo, the Commissioner of Public Health (Dr. Park) and three nurses, two of whom are nominated and elected by the registered nurses. I may state that a nurse cannot be registered until she has obtained

her certificate. Trainees will not come into this scheme at all.

We propose to alter the constitution of the Nurses' Registration Board altogether, and to raise the number of the members from five to nine. If this Bill becomes an Act, the members of the board will be the Commissioner of Health—who is on the existing board—the Inspector General of the Insane, ex-officio, a medical practitioner nominated by the B.M.A. and another medical practitioner, other than the one I have just mentioned, who is in practice as an obstetrician, and two matrons or ex-matrons, one of whom shall be trained and experienced in midwifery nursing, and in addition three nurses, one a general trained nurse, another a mental nurse and still another, a midwifery nurse. We are intending to bring midwifery nurses into the scheme.

Mrs. Cardell-Oliver: Who elects these nurses?

THE MINISTER FOR HEALTH: I will come to that in a moment. Generally, a nurse after having completed her training enters upon a course of midwifery which occupies some nine months; or, if she decides to qualify in infant health as well, her training will occupy 18 months. I think there are only two of the old-type midwifery nurses now registered as midwives. It is possible for a person who has not been trained as a general nurse to train as a midwifery nurse. Such a person must have 18 months' training in order to qualify. The two nurses at present on the board are nominated by the registered nurses; if more than two are nominated an election is held under regulations. The election is carried out by the Department of Health. In answer to the question asked by the member for Subiaco, the Commissioner of Health will be the nominee of the Government; two medical practitioners will be nominated by the B.M.A.; the two matrons will be the nominees of the Governor-in-Council; and of the three nurses one will be a general trained nurse who will be elected as she is today by the registered trained nurses. The mental nurse will be elected in the same way by the registered mental nurses; and the same applies to the midwifery nurse. Each section will elect its own nominee to the board.

Obviously, when this Bill comes into operation, there will be a large number of mental nurses who will have obtained their

certificates, and we accordingly provide in this Bill that such nurses will be deemed to be registered nurses under it. Their existing certificates will carry on their registration, but all new nurses and partly-trained nurses will come under the proposed scheme and be registered under the new Nurses' Registration Board. I desire to emphasise that there will be no alteration in the scheme of general nursing, but I point out that because there are two different systems of nursing altogether, it might be said—and I hope it will be carried out—the mental nurses should receive six months' training in a general hospital. This is necessary because they will be called upon to nurse sick mental patients and it is in the best interests of the patients that they should receive such additional training. The nurses in the Children's Hospital, after having been trained for three years, must receive a further six months' training in a general hospital before they can obtain their certificate.

Mr. Seward: Why so large an increase in the number of members on the board?

THE MINISTER FOR HEALTH: Because we are bringing in two new sections, the midwifery nurses and the mental nurses. We feel that the B.M.A. should be represented on the board and we believe it would be all the better that one of these should be an obstetrician, so that we shall then have two doctors who can give assistance and advice as to the education and training of the nurses. The increase is not a big one in view of the fact that two new sections are to be brought in. Provision is also made in the Bill for the cancellation of the certificates of a midwifery nurse who is incompetent or incapable of acting efficiently as a midwifery nurse, or if she is convicted of a breach of any regulation made under Part XII of the Health Act. That power, which is now given by Section 309 of the Health Act, we propose to transfer to the board.

Cases have occurred where midwifery nurses, through carelessness or for other reasons, have been responsible for the loss of the life of a woman or her baby. Nothing can be done in the matter under our present system, because nobody seems to have the power to take action. We propose to give this board the power to cancel midwifery registrations in certain circumstances. The Bill also provides that the board may restore

such registrations at any time. In addition, provision is made so that an appeal may be heard by a judge against the decision of the board in either refusing to register, or to re-register. The midwives are protected to the extent that if any of their registrations are cancelled, or if they suffer a suspension of registration, they can appeal to a judge. That is reasonable. A similar section has been in the Health Act for a long time.

The midwifery section is one of the most important of the nursing profession. Those nurses have to be very careful in their work and we cannot afford to take too many risks with them. The other clauses are merely machinery clauses to bring the Act into line with this Bill. The Bill is a small one, but it is important to the mental nurses. I commend it to the House and hope that it will get a good passage, because I am particularly anxious to raise the status of nurses in the mental homes. They are doing a particularly good job. We hear very little of these nurses who work behind big stone walls, except when they kick over the traces. We hope that as a result of this new scheme we will be able to give them a better status. We are proud of the nurses trained in Western Australia, and we have every reason to be, because it is truthfully said that a nurse with a Western Australian certificate can get a job anywhere. I hope it will not be long before the mental nurses are in the same position, and that they will be able to go to any part of Australia and be sure of employment. We should be able to say the same about them as we can about the others. I move—

That the Bill be now read a second time.

On motion by Mrs. Cardell-Oliver, debate adjourned.

