we have contributed to the local authorities £1,500, or £75 per tram for the upkeep of the road. Those trams only travel over the rails and therefore do not use the road. We cannot afford to make the ratepayers accept these financial responsibilities and at the same time allow other vehicles to step in and take the traffic.

Mr. Sampson: Is that the full number of your cars?

The MINISTER FOR LANDS: No, we have about 25 cars, but 20 of them are continually in running. The purpose of the Bill is simply to give the municipalities, through the tramway board, power to purchase and run motor buses in connection with the tramway system.

Mr. Sampson: Are any buses competing with the trams to-day?

The MINISTER FOR LANDS: No, with the exception of a small concern at North Fremantle where a motor bus picks up a passenger here and there and, for a weekly charge, conveys the workers to one or other of the big works there. We want to make provision before our revenue is affected. It will be too late to do that later on when our revenue is adversely affected. There may be some difficulty at a future date should we then attempt to take such a step, seeing that motor buses may then be established along certain routes.

Hon. Sir James Mitchell: You do not want a monopoly.

The MINISTER FOR LANDS: We do not ask for that. We merely ask to be placed in the same position as others.

Mr. Thomson: But you are asking for power to make by-laws regulating motor bus traffic.

The MINISTER FOR LANDS: We cannot interfere with any private party running buses, because we have no power regarding the licensing of vehicles.

Mr. Sampson: You are merely taking time by the forelock.

The MINISTER FOR LANDS: We are simply asking for power to make by-laws respecting the payment of fares and so forth.

Mr. Thomson: You do not require provisions to fine yourselves £5 under the by-laws.

The MINISTER FOR LANDS: That is necessary for the protection of the public. Action may have to be taken against some person if he uses bad language in the presence of other passengers on trams and so on. The running of motor buses has considerably interfered with the tramway services throughout Australia.

Mr. Thomson: And in every other part of the world.

The MINISTER FOR LANDS: It must be realised that the tramways, although they do not utilise the roadways, have paid a considerable amount towards the upkeep of those roads. In the city of Perth last year the Government tramways contributed nearly £12,000 and, in addition, over £7,000, being 3 per cent. of the revenue towards the upkeep of the roads. In such circumstances, it is necessary that the people's funds should be protected by preventing competition. The motor buses will be used as feeders for the trams. We do not intend running motor buses to Perth or anything of that description. I move—

That the Bill be now read a second time.

On motion by Hon. Sir James Mitchell debate adjourned.

House adjourned at 10.30 p.m.

Legislative Council,

Wednesday, 10th September, 1924.

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

QUESTION—COMMONWEALTH LOAN, £10,300,000.

Hon. J. W. KIRWAN asked the Colonial Secretary: With reference to the six per cent. loan for £10,300,000, now being floated in Australia by the Commonwealth Government on behalf of the States, what proportion is being raised for Western Australia?

The COLONIAL SECRETARY replied: Western Australia's proportion is £1,200,000. The expenses of flotation are provided for in the £10,300,000.

BILL—ELECTORAL ACT AMENDMENT.

Second Reading.

Hon. J. EWING (South-West) [4.35] in moving the second reading said: I thank the Leader of the House for his courtesy in placing this Bill in the foremost position on the Notice Paper. I thought I would

have had an opportunity to move the second reading last evening, but the House adjourned earlier than I had anticipated. I am pleased to be able to introduce legislation of this character. I know there will be much diversity of opinion with regard to its value. I have heard some members say in ordinary conversation they are opposed to it. Since the Bill was placed on the Notice Paper, many people in this State, who take an interest in local legislation, have expressed gratification that it has been brought down. This is a Bill to provide for compulsory enrolment for the Legislative Council, and, also for compulsory voting for both the Legislative Assembly and the Legislative Council. In the Electoral Act Amendment Act, 1919, compulsory enrolment for the Legislative Assembly was enforced. My endeavour will be to make it the law of the land that there shall be compulsory enrolment for the Legislative Council. I know many arguments will be raised against this, and people will say there is a difficulty, in connection with the franchise, in getting a proper definition of what the qualification of an elector really is. I shall endeavour to deal shortly with the various aspects of the situation as they appear to me. When I was a Minister in the Mitchell Administration, I had charge of the electoral business. I found that after compulsory enrolment became the order of the day for the Legislative Assembly, there was a material improvement in the enrolment. A comparison with the Federal electoral roll and our own showed that the improvement had been wonderful since 1919, and that very few people who ought to be on the roll for the Assembly were not upon it. I then inquired into the difficulties that arose with regard to the introduction of the Bill in another place. Many members were opposed to compulsory enrolment on the ground I have mentioned. Until compulsory enrolment became the law of the land, as it affected the Commonwealth Parliament and most of the State Parliaments, the people were apathetic. They took no real interest in the general elections, and often did not take the trouble to get on the roll. Since 1919 the position in Western Australia has very materially changed for the better. I hope to be able to induce Parliament to agree to compulsory enrolment for the Legislative Council.

Hon. E. H. Harris: What has been the percentage of increase in the enrolment?

Hon. J. EWING: I think it is in the region of 25 per cent., though it may be more. The reason it was so easy to introduce a Bill for compulsory enrolment in the Legislative Assembly was the simplicity of the franchise. A person required to be only 21 years of age, to be a naturalised subject of His Majesty, to have resided for six months continuously in the State, and one month continuously in the district for which he wished to have a vote, to be enrolled. The difficulties did not arise in the case of the Assembly that apparently arose at that juncture in connection with the Council. The Attorney General, now Mr. Justice Draper, who introduced the Bill in the Assembly, was taken to task by the member for Kanowna, now Mr. Speaker. The latter said it was unfair that voters for the Legislative Assembly should be subject to all kinds of pains, penalties and fines, whilst these things did not apply to the Legislative Council voters. He was then of opinion that there should be compulsory enrolment for the Council. This is what the then Attorney General said in reply to the member for Kanowna—

> The member for Kanowna (Mr. Walker) raised the objection that the Bill does not apply the compulsory system of registration to the rolls of the Legislative Council. The obvious answer to that is that, whereas we have a very simple franchise for the Assembly, the franchise for the Council is of a compound nature, and it would be hardly fair to compel the electors to register their qualifications for the Council at the present time.

