LEGISLATIVE COUNCIL.

Tuesday, September 22, 1959.

The PRESIDENT (Hon. Sir Walter Duncan) took the Chair at 2.15 p.m. and read prayers.

QUESTIONS.

OVERSEAS VISIT BY COMMISSIONER OF POLICE.

The Hon. F. J. CONDON—I understand that the Commissioner of Police will be leaving shortly to attend a conference overseas. Does the Government intend to appoint a Deputy Commissioner and, if so, whom?

The Hon. Sir LYELL McEWIN—It was intended that the Commissioner of Police should attend a conference of Interpol in Pakistan, but that conference has now been cancelled and instead a brief conference of only two days is to be held in Paris. In the opinion of the Commissioner this would not justify his going abroad and that consequently rules out the necessity for appointing a deputy. Therefore in reply to the latter part of the honourable member's question, no appointment has been made, but when it is necessary it will be made.

RAILWAYS "BLACKMAIL."

The Hon. L. H. DENSLEY—I ask leave to read a short extract prior to asking a question.

Leave granted.

The Hon. L. H. DENSLEY—The following extract is taken from a pamphlet entitled *Road Transport Digest*, which is an organ of the Australian Road Transport Federation, as follows:—

The South Australian Railways have adopted the policy of refusing to purchase goods from their suppliers unless the supplier undertakes to use rail transport. We understand that the policy not only requires this in respect of goods which have been purchased but also requires the supplier to undertake the use of rail transport generally. Such a policy is most objectionable in fact and in principle and is completely contrary to the Australian conception of freedom of enterprise.

Is that report correct? Has the Railways Department refused to purchase commodities from firms who do not use the railways for transport purposes?

The Hon. N. L. JUDE—This matter has been raised, not only by my colleague, but by the Leader of the Opposition prior to the Council's sitting. I would say immediately that I do not—and am quite certain that the people of this State do not—like the expressions used in the federation's pamphlet from Canberra. I would add that the secretary of the South Australian branch of the federation dissociates himself from the remarks published and hastened to advise me accordingly. The question as to whether the South Australian Railways refuses to make purchases from people who will not rail their products and rather use road transport opens up a certain question, because there might be exceptions and I would not like to mislead members. However, let me say quite clearly that the railways do say, as any businessman would, "If we buy from you we expect you to use our railways." In this State we do not charge interstate hauliers anything for the use of our roads, and I believe that members of this Council would agree with me that they are treated very beneficently as compared with local carriers. We employ many thousands of men in our railways and they would be the first to object, and so would many of our intra-state carriers, to the Federation's attitude. We are doing our best, in the interests of the taxpayers, to attract business direct to the railways, as any businessman would expect to attract business in the same circumstances of purchase.

LEVIES ON ROAD HAULIERS.

The Hon. S. C. BEVAN—Does the Government intend to review the position relative to interstate road hauliers making contributions towards the upkeep of roads?

The Hon. N. L. JUDE—The matter is continually under review by the Government.

The Hon. L. H. DENSLEY—Does the Government charge any fee against interstate hauliers resident in South Australia?

The Hon. N. L. JUDE—Broadly speaking, the answer is "No," but there is nothing to prevent an interstate haulier from registering a vehicle in South Australia and operating in this State, and in that case he would pay a registration fee but not a road toll, which is not charged against any interstate haulier.

PERPETUAL LEASE MORTGAGES.

The Hon. Sir ARTHUR RYMILL—Has the Chief Secretary an answer to a question I asked last week about interest rates on Crown leases?

The Hon. Sir LYELL McEWIN—I have not the honourable member's question before me, but I have some information on the subject. Interest rates on overdraft advances by all banks are determined pursuant to directions by the Central Bank. The rates vary according to the purposes for which moneys are required, with a maximum of 6 per cent per annum.

This maximum was adopted in August, 1956, for mortgages over Crown leases and there has been no alteration of that basis. Whether that covers all aspects of the honourable member's question I am not sure.

The Hon. Sir ARTHUR RYMILL—As my question was directed totally in relation to the institutions lending on longer terms, such as insurance and trustee companies, will the Chief Secretary ascertain the position regarding those types of institutions?

The Hon. Sir LYELL McEWIN—I will try to get the further information the honourable member seeks.