BILL—TESTATOR'S FAMILY MAINTENANCE ACT AMENDMENT.

Second Reading.

THE MINISTER FOR JUSTICE: [4.53] in moving the second reading said: This is a small, but important amendment to the Testator's Family Maintenance Act, 1939. That Act has done very good work. It has meted out justice to numbers of persons who would not have received it otherwise. Under the Act power is given to the court, at its discretion, to make provision for the widow, widower or children of a tes-

tator or a testatrix who has not adequately provided for their education, maintenance or advancement. In that direction the work has been carried out and the original beneficiaries have received their due rights. But the executor is appointed by the testator, and at times an executor who cannot get the full benefits of the will has been disappointed. At the present time the court has no power to alter, add to or substitute another executor. This Bill provides that where the testator has not made provision for his widow or family, or vice versa, the court can alter or add to the named executor, or substitute another executor.

I have had brought before my notice in Western Australia the case of a man who went to the Eastern States and left his wife and family here. He then picked up with a person over there and made a will in her favour. He died and made no provision for his family in this State. Application was made to the court on behalf of the widow and family, and the court made an order accordingly. The beneficiary under the will has been deprived of practically all benefits from the will, but the testator also appointed this woman in the Eastern States his executrix. This amendment has been brought down because of such cases. It will permit the court, where there is need for an alteration in the executor because he might be spiteful on account of losing his benefits under the will, to make the necessary order. If the amendment is passed the court will be empowered to appoint a new executor or to add to the executor.

A case occurred in this State of a testator who made his will in favour of his two daughters, but did not make provision for his crippled son. Application was made to the court and the court made an order giving the crippled son what it thought was due to him. It gave him an equal share of the estate; the estate had to be split into three parts. But the court had no power to alter the executrices. As a consequence the crippled boy's interest has been disregarded. If this amendment is passed the court will be able to appoint the crippled boy as an executor so that he can have some say in the management of the estate in which he is participating.

Mr. Watts: It will raise unlimited arguments when the beneficiaries do not like the executor.

The MINISTER FOR JUSTICE: Any alteration to the executor appointed by the testator is in the discretion of the court. If the judge thinks an alteration should be made he has the power to do so.

Mr. Watts: If you do not direct him in the Bill as to the circumstances in which he should exercise his discretion—

Mr. SPEAKER: Order!

The MINISTER FOR JUSTICE: I take it the whole matter will be left to his discretion, as at present. Under the Testator's Family Maintenance Act the judge has discretion to say whether he will alter a will and make provision for those who are legally and morally entitled to share in the estate. This amendment merely seeks to empower the court to alter the executor appointed by the will, if the whole of the benefits, or practically the whole of them, are taken from the beneficiaries or beneficiary, in accordance with the Act. I referred to the case of a man who went from Western Australia to the Eastern States, and made no provision in his will for his widow and family in this State. Application was made to the court and in due course an order was made giving the correct beneficiaries their just entitlement. But after the court had done that the beneficiary under the will, although she had no further benefit, was still the executrix, but the court was powerless to do anything about it. As a consequence that person was hostile and vented her spleen in such a way that the administration of the estate became very difficult.

Hon. N. Keenan: Executors are very seldom beneficiaries.

The MINISTER FOR JUSTICE: It is not often that they are, but there have been several instances where the executors have been beneficiaries.

Hon. N. Keenan: Take the position of the big executor companies; they are not.

The MINISTER FOR JUSTICE: I know that perfectly well. I am an executor of several wills, and I do not derive any benefit under them. There have been instances where the beneficiaries are executors and the Bill will apply to them. I commend the measure to the House and hope it will prove of benefit to those it is sought to assist. I move—

That the Bill be now read a second time.

On motion by Mr. McDonald, debate adjourned.

BILL—DRIED FRUITS ACT AMENDMENT.

Second Reading.

THE MINISTER FOR THE NORTH-WEST (for the Premier) [5.3] in moving the second reading said: This is a very short Bill.

Mr. Watts: With a very big significance.

The MINISTER FOR THE NORTH-WEST: Its object is to secure the continuance of the Dried Fruits Act by altering the figures "45" to "47," which will mean an extension of the life of the legislation for a further two years. Little argument is needed to urge the passage of the Bill. The constitution of this House today differs very little from what it was when the Act was passed and a majority of the new members, I should say, know full well the benefits the legislation has conferred on the fruitgrowers. I know of no argument that could be advanced in opposition to the continuance of the Act, which has operated since 1926. In no direction has it proved detrimental to the growers but it has been of much value to the industry. That in itself should be a sufficient argument to justify the renewal of the Act. The producers themselves have urged its continuance and, if there is any reason why that course should not be adopted, I am sure members of the Opposition will make the position clear. I trust the Bill will receive the blessing of the House and move—

That the Bill be now read a second time.

On motion by Mr. Thorn, debate adjourned.