Hon. E. H. Harris: He was pretty right.

Hon. J. EWING: I am going to endeavour to combat that. That position, no doubt, does obtain, but not to the extent that would justify us in endeavouring through the Legislative Council to bring in compulsory voting for another place, unless we had compulsory voting as a corollary to compulsory enrolment. When Mr. Colebatch was leader of this House, the Bill was brought down for compulsory enrolment for the Assembly. He said very little, for no doubt he thought the House was in favour of the proposal. He stated the Bill was for the purpose of making a more complete enrolment, which was self-evident, and also to save expense. He said it was the usual course to pursue prior to a general election, that there should be a systematic canvass throughout the State to see if it was possible to get everyone on the roll. The Electoral Department found that the system was so expensive that they considered compulsory enrolment would lessen the cost of administration. Mr. Colebatch went on to say that the franchise of this House was a privilege, and that everyone should get on the roll who was entitled to be on it. On that account he did not see that it was necessary to introduce compulsory enrolment for the Council. He further said there was no question of the Electoral Department going to any expense in connection with the Legislative Council rolls, because no expenditure was necessary. A man who had the privilege of a qualification for the Council should take the trouble to get on the roll. He further remarked that the difference in the franchise of the two Houses was so marked that he did not think it opportune to introduce compulsory enrolment for the Council. In an interjection Mr. Cornell said, "If that is the position you take up, the Bill should go out on the second reading." He was very emphatic

in the matter. He made a speech after that in favour of compulsory enrolment for the Council, and went so far as to say, "If you are not going to include the Council in the Bill, you had better put it out on the second reading." He also said that when the Bill was in Committee he would move an amendment to include the Legislative Council. He duly moved the amendment and it was lost on a division by 11 votes to 8. At that time the Council was not in favour of compulsory enrolment. I hope that the new members will approve of that principle now and that older members, upon reflection, will change their minds and vote for compulsory enrolment in connection with the Legislative Council. I must confess that I found my name recorded in the division list against Mr. Cornell's amendment, thus showing that at that time I was not in favour of compulsory enrolment.

Hon. A. Lovekin: That is like what you did regarding State trading!

Hon. J. EWING: We are told that as we get older we, perhaps, become a little wiser. I now regard the position seriously and believe in compulsory enrolment. The fact that the voting, as well as the rolls used, for Council elections has been so unsatisfactory, indicates that something must be done, just as was necessary in connection with the Legislative Assembly some time ago. If hon. members consider the position for a moment they will see the necessity for compulsory enrolment for this Chamber as well. Notwithstanding what was said by those hon. members to whom I have referred, the facts do not bear out their contentions. At that time it may not have been advisable to enforce this principle, but when we look at the qualifications for enrolment and see how simple they are, we must realise that everyone entitled to be enrolled should have his name on the electoral list. It is a great privilege to have a vote in the election of members for this Chamber and it should be the bounden duty of those entitled to a vote to have their names recorded. I regret that the same difficulty that existed in the past is experienced to-day. I refer to the apathy of people who do not worry about these matters until election time. When they find that they are not permitted to vote as their names are not on the rolls, they get annoyed. Whose fault is it that they are not permitted to vote? It is their own, because they do not take the trouble to see that their names are on the electoral lists. It has been contended that by making this compulsory we are interfering with the liberty of the subject. It is asserted that if a man has not sufficient interest to see that he is on the roll, he should be allowed to go his own way. I am in opposition to that point of view. People who are qualified to have their names registered on the electoral list for the Legislative Council should be compelled to register, and also to vote.

Hon. E. H. Harris: You cannot compel a man to vote, though you can compel him to go to the booth.

Hon. J. EWING: I will deal with that point. The "Hansard" reports of the debates in the Federal Parliament on the question of compulsory voting show that Mr. Findley said that he had not been in favour of compulsory voting, and that he went to the polling booth one day determined to vote for neither of the two candidates. Neither of them was of use to his party or was of the calibre he considered members of Parliament should be. Mr. Findley said that he went to the booth with his mind made up to record an ineffective vote. When he went into the booth, however, he declared his conscience would not allow him to do that and he cast an effective vote.

Hon. A. J. H. Saw: What a tender conscience for a member of Parliament!

Hon. J. EWING: That is the answer to the hon. member's objection that we cannot force people to vote. If there is a penalty and the people know that it will be enforced, I am sure that once people go to the booth they will do the right thing and exercise the franchise properly.

Hon. F. E. S. Willmott: Sometimes the electors express very rude opinions regarding candidates.

Hon. J. EWING: That may be so, but that may not necessarily render the vote ineffective. It may be said that 99 out of every 100 people who go to the poll will record an effective vote. They may resent the compulsion put upon them and claim that they are the arbiters of their own fate, but upon reflection they will, I am convinced, do their duty as citizens.

Hon. J. W. Kirwan: Would you fine a farmer who has to drive 20 or 30 miles to a booth if he neglects to cast his vote?

Hon. A. Burvill: Proper facilities will have to be provided so that the people may be able to vote.

Hon. J. EWING: That is so. There should be postal vote officers in various parts of a province and more polling booths if necessary. The expenditure would not be very great.

Hon. J. W. Kirwan: Will motor cars be sent to take electors to the polling booths in agricultural areas?

Hon. A. Burvill: That will not be necessary in the country areas if more postal officers are provided.

Hon. J. EWING: That is the position. It will be the duty of the Government to provide adequate facilities so that everyone will be able to record his vote.

Hon. J. W. Kirwan: That is rather rough on the country voters.

Hon. J. EWING: On the contrary they will be delighted to know that so much interest is being taken in these matters.

Hon. F. E. S. Willmott: They will go ten times such a distance to see a race between goats.

Hon. J. W. Kirwan: The hon. member is very severe on his own constituents!

Hon. F. E. S. Willmott: All mine vote.

Hon. A. J. H. Saw: What, even the goats!

