enough to send me a copy of the measure. I see no reason to refuse the powers asked for in the Bill. I take it we all want to assist the local authorities to provide up-to-date means of transit. I have read the clauses through, and there is nothing in them to which objection can be taken, except it be Clause 2, which provides that the municipality shall have power to undertake the business of carrying passengers, and luggage as parcels, within the municipal district; and it then goes on to say, "and within such extended area as may be approved by the Governor." I only wish to draw attention to the power given here to extend the area beyond the municipal boundaries. What is the need for it? Perhaps the hon. member can tell us, and assure us that it is safe to give that power—because it may be encroaching upon the district of a neighbouring local authority. This is the only point in the Bill to which I can take any objection or upon which I would desire to ask a question.

Mr. THOMAS (Bunbury—in reply) [4.59]: There is a reason for the provision. It is not very important. Just outside the municipal boundaries is the new cemetery which has been provided.

Hon. Frank Wilson: I thought perhaps it contemplated the racecourse.

Mr. THOMAS: That might apply also. It is anticipated that in the future it may be necessary to enable them to run their 'buses out that far. I am given to understand that is the only reason for the provision. It is not likely to in any way conflict with any other people who may desire to ply for hire in that direction.

Question put and passed.

Bill read a second time.

In Committee, etcetera.

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

Read a third time and transmitted to the Legislative Council.

ADJOURNMENT—NON-CONTENTIOUS MATTERS.

The PREMIER (Hon. J. Scaddan—Brown Hill—Ivanhoe) [5.2]: I move—

That the House at its rising adjourn until 4.30 p.m. on Tuesday, 25th August.

I may explain that I propose, between now and the time of meeting again, to confer with the leader of the Opposition in order that by that time we may have on the Notice Paper those Bills which are of a non-contentious nature, so that we may pass them through their remaining stages.

Question passed.

House adjourned at 5.3 p.m.

Legislative Council.

Tuesday, 25th August, 1914.

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

PAPERS PRESENTED.

By the Colonial Secretary: 1, Amendment of the Regulations of the Fremantle Harbour Trust. 2, Amendment of the Regulations of the Education Department. 3, Annual report for 1913 of the Medical, Health, Factories and Early Closing Departments.

BILL — COTTESLOE MUNICIPAL RATES VALIDATION.

Read a third time and *passed.*

BILL—FOODSTUFFS COMMISSION.

In Committee.

Hon. W. Kingsmill in the Chair, the Colonial Secretary in charge of the Bill.

Clauses 1, 2—agreed to.

Clause 3—Appointment of the Commission:

Hon. J. F. CULLEN: The Colonial Secretary explained, when introducing the Bill on the second reading, that it had been brought in in order to fall into line with the Commonwealth. I assume that the Government does not contemplate duplicating the Commissions. There is provision under the Act recently passed by this Legislature for the appointment of a Commission covering all the ground embodied in this Bill. I assume that the Government do not mean to appoint another Commission and that the powers in this Bill will be conferred upon the Commission provided for under the Act already passed. If the Minister would give us that assurance there would be no harm in adding this Bill to the one already passed. If there is going to be another Commission, it will mean a good deal of expense.

The COLONIAL SECRETARY: I could not give the hon. Mr. Cullen any such assurance. The Government, however, is not likely to consider the matter until the Bill is passed. It seems to me that it is extremely likely that the same Commission will be appointed to do this particular work.

Clause put and passed.

Clauses 4 to 7—agreed to.

Schedule, Title—agreed to.

Bill reported without amendment, and the report adopted.

BILL—ELECTORAL ACT AMENDMENT.

Second Reading.

Debate resumed from the 18th August.

Hon. H. P. COLEBATCH (East) [4.37]: I do not intend to say very much in regard to this Bill. I appreciate the necessity for a measure of this kind. There are only one or two amendments to the Bill as originally introduced that I would like to suggest to the House. The Colonial Secretary in moving the second reading, referred to certain comments I made with regard to the enrolment of the people of Geraldton. He went on to say that, if the Act were strictly interpreted, many people would be struck off the roll, for many of the names of the streets of small townsites in the back blocks have probably been forgotten. I would like the Colonial Secretary to remember that no objection was raised to persons, who were living in townsites the names of the streets of which have been forgotten, being placed on the roll, since the street in which they lived being mentioned. But the objection was made in regard to the people living in Geraldton, where I think the names of the streets are well known. The grass does not grow in the streets of Geradton, I understand, and the names of the streets are certainly not forgotten. I do not object to the alteration in Clause 2, subclause 2, so far as it deals with the words "If such name is by usage commonly known." I think these words are quite proper, but the clause goes on to say, "and the number of the house in which the claimant resides (if numbered) shall be stated." It stops there, omitting the words of the original section. In that original section we find that such particulars shall be given as in the opinion of the registrar are sufficient to enable the exact locality of the claimant's residence to be ascertained. That would mean, if we carried the clause as it stands, that although a person is required to give the number of the house, if it is numbered, in the event of its not being numbered though it might be a very long street, which might extend for miles, it would only be necessary to give the name of the street, and nothing else whatever. When we reach the Committee stage I shall move to insert after the words stated in line 8 of Subclause 2 of Clause 2 the words which appear in the original Act, and which appear later on as applying to residents outside a municipal district or townsite. The only other objection I have to raise

to the Bill is as to the proviso. It seems to me a most ridiculous thing to set up what are called the essential features of a claim, and to say in one portion that the essential features of a claim are so and so, and then put in a proviso giving the registrar power to ignore any or all of the essential features as he thinks fit. The proviso reads—

> Provided that the registrar may, in his discretion, accept and register a claim and, notwithstanding that the requirements of this section are not strictly complied with, if he is satisfied that the claimant resides within the district.