AUDITOR-GENERAL'S REPORT.

The Hon. F. J. CONDON—Will the Auditor-General's report be available before the Appropriation Bill is introduced?

The Hon. Sir LYELL McEWIN—The Auditor-General has actually prepared the report and it is now in the hands of the Government Printer, and as soon as he can cope with it it will be available to honourable members. I should not think that that would be very long and certainly it will be available before honourable members have to debate the Appropriation Bill.

METROPOLITAN FIRE STATIONS.

The Hon. F. J. CONDON (on notice)—

1. How many fire brigade stations are there in the metropolitan area?

2. Where are they situated?

3. Is it the intention of the Fire Brigades Board to establish any more fire stations in the metropolitan area?

The Hon. Sir LYELL McEWIN—The Chairman, Fire Brigades Board, reports as follows:—

1. There are 12 fire stations in the metropolitan area.

2. These stations are situated as under:—Headquarters, Wakefield Street, Adelaide; North Adelaide, Tynte Street, North Adelaide; Port Adelaide, Church Street, Port Adelaide; Semaphore, Hall Street, Semaphore; Fire-float, Birkenhead; Glenelg, Gordon Street, Glenelg; Norwood, Parade, Norwood; Unley, Edmund Avenue, New Parkside; Thebarton, Carlton Parade, Torrensville; Prospect, Main North Road, Enfield; Woodville, Findon Road, Woodville West; Hindmarsh, Hindmarsh Place, Hindmarsh.

3. No additional stations are contemplated, but the board in its long-range planning envisages the re-siting of some of the existing fire stations.

ELECTORAL ACT AMENDMENT BILL.

Read a third time and passed.

PUBLIC PURPOSES LOAN BILL (No. 2).

Adjourned debate on second reading.

(Continued from September 17. Page 766.)

The Hon. Sir LYELL McEWIN (Chief Secretary)—First, I should like to acknowledge what honourable members said relating to the amount of information I gave when introducing the Bill. I believe that the result of the discussion and the analytical approach of honourable members justified the practice, even at the risk of boring the House, of giving the considerable amount of information I did. As this Chamber does not deal with the financial side of administration, the Bill is introduced in a more or less formal manner. Particularly for new members, it is of value that they should be given the maximum amount of information which will assist them to appreciate what is associated with both the Loan Estimates and the Budget, which comes to us as an Appropriation Bill later. I do not think that the practice adopted encourages indolence by honourable members, but rather encourages them to look into matters affecting their areas and get some appreciation of what is involved in Government finance.

I thank honourable members for their speeches and the attention they gave the Bill, because I felt some compensation in going out of my way to provide the fullest information regarding expenditure. I want to assure members that their remarks are not just published in *Hansard* and filed away, but are noted as they affect the various departments, and receive consideration. My colleague, Mr. Edmonds, had something to say regarding some remarks made by Mr. Bevan and I should like to make some comments too, because those remarks applied to an important part of the Northern District. I thank Mr. Bevan for saying the district is well represented; in fact, it is better represented than the honourable member knows. Previously we had such a small area representing approximately five-sixths of the State that it was necessary to extend it to the eastern State boundary! I am appreciative of the additional responsibility thrown on honourable members representing the district. There was at the same time a very commendable change in the district's representation in another place, where we now have a local representative who has been particularly active and understands what he talks about. So, quite

contrary to what Mr. Bevan said that the Government has not given proper consideration to this area, and particularly to the operations of the Renmark Irrigation Trust, I might say that the trust has been assisted in every way by an able and competent representative.

I regret to think that my admiration and respect for Mr. Bevan has been so shaken because he seems to have had his leg completely pulled because of what he said about the Government's relationship with and interest in the welfare of that particular organization. I have taken the trouble to investigate and I take it that only people interested attended the meeting that was called as a result of the Premier's letter. I will indicate directly what the meeting had to say about it but it was certainly expressed very differently from the way in which the honourable member expressed it the other day.