Hon. J. EWING: The qualifications necessary to enable an individual to be enrolled set out that a person must be 21 years of age, must be a natural born subject of His Majesty, and must have resided in Western Australia for six months in the province in which he desires to record his vote. It is also set out that he must have a legal or equitable freehold estate in possession in the electoral province, of a clear value of £50. Surely everyone knows whether his property is valued at that figure, and that being so, it should be the duty of the owner of such property to register his qualification to enable him to exercise the franchise. Nothing need be said regarding that particular qualification. It is also provided that a person who is a householder occupying a house of a clear annual value of £17 per annum, is also entitled to be enrolled. There are thousands of people in Western Australia who should have their names on the rolls for the Legislative Council, but whose names do not appear there.

Hon. E. H. Harris: Do you mean that the timber workers are among the thousands who should be, but are not on the rolls?

Hon. J. EWING: They are amongst them and many of them have the qualification.

Hon. E. H. Gray: The qualification will have to be reduced from £17 if that is so.

Hon. J. EWING: Everyone knows what rent he is paying, and if that be so it is the duty of those people to become enrolled. If they have not done so in the past, I trust that under this legislation they will be compelled to do so. The next qualification refers to leasehold property of a clear annual value of £17 sterling, while another qualification refers to a holder of a lease from the Crown for depasturing, cultivating, or mining purposes at a rental of not less than £10 per annum. Hon. members know just as well as I do what these qualifications are. I do not see what is to prevent people from getting on the rolls if they are qualified, and it is easy for anyone to ascertain whether they are so qualified. Then again, persons who have their names on a municipal or road board electoral list, are also qualified. If any hon. member can see where difficulties may arise, I trust he will indicate it to the House so that the matter may be cleared up. I do not think that my statement that thousands upon thousands of people who should be enrolled are not enrolled, can be disputed, and hon. members will realise how easy it is to apply the provisions of the Bill to the Legislative Council roll. It goes without saying that compulsory enrolment must precede compulsory voting. That being so, we should not set aside the provision for compulsory enrolment before dealing with the other provision relating to compulsory voting. The clause I provide to deal with compulsory enrolment for the provinces is Clause 2, which reads as follows:—

> The following section is hereby inserted after section 44A of the principal Act:—
> 44B. Every person who is entitled to have his name placed on the roll for any province, and whose name is not on the roll for such province, and any person becoming entitled to have his name placed on the roll for any province, shall, within the prescribed time, fill in and sign, in accordance with this Act, a claim in the prescribed form, and deliver the same to the Registrar of the province, and otherwise comply with the relative provisions of this Act.

The penalty provided is £2. That is not heavy. It is well known that according to circumstances so the fines will be imposed. If it be a bad case, and if compulsion has been brought to bear upon the elector, he will probably be fined the maximum amount. Subclause 1 of Clause 3 of the Bill relates to compulsory voting and reads as follows:

> It shall be the duty of every elector to record his vote in each electoral province and in the electoral district for which he is enrolled at every general election, and at every election held to fill an extraordinary vacancy in the Council or the Assembly.

It is proper to explain the necessity for compulsory voting. Subclauses 2, 4, 5, 6, and 7 deal with the duty of the returning officer if he finds that an elector has not recorded his vote. It is clearly laid down that the penalty will not be inflicted upon anyone who can give a good reason for not voting.

Hon. F. E. S. Willmott: Will the fact that the voter does not believe in the Upper House be regarded as a good and proper reason?

Hon. J. EWING: That would be a very bad reason indeed. In submitting a Bill at the second reading stage, one is allowed to deal only with general principles. If a Minister introduces a Bill he refers to the different clauses, and I take it that I shall have the right to do likewise. The Bill is a copy of the existing Commonwealth Act. It was introduced into the Senate on the 4th July, 1924, by Senator Payne of Tasmania, and it was spoken to by Senators Lynch, Gardiner, Findley and Grant. Of course some were opposed to the principle of compulsion. Senator Lynch waxed eloquent on the subject and declared that he was born in a free country and that he did not believe in compelling people to do that which they had no desire to do. But when he concluded his speech, to my astonishment, he said that he was in a quandary and would have to think it out. The Bill

went through without a division, and it passed the Committee stage without any discussion. In the House of Representatives it was sponsored by Mr. Mann, the member for Perth. Mr. Duncan-Hughes spoke next and said that he would not vote against the Bill, though he was not elected to support compulsory voting. The opposition to the Bill ended in smoke, and the second reading was passed without a division, and again in that House it went through Committee without alteration.

Hon. J. E. Dodd: Does the hon. member know why? If the hon. member will read Mr. Hughes's speech, he will find that the Bill went through because the time for the consideration of that business was almost up. That is why it went through in the House of Representatives with only two speeches.

Hon. J. EWING: I am pointing out that there did not seem to be very much interest taken in it, but that it went through. At any rate, a great principle was involved and the Prime Minister allowed it to go through.

Hon. J. W. Kirwan: Why not wait until we see how it operates in Commonwealth elections?

Hon. J. EWING: I will tell the hon. member how it has operated in other places.

Hon. J. W. Kirwan: In the Federal Parliament it was a clear case of hasty legislation.

Hon. J. EWING: I hope to get the hon. member's vote.

Hon. J. W. Kirwan: You will not get it.

Hon. J. EWING: It is well known that compulsory voting has been in vogue in Queensland for nine years. I understand that the Labour Party have been in power in that State for 11 years.

Hon. J. E. Dodd: It is on the Labour Party's platform.

Hon. J. EWING: I am not concerned in regard to the Labour Party, the Country Party or the Nationalist Party; all I am anxious about is a desire to secure a consensus of the opinion of the people, and in that way to secure a true vote. A remarkable feature is that whereas at the last Federal elections the whole poll represented 59 per cent. of the electors, the vote in Queensland totalled 85 per cent.

Hon. J. E. Dodd: That is not a fair analogy. You could say the same about the Boulder election of three years ago where 84 per cent. of the electors voted, while the percentage for the whole State was considerably less.

Hon. J. EWING: In the other parts of the Commonwealth, the vote averaged 59 per cent. The people of Queensland have become so accustomed to compulsory voting and are so well satisfied with it, that they do not hesitate now to go to the poll.

Hon. J. E. Dodd: How do you account for the fact that at the latest by-election in Queensland, 1490 electors did not vote?