If he is satisfied! Evidently the registrar has to be the sole judge as to whether they are strictly complied with or not. I do not know what the word "strictly" means in a case like that. It is said that these are the essential features of the claim. These features must be complied with or they must not. There cannot be such a thing as complying with them but not complying strictly with them. If you do not comply with them you do not comply with them. That is the end of it. If it is left in the whole section is useless. It will be simply at the discretion of the registrar whether people give the names of the streets in which they live, or not. Consequently, I hope the Committee will strike out that proviso. If we do that we shall have all that the Electoral Department can reasonably require, and it will be still necessary for people to enrol their names in such a way that the residence can be identified, as should be the case on a roll in which residence is the only qualification for voting. I do not know whether I am in order in discussing the addendum, the amendments which the Colonial Secretary proposed to move in Committee. If I am in order, I would like to suggest that it is a very unusual course that the House should be asked to make these provisions, this drastic change in our present method, and to make these provisions for another place. They do not apply to this House, but they apply to another place. It does seem very unusual, but the unusual circumstances probably justify that we should be asked to make these provisions. So far as the provisions for compulsory enrolment are concerned, we have this fact to guide us, that a similar provision has existed under the Commonwealth Electoral Act for some time, and that there is apparently no public objection to it, so far as I can understand. The people are apparently satisfied, and I do not know any great reason why we should not adopt them in our own Electoral Act. It certainly tends to make for uniformity, and anything we can do to make for uniformity between the State and the Federal Acts on these questions should be welcomed. I would welcome the time when it would be possible to have enrolments covering both our Legislative Assembly rolls and also the Federal rolls. There are certain reasons why this has not been done up to the present time. In one particular these provisions for compulsory enrolment are better than exist under the Federal Act, because if a man neglects to enrol his name he is fined under the Federal Act and there is an end of it, and he need not enrol again, and cannot be fined again. It is ridiculous to allow a man to go on committing an act which is an offence without punishing him. Under this measure, however, a man can be fined for not enrolling himself and he can be fined again so long as he refrains from placing himself on the rolls. So far as the last provision is concerned, it aims at what one might call compulsory voting. It does not mean that you will drag a man to the booth and make him mark a ballot paper; all that it conveys is that a penalty will be imposed if he does not vote.

The PRESIDENT: I think it would be better if the hon. member reserved his remarks on these proposed amendments to the Bill until the Committee stage. I had not the amendments which appear on the addendum to the Notice Paper before me when the hon. member first referred to them.

Hon. H. P. COLEBATCH: That being the case, I have nothing further to say in regard to the Bill as it stands except that when it comes before the Committee I shall ask the House to make the two amendments to which I have referred.

Hon. J. F. CULLEN (South-East) [4.48]: If there is reason for suspending legislation on any question I think it would apply to this. The sole reason of the Bill was suggested by a party issue. It is just one of those Bills one cannot deal with without referring to party matters. I do not want to refer to party matters just now, and I am sure this is a measure the Minister will be wise to let slide for the time being. The only point in the Bill is that which proposes to remedy an abuse which happened in the Geraldton district. If the Minister is not inclined to delay it I must make my remarks. The Minister himself was charged with using his ministerial office and power to secure the enrolment of a number of people who had not complied with the requirements of the law.

The Colonial Secretary: That is not a fact.

Hon. J. F. CULLEN: And that is at the bottom of the whole thing. The Bill is brought in to say that the registrar will be the buffer between the responsible Minister and the electors. When it is remembered that registrars owe their appointments and promotions, even under the Public Service Act, to kindly influence in many places, is it wise to increase their discretionary power? In legislation the less that is left to discretion to anyone, the better the laws, and the more capable of fulfilment will they be. The less discretionary power left to any administrator and much less to a subordinate official, the better it will be for sound legislation. We must remember that we have abolished any possible revision of enrolment. Our laws used to provide for revision courts, but those courts no longer exist. Any man or any political agent can cause applications for enrolment to pile up in the registrar's office, and the present law leaves the registrar a certain amount of personal judgment. This amendment emphasises that discretionary power, and there is no provision for reviewing the registrar's decision. The registrar can say, "I had a wire from the Minister sent on by the Chief Electoral Officer to put on names which I consider are not sent in in accordance with the Act. I have instructions to put them on." Then there is no review of such action. The only thing in this Bill, as a countryman of my father's might say, is that which is left out. The only thing worthy of consideration is that which has been brought down as an afterthought, and it is that which this House will be asked to pass to make up for the carelessness or oversight or neglect of another place. At present there is nothing in the Bill except the emphasis of the discretionary power given to an ordinary registrar. A word about registrars. There are many careful men amongst registrars, but there are also many who are new to office who have had no experience and who act without judgment, because they are new, and in some cases they are young men. I know of one case where a registrar struck off a roll some 300 names. I asked him why he did it, and he said he thought they ought to be off. I said, "That is rather a serious responsibility for you to take," and he replied, "If I have struck them off wrongfully they can get on again." "But," I said, "suppose there is an election in the meantime"? "Oh," he replied, "they can get on again." I do not want to be a party to this kind of legislation. It is no use to say the law is strict; the law has to be strict when it concerns vital matters, and it is very dangerous to leave it practically at the discretion of some young man or some man whose judgment is not well balanced, to decide an election in a certain district by rejecting certain names and putting on certain others. Apart from the amendments contained in the addendum to the Notice Paper I see nothing in the Bill to warrant passing comment on.

Question put and passed.

Bill read a second time.

In Committee.

Hon. W. Kingsmill in the Chair, the Colonial Secretary in charge of the Bill.

Clause 1—agreed to.

Clause 2—Amendment of Section 44:

The COLONIAL SECRETARY moved an amendment—

That in line 1 of Subclause 2 after the word "if" the following words be inserted:—"the claim is for enrolment for the Assembly and."
Amendment passed.

Hon. H. P. COLEBATCH moved a further amendment—

That in line 4 of Subclause 2 after the word "stated," the following words be inserted:—"and if not numbered, such particulars shall be given as, in in the opinion of the registrar, are sufficient to enable the exact locality of the claimant's residence to be ascertained."

I have already explained the reason for moving this amendment. The object is to bring the subclause into conformity with the Act as it stands at the present time.

The COLONIAL SECRETARY: I would like an assurance from the hon. member that the amendment is in exact accord with the original Act. I think if we put in the word "exact" it will mean that every man must give the number of his block. Surely it is not the object of the hon. member to compel every applicant for enrolment to state the number of the block he occupies.

Hon. H. P. COLEBATCH: The Act as it stands at the present reads, "If the residence of the claimant is within a municipal district or townsite the name of the street and the number of the house, if numbered, shall be stated, and if not numbered, such particulars shall be given as in the opinion of the registrar are sufficient to enable the exact locality of the claimant's residence to be ascertained." They are exactly the words of the amendment which I have moved. Then the next subclause in the Act of 1907 goes on to deal with cases outside a municipality and townsite and again it includes those same words. In the Bill these words are used in regard to places outside a townsite, but are omitted in referring to a street in which houses are not numbered. It looks like an omission on the part of the draughtsman who apparently has run two of the subsections of the Act into this one subclause. The language of the amendment is exactly the language of the present Act.

The Colonial Secretary: Leave out the word "exact."

Hon. H. P. COLEBATCH: That word is in the Act. It does not mean that the exact locality must be stated on the roll, but that the registrar must be able to exactly locate the claimant. In regard to a street in an ordinary town the registrar would be quite content if the man stated "west" or "east" to enable anyone who desired to look into the matter of the exact locality. The provision has been in the Act for years and no trouble has arisen. I do not see that the word "exact" has any particular meaning because if the locality is identified what does it matter whether we make it the "exact" locality or not?

The COLONIAL SECRETARY: I am satisfied now that the word "exact" is in the original Act, but the hon. member has contended that the original Act should be carried out to the very letter.