BILL—LOCAL AUTHORITIES (RESERVE FUNDS) ACT AMENDMENT.

Second Reading.

THE MINISTER FOR EDUCATION (for the Minister for Works) [5.6] in moving the second reading said: The Bill has been placed before members in order to bring health boards within the scope of the Local Authorities (Reserve Funds) Act and to give power to the Minister to sign notices issued under that measure, specifying from time to time the amounts to be paid by local authorities into reserve funds. In 1942 the Local Government Association requested the introduction of legislation to enable municipal councils and road boards to establish reserve funds from which to meet expendi-

ture on heavy road repair work and other liabilities that were building up because of the shortage of manpower and the lack of materials during the war period. The necessary legislation was introduced and passed in that year. Members will be interested to know that 52 road boards have since created reserve funds totalling £75,000 and three municipalities have placed in reserve a total amount of £77,000. Of the total of £152,000 so placed in reserve, an amount of £113,000 has been invested in war loans. Since 1942 the Minister for Health has been requested by representatives of health boards to make provision for those bodies to be placed on the same basis as the other local authorities with respect to reserve funds.

It is considered that the health boards should be given an opportunity to build up reasonable reserve funds because they are not able to carry out necessary work at present. The cost of the work so deferred will involve a considerable outlay in the post-war years. In consequence, it is deemed desirable that health boards shall be given power to create reserves now, so that the deferred expenditure can be undertaken later on. In one instance a health authority is anxious to have constructed a modern incinerator, which will cost a considerable amount. The desire is that the board be given power to place the requisite money in reserve now and carry out the expenditure later on. As members are probably aware municipal councils, road boards and health boards are permitted by legislation under which they work in peace-time, to strike rates sufficient only to make up the difference between the revenue they receive, other than rates, and the amount of the estimated expenditure for the financial year. They are not permitted to impose a rate that will mean a surplus. Therefore, unless these bodies are enabled to create reserve in the way proposed, it will mean that because they cannot carry out necessary works during wartime they will be obliged to reduce the rates.

Then later on in post-war years, when the works have to be undertaken, the necessity will arise to strike abnormally high rates. So that the rating phase may be kept more uniform and enable the health boards to have the necessary funds available in post-war years when the work can be undertaken, it is proposed to bring them under the scope

of the Local Authorities (Reserve Funds) Act.

Mr. Doney: You are rather late in bringing down this legislation.

THE MINISTER FOR EDUCATION: No. In the first instance provision was made covering municipal councils and road boards, and now the health boards have expressed their desire to be given the same power as that possessed by the other local governing authorities. The second amendment in the Bill is introduced for the purpose of relieving the Lieut.-Governor of the necessity personally to sign each notice issued to local authorities under Section 7 of the Act. His Excellency's approval for the creation of reserve funds will still be necessary, but once the approval is granted, then the amending legislation, if agreed to, will enable the Lieut.-Governor to delegate his authority to the Minister respecting the signing of individual notices. The two amendments in the Bill are desirable, and I move—

That the Bill be now read a second time.

On motion by Mr. Doney, debate adjourned.

BILL—NORTHAM CEMETERIES.

Second Reading.

THE MINISTER FOR THE NORTH-WEST (for the Minister for Lands) [5.11] in moving the second reading said: The object of the Bill is to deal with the cemeteries at Northam under one Act, and the measure will have the effect of bringing under one control the various blocks of land used as cemeteries in the Northam district. At the present time the Northam cemetery consists of two reserves, Nos. 13238 and 9227. Those reserves were declared as public cemeteries under the present Cemeteries Act and were placed under the control of certain trustees appointed under that legislation. Some freehold land adjoins the reserve and is held in the name of different denominational churches. Further blocks having the allotment No. 47 are held under trustees associated with the Roman Catholic church. The last-mentioned blocks were surrendered to the Crown some time ago in order that they might be brought under this legislation. It is desired by all concerned—the local authorities and the various denominational churches affected—that all this land should be surrendered to the Crown

and revested under the Cemeteries Act, to be controlled by the local authorities at Northam. All interested are in agreement that the method proposed is the best for controlling the cemetery at Northam.

The present cemetery board desires to be relieved of its control of the reserve and, if the Bill is agreed to, the Northam Road Board will take over control from henceforth. To effect this, it is necessary that the Bill should become law, thus surrendering all the freehold land and revesting it, and placing it under the control of the proposed new cemetery board. It has been suggested to the Northam Town Council that it could, if it so desired, nominate members to the board, thus bringing about joint control by the municipality and the road boards. However, the Northam Town Council did not desire this, and the road board has signified its willingness to take over the control of the cemetery if the Bill becomes law. The measure, therefore, makes provision for the surrender of the various lots already held by the denominational churches, and of the Crown block already transferred to make one cemetery in the Northam district.