I will not go into details about some of the honourable member's opinions because I do not wish in any way to impair his own ideas of his knowledge of irrigation but, when the honourable member says that he drove around the district on a visit and could see the seepage that had taken place, I must say he beats the experts if he can do that. Nobody at this time of the year can possibly estimate the amount of damage to vines through seepage. Experts would find difficulty also in naming a particular reason for any deficiency in the health of the citrus trees at the moment, whether it was due to seepage or any other many possible causes. As one who has only about three of them to cope with in his own backyard, I know a few others apart from seepage. The honourable member first of all had his leg pulled and then let his imagination run away with itself.

However, the only thing that concerns me at the moment is where he challenged the Government. In brief, he said that the cost to Renmark was outrageous, that it would not be able to compete with other districts in the production of fruit and its economic sale on the market. He said that the Government had done nothing to assist and that the Premier's letter amounted to a "take it or leave it" proposal. Those were the main points made by the honourable member; I will leave out any little "padding" references where it would be easy for one without proper knowledge of the problems to fall by the wayside. I shall stick solely to the principal points.

First, the honourable member said that nothing had been done by the Government to assist, but I would remind him and this House that the Government has done much to assist Renmark. Their local member, who is a supporter of the Government, has been very alive to the problem and has taken up this very question. The first time it was ever taken up, I suggest, was by the representative of the district, Mr. King, in 1956, and almost immediately after that the big floods took place and then some £300,000 was made available to Renmark to deal with that immediate problem. Having some knowledge of Mr. King's interest, I asked him if he could give me some history showing how closely he was associated with what had taken place, in just a few pithy comments. His reply to me was:—

The matter of drainage was first discussed by me with the Renmark Irrigation Trust in 1956—just after the March election and just before the flood. It was pointed out that the first step, before any proposal for Government assistance for drainage could be considered, was that a contour survey would be needed.

Anybody who knows anything about seepage or drainage would realize that. Mr. King proceeds:—

However, before any action was taken in this matter, the flood position became serious and the Government sent a surveyor, Mr. Keene, to plot the line of the 1931 flood bank, of which no record had been kept.

From then on records were being prepared with a view to doing something to correct the problem that for some time had been known to exist. Mr. King continues:—

After the flood, the question of drainage (aggravated by the flood) was again taken up. Lands Department officers instructed survey gangs in field procedures. The readings were collected by the trust's surveyor and sent to the Lands Department for the preparation of contour maps, this work being given urgent priority.

They are some of the things that the Government was doing. We do not just rush into a thing unprepared. Certain data and facts must be obtained before anything can be commenced. Much money is needed to cope with such a problem as that. Mr. King also says:—

The area was inspected during the autumn this year by the honourable Minister of Lands and by the Northern District representatives of the Legislative Council, as well as the honourable member for Chaffey.

His comment was that—

The Government has moved with commendable promptitude in this matter and has helped in every way possible. Without the Government's assistance in preparing a contour plan, the prospects for drainage would have been hopeless.

There must be a preparation period before anything can be done or considered. That was

essential before any consideration could be given to a proposal to finance what was required. That was the beginning.

Then, later, still through the influence of the member for the district, a deputation waited upon the Premier, out of which discussion came the proposal that Mr. Bevan read to the House last week and which there is no need for me to reiterate. That letter—there is no secret about it—was sent to the trust and circulated to every ratepayer prior to the calling of the meeting to consider the proposal, which was, briefly, a straightout grant of £500,000 to be made available at £50,000 a year for 10 years; and an advance of £250,000 at £25,000 a year free of interest, for 10 years; the advance to be repaid over a period of 30 years commencing 10 years from the operation of the scheme. That is roughly what was involved in the letter. The trust itself had to match that with £25,000 a year for 10 years. I presume that was what the honourable member referred to when he said that the district could not afford it. My answer to that is that the trust itself says it can afford it. It is not just a matter of my opinion or anybody else's. The Government can be left out of it completely.

I accept the assurance of the trust that it can afford it and I accept that because although I know that the charges are higher in Government areas than they are in the Renmark Irrigation Trust area they have looked at this matter and have decided that they could meet this proposal without suffering any disadvantage compared with neighbouring irrigation areas as the honourable member suggested. At the meeting when that letter was considered there was an attendance, according to the local press—the *Murray Pioneer*—of 400, but working on conservative information received I assess the attendance at about 350. Whatever the attendance was, it was a large majority of the ratepayers, and the meeting was held after everybody had been provided with information. Everything that happened at that meeting was on an apparently unanimous basis and one thing that was rejected unanimously by the meeting was a suggestion that the area should be taken over by the Government.