Hon. H. P. Colebatch: Never.

The COLONIAL SECRETARY: The practice followed in connection with the Geraldton election was the same as that under the previous Administration; the Act was not carried out to the letter. If a law is to be carried out to the letter, it must be reasonable. If the word "exact" is inserted, it will be necessary for every applicant for the franchise where the street is not numbered to give the number of his block in order that the exact locality may be correctly ascertained. How can we have the exact locality unless we have the number of the block? This will result in scores of people being disfranchised.

Hon. J. CORNELL: I oppose the amendment. Every reasonable facility should be given the people to get their names on the roll. If the hon. member will delete the word "exact" the amendment will be reasonable. There are hundreds of squatters on gold-mining leases, and these men would have to state in their claims the exact locality. The Boulder lease consists of 89 acres, and the houses of these men have no numbers.

Under the amendment the registrar would require them to identify the actual position, and it would be impossible to do this without submitting a plan. If the registrar is in doubt, the duty devolves upon him to make the necessary inquiry. If the onus is cast on the elector, hundreds of men will be disfranchised. When this subclause has received the whole-hearted approbation of another place, it ill-becomes members here to question what does not concern them.

Hon. H. P. COLEBATCH: The amendment applies to streets in a municipality, and the hon. Mr. Cornell's remarks apply to something quite different. I see no reason to depart from the wording of the Act. The hon. member was wrong in saying that this Bill received the whole-hearted approbation of another place, because members were dissatisfied with the proviso which I will presently ask the House to strike out.

Hon. J. E. DODD (Honorary Minister): The amendment does not refer to the points raised by the hon. Mr. Cornell but to cases where there are townsites in which there are no streets or where there are no guide marks. This applies to new as well as old townsites. In the new townsites there are often hundreds of men camped and settled outside the actual boundaries. The whole town is very often not marked out, and we will be likely to do a very grave injustice to the people settled in these parts.

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

Ayes	17
Noes	4
Majority for	13

AYES.

Hon. J. F. Allen	Hon. J. J. Holmes
Hon. C. F. Baxter	Hon. A. G. Jenkins
Hon. H. Carson	Hon. R. J. Lynn
Hon. E. M. Clarke	Hon. C. McKenzie
Hon. H. P. Colebatch	Hon. W. Patrick
Hon. J. F. Cullen	Hon. A. Sanderson
Hon. J. Duffell	Hon. C. Sommers
Hon. D. G. Gawler	Hon. E. McLarty (*Teller*).
Hon. V. Hamersley	

NOES.

Hon. R. G. Ardagh	Hon. J. M. Drew
Hon. J. E. Dodd	Hon. J. Cornell (*Teller*).

Amendment thus passed.

Hon. H. P. COLEBATCH: I move a further amendment—

That after "as" in line 6 of Subclause 2 the words "in the opinion of the registrar" be inserted.

Without these words the subclause will be meaningless. Who is to say whether the particulars are sufficient or not? I object to giving the registrars unlimited powers, but they should be given discretionary powers within the meaning of the Act.

Amendment passed.

Hon. H. P. COLEBATCH. I move a further amendment—

That the proviso be struck out.

If the proviso is retained the balance of the clause to which we have agreed might as well be torn up. It is ridiculous to say that claimants shall do certain things in order to be enrolled and then to provide that the registrar may, at his discretion, accept the claim without those particulars. In connection with the Geraldton election I am indifferent as to the Administration responsible for the roll, but a large number of names appeared on the roll without any street or place of residence being stated. If we put in the proviso as it stands at present, it will be quite competent for the electoral registrar to compile a roll for Geraldton, for instance, without giving the address of a single person in that place.

The COLONIAL SECRETARY: I hope the proviso will not be struck out. It was inserted with a view to meeting positions not covered by Clause 2. Very often in Western Australia townsites are declared without the streets being named. Again, when the boundaries of a townsite are streets, these are frequently not named at all. In the case of old townsites where the streets have been named, the posts have rotted away, and it is almost impossible to discover the situation of a street. With regard to subdivisions, a large block purchased many years ago, for example, may be cut up and streets may be

defined, without, however, names being given to those streets.

Hon. J. F. Cullen: The owner of the block has to give names to the streets, and the names are registered.

The COLONIAL SECRETARY: It is not necessary that he should give names to streets in the case of subdivision. Now, all people living in such a subdivision would be disfranchised if this measure, under the amendment proposed by the hon. Mr. Colebatch, were strictly administered. A little while ago, Mr. Colebatch moved an amendment conferring on the electoral registrar great power.

Hon. H. P. Colebatch: But not power to override the Electoral Act.

The COLONIAL SECRETARY: Now Mr. Colebatch objects to power being conferred on the electoral registrar, who lives in the district and knows the residents, to say whether the applicant for a vote is or is not a resident of the district. If a man is living in a district and otherwise qualified, why should he not be granted the franchise? Are hon. members afraid to trust the electoral registrars? The amendment seems to me an unwarranted reflection on the electoral registrars.

Hon. J. F. CULLEN: The Minister overlooks the fact that what he sets out to do by this proviso has really been done, in the spirit, by the amendments which have been carried already. The Committee has just provided for the discretion of the registrar, and provision has been made under which there will be no difficulty in carrying out the measure. With regard to names of streets, that difficulty has been met by the provision that, where the name of the street cannot be given, sufficient information shall be supplied to enable the applicant to be identified. This proviso, therefore, is absolute surplusage; and, further, it gives a dangerous extension to the powers of the registrar.

Hon. E. M. CLARKE: I cannot say that I follow the Minister in his statement that because streets are not named they cannot be identified. If an owner wishes to subdivide a portion of land, each subdivision is numbered. Under the law, each subdivision is bound to be numbered, and there is no difficulty in giving the number. I know of hundreds of cases of subdivision of locations, and these subdivisions are always numbered and can always be identified. No hardship is involved in requiring an applicant for enrolment to give this information.

Hon. R. G. ARDAGH: I hope the proviso will not be struck out. To delete it will inflict great hardship on many people in small centres, where there are no streets. For such people it is impossible to state exactly their place of residence. By allowing the proviso to stand, we would give the registrar power to exercise his discretion in such cases.

Hon. J. E. DODD (Honorary Minister): The hon. Mr. Colebatch's amendment refers to places outside municipal districts.

Hon. H. P. Colebatch: It refers to the whole lot.

Hon. J. E. DODD (Honorary Minister): The principal point I wish to refer to is in connection with the residents on leases on the various gold-mining areas, and also in connection with teamsters and prospectors. How are these people to furnish particulars of place of residence?

Hon. H. P. Colebatch: They are not entitled to go on the roll if they cannot give a place of residence.

Hon. J. E. DODD (Honorary Minister): If the people who are doing the pioneering of the State are not entitled to go on the roll, it is a new proposition to me.