I have here a lithograph which will show to members interested the location of the townsite block proposed to be surrendered to the Crown for revesting in the new cemetery board. All the parties interested have been consulted, and the Bill is the outcome of a general conference held by them. I hope that members interested will inspect the lithograph. If during the Committee stage there is any desire for further information, I shall be pleased to assist members.

Mr. Watts: Is the land situated in the Northam Road Board area?

THE MINISTER FOR THE NORTH-WEST: Yes. I move—

That the Bill be now read a second time.

On motion by Mr. Thorn, debate adjourned.

BILL—MAIN ROAD ACT (FUNDS APPROPRIATION.)

Second Reading.

THE MINISTER FOR EDUCATION (for the Minister for Works) [5.18] in moving the second reading said: In the 1941, 1942 and 1943 sessions, Acts were passed for the purpose of transferring to

Consolidated Revenue the 22½ per cent. of the net balance of the Metropolitan Traffic Trust Account previously payable to the Commissioner of Main Roads in pursuance of Section 34 of the Main Roads Act. That legislation was restricted to license fees received in the Metropolitan Traffic Area for the licensing years which ended on the 30th June, 1942, 1943 and 1944. Consolidated Revenue benefited by £30,000 in 1942, by £27,000 in 1943, and by £29,000 in 1944. With the exception of the period to be covered, the provisions in the present Bill are the same as those in the previous legislation. The present Bill makes provision for the three-year period ending on the 30th June, 1947, that being the date on which the current Federal Aid Roads Agreement expires.

During previous debates it was generally admitted that no legislation on the subject should extend beyond the known life of the Federal Aid Roads Agreement, that nothing should be done which would deal with a period beyond that date. Accordingly, the Bill proposes to make the Act operative up to the date of the expiry of the agreement in question. An amount equivalent to that diverted to Consolidated Revenue by the Bill is to be made available from petrol tax funds to the Commissioner of Main Roads for the purposes specified in Section 34 of the Main Roads Act; namely, the improvement, reconstruction and maintenance of roads and bridges within the Metropolitan Traffic Area. It will be remembered that substantial amounts—£65,000 in one year—were deducted by the Commonwealth Grants Commission from the amount assessed as payable to Western Australia. This was because of the failure of the State to bring its road finances more into line with those of the non-claimant States by applying some of its motor license revenue to the payment of loan charges on loan funds expended on roads.

As a result of the passing of the 1941 Act, no adjustment was made in the Grants Commission's ninth report on account of road debt charges. The Commission advised that this decision was governed by special circumstances affecting road finance, including reduced Federal road grants, declining motor taxation, and the action of the State Government in using part of the license fees to meet annual charges on the roads debt. Therefore the State revenue has gained not only the amounts diverted under the Approp-

riation Acts, but also more substantial amounts by reason of the Grants Commission's recommendations in 1941 and succeeding years. The action taken by the State Government through legislation which was passed resulted in the Grants Commission recognising the altered financial situation and increasing the amount payable to the State.

Mr. Watts: By how much?

Mr. Doney: I do not think you can show that by any means.

The MINISTER FOR EDUCATION: Yes.

Mr. Doney: Not in specific terms.

The MINISTER FOR EDUCATION: We can show it. The amount was increased by a number of thousands. I cannot tell the hon. member exactly how many thousands, but the grant was substantially increased as a result of the action taken.

Mr. Watts: Has that been stated?

The MINISTER FOR EDUCATION: Yes, in specific terms. The total amount expended in Western Australia from loan funds on roads as at the 30th June, 1943, was £3,443,985, and the charges on Consolidated Revenue in connection therewith amounted to £167,307 for the year ended on the 30th June, 1943. The relatively small amount involved in this Bill will make no appreciable difference so far as the State's road programme in country districts is concerned. There may be some anxiety on the part of country member in this connection. But I am sure that the relatively small amount involved would make no difference in the programme. In this connection it has previously been explained that for the ten years ended on the 30th June, 1940, of the total of £5,406,424 expended from petrol tax on roads, 91 per cent. was expended in districts outside the Metropolitan Traffic Area. An amount of £1,113,000 was expended during the same period from General Loan Fund on roads, 97 per cent. of which was expended in country districts.

Country districts have received fair treatment in the expenditure of the petrol tax allocated to this State. That is only right, as the roads scheme was instituted for the development of Australia as a whole, the basis of allocation being on the factors of area and population. The passing of the Bill will make available a small proportion of the State's road license fee revenue for payment of loan servicing charges on loan expenditure on roads, and to some extent will continue to meet the requirements of

the Grants Commission. The House has previously agreed to this legislation. All that the Bill proposes to do is to provide that for the remainder of the period of currency of the Federal Aid Roads Agreement this legislation shall operate. The Grants Commission increased the grant to Western Australia substantially as a result. The House has previously agreed to this legislation. The Bill merely says that the same conditions shall obtain for the remainder of the period of the agreement. I move—

That the Bill be now read a second time.

On motion by Mr. Doney, debate adjourned.

BILL—MORTGAGEES' RIGHTS RESTRICTION ACT CONTINUANCE.