The people did not ask for that and they did not want it; in fact, they resented the suggestion. They did not want to have anything to do with a Government-controlled scheme after their years of experience in operating their own trust but they were quite prepared to still trust themselves and remain a private trust under the suggestion made by the Premier. I will give the House their own words, which are contained in two communications, regarding this. The first, which is a letter to the Minister of Irrigation, reads as follows:—

It is with very great pleasure that I can officially advise you of the acceptance of the Government's proposal for financial assistance for this trust, by the ratepayers of the Renmark Irrigation district. I have communicated the ratepayers' decision to the honourable the Premier today, and I attach a copy of this correspondence for your perusal. I do want to convey to you my very sincere appreciation for the manner in which you have assisted me and the members of my board, in the lengthy negotiations that have necessarily taken place over some period of years on this matter.

The Hon. F. J. Condon—What is the date of that letter?

The Hon. Sir LYELL McEWIN—It is dated September 1, 1959, and it proceeds further:—

Your continual support of our many and varied approaches has been of great encouragement to all of us associated with the welfare of our irrigation district. I know only too well that the success we have now achieved would not have been possible without your guidance.

That letter was signed by the chairman of the Renmark Irrigation Trust and I ask members if anyone could get a more complimentary letter containing greater refutation of what the honourable member said last week. On the same date a letter over the signature of the chairman of the trust was addressed to the Premier, and it reads as follows:—

I refer to your letter dated August 3, 1959, in which you set out the terms whereby the Government is prepared to assist this trust in the financing of its drainage scheme and its proposals for the rehabilitation of the irrigation system. A special meeting of ratepayers was convened last Friday evening to consider the Government's offer and I am pleased to advise of the passing of the following resolution at this meeting:—That this meeting of ratepayers recommends that the board accepts the proposal outlined in the Premier's letter of August 3, 1959, for assistance in the drainage and rehabilitation of the Renmark irrigation district and authorizes the board to take whatever action is necessary to implement the Government's proposal.

I can add that the meeting was attended by approximately 350 ratepayers and that the resolution was passed unanimously. The trust's withdrawal from the exercise of local government will involve an amendment to the Renmark Irrigation Trust Act and at the time this is done it will be necessary for us to seek further amendments for the granting of additional powers to enable the trust to carry out essential works associated with irrigation and drainage and including a franchise for the distribution of electric power throughout the areas at present supplied by the trust. Details of the amendments to be sought will be forwarded to the honourable the Minister of Irrigation at a later date.

They are the official replies received from the trust to the offer that was made. The amount which is to be made available free of interest for 10 years represents an interest concession of about £68,000. That is the assistance which the Government is prepared to give, and if we refer to the local newspaper we will find why that resolution was unanimously accepted. Apparently good news travels fast, because the issue of the local newspaper of August 6, the day after the receipt of the Premier's letter, states:—

The reaction of leaders of local industry this week has been overwhelmingly in favour of the proposal. Leaders of local industry were unanimous this week in their support for the Premier's offer and strongly advocated one local government body for the whole Renmark district including Cooltong and Chaffey which at present have no municipal representation. The chairman of the Renmark branch of the A.D.F.A. said "Renmark should grasp this opportunity with both hands. I think it is a very generous offer. The whole offer represented an opportunity for the residents of the district generally really to put Renmark on the map." The chairman of the Renmark Growers' Distillery Ltd. said that his only regret in the matter was that the merger of local government interests had not taken place 40 years ago. In respect to drainage, he said, "This is absolutely imperative in the district. The drainage of the irrigation area would bring about an increase of hundreds of thousands of pounds in income from fruit production. It would give new life to the land and would add immeasurably to the welfare of the grower."

I could go on to quote further references, but I think I have quoted enough to indicate that the honourable member apparently got a completely warped version of the local attitude. Everybody who knows anything about the proposal claims it has been most generous and really offers something worth while for the future.

The Hon. K. E. J. Bardolph—Those statements are by officials.