Hon. W. Patrick: They all have a place of residence. There is no trouble about that.

Hon. J. E. DODD (Honorary Minister): If the proviso is struck out, then when an election comes along protests may be entered against such people simply because the very letter of the Act has not been complied with. How is a teamster in Pilbara or Kimberley, who may be carting over distances of 400 miles, to give a place of residence? And the same thing applies to prospectors. They are the very men who should have votes. The effect of the proviso is

that the electoral registrar must be satisfied that the claimant resides in the district. Now, with regard to the residents on leases at Kalgoorlie and Boulder: how are they exactly to distinguish their places of residence? And there are thousands of such people. The only possible mark of identification they could furnish would be to say that they were living near some dump or near such and such a crossing. If the claimant is unable to give marks of identification of the locality where he resides, then, under this proviso, it will be in the registrar's discretion to say whether the claimant is entitled to be registered.

Hon. H. P. COLEBATCH: If it is proposed to allow people to go on the roll who have no residence, then it will be necessary to make very considerable amendments in the principal Act. At the present time that Act does not provide for the enrolment of any person without a residence. A man without a residence would be improperly enrolled if he were on the roll. Residence is the qualification for voting. This proviso does not apply only to persons living outside a townsite or outside a municipality; it applies to the whole lot. When inserting a proviso of this nature, which gives the electoral registrar very large powers, we naturally ask ourselves whether the powers are likely to be abused. Looking back to the experience of the past, it is evident that such a proviso as this is likely to be abused. The enrolment at Geraldton last year, to which such strong exception was taken, would be perfectly legal under this proviso. Therefore I say that if we allow this proviso to stand, intolerable abuses may arise. People who work at long distances from their homes, for instance, may be registered once in the place where they live, and again in the place where they work. Unless there is something definite by which the registrar may know where an applicant lives, how is an abuse of that nature going to be checked? There need be no difficulty as regards the prospector or the teamster: he must be able to give some place of residence. All such an applicant has to do is to furnish the registrar with such particulars as in the opinion of the registrar are sufficient to enable the place of residence to be ascertained. How is one to check double enrolment or dual voting in the absence of such particulars?

Hon. J. CORNELL: I hope the proviso will not be either struck out or modified. An organised attempt, it seems to me, is being made to prevent many deserving citizens of this State from being enrolled.

Hon. J. F. Cullen: From being enrolled twice or three times.

Hon. H. P. Colebatch: Nothing of the kind.

Hon. J. CORNELL: I say that is what you are doing.

The CHAIRMAN: The hon. member will kindly address the Chair.

Hon. J. CORNELL: Mr. Colebatch points out that the requirements of the principal Act, for which we are not responsible, are very stringent as regards particulars of place of residence. I assume that residence is intended to mean "fixed place of abode." If that were the case, I should have no objection to the striking out of the proviso. There is a large floating population, which by some has been termed the flotsam and jetsam of the State, who have no fixed place of abode, and we must bestow some discretionary power on some individual who can determine and give them the necessary qualifications to vote. Are there not many teamsters whose only place of abode is the wagon they drive daily? There are many of them in the North-West and they have no fixed place of residence. They may be in Onslow to-day and 50 miles up the river in three days' time.

Hon. D. G. Gawler: If they have no residence they have no qualifications.

Hon. J. CORNELL: That is just what I expected from the hon. member.

Hon. J. J. Holmes: If they are driving a bullock wagon they have at least a starting and a finishing point.

Hon. J. CORNELL: They have nothing of the sort. They are moving all the time and have no fixed place of abode. So far as residence goes, the Act is meant to determine a fixed place of abode. If the Committee will not go so far as to give the registrar a discretionary power, they ought at least to give that power to the Chief Electoral Registrar. All the talk of double enrolment and abuse is purely imaginary. Some provision should be made for the enrolment of this floating population.

The COLONIAL SECRETARY: Mr. Colebatch stated that residence was an essential qualification. It is not so. Section 17 of the principal Act was amended in 1910-11, and for "residence" the word "live" was inserted. There is a difference. The section was amended to bring it into line with the Commonwealth legislation, with the object of preventing the position which Mr. Colebatch referred to arising.

Hon. H. P. COLEBATCH: I have only to remind the Colonial Secretary that the Bill we are now discussing, not the principal Act at all, but the clause which we have already passed, prescribes that the essential part of a claim shall be the residence of the claimant.

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

Ayes	17
Noes	4
Majority for	13

AYES.

Hon. J. F. Allen	Hon. A. G. Jenkins
Hon. C. F. Baxter	Hon. R. J. Lynn
Hon. H. Carson	Hon. C. McKenzie
Hon. E. M. Clarke	Hon. E. McLarty
Hon. H. P. Colebatch	Hon. W. Patrick
Hon. J. F. Cullen	Hon. A. Sanderson
Hon. J. Duffell	Hon. C. Sommers
Hon. V. Hamersley	Hon. D. G. Gawler (*Teller*).
Hon. J. J. Holmes	

NOES.

Hon. J. Cornell	Hon. J. M. Drew
Hon. J. E. Dodd	Hon. R. G. Ardagh (*Teller*).

Amendment thus passed, the clause as amended agreed to.

Clause 3—agreed to.

New clause—Compulsory enrolment:

The COLONIAL SECRETARY moved—

That the following be added as a new clause:—3. A new section is hereby inserted in the principal Act after section forty-five, as follows:—45A. (1) (a) Every person who is entitled or becomes entitled to be enrolled as an elector for the Assembly, and who is not so enrolled, shall forthwith fill in and sign, in accordance with this Act and the regulations, a form of claim for enrolment as an elector for the district in which he lives, and shall forthwith send such claim to the registrar keeping the roll for such district. (b) Every elector for the Assembly who has ceased, for a period of more than one month, to live in the district for which he is enrolled, and has changed his place of living to another district, shall forthwith after he has lived for one month in such other district fill in and sign, in accordance with this Act and the regulations, a claim in the prescribed form for enrolment as an elector for the district in which he lives, and shall forthwith send such claim to the registrar keeping the roll for such district. (2) Any person who fails, within a period of twenty-one days from the date on which he became entitled to have his name placed on any Assembly roll, to send to the proper registrar a claim in accordance with the provisions of this section shall be guilty of an offence and liable on conviction to a penalty not exceeding two pounds. Upon any such conviction the justices may make an order, directed to the person convicted, ordering such person to send to the proper registrar a claim in accordance with the provisions of this section, within a certain time to be stated in the order; and if, at the expiration of such time, such order is not obeyed, the person to whom such order shall have been directed may be proceeded against for neglecting such order, and shall be liable on conviction

to a penalty not exceeding two pounds; and on any such conviction from time to time it shall be lawful for the convicting justices to renew the said order, and any further breach of any such order after a previous conviction for any such breach shall be punishable in like manner. (3) Regulations made under this Act may prescribe all matters, not inconsistent with this Act, necessary and convenient to be prescribed for carrying a system of compulsory enrolment of electors into effect, and may prescribe penalties not exceeding two pounds for any contravention of any such regulations.