Hon. J. EWING: I noticed that and I wondered why it was. I hope the hon. member will be able to tell me the reason for that apathy. My idea is to try to prove that in Queensland where compulsory voting has existed for nine years, the system has been rejected in the Federal elections. If it should be adopted in Western Australia, the electors will become accustomed to it, if not immediately, then after the first election, when they realise that it is their duty to cast their votes.

Hon. J. W. Kirwan: You want to make a crime of the indecision of the electors.

Hon. J. EWING: The hon. member can vote against the Bill. I am not asking for his support.

Hon. J. Duffell: You have a right to your opinion, just as Mr. Kirwan has to his.

Hon. J. EWING: If Mr. Kirwan can introduce something better, let him do so. In any case, I have not spoken to a single member of this House with regard to the Bill. If members consider it good they will assist me to pass it; if it is bad they will throw it in the rubbish heap where it should be—if it is bad. I am not going to lobby at any time in favour of a Bill. This appeals to me as a good principle to adopt and I know that many other members of the party regard it as a good move.

Hon. G. W. Miles: Which is your party?

Hon. J. EWING: The hon. member's party. I consider it right that there should be such legislation and it is the duty of Parliament therefore to pass the Bill. I have taken the initiative because the position appeals to me in that way. Members will be satisfied that the electors are not doing their duty, and I will accept whatever opprobrium that may come my way as the outcome of saying that I am endeavouring to compel the people to do their duty. The Government in power—and this applies also to their predecessors—do not represent more than 25 or 30 per cent. of the electors who were qualified to vote and many of whom did not take the trouble to vote. Regarding the position of the Legislative Council, I know that not a single member desires to be here unless it is by a majority of the electors. Let the voice of the people be heard and then we shall know that we are in the right position. In respect of both enrolment and voting, the position in this House is serious. Hon. members are aware of the apathy that existed at the recent biennial elections. There were three uncontested seats, Messrs. Lovekin and Miles and myself being returned unopposed. That left seven seats to be contested. Analyse the position in regard to the voting for those seven seats and the seriousness of it will at once be realised. The number on the rolls of the seven provinces was 46,815. Of that total 20,800 votes were recorded, representing 44.43 per cent. of the number on the roll.

Let me give the figures of the individual provinces and show the interest that was taken in the several elections—

Province.	No. on Roll.	Effective Votes.	Percentage.
Central	4,227	2,519	59·59
East	7,971	2,962	37·16
Metropolitan-Subn.	15,734	5,011	31·85
North-East ...	3,159	1,948	61·89
South	2,703	1,868	69·11
South-East ...	6,065	2,116	34·89
West	6,956	4,376	62·92

The lowest percentage was in the Metropolitan-Suburban Province.

Hon. A. J. H. Saw: And they returned a very good man, too.

Hon. J. EWING: I have no doubt that if the people had voted in greater numbers we should still have Mr. Stephenson with us. Should such a low percentage be permitted to continue? Have we there the expressed voice of the people?

Hon. J. W. Kirwan: Why make criminals of electors who do not vote?

Hon. J. EWING: My desire is to guide them along the path of duty.

Hon. E. H. Harris: What was the percentage in the South-West?

Hon. J. EWING: There was no contest there, but I have no doubt that in the past it was no better than the figures I have quoted.

Hon. A. J. H. Saw: What about the dead men who voted?

Hon. J. EWING: I have endeavoured to make the position clear and I am asking the House to say whether it is a fair thing that the existing state of affairs should be permitted to continue. The electors do not take a very keen interest in the Legislative Council—they do not take too much interest in the Assembly, though it is greater than the interest shown in this House—and it devolves on us to teach the people that they have a duty to perform, and that is to vote to a greater extent than the percentage I have quoted, viz. 44.43. My only desire is to ensure that the people shall vote if they are entitled to vote.

Hon. E. H. Harris: Can you indicate the percentage of people who should be on the roll?

Hon. J. EWING: How could I give that information? Thousands of people who are not on the roll should be on the roll. I cannot go further than that. The total enrolment for the Legislative Assembly is 189,869. There were 38 contested seats, and 12 uncontested seats. The number of electors on the roll for the 38 contested seats was 159,356, and the number of votes cast was 98,240. Therefore 61,116 voters did not trouble to vote. Only 61.65 per cent. of the possible votes were recorded.

Hon. H. Seddon: Are you speaking of the last general election?

Hon. J. EWING: Yes.

Hon. E. H. Harris: Did the present Government get a majority of the votes that were recorded?

Hon. J. EWING: I am not dealing with that aspect of the matter. The Government have been elected under the laws of the land, and are entitled to govern this country. I am not out to show that the present Administration are in an invidious position. I merely wish to demonstrate that the people of Western Australia have not done their duty in the matter of voting. Let me cite a few examples: Canning 49 per cent., Irwin 58.90 per cent., Moore 52.75, Perth 47.75. This last figure is astounding in view of the facilities for voting in the capital city.

Hon. F. E. S. Willmott: The nearer you are to a church, the more seldom you go there.

Hon. J. EWING: Not 50 per cent. of the electors of Perth, in spite of every facility and convenience, went to the poll. That position must be remedied.

Hon. J. E. Dodd: You want to make the apathetic voters rule.

Hon. J. W. Kirwan: Mr. Ewing wants to make government by the unfit, by the people who don't want to vote.

Hon. J. EWING: Does Mr. Kirwan contend that the 60 per cent. of the people who didn't vote are unfit?

Hon. J. W. Kirwan: Apparently they didn't consider themselves fit to vote.

Hon. J. EWING: Hon. members must agree that the position in the Perth electorate is most unsatisfactory. The member for Perth was elected by a majority of 109 votes. Probably he would have been elected, or else the other man would have been elected, by 500 votes if there had been a representative poll. I do not know on which side the apathetic electors are; I am not concerned with that. I am concerned with such percentages of votes recorded as the following:—North Perth 55.79 per cent., Pilbara 53.51, Pingelly 55.51, Toodyay 58.14. Without stressing the subject at much greater length, I may fairly claim that these figures conclusively prove my case. I am sure no Government in this country want to be in power by the support of less than 50 per cent. of the people who are entitled to vote. I feel that way myself.