Second Reading.

THE MINISTER FOR THE NORTH-WEST (for the Minister for Lands) [5.27] in moving the second reading said: This is another short Bill, and asks merely for the continuance of the Mortgagees' Rights Restriction Act. On this occasion the extension proposed is for 12 months only. As members will recollect, the Act received a certain amount of discussion two years ago. Efforts were then made to modify the amending Bill, but the difficulties that arose were so many that the modified Bill was dropped, and a simple continuance Bill substituted. The present proposal is to continue the original Act, which came into force in December of 1931, for a further period of 12 months. It appears likely that increased capacity for earning, even by people of advanced age, which was brought about by manpower shortages, is reducing the necessity for the parent Act; but there are still a few persons to whom protection must be given. The original Act applies only to mortgages in existence prior to the 19th August, 1931, and to mortgages given after that date in substitution for mortgages which were in force at that time. That Act was passed for the protection of mortgagors whose position was seriously affected by the depression against the exercise by mortgagees of their rights, which exercise at that time might be harsh and unreasonable.

Before enforcing his mortgage, the mortgagee must apply to the Court, and he is granted leave to proceed only when in the opinion of the judge no hardship to the mortgagor would ensue. These applications

to the court have declined in recent years. Whilst there were 106 in 1939, there were only 29 last year, and up to date in this year only 10 applications have been made. My colleague the Minister for Lands spoke last year of a proposal to render some assistance to the few mortgagees to whom this Act brings hardship. No doubt the same conditions of increased earning capacity mentioned previously apply here also; and, in any case, I understand that it has not been found possible, at least at present, to increase the scope of the Poor Persons Legal Assistance Act to cover such cases. I hope that all-embracing legislation for post-war financial control will be introduced, and it is assumed that mortgage dealings will be included in that legislation, and that thus this Act will be covered. In the meantime, I consider that the Act here in question should remain on the statute-book for at least another year, and I move—

That the Bill be now read a second time.

On motion by Hon. N. Keenan, debate adjourned.

BILL—ELECTORAL ACT AMENDMENT.

Second Reading.

THE MINISTER FOR JUSTICE [5.30] in moving the second reading said: This is a Bill to amend the Electoral Act, 1907-1940. I do not know that it requires very much explanation. It has been talked about wherever one has gone to such an extent that I feel everybody fully understands the position of the Legislative Council, and the effect that Chamber has on legislation in this State. When members of this side of the House went to the country at the last general election they asked the people for a mandate in this connection and that mandate was given to the Government by a very big majority. As members are aware the Government has a majority of 10 in this House.

Mr. Doney: Are you quite sure this matter was specifically mentioned?

THE MINISTER FOR JUSTICE: It was specifically mentioned by nearly every candidate from this side of the House wherever he went. The people were satisfied that the request was just and returned the Government with an overwhelming majority. The Bill is not drastic by any means. It does not mean the abolition of the other place; we do not propose that in this Bill.

Mr. Thorn: Not just yet!

The MINISTER FOR JUSTICE: The aim is to put the Council more or less on a democratic basis. We have heard of the formation of the Country and Democratic League to which members opposite belong. The selection of that name is an indication that members opposite must favour this Bill, if they favour democracy. On this side of the House the only thing we are concerned about is the principle. We are living in the most democratic country in the world, and we think it is therefore out of all reason that less than one-third of the people of this State can veto any legislation submitted by the representatives of the people as a whole. At the last general election there were 274,851 electors on the Assembly roll and on the Council roll there were 79,889. It will be seen, therefore, that less than one-third of the electors are represented in the Legislative Council as against the representation in the Legislative Assembly. I will go further than that and point out that for the Assembly there was a poll of 86.53 per cent. as compared with a poll of 49.48 per cent. for the Legislative Council.

Mr. Seward: One was compulsory and the other not.

The MINISTER FOR JUSTICE: That is, only about half of the number that voted for the Assembly voted for the Legislative Council.

Hon. N. Keenan: That might mean that they were satisfied.

The MINISTER FOR JUSTICE: I do not know that they were satisfied. It seems to me that they were dissatisfied and did not care whether the Council was elected or not. I have not previously mentioned the matter of plural voting. Any person who has property in ten provinces is entitled to ten votes for the Legislative Council. I myself have a couple of votes and other members in this House have many more. I know people in Western Australia who have 10 votes for the Council. That makes the position still worse. We have the spectacle of less than one-fifth of the people of Western Australia being in a position to veto proposals submitted by the representatives of the whole of the people, because every person over 21 years of age who is not otherwise disqualified is able to vote in the Legislative Assembly elections. If we are going to live in a democracy we must give con-

sideration to that position because a democracy is a form of government in which supreme power is vested in the people. The majority of the people must rule. Except for the existing franchise, the Government of this State would be on a different basis altogether because most likely the Legislative Council would be differently constituted. I do not wish to speak in a derogatory way of members of another place but am merely taking the principle into consideration. However, the members in the other place represent the big financial interests.