Hon. H. P. COLEBATCH: I have no particular objection to the clause except that it is a very unusual proceeding for this Chamber to insert in the Electoral Act new provisions which apply only to the other Chamber. I have no doubt there are unusual circumstances which justify the taking of this course, and that it will be understood by members in another place that we did not do it, that it is all their own doing. I think the proposed provision for compulsory enrolment is better than the Commonwealth provision.

Hon. J. F. CULLEN: I hope the Minister will consent to adjourn the debate at this stage. It is quite true that these amendments were put on the Notice Paper some time ago; but they were left off by some accident; and, apart from that, no one knew until we met to-night that the Minister would go on with this debatable Bill under present conditions.

The Colonial Secretary: Why, I moved the second reading at the last sitting of the House.

Hon. J. F. CULLEN: Anyhow, the Bill itself meant nothing, but these amendments, which have not been on the Notice Paper, came as a surprise to me. I may be in a position to consent to all of these, but I am not prepared to do so at this stage. I would like first to weigh them very carefully. I hope the Minister will adjourn the debate.

Hon. J. CORNELL: This proposed new clause is a very important departure from the principle of enrolment now in force, and I for one have heard no reasons given why the present system should be departed from. The elector was free of his own volition to enrol himself or not. We know that under the Commonwealth Act it is obligatory on the part of the elector to make at least one claim for enrolment, and if he does not do so he is fined. The clause goes further, inasmuch as an elector can be prosecuted until such time as he makes application for enrolment. The question of compulsory enrolment is a very large one, and I do not believe in compulsory enrolment without its natural corollary, compulsory attendance at the polling booth. We have compulsory military services, but there is no comparison between compulsory military service and compulsory enrolment, because compulsory military service not only calls on the youth of Australia to train, by compulsion, but it carries the natural corollary, to fight by compulsion. If the Legislature thinks it should be an obligation on the part of an elector to enrol himself then we should go further and make the vote compulsory. Has the question of compulsory enrolment anything to commend it? We say to the voter, you must be on the roll or be fined. The voter who does not take sufficient interest in the affairs of his country to become enrolled is a dangerous instrument when you force him to become enrolled. Compulsory enrolment means nothing. It may give a good roll and it may be that 100 per cent. of the electors are on the roll, but it is no good, because it does not make those electors go to the polling booth. I do not think the clause will be of any utility if agreed to. The Colonial Secretary in explaining the measure briefly touched on this new clause, and said that the system of canvass had been abolished, and therefore it was necessary to have compulsory rolls. I have heard it said that the Federal electoral roll is to be taken as the basis of the roll for the next general election, but that can be done without compulsory enrolment. I am averse to large far-reaching questions being given effect to without the people of the State expressing their opinions on them.

The COLONIAL SECRETARY: I explained in the course of my second reading speech that this was the only way out of the difficulty that can be seen by the Premier and the leader of the Opposition. Owing to the war, the police in fairly large numbers have had to be called from the task of canvassing and placing people on the rolls of the State, consequently the electoral canvass was stopped, and the Premier approached the leader of the Opposition, and placed the position before him. It was agreed that the introduction of a measure for compulsory enrolment would be a good way out of the difficulty. If this course had not been taken the State would have been involved in the expenditure of £6,000 or £7,000 if private canvassers had had to be employed. The compulsory enrolment system appears to have worked well in the Commonwealth, and it would save a large expenditure in this State. At any rate, it will be of great assistance to the police force in their efforts later on, when there is no war raging, in obtaining the enrolment of voters.

Hon. J. F. CULLEN: After the Minister's explanation, I shall vote for the proposal before the Committee. The point that was troubling me was that which was raised by Mr. Colebatch, that it was not the constitutional practice for this House to bring forward a proposal dealing with electors for another House.

Hon. J. J. HOLMES: Is it intended to compile new rolls, or will the names on the existing rolls be the basis of the new roll, or will every elector have to make an application for enrolment?

The Colonial Secretary: Certainly not.

Hon. J. CORNELL: This amendment contemplates making the enrolment compulsory on an Assembly elector, but it does not make it compulsory on the part of a Council elector. If for no other reason than that, I shall vote against the proposal, because if it is compulsory on the part of an Assembly elector to make application, it should be compulsory on the part of a Council elector.

New clause put and passed.

New Clause—Amendment of Section 47:

The COLONIAL SECRETARY moved—

That the following be inserted to stand as Clause 4:—Section forty-seven of the principal Act is amended by adding a subsection as follows:—(5) (a) After every general election the registrar for each Province and District shall send a notification in writing in the prescribed form to every elector who appears, as a result of a scrutiny of the rolls used by the presiding officers, not to have recorded his vote at the election. (b) Such notification shall set out that unless a claim form is duly made out, signed, and sent to the registrar within three months from the date of the election, as a proof that the elector still retains his qualification, the elector's name will be objected to; and if at the expiration of such period of three months a claim is not received pursuant to such notification, it shall be the duty of the registrar to object to the enrolment of such elector.

Hon. H. P. COLEBATCH: Has the point been considered whether it is advisable to go beyond the Commonwealth Act? I do not particularly object to annoying a man who does not vote, for that is all it aims at. You may keep on irritating and annoying an elector, still it is a pity to go beyond the Commonwealth Electoral Act. If we kept in uniformity it would be better.

Hon. J. F. CULLEN: There is another point. After compelling an elector to enrol, the clause attempts to punish him for non-enrolment, and the punishment involves not only undoing his enrolment but taking out of the power of the authorities any further punishment to the man.

The COLONIAL SECRETARY: The object of the clause is to secure the purification of the rolls. If a man has not voted, that is some reason to believe that probably he has left the district. His name is not removed by the electoral registrar or the Chief Electoral Registrar, but a notice is sent to the elector and if

the notice is not replied to within three months the name is struck off the roll.

Hon. D. G. GAWLER: The proposed new clause refers to the Council and the Assembly, whereas the new clause we have just passed only makes it compulsory for an elector of the Assembly to be enrolled, yet we punish both in this clause if electors do not enrol.

Hon. J. CORNELL: The purport of the amendment is that the Council elector if he does not record his vote at an election will receive a notice, and if he does not respond to that notice within three months his name is struck off the roll. At present it is voluntary for an elector to go on the roll and it is voluntary if he votes, and whether he votes or not he still remains on the roll. If an obligation is cast on an elector of being struck off the roll because he does not vote, I think it is logical to assume that there should be an obligation for him to see that his name is on the roll. The province elector who gets on the roll and does not vote at an election and does not reply to the notice is struck off the roll, but the province elector who does not take any notice at all escapes free. Unless this makes compulsory voting to affect the Legislative Council rolls as well, I will vote against the clause.