Hon. A. J. H. Saw: Then you should resign.

Hon. J. EWING: No; the time will come when I shall have to face my electors. The position is one that should be rectified, and it cannot be rectified unless the franchise is exercised. The right to rule belongs to the majority of the people.

Hon. E. H. Gray: We don't get that under the present franchise.

Hon. J. EWING: I am not dealing with the present franchise.

Hon. E. H. Harris: The Government are not representing in another place the majority of those who voted.

Hon. J. EWING: The hon. member will have an opportunity of taking up that phase of the subject. I wish to keep clear of it. At this juncture I shall not in any way

reflect upon the Government by saying that they do not represent a majority of the electors.

Hon. E. H. Harris: I thought you said you wanted the Government to represent a majority of the people?

Hon. J. EWING: I do want it, but I do not know whether the present Government represent the majority or not. I think the Bill must appeal to hon. members. They must be convinced that the people are apathetic. If people will not exercise that great privilege of the franchise which has been fought for through generations, they should be compelled to do so. In this connection compulsion is not wrong. We compel people in other things, and voting is the most sacred duty that the people of this or any other country have to perform. Therefore, let us pass legislation of this nature, in order that those who govern the State shall certainly represent a majority of the people. I move—

That the Bill be now read a second time.

On motion by Hon. J. W. Kirwan debate adjourned for one week.

BILL—STANDARD SURVEY MARKS.

In Committee.

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

BILL—CLOSER SETTLEMENT.

Second Reading.

The COLONIAL SECRETARY (Hon. J. M. Drew—Central) [5.28] in moving the second reading said: For many years the country has been calling aloud for a closer settlement Bill. The necessity for such a measure was recognised even in the days when Crown lands suitable for wheat growing could be taken up without much difficulty. The argument then was that rich agricultural lands adjacent to established townships were locked up against closer settlement, and were used only for the grazing of sheep. Public agitation led to the acquisition of several estates of this kind by the Government under the Lands Purchase Act. The estates were settled, and the great majority of them are contributing heavily to our wheat production to-day.

Hon. H. Stewart: They hung fire for a long time, though.

The COLONIAL SECRETARY: Since then a different situation has arisen. We now have but little Crown land within convenient distance of railway lines, and in consequence the extension of land settlement is seriously threatened. There is only one remedy that appeals to the Government, and that lies in the provision of machinery for the compulsory acquisition of large estates. There are quite close to our railways many such estates capable of carrying a large population and substantially increasing our wheat production under a well-ordered scheme of closer settlement. The total area of land alienated in fee simple is 10,520,028 acres; of conditional purchase and other contracts with a view to the fee simple, 17,822,601 acres; or a total of alienated first, second and third class land of 28,342,629 acres. The area cleared is 6,236,628 acres. Only a little over a quarter of the land alienated has been cleared. The area of land partially cleared or ringbarked is 2,660,106 acres. This brings the area upon which any attempt at improvement has been made to 8,896,434 acres, leaving 19¼ million acres unimproved. That is a state of affairs calling for immediate remedy. It is evident that a considerable area of land in Western Australia is not given an opportunity to produce to its fullest extent.

Hon. H. Stewart: How much of that land is third class?

The COLONIAL SECRETARY: The Government in power in 1918 had a classification made of the land in the Avon Valley, a locality relatively close to the city. Yet, according to the classification, which I understand was conducted by Mr. Surveyor Lefroy, there are in the Avon Valley 2,000,000 acres that could be closely settled. Unfortunately, for reasons of expense, the work of classification was not completed, otherwise no doubt we should have found that what has occurred in the Avon Valley has occurred also in other parts of the State. To my personal knowledge there are many large estates in my electorate, estates that could with advantage to the community and to the State be closely settled. Had they been closely settled years ago, our wheat production to-day would be considerably higher than it is.

Hon. J. Ewing: Are the Government going to continue the work of classification?

The COLONIAL SECRETARY: That matter will be carefully considered.

Hon. J. Nicholson: How much of the land is third class?

The COLONIAL SECRETARY: It is not dissected here, but probably I shall be able to furnish the information when the Bill is in Committee. The value of the estates in the Avon Valley has been enhanced by railways, upon which the taxpayers of the State have to meet interest and sinking fund and, in some instances, loss. While some of those estates have been in no way improved, others, as I have indicated, are developed, but only partially. If they were cleared, cut up and sold in blocks of suitable sizes, there would be more work for the railways and more wealth for the State. The Bill forces the owner of such an estate into action. It provides for the appointment of a board consisting of an official of the Lands Department,

another of the Agricultural Bank, and a person with special knowledge of the district to be inquired into. The responsibility is cast on the board to decide whether or not land is unutilised within the meaning of the Act. The owner is then given notice to subdivide it. If he fails to do so, the Government have power to resume. If a price satisfactory to both parties is not agreed upon, the owner may go to arbitration under the Public Works Act. It is provided that the land may be resumed at the value placed upon it by the Taxation Department for assessment purposes, plus 10 per cent., and the value of the improvements.

Hon. A. Burvill: What is the minimum area you intend to deal with?

The COLONIAL SECRETARY: We will go into that later. The owner will be entitled to prove that the Taxation Department's assessment is not a fair one. There is provision for an appeal to the Supreme Court when notice of subdivision is served, and no action of resumption can be taken without the approval of Executive Council. A somewhat similar Bill has been before the House on two occasions. There are in this Bill a few alterations.

Hon. F. E. S. Willmott: Very important ones.

The COLONIAL SECRETARY: Yet it is practically the same Bill. Let me now deal with those alterations. Under the former measure only freehold land was dealt with. The Bill deals with all land, including conditional purchase and leasehold, except pastoral leases. The reason for the inclusion of conditional purchase land is that it may be portion of a large estate, and it might be prejudicial to the owner of the estate to take his freehold and leave his conditional purchase land on his hands.

Hon. H. Stewart: Why exclude pastoral leases?