Mr. McDonald: Do you believe that we have democratic representation in the Assembly?

The MINISTER FOR JUSTICE: Yes.

Hon. N. Keenan: We have not had it for 20 years. You have been sitting as a minority Government during that time.

Mr. SPEAKER: Order!

The MINISTER FOR JUSTICE: When the poll was declared it was indicated that there was a poll of 86.53 for the Assembly.

Mr. Watts: And of those who went to the poll 10,000 fewer voted for Labour than for members on this side of the House.

The MINISTER FOR JUSTICE: That has not happened in this instance. In any case everyone has a vote for the Assembly and those who voted did so in accordance with their conscience. We boast that we have adult franchise. What is the effect of that? The political effectiveness of that franchise is nullified to a great extent because anything we do here can be vetoed by another place.

Mr. Thorn: Yet you say you have no intention of abolishing another place.

The MINISTER FOR JUSTICE: This Bill is not designed to abolish it.

Mr. Thorn: It will only lead up to it.

The MINISTER FOR JUSTICE: As things are now it is a sham and a delusion.

Mr. Thorn: What, this Bill?

The MINISTER FOR JUSTICE: No, the Legislative Council, or the bicameral system of Parliament we have here. The second Chamber has more power here than any other second Chamber has in any part of the world. It has the power to veto any legislation we may send from this House. It can even cause money Bills to be amended by refusing to agree to them until they have been changed in accordance with its wishes. Is that not a ridiculous state of

affairs? The mother Parliament in 1911 passed a measure taking that power from the House of Lords.

Mr. Watts: Why were you not more enthusiastic about the proposals submitted four or five years ago?

The MINISTER FOR JUSTICE: That is not today. We may have been just as enthusiastic then, but the matter was brought up at the end of the session and we did not have time to go on with it. I feel sure that all of us here are democratic and that being so I do not see how any member can oppose the Bill. That especially applies to members who have designated themselves the Country and Democratic League. They would be false to the name they have chosen if they did not support this measure.

Hon. W. D. Johnson: Perhaps that name was chosen in anticipation of this Bill.

The MINISTER FOR JUSTICE: It may be thought that the Labour Party was the first to initiate the proposal for one Chamber, but that suggestion was made before the Labour Party in Western Australia was born. It was suggested by the mother Parliament that we should have one Chamber in this State—the people's Chamber. Owing to pressure of vested interests, of plutocrats and aristocrats of that day, however, the proposal was turned down though it emanated from an eminent man and one of considerable standing. A single Chamber was advocated back in 1888 by the Imperial Government. A single elective Chamber was advocated in Western Australia about that time by a gentleman named Hensman who was then member for Greenough and who later, I think, became a judge in this State. He strongly protested against the Legislative Council and advocated a single Chamber. He said that if we had an upper Chamber, in time it would become more powerful than the lower house and more inclined to oppose democratic legislation and consequently would do more mischief than good. That was said by a judge.

Mr. Doney: Dr. Evatt?

The MINISTER FOR JUSTICE: I do not know whether he had the same qualifications as Dr. Evatt, though he was a very eminent man. He also declared that if we did have a second Chamber it should not be created except with the consent of a two-thirds majority of the Assembly to whose jurisdiction it should be more or less subject. So, for our proposal

today we have precedents and I think we can safely build on the wisdom and experience of men of the past who, after all, were fairly wary old men and used a good deal of commonsense. It is in print for anybody to read that a single Chamber was advocated before the Labour Party was born in this State.

In 1889 the Council passed an Act establishing a bicameral Constitution, which was confirmed by the Imperial Act of 1896. Then responsible Government was initiated. I do not know that it was really responsible Government. In one way I suppose it was, but it was not responsible to the whole of the people because there was a Legislative Council which represented only a small proportion of the people and could veto anything proposed by representatives of the people as a whole. We on this side of the House have a good case for the passing of this measure. On the other hand, those on the opposite side of the House have had a lot of experience. They are democrats and believers in adult franchise and I see some reason why there should be an unanimous vote in favour of this Bill.

Mr. Seward: I suppose you will give us a few instances of abuse of power.

The MINISTER FOR JUSTICE: I consider that the standard of education on this side of the House and on the other side is as high as that of members in another place and that there is as high a sense of responsibility here. I feel rather strongly about this. We are a democratic people and yet are not carrying out the principles of democracy in their true sense. I recently read a book on democracy. When I came to reason it out I felt that so far as this Parliament was concerned it was not a democracy, but a hypocrisy. I cannot think we are really true to the people of this country. We on this side of the House are accused of bringing down legislation that we really do not desire to see passed into law. I challenge members opposite on that question, and tell them that anything we bring forward we are sincere about. If members opposite will uphold us we will have a truly democratic Parliament instead of an autocratic Parliament, as it were. If this Bill becomes law we shall have full representation of the people instead of having only one-fifth of them representing them in another place.