Hon. D. G. GAWLER: I move an amendment—

That the words "province and" be struck out.

This will make the clause refer only to the Legislative Assembly. It has yet to be shown what reason there is for putting them in this clause and leaving them out of the clause we have just been considering.

Hon. J. J. HOLMES: I am rather inclined to agree with the hon. Mr. Cornell, that we ought to make enrolment compulsory for both Houses. We might get over the difficulty by recommitting the Bill. I agree with what the hon. Mr. Cornell says, that we should make it compulsory for both Houses.

Hon. J. Cornell: Or not at all.

Hon. J. J. HOLMES: So as to avoid exempting the Legislative Council electors and penalising the electors for the Legislative Assembly if they do not vote.

Hon. J. F. Cullen: Mr. Cornell is against compulsory voting at all.

Hon. J. J. HOLMES: I am in favour of compulsory voting myself. I hope to see an Act introduced to make voting compulsory. It is absurd to see people piling up the rolls with a lot of names. So long as people are on the rolls apparently they need not vote. We have to go one stage further and have voting compulsory. Under this Bill many names will be put on the roll and any one will have power to take them off. After a general election an electoral registrar will be able to go through the roll and will find the people who have not voted, and if they do not make application again they will be struck off the roll. Therefore, if they do not make such application they are struck off the roll and there is an end to it.

Hon. D. G. GAWLER: Obviously, the reference in the section to the Legislative Council is in error. You can see the words which are used refer to every general election. We only have periodical elections in this House and I think the words "general election" refer only to the Legislative Assembly. The insertion of the word "province" is a mistake.

Hon. H. P. COLEBATCH: I would like the Colonial Secretary to look at the matter from this point of view. The question to which we have already agreed in regard to compulsory enrolment is in order to provide for something which is necessary because of the prevailing circumstances, but why should we try to bring in a principle which has nothing whatever to do with this urgency measure? If the clause stands as it is, what will it mean? In a province election the usual poll is 50 to 60 per cent. The result will be an enormous amount of work for the electoral officer. The 50 or 60 per cent. of the electors will have to be informed after each election, and these will have to make fresh application to get on the rolls. The rolls will, therefore, practically be destroyed after each election. I would not only vote for the amendment of the hon. Mr. Gawler but

I would vote for the striking out of the whole clause, which is not at all pertinent to the present issue.

Amendment put and passed.

New Clause as amended put and negatived.

Hon. J. CORNELL: Am I in order in moving the insertion of a new clause?

The CHAIRMAN: No. The clause that you wish to move should appear on the Notice Paper in the ordinary way.

Hon. J. CORNELL: My idea in moving the new clause was that compulsory enrolment should be inoperative at certain periods.

The CHAIRMAN: The best course for the hon. member at this stage is to move that progress be reported, and place his clause on the Notice Paper, or alternatively, to allow the Bill to go through and move for a recommittal.

Hon. J. Cornell: I think a recommittal will be the better plan.

The Colonial Secretary: What is the amendment that the hon. member proposes?

The CHAIRMAN: I take it that the whole discussion is on a point of order.

Hon. J. CORNELL: Yes. My idea was to make it operative only on the compilation of the present rolls. If the next Parliament would like to introduce it and pass it, well and good.

Hon. J. F. Cullen: That could be done in another place.

Hon. J. CORNELL: They might not do it.

The CHAIRMAN: You do not move to report progress?

Hon. J. CORNELL: No.

Title—agreed to.

Bill reported with amendments.

BILL—AGRICULTURAL BANK ACT AMENDMENT.

Received from the Legislative Assembly and read a first time.

Sitting suspended from 6.10 to 7.30 p.m.

BILL—BUNBURY MOTOR 'BUS SERVICE.

Second Reading.

Hon. E. M. CLARKE (South-West) [7.30] in moving the second reading said: The Bunbury municipality has already under the Municipalities Act authority to raise money for the purchase of motor 'buses. It is necessary, however, that this Bill should go through rather hurriedly, otherwise the council will have to take a fresh vote on this question. While the Act gives power to borrow money, it does not give power to make a charge for the carriage of persons and parcels, and under this Bill, which speaks for itself, the necessary powers are given, not only for the purchase, but also for the running and the management of these 'buses. Clause 2 gives power to the municipality to engage in the business of carrying passengers, etc., for hire. Clause 3 gives power to acquire and construct motor 'buses. Clause 4 provides that the ordinary revenue of the municipality shall be applicable towards the payment of the expenses incurred. Clause 5 provides for borrowing powers, and Clause 6 gives power to make by-laws. There is nothing in the measure of a nature that can cause any discussion; it is a matter purely for the ratepayers of Bunbury. I move—

That the Bill be now read a second time.

Question put and passed.

Bill read a second time.

In Committee.

Hon. W. Kingsmill in the Chair, Hon. E. M. Clarke in charge of the Bill.

Clauses 1 to 4—agreed to.

Clause 5—Borrowing powers:

Hon. D. G. GAWLER: I would like to know whether it is intended to insert the provision which is usually found in measures of this description, that the amount borrowed shall not be taken into consideration in estimating the amount borrowed for other purposes. In Section 436 of the Municipalities Act it is provided that the amount so borrowed shall not exceed so much, and the estimate is given as ten times the average revenue

of the municipality. If that provision is not inserted here, the amount borrowed for this purpose would be included in that, and in future borrowings this amount will have to be taken into consideration by the municipality.

Clause put and passed.

Clauses 6, 7—agreed to.

Title—agreed to.

Bill reported without amendemnt, and the report adopted.

BILL—BILLS OF SALE ACT AMENDMENT.

Second Reading.

Debate resumed from the 18th August.