The COLONIAL SECRETARY: Because it is not necessary to include them. Under the Lands Act they can be taken for agricultural purposes. Leasehold is included because otherwise it would be easy for an owner of a large estate to fix up a lease to a friend, and thus evade the provisions of the measure. All reference to the right of the owner of land to elect to pay three times the tax has been deleted, the Government being of opinion that that provision would make the Act inoperative. The clause relating to the Constitution Act of 1899 has likewise been removed, because of the objection made to it by this House. Let me now expound the clauses of the Bill. Clause 2 deals with the constitution of the board. Provision is made as far as possible that it shall be a board that ought to know something about its business. As I have said, it will consist of an officer of the Lands Department, an officer of the Agricultural Bank, and a person having intimate local knowledge. Clause 3, after enabling the board to inquire into the suitability of unutilised land, defines unutilised and unproductive lands as land that shall be deemed unproductive and unutilised if the board is of opinion that it is not put to reasonable use, and that its retention by the owner is a hindrance to closer settlement. Clause 4 provides that land remaining unutilised for upwards of two years shall come under the Act.

Hon. A. Burvill: Is not that rather a short time?

The COLONIAL SECRETARY: No, I think it is rather long. The board is required to report to the Minister after notifying all persons having an interest in the land, and those persons may appear and give evidence before the board. Clause 5 provides that the Governor may declare the land reported upon to be under the Act. Clause 6 prescribes that the owner and all persons concerned shall be notified that the land, or part of it, is required for the purposes of the Act The owner has then to serve notice upon any person who may have an interest in the land as a mortgagee or otherwise, and the owner is given three months in which to decide whether he will subdivide the land and offer it for sale. If he decides to do so, he must then submit the plan of subdivision to the board.

Hon. G. W. Miles: Is he allowed to put a reserve on the land when he subdivided it?

The COLONIAL SECRETARY: He must dispose of it at a reasonable price.

Hon. H. Stewart: At a price approved by the Government. If nothing is bought, what happens?

The COLONIAL SECRETARY: I think it would be very much better if these questions were left until we reach the Committee stage. It is for me a new experience to have all sorts of questions asked when a Minister, or a member, is making a second reading speech.

The PRESIDENT: Yes, it would be better to allow the Minister to make his speech uninterrupted.

The COLONIAL SECRETARY: When Mr. Ewing was making a speech just now he was constantly interrupted. That sort of thing is likely to throw a speaker off the track. As I was saying, after the plans are submitted to the board, the owner must offer the subdivisional lots for sale from time to time at a reasonable upset price, according to the view of the board. That is a reply to the question asked just now. Clause 7 deals with the position that will arise if the owner fails to subdivide and sell the land. In that case the land becomes automatically vested in His Majesty free of all encumbrances. This does not mean that mortgagees and others who have a charge on the land will be left stranded.

Paragraph (b) of Subclause 2 provides that such an interest shall be converted into a claim for compensation. Compensation will be based firstly on the unimproved value of the land, and secondly on the fair value of all improvements assessed at the added value given to the land for the time being by reason of such improvements. The amount of compensation may be agreed upon between the parties, but the assessment of the land under the Land and Income Tax Assessment Act, 1907, with 10 per cent. added, will be prima facie evidence of the unimproved value of the land. Clause 8 sets out what will occur if there is default on the part of an owner after he has been notified to subdivide for sale. The land may be taken under Clauses 6 and 7 for the purposes of closer settlement, but the owner may, within two months from the service of notice of default, appeal to the Supreme Court against the action of the board, and the judge's decision shall be final. Clause 9 needs no explanation. Clause 10 will prevent the Government from picking the eyes out of an estate. If any land be taken, the owner may insist upon the whole of the property or adjoining holdings being also acquired. In the absence of such a provision it would be possible for the Government to take all the best land and leave the inferior land on the hands of the owner, which would be distinctly unfair. Clause 12 incorporates this measure with the Agricultural Lands Purchase Act, 1909. The land will be disposed of under that Act and the board will have all the powers of the Land Purchase Board. Clause 13 gives power to discharge land from the operation of the Act. An owner may subsequently conform to the provisions of the measure and utilise his land in a satisfactory manner. If he fulfils all the requirements of the board the Governor, on the recommendation of the board, may discharge the land from the operation of the Act. It will be admitted that every consideration is shown to the owner. Clause 16 gives an interpretation of "land," which I have already explained. I move—

That the Bill be now read a second time.

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

BILL — INSPECTION OF SCAFFOLDING.

Second Reading

The COLONIAL SECRETARY (Hon. J. M. Drew—Central) [5.50] in moving the second reading said: The object of the Bill is praiseworthy in that it seeks to provide safeguards as far as practicable against fatal or serious accidents in the building trade. At present there is no power to impose such safeguards. Under the Mines Regulation Act there is provision for measures to be adopted with a view to preventing accidents among those who work under the earth. There is no such provision in the interest of those who work above the earth. Yet the men employed on lofty buildings are engaged in a hazardous occupation. For wilful neglect on the part of workmen themselves, there is no preventive. Accidents may occur for which no one is to blame, except the unfortunate workmen themselves, but that position does not arise when a man is killed or severely injured through faulty scaffolding. Those responsible for the defects are the guilty parties. They may be guilty through carelessness or ignorance, but the result is the same. Either a human life is lost or a human being is injured—perhaps permanently crippled. The welfare of a wife and large family may be seriously affected, and yet the fatality and all the attendant misery might have been averted were such a measure as we contemplate in operation. How many accidents have occurred through faulty scaffolding it is impossible to say. No records have been kept in Australia and no definite or satisfactory information seems to be available from other parts of the world. Accidents through falls are recorded, but they are an insufficient guide. If this measure becomes law something will have been attempted and not only attempted, but I am safe in saying, accomplished to minimise such accidents. If the Act be properly administered there should be fewer accidents from defective scaffolding than there have been in the past. I understand there was some opposition to the Bill last session on the ground that it would apply to the outlying portions of the State, and cost a considerable sum to administer. This Bill will operate only in centres prescribed by the Governor-in-Council. It will not operate automatically throughout the State. Naturally it will first be applied in the metropolitan area where the largest buildings are found and where building activities are the most extensive. The Bill is a simple one and extends a principle that has already been adopted by the House. It aims at giving protection to men who risk their lives in earning their bread in one of the dangerous industries of the State. Clause 4 provides for the appointment of a chief inspector of scaffolding and a staff necessary to enable him to carry out his work. It also provides for the division of the State, or a part of the State, into districts for the purposes of the Act. The Act may be made to apply to only one portion of the State. Clause 5 will enable the Minister to issue certificates of approval to qualified persons to act as public inspectors of scaffolding. An examination as to fitness must precede the issue of certificates. Clause 7 gives inspectors power of entry to all buildings being erected, and Clause 8 requires all persons concerned to afford inspectors reasonable facilities to carry out their duties. Clause 9 renders liable to a penalty not exceeding £20 anyone who ob-