Mr. Leslie: They will all be members of this League then.

The MINISTER FOR JUSTICE: I would be glad to become a member of the Democratic League provided it were really democratic. Its members will have an opportunity to prove that they are democratic by voting for this Bill.

Mr. Thorn: You cannot get us as easily as that.

The MINISTER FOR JUSTICE: It seems to me from the interjections that members opposite are in favour of the acquisition of wealth before a person is entitled to vote for another place. If that is so, I do not think they are being true to colour. What about those who have served in the Army, the Navy and the Air Force? Those men have gone out to fight for this country and have done a great deal for it. If, when they return they do not possess any wealth, they will not have a true vote in the government of the country and will not be able to vote for the Legislative Council. It does not matter what educational qualifications they may have. They will not be entitled to vote for another place if they do not possess the necessary property qualifications. University professors cannot have a vote without the necessary property qualification. What about teachers, barristers, and other professional men? Their minds may be highly trained, but they must have property before they can vote for the Upper House.

Mr. Doney: Property worth 6s. 6d. a week!

The MINISTER FOR JUSTICE: It does not matter whether it is 6s. 6d. a week or not; quite a number of them have not the voting qualifications. Even if they have the qualifications they are apathetic to the extent that not one-third of them is on the roll, and not one-fifth of the people of this country is represented in another place.

Mr. Watts: You made a good success of finding those who ought to be enrolled.

The MINISTER FOR JUSTICE: Everyone must look after his own electorate, and if he fails to do so must suffer the consequences.

Mr. Watts: They were more than we expected on your showing.

The MINISTER FOR JUSTICE: Even the mother of Parliaments had to take steps in a similar direction. When the Western Australian Parliament was created under the present Constitution the mother of Parliaments was suffering because of the second Chamber, but it was possible to get some redress there through the nominee system. I

think it was Mr. Asquith who threatened that if the power sought for was not given they would take what they wanted by other means. We are not here to abolish the Legislative Council, but to get true representation of the people in it. This measure is not brought down with a view to abolishing another place. I am not referring to the Labour policy, because I admit that that is one of the planks of the party's platform.

Mr. W. Hegney: Adult franchise for the Legislative Council.

The MINISTER FOR JUSTICE: We are not hiding anything. We are only concerned at the moment with the property qualifications, and we ask this House to abolish them. We want every elector to be put on a fair basis just as they all are in connection with the Senate. Not long ago we had a Referendum.

Mr. Thorn: Do not mention that.

Mr. SPEAKER: The Referendum does not enter into the matter in connection with this Bill.

The MINISTER FOR JUSTICE: That was a very important move. Adult franchise was the practice when the vote was taken for the Referendum, which was to change the Constitution of Australia.

Mr. Doney: We know all about that.

The MINISTER FOR JUSTICE: Who won?

Mr. Watts: The Legislative Council of Tasmania won.

The MINISTER FOR JUSTICE: The people of Australia won. True to the principles of democracy, the majority won, and in this case the majority was for the "Noes." The people were not in favour of the plaus put forward but the vote was in favour of trusts, combines and monopolies.

Mr. SPEAKER: Order! I must ask the Minister to keep to the Bill, which contains nothing about combines or the Referendum.

The MINISTER FOR JUSTICE: I merely desired to show that on the occasion of the Referendum people voted under the principle of adult suffrage. I wish to demonstrate that, if on such big issues that were involved the principle of adult suffrage was adopted, there is no reason why we should not have it in Western Australia so far as all our legislation is concerned. What I am afraid of is that the people are getting roused and are feeling that something should be done in connection with the Legislative Council. I fear that we may have demon-

strations in every town in Western Australia if something is not done. People are becoming more democratic. If we were to take a referendum tomorrow on the question of the abolition of another place I think we would get an overwhelming majority to favour that course.

Mr. Berry: We might get one as regards this House.

The MINISTER FOR JUSTICE: If the hon. member is not afraid of the result, why should he not vote for the adult suffrage?

Mr. Berry: Why not have a referendum on that question?

The MINISTER FOR JUSTICE: If any member feels that this House should be abolished he ought not to stay here. Members who advocate that must be disgruntled and dissatisfied. If I were not satisfied I would seek a new field.

Mr. Berry: You are claiming to be democratic and to be speaking for the people.

The MINISTER FOR JUSTICE: I am.

Mr. SPEAKER: Perhaps the Minister will address the Chair and take no notice of interjections.

The MINISTER FOR JUSTICE: I appeal to the Opposition and to the people of the State generally on this question of adult franchise for the Upper House.

Mr. Watts: Are you looking to our votes to help you to get the Bill through in this House?