Hon. D. G. GAWLER (Metropolitan-Suburban) [7.38]: I do not propose to say much in regard to this measure because anything necessary to be said can be said when the measure is under consideration in Committee. I would like to mention, however, that at the present time when our thoughts are otherwise engaged, I really wonder whether it is not one of those Bills which could be allowed to stand over, because it is doubtful whether it will get the consideration which it ought to receive. I thought the idea was, as far as possible, to avoid matters which were likely to give rise to serious discussion. So far as I can see, however, there are only two clauses which will be likely to give rise to discussion, namely Clauses 17 and 18. Generally speaking, I am in accord with many of the provisions of the Bill. I believe it has been suggested that Clause 4 relating to the question of contemporaneous and future advances is a matter of importance to the commercial community, it being stated by the Colonial Secretary that it is doubtful whether under Section 31 of the present Act contemporaneous advances cover moneys advanced subsequently. I have had a good deal to do with bills of sale, but I have not heard the question raised by members of the commercial community, and I do not think it is likely to arise. In regard to the clause which is of some importance to the commercial community, Clause 7, I think it is high time that the unregistered bills of sale were put a stop to. Of course that clause only deals with goods under a bill of sale which were in the possession of the grantor at any time within three months prior to the lodging of a petition in bankruptcy or for winding up. It is still open, of course, for a man to remove his goods under that unregistered bill of sale provided he did it at least three months before the winding-up, etc., happened. The other clause I would refer to is that dealing with the giving of a bill of sale for an amount under £30. Hon. members will recollect that there was considerable discussion on this when the Bill was last before the House, and the point raised was the inadvisability of allowing a man to give such a bill of sale, as it might mean depriving his family of furniture. Personally I do not offer any great objection to such a bill of sale being given, if a man chooses to give it, but I propose to move an amendment when the Bill is in Committee, that in a bill of sale of that sort, given by either a husband or wife, the other shall consent to the giving of it. That I think will modify the evil effects. The next clause which I think will give rise to discussion is Clause 17. Hon. members are aware that under the amending Bills of Sales Act, it is necessary where a bill of sale is given to secure payment of money, that the person giving it is to give notice of intention to register. That is an important matter to the trading community. Paragraph (b) of Clause 17 renders it unnecessary in certain circumstances for a person to give notice of intention to register, and therefore enables a bill of sale of the nature mentioned there to go through without any objection on the part of the creditors. I do not think that it should be deemed necessary or advisable in such a case to say that a person raising money for those purposes shall not give notice of his intention to do so. It has been suggested that a creditor may come along and say to the grantor, "You shall not give such a bill of sale." I put it this way. Surely it is to the interest of any creditor, be he storekeeper

or merchant, or anyone else lending money to another, to enable his debtor to put in or take off crop or get seed wheat or fertiliser. Surely a man will not in his own interest prevent another from putting in a crop whereby he will be enabled to keep himself going and obtain money with which to pay his creditors. I cannot see why it should be necessary or advisable to do away with notice in such cases. The latter part of the clause relates to any bill of sale for whatever purpose given to the Minister for Agriculture or any officer of the Department of Agriculture. This places these officials in an entirely different position from an ordinary creditor. Why should not they, if they propose to take a bill of sale, give notice of their intention, or see that notice is given the same as with any ordinary creditor? I think the Bill seeks to put them in a position for which there is no justification. They should go in on the same footing as any other creditor. In this connection a transaction has been entered into lately by officers of the Department of Agriculture with farmers whereby the farmers have given these officials bills of sale over the growing crop, and the officials have agreed under this document, a copy of which I have in my hand, to hold the money they may get and devote it to certain purposes, that is to pay certain expenses and certain creditors as set out in the document, but it goes on to say—

> Notwithstanding anything hereinbefore contained, the assignee may, in his discretion, pay and apply the whole or any part of the net proceeds of the said sale in such other manner as he may deem to be in the best interests of the assignor and his creditors. No trust in favour of the creditors of the assignor is hereby created; and the assignee shall not under any circumstances be responsible to any creditor of the assignor for the payment of the debt due to such creditor, or by any act, default, or omission of or by the assignee or otherwise howsoever.

The effect of this clause is to do away entirely with the liability of the officials to the creditors to see that their debts are paid, although the object is that the officials shall handle the money and deal it out to the creditors in the manner set forth in the document. These two clauses nullify the effect of this provision, and I shall oppose the clause. Clause 18 is the very vexed one which we had before us last session and which aroused a good deal of opposition on that occasion. I opposed it then, and I can see no reason for withdrawing my opposition on this occasion. It is a clause which gives the working man priority over a bill of sale for his wages.

The Colonial Secretary: It has been amended since.

Hon. D. G. GAWLER: Yes. It was limited by an amendment moved in another place to one month's wages. The Colonial Secretary, in moving the second reading of the Bill, referred to this point very shortly, and said it was intended to put the working man on an equal footing with the landlord. I pointed out last time that this aims at adding one more to the very many priorities which the working man already has. I do not wish to do away with any fair provision for the working man or any provision which will enable him to get his wages, but one is inclined to ask why should he be placed on a different plane from the merchant or storekeeper or any other man who can ill-afford to lose money which he has advanced under a bill of sale. Already there is a provision in existence whereby the worker is bound to be paid his wages weekly, and if the employer refuses to pay him he is liable to prosecution under the Act. Apart from this we know that in many other matters that affect the working man he is given preference. He has priority under the Bankruptcy and Companies Acts, he is given a lien over material for his wages, and there is the Truck Act, and many other provisions which I could quote giving him priority. This clause will introduce a principle which I for one object to see in the Bill, and my objection does not arise from any desire to deny justice to the working man, but why should he be

put on a different footing from any other creditor? In addition to this, the clause as it stands would give rise to some extraordinary positions. I will mention one or two. It goes so far as to make the transaction retrospective. It enables the working man to follow goods already sold over the counter to an ordinary purchaser and confiscate the goods. The goods would have to be given up because they were in the possession of the grantor of the bill of sale within a month before the issue of the execution. I hope this is not intended, but if the clause is passed I will move an amendment to safeguard the ordinary purchaser in connection with his purchases. It may be a small article or it may be a great one. Let me put another case. A man might attend a sale of horses and leave his purchase for two or three days. If the worker gets his judgment and puts the sheriff in, the horse will be seized, and the owner has no rights against the worker. These two illustrations show the immense and far-reaching effects of such a clause. These are the chief points to which I intend to refer, and I do not wish to go into any further details, but I very much regret that such provision should be included in such a Bill and that the measure should be brought before us at the present time. It could well have been allowed to stand over for the present. It is not a matter of vital importance to the commercial community or anyone else that such a Bill should be passed at this stage, and with these clauses to which I have referred in it, I take serious objection to the measure at the present time.

Hon. J. F. CULLEN (South-East) [7.54]: This Bill has naturally been discussed by the business people and I desire to point out two or three things which I think the Minister will realise need amending. With regard to Clause 7, the distribution of realisations are to be held up for three months. The Minister of course is aware that under the Bankruptcy Act the suspension is 14 days, which is a reasonable time. When the Bill reaches Committee, I shall ask the Minister to consent to the deletion of the term of three months and to the insertion of 14 days. The two vital clauses are those which have just been discussed by the hon. Mr. Gawler. I do not intend to go over the ground which he has already covered, but I desire to refer to several other particulars in which the Bill might be greatly improved. Of course every hon. member will regard this Bill in the light of provision for necessary evils; that is to say, bills of sale are necessary evils. The law was greatly improved by an amendment made recently in extending the scope of a bill of sale to include crops about to be sown, thus enabling the settler to get help to put in a crop without which, of course, he could do nothing. Of that I thoroughly approve, but there is a serious omission. There is something much more vital than seed, fertilisers, bags, and twine, which are set forth here as necessaries of the settler and for which he can borrow on a bill of sale. The most vital thing of all is his sustenance, his store account for the food he must eat. I am just as much concerned for the storekeeper as I am for the merchant who has to deal in seed and fertilisers and bags, and he is the first necessity to the settler. Yet no power is given to protect him.