structs the inspector in the performance of his duties, deceives him by falsehood, fails to comply with his requisition or to give him necessary information, or acts otherwise in a manner prejudicial to the inspector in the exercise of his duty. Clause 10 states that the description of scaffolding gear is to be prescribed by regulations.

Hon. A. Lovekin: Why not put it in a schedule?

The COLONIAL SECRETARY: To do so would need a very comprehensive measure. That was the desire of the Minister for Works, who has not much sympathy with regulations, but he found it would be exceedingly difficult to set it out in the measure, and even then the description might not be complete. Clause 11 provides that in cases where scaffolding is dangerous to the workmen or not in accordance with the regulations, the inspector can take action and insist upon compliance. If necessary he may order a cessation of work connected with the scaffolding. There is provision for an appeal to the police or resident magistrate, whose decision shall be final. Clause 12 is a penalty clause for cases of faulty scaffolding or neglect to conform with the Act. The court hearing the case may give instructions to the owner to remedy the defect within a stated time and may extend the time if considered advisable. Clause 13 requires the owner to notify an inspector within 24 hours of any accident caused by scaffolding, by reason of which any person loses his life or sustains serious injury. Clause 14 empowers the Minister to direct the holding of an inquiry into an accident by a police or resident magistrate, and if necessary a person skilled in the use and construction of scaffolding, and also a member of a building trade union. The Minister may assist the court by getting a medical man to report on the cause of death, and the nature and extent of the injury. The inquiry must be held publicly and the industrial unions of employers and workers affected will have the right to be represented. Clause 15 sets out that the provisions for an inquiry shall not apply to any mine subject to the Mines Regulation Act, and Clause 16 prohibits contracting-out. Under Clause 17 prescribed abstracts from the Act will be posted up in places to be determined by the inspector. In the event of an inspector discovering that the owner or occupier was not responsible for a breach of the Act, he may take proceedings against the actual offender in the first instance without proceeding against the owner or occupier. Clause 23 relieves a person from liability unless the scaffolding is under his immediate control. It also exempts mortgagees not in actual possession. If, however, the owner is a corporate body the fact of the directors, secretary, or manager or other of its employees being in control will not relieve them from responsibility. Clause 24 throws upon the owner the burden of proof as to compliance wtih the Act. The same principle applies in reference to the identity of the owner, and as to the authority of the inspectors and other officers. Clause 25 gives power to make regulations. The Government would prefer that all these provisions should be embodied in the Bill, but that is impracticable. It may be found necessary from time to time to make an alteration, and this can be done much more expeditiously by regulation than by legislation. I move—

That the Bill be now read a second time.

On motion by Hon. A. Lovekin, debate adjourned.

BILL—UNCLAIMED MONEYS ACT AMENDMENT.

Second Reading.

The COLONIAL SECRETARY (Hon. J. M. Drew—Central) [6.3] in moving the second reading said: This Bill is required to amend the provisions of the Government Savings Bank Act, 1906, which relates to the disposal of unclaimed moneys. Prior to the passing of the Unclaimed Moneys Act, 1912, by virtue of Sections 32 and 33 of the Act it was provided that moneys left to the credit of depositors in the Government Savings Bank, and not operated upon by either deposits or withdrawals, after the lapse of 17 years became forfeited to the Crown. Under the Unclaimed Moneys Act of 1912, which deals with the disposal of unclaimed moneys in private banks and other institutions, it is provided that money lying to the credit of depositors in these private institutions, and not operated upon for a period of seven years, becomes forfeited to the Crown and is paid into Consolidated Revenue. Prior to that Act the moneys became the property of the banking institutions. The Act of 1912 also amended the Government Savings Bank Act, 1906. That is to say, it brought the provisions of the Government Savings Bank Act into line with the conditions applying to private banking institutions. That meant that moneys lying to the credit of depositors in the Government Savings Bank became forfeitable to the Crown after seven years if during that period the depositor had not operated upon his account. Sections 32 and 33 were inadvertently repealed. It was not intended that the Unclaimed Moneys Act, 1912, should apply to the funds affected by the Government Savings Bank Act, although in fact it did so. The object of this Bill is to amend the Act of 1912 by omitting the references to the Government Savings Bank, and so restoring Sections 32 and 33 that were repealed in 1912. If the Bill becomes law any future deposits in the Government Savings Bank will be secured to the depositors for a period of 17 years, as formerly. It is desirable that the rights of the depositors shall be estab-

lished under the Act. Many people deposit money in the Government Savings Bank with the idea of providing for their old age, or making provision for their burial and other expenses. They may not operate upon the account, and the money may remain there for seven years, and then become forfeitable to the Crown. If this Bill is passed into law, 17 years must elapse before that condition is reached. I move—

That the Bill be now read a second time.

Question put and passed.

Bill read a second time.

In Committee.

Hon. J. W. Kirwan in the Chair; the Colonial Secretary in charge of the Bill.

Clause 1—agreed to.

Clause 2—Amendment of principal Act No. 34 of 1912:

Hon. G. W. MILES: Will this legislation be made retrospective to cover Savings Bank accounts that have not been operated on for seven years? Will it mean that accounts that have not been operated on for that period will have remained intact?

The COLONIAL SECRETARY: I do not think there is a single instance in which any Government has forfeited money in these circumstances. It is not the intention of the Government to take advantage of any such position.