The MINISTER FOR JUSTICE: I think not, but the hon. member has colleagues in another place. The attitude of the Legislative Council will be largely contingent upon the attitude of members opposite in this Chamber and their feelings towards democracy. Although we have both age and wisdom in another place, I do not know that all the wisdom of Parliament is there, and whether members there are qualified to represent the people of the State seeing that they actually only represent one-fifth of them. The figures I have quoted, which can be verified at the Electoral Office, cannot be denied.

Mr. Seward: Surely you will give examples of abuses of power in the Legislative Council!

The MINISTER FOR JUSTICE: I ask: Has it been progressive? It does not matter what legislation we send to that Chamber, or how progressive it is, it takes up the attitude that it must be defeated.

Mr. SPEAKER: Order! I draw the attention of the Minister to the fact that the Standing Orders prohibit any offensive language towards another place.

The MINISTER FOR JUSTICE: I am sorry if I have offended in that direction. It is not my nature to do so.

Member: We are allowed to think what we like.

The MINISTER FOR JUSTICE: Yes, and I am going to think as I like. The Upper House may reject or amend any Bill that we send to it, and yet it only represents a small percentage of the people of the State. That is not right. There are persons who do not believe in rule by majority. After I have listened to members opposite I feel that several of them do not believe in that principle. If that is so I do not know what the country is coming to. Although a number of members may advocate adult suffrage apparently they do not want it, and yet they tell the people they represent them.

Mr. Doney: You have been a long time making a move in this direction.

The MINISTER FOR JUSTICE: I have not been in this House for very long, but I have had the matter in mind for several years. Probably the hon. member has been here longer than I have but he made no move in this direction. I hope that every adult man and woman, irrespective of their financial qualifications, will be given a vote for the Legislative Council. If I had my way I would give the vote to all those persons who had attained the age of 18 years and had done such good work in the Services. They have just as much sense as have people of older years.

Mr. Doney: Is that in the Bill?

The MINISTER FOR JUSTICE: No. I bring that forward to indicate that I am in favour of adult franchise, and that we on this side of the House are progressive in thought. Anything of a progressive nature that we desire to pass into law is turned down by our opponents. If we are to have good citizenship we must have adult franchise. Everyone should have the opportunity to be in the government of the country. When all is said and done, in a democratic land it is the people who govern and we are their representatives. At the last general election we were returned to office with a mandate and an overwhelming

majority to bring about adult franchise for the Legislative Council. I therefore commend the measure to the House and move—

That the Bill be now read a second time.

On motion by Mr. McDonald, debate adjourned.

House adjourned at 6 p.m.

Legislative Assembly.

Tuesday, 5th September, 1944.

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

ADDRESS-IN-REPLY.

Presentation.

MR. SPEAKER: I desire to announce that, accompanied by the member for Nelson and the member for Perth, I waited upon His Excellency the Lieut.-Governor and presented the Address-in-reply to His Excellency's opening Speech. His Excellency replied in the following terms:—

I thank you for your expressions of loyalty to His Most Gracious Majesty the King, and for your Address-in-reply to the Speech with which I opened Parliament.—(Signed) James Mitchell, Lieut.-Governor.

QUESTION—MINING DEVELOPMENT ACT.

As to Sustenance to Prospectors.

Mr. SMITH asked the Minister for Mines:—

(1) What average number of prospectors received assistance for sustenance under the Mining Development Act, for the year ended the 31st December, 1939?

(2) What was the total cost of such assistance for the year mentioned above?

The PREMIER replied:

(1) 700.

(2) £38,191 3s. 9d.

BILL—CRIMINAL CODE AMENDMENT.

Introduced by Mr. McDonald and read a first time.

ASSENT TO BILL.

Message from the Lieut.-Governor received and read notifying assent to the Supply Bill (No. 1) £2,700,000.

BILL—CONSTITUTION ACTS AMENDMENT (No. 1).

Second Reading.

THE MINISTER FOR JUSTICE [4.38] in moving the second reading said: This is a very short Bill of only two clauses, one of which is the Short Title and the second of which repeals Sections 15, 16 and 17 of the Constitution Acts Amendment Act, 1899. Those sections deal with the qualifications of electors of the Legislative Council. Originally the Constitution Acts Amendment Act, 1899, dealt with four matters which are relevant to the present issue:—

1. Qualifications of members of the Legislative Council.
2. Qualifications of members of the Legislative Assembly.
3. Qualifications of electors of the Legislative Council.
4. Qualifications of electors of the Legislative Assembly.

By the Electoral Act of 1907, the matters affecting the qualifications of electors of the Legislative Assembly were taken out of the Constitution Act and inserted in the Electoral Act. It is now proposed to take out of the Constitution Act the provisions affecting qualifications of electors of the Legislative Council and put such provisions into the Electoral Act. Accordingly, for this reason alone the procedure is logical. The object of this Bill is to make the provisions relating to the electors for the Legislative Council and the Legislative Assembly uniform. In effect, it is taking the provision relating to the electors for the Legislative Council out of the Electoral Act, as was done in 1907 in respect of the electors for the Legislative Assembly. There is