The Colonial Secretary: In what way?

Hon. J. F. CULLEN: That the proceeds of a bill of sale may be devoted to the food he will eat.

Hon. D. G. Gawler: This only deals with not giving notice of intention to register.

Hon. J. F. CULLEN: If it is necessary for the one it is necessary for the other. I want food to rank as one of the absolute essentials for the farmer, and if these other things are to be covered——

Hon. C. Sommers: You mean the farmer must live.

Hon. J. F. CULLEN: Yes.

The Colonial Secretary: I wish you would explain that.

Hon. J. F. CULLEN: The farmer would have to go through the ordinary

course to get a bill of sale to cover the necessaries of life. He would have to give notice of his intention to register.

The Colonial Secretary: Everyone else has to do it.

Hon. J. F. CULLEN: Then why exempt him with regard to seed, fertiliser, bags, and twine?

The Colonial Secretary: If you are opposed to it, you should vote against it.

Hon. J. F. CULLEN: I am not, but I want to include necessaries of life, and hon. members will see that this is reasonable because they come before the possibility of using seed and fertiliser. I will explain this more fully in Committee. With reference to Clause 18, I cannot agree with the hon. Mr. Gawler in his strict letter of the law in regard to wages. I think wages ought certainly to be on as good a basis as rent. In fact I would try to put them on a better basis for this reason: a wages man is much less able to fight his own battles than is the merchant, and I think a very reasonable compromise was made in connection with the amendment inserted in another place, namely, the saving clause limiting the wages to one month. As a matter of fact, there are many wages men who are paid weekly, but a great number of men are paid monthly and a great number are paid fortnightly, and it is quite to be supposed that many a worker would allow one pay day to go over. I think it is a fair concession to the wages man that there should be a saving clause for one month's wages. I admit that all these saving clauses go towards defeating the very object of a bill of sale: that is to say, they lessen the value of the security, they interfere with the security of a bill of sale. However, if any saving clause is wise, if any saving clause is necessary, then I say a reasonable wage-saving clause ought to be inserted. But I shall ask the Colonial Secretary to agree to a very necessary precaution. Hon. members know that in connection with claims for wages there can be a great deal of faking. The grantor himself can raise up, in many cases, any number of sons and daughters to claim wages; and there must be in this clause a precautionary insertion that it shall apply only to the wages of any servant not being a member of the grantor's family. I do not think the Colonial Secretary will object to that. The aim is to prevent the faking of claims. Now, the concluding words of Clause 18 are the most extraordinary that I have ever seen in a measure of this kind. The last two lines are entirely surplusage, and there is no need for them. They are, however, not only surplusage, but they say that if a claim pertaining to wages is pending, the whole amount realised under a bill of sale is to be held up and regarded as a debt due from the grantee to the grantor—the whole amount. The provision reads as follows:—

> The proceeds of any sale of such chattels shall be subject to attachment for a period of one month next after such sale, to satisfy any judgment or order against the grantor for the recovery of such wages, and the amount of the proceeds of such sale——

That is, the whole amount of the proceeds.

> shall, for such purpose, be deemed to be a debt due from the grantee to the grantor.

The effect is to hold up the whole of the proceeds of sale because, possibly, of a trumpery little claim of a couple of pounds for wages. If the provision read "To such extent shall be regarded as a debt," then it would be rational. When the Bill gets into Committee, I will move an amendment to that effect. If the Colonial Secretary will be prepared to agree to these necessary safeguards, then I think the Bill will be greatly improved.

On motion by Hon. C. Sommers debate adjourned.

BILL—KINGIA GRASS TREE CONCESSION CONFIRMATION.

Received from the Legislative Assembly, and read a first time.

BILL—OSBORNE PARK TRAMWAYS PURCHASE.

Second Reading.

The COLONIAL SECRETARY (Hon. J. M. Drew—Central) [8.4] in moving the second reading said: The object of this Bill is the ratification of an agreement made by the Government with the Town Properties of Western Australia, Limited, for the purchase of the Osborne Park tramway. The Osborne Park tramway represents the only portion of the metropolitan system not now owned by the Government. The purchase of this section will provide the means of extension, later on, to the North Beach; and I am sure that this proposal will be very greatly appreciated not only by the residents of Osborne Park, but by the people of the City generally. The company owning the tramway have been occupied more in trading in land than in operating their tramline. The area formerly held by the company represented something like 7,000 acres, of which they have already sold 4,000 acres, leaving 3,000 acres more to be disposed of. The district has been hampered in the past by the lack of a water supply, but the Government have taken action and a reservoir now being constructed at Mount Hawthorn will be equal to the requirements of the entire population of the district for years to come. I may mention that from 600 to 700 acres of land in the district is under intense culture, and that the production of the district last year represented £63,806. As is well known, from the Osborne Park district the bulk of the metropolitan milk supply is drawn. There are 16 dairies, with 700 head of cattle, in the Osborne Park district. Further, in order to show that the district is progressing, I may point out that 55 new buildings were erected in the locality last year. The population now numbers 1,500. It has increased by 500 during the last 12 months. The tramway system was opened by the company in 1903. The length of the line is 2 miles 29 chains. It runs for a distance of one mile through the North Perth municipality, and for the balance of its length through the Perth roads board district. The system was valued by the Engineer for Existing Lines, Mr. Light, last year, and he estimated it to be worth £5,447, or £1,197 more than the purchase price under the agreement.

Hon. D. G. Gawler: Have you any idea what the revenue is?

The COLONIAL SECRETARY: I have some further figures here.

Hon. W. Kingsmill: Have the Government bought the line?

The COLONIAL SECRETARY: They have bought it subject to ratification by Parliament. The local bodies affected have no objection to the purchase, and their rights are conserved under the Bill. I may say that the owner is prepared to take the purchase price either in cash or in debentures carrying interest at four per cent. I have no information at the moment in regard to the revenue, but there certainly cannot be much loss over the working of a line of 2 miles 29 chains. I think the development of the district is of more consequence, in a case of this kind, than is consideration of revenue. We have proof that there is already a population of 1,500 in the district.

Hon. W. Patrick: Is the present service sufficient?

The COLONIAL SECRETARY: At present, I understand, there is only one tram running. I hope that service will soon be insufficient. I move—

That the Bill be now read a second time.

Question put and passed.

Bill read a second time.

In Committee.

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

House adjourned at 8.15 p.m.