Hon. A. LOVEKIN: The words "of minors" in Section 10 of the Unclaimed Moneys Act, 1912, are by this Bill to be omitted. We ought not to exclude these words. A parent may be paying so much a week into the Savings Bank for his child. After 17 years this money is to revert to the Crown. The desire of the parent may be to leave the money in the bank until the child comes of age, but that may not be possible under this Bill.

Hon. J. Duffell: The account would be operated on every time money was paid in.

Hon. A. LOVEKIN: I do not know that this would mean operating on the account. I would like to look further into the matter.

The COLONIAL SECRETARY: The object of the Bill is to remove all the funds of the Government Savings Bank from the operations of the Unclaimed Moneys Act. There is no necessity to have the words "of minors" in the Act.

Hon. A. Lovekin: There are three Acts involved in this Bill, and the whole matter requires a little investigation.

The COLONIAL SECRETARY: The Bill re-enacts Sections 32 and 33 of the Government Savings Bank Act, 1906. Section 32 provides that all depositors' accounts except those of minors, not being operated on for seven years, shall be balanced and closed, and the balances carried to the unclaimed deposits fund. Section 33 provides for the publication of the list of these amounts in the "Government Gazette."

Hon. A. Lovekin: The Act says, "Not being deposits made on behalf of minors," which is a very different thing.

The COLONIAL SECRETARY: The Bill can be recommitted at a later stage.

Bill reported without amendment, and the report adopted.

Sitting suspended from 6.15 to 7.30 p.m.

BILL—ROAD DISTRICTS RATES.

Second Reading.

The COLONIAL SECRETARY (Hon. J. M. Drew—Central) [7.30] in moving the second reading said: Where land is sold under a warrant of execution, or under an order for sale for default in payment of rates, it is necessary that the sale shall be completed within the period of the currency of the warrant or order, namely, 12 months. For instance, when a road board or municipality decide to sell land for the non-payment of rates, the authorities approach the resident magistrate and secure an order of sale. Then they must give a title to that property within 12 months.

Hon. J. Nicholson: The title must be registered within 12 months.

The COLONIAL SECRETARY: That is the position. If the title is not registered within 12 months it becomes defective, and there is no power given to the Registrar of Titles to register it. Cases have arisen, and continue to arise, where land is duly sold within the period of the warrant or order, the purchase money paid, and a transfer duly executed by the Clerk of the Local Court, who is authorised by the Local Government Act to execute the transfer. The transfer has been handed to the purchaser, but he has neglected to register his transfer or has delayed its registration until after the 12 months period has expired. The effect of this is that the purchaser is unable to complete his title. Where, however, the land has been, in fact, sold, the purchase money paid, and a transfer signed, it is desirable that so long as there have been no subsequent dealings with the land by the registered proprietor for whose default in payment of rates the land was sold, the purchaser may register his transfer, notwithstanding the expiration of the 12 months from the date when the order for sale was made. It is only reasonable that where the defaulting ratepayer continues to be the registered owner, he should not be allowed to set up his title as against a bona fide purchaser who may have neglected, due to oversight, to register his transfer. Of course, any such purchaser must take the consequences of his neglect should there have been any registered dealings after his purchase and before he registers his own transfer. To put the matter in a nutshell, when a municipality

takes action for failure to pay rates and causes land to be sold, only 12 months from the date of the order is allowed to complete the sale. The sale is not completed until the purchaser has registered the transfer at the Titles Office. Sometimes delay takes place and the buyer, generally through ignorance, does not take action within the 12 months to register the transfer. Hence he is unable to get a title. The Bill will make it lawful for the Registrar of Titles to register such a transfer provided no encumbrance has been registered after the 12 months has expired. I move—

That the Bill be now read a second time.

Question put and passed.

Bill read a second time.

House adjourned at 7.35 p.m.

Legislative Assembly,

Wednesday, 10th September, 1924.

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

QUESTION—RAILWAY MATTERS, TAMMIN AND KELLERBERRIN.

Mr. GRIFFITHS asked the Minister for Railways: 1, What amount was paid as compensation for injuries received by passengers in alighting from trains at Tammin railway station? 2, Will he go into the question of providing this big wheat centre with a platform? 3, Will he also, in view of present growth of Kellerberrin, go into the question of providing Kellerberrin station with an overhead bridge?

The MINISTER FOR RAILWAYS replied: 1, Nil. 2, The question has already been considered on many occasions, and it has been decided not to depart from the policy indicated by Subsection 2 of Section 40 of the Government Railways Act, 1904. 3, It is not considered that the capital expenditure which would be required to provide an overhead bridge at Kellerberrin station is justified.

MOTION—AGRICULTURAL WATER SUPPLIES.

Debate resumed from the 27th August on the motion by Mr. Latham—

That in the opinion of this House a Royal Commission should be appointed for the purpose of inquiring into the best means of providing permanent water in the agricultural areas of the State, and for the distribution and payment of same.

Hon. J. CUNNINGHAM (Honorary Minister—Kalgoorlie) [4.36]: I oppose the motion. It is generally recognised, I believe, that the present Government are in full sympathy with the wants and requirements of those who are engaged in the agricultural industry here. I took notice, when the hon. member was speaking to this motion, that he said the previous Government had done everything possible in this direction with the funds at their disposal. Let me assure the hon. member that the present Government will also do everything possible. I sympathise with the hon. member on this subject. The Government realise that everything possible must be done to provide water supplies for the people settled on and developing our agricultural areas. But, after all, it is not a question of a Royal Commission, but a question of finding the necessary funds. If I could get the money to undertake the works now in hand, the hon. member would have nothing to complain of regarding water supply. The hon. member also stated that in his opinion this State had not an engineer competent to undertake the work. May I be permitted to point out to him that the engineers to-day in the employ of the Government, more especially those in the Public Works and Water Supply Departments, are more conversant with the subject of water conservation in Australia than any engineer in any other State of the Commonwealth. I know personally of men who have been engaged on that particular work for as long as 25 years, and I say without fear of contradiction that those men are better qualified than any imported man could be to undertake such work here. Only recently proposals have been laid before the present Administration for providing water supplies in the very districts mentioned by the mover. Plans and specifications are now in the Water Supply Department for consideratnon by the engineers, but there is only one thing that is hanging up the project, and that is the question of money.