The Hon. Sir LYELL McEWIN—I thought I made it quite clear that it was the decision of a big majority of the ratepayers of the area who gave a direction to the board to accept the offer. The decision was unanimous. If the honourable member is not having his leg pulled why were not those points he raised made at the meeting? They were not even expressed. There is not one indication in the local press that anybody said other than "Be quick, let us grab it. This is the greatest thing that has ever been offered in our history." Mr. Bevan implied that the representatives of the district did not know their business. I only hope that he knows more about things in his own district than he does about those in other people's districts.

I would add that the member for Chaffey has been of considerable value and assistance in obtaining such a magnificent offer because of his knowledge of the district, and that is appreciated by the people there. I remind my friend, Mr. Bevan, that I am the last to raise political issues, and I have not raised them today. I simply desired to give honour where honour was due because I thought that, by implication, some honour was being taken away from those who deserved honour. I thank members for their interest in this important debate.

Bill read a second time and taken through its remaining stages.

LAND SETTLEMENT ACT AMENDMENT BILL.

Adjourned debate on second reading.

(Continued from September 17. Page 767.)

The Hon. W. W. ROBINSON (Northern)—I do not propose to go over the ground a great deal today because this Bill has been well debated, but I feel that it was only due to members of the committee to express our appreciation of the work they have done over the years. The committee has reported on schemes in the upper and lower South-East, on Kangaroo Island, on Yorke and Eyre Peninsulas, on Cooltong and Loxton irrigation areas, and many others, and I am sure it must give the members of the committee great pleasure to see that their recommendations have been carried out very satisfactorily, with benefit to the State. Large areas of land have been brought from low carrying capacity to what might be termed a highly productive state. The first chairman of the committee was the Hon. (later Sir) Collier Cudmore and he was followed by the late Mr. Don Michael, who rendered excellent service. I well remember the assiduous way in which Mr. Edmonds has applied himself, following his appointment as chairman, in gaining knowledge in order to be in a position to guide his colleagues in their deliberations. I think the first question they had to deal with under his chairmanship was the drainage of the South-East, involving a sum of over £3,000,000. Day after day Mr. Edmonds spent his time in search of information, which is characteristic of him, for he is very thorough in everything he does. Moreover, he has had practical experience of developing country on Eyre Peninsula where he created

a very attractive farm from virgin scrub. In the last three and a half years, since the House of Assembly electoral district of Chaffey has come into the Legislative Council Northern District, he has devoted himself to problems in the river areas.

When we visited Mildura at the invitation of the Renmark Irrigation Trust Mr. Edmonds spent three days in the district, and ever since then he has put in weeks at a time in the area endeavouring to gain first-hand knowledge of the settlers' problems. The extension of the life of the committee for two years provides the opportunity for an inquiry into the Loxton seepage problem, and I feel that he has a very good knowledge with which to assist his committee. After hearing the dissertation by Mr. Bevan during the debate on the Public Purposes Loan Bill I was somewhat dubious as to whether this extension should be granted to the committee. I need not comment on his speech because it has been effectively answered by the Chief Secretary, but I was rather doubtful as to whether we were wise in giving this problem to the committee if it took such a biased view as that expressed by Mr. Bevan. It seems to me that the Government's offer of assistance was very generous.

The Hon. K. E. J. Bardolph—What has this to do with the Bill before us?

The Hon. W. W. ROBINSON—This: members of the Land Settlement Committee will be considering drainage problems at Loxton in the immediate future—

The Hon. S. C. Bevan—The Government pays for that.

The Hon. W. W. ROBINSON—The honourable member suggested that the settlers would not be able to repay the loan and consequently I was very interested in the attitude of the settlers at Renmark at the time the trust took over in 1895.

The Hon. A. J. Shard—There is nothing in this Bill about that.

The Hon. W. W. ROBINSON—It was suggested by Mr. Bevan that the settlers would not be able to repay this £250,000, and I am analysing his approach to the subject of drainage and seepage at Loxton.

The Hon. Sir Lyell McEwin—You are doubtful whether they should be re-appointed?

The Hon. W. W. ROBINSON—I was doubtful after hearing Mr. Bevan. When the Renmark Irrigation Trust took over from the Chaffey brothers in 1895—

The Hon. A. J. Shard—There is nothing about that in the Land Settlement Bill.

The Hon. W. W. ROBINSON—I am dealing with the criticism of a sister project.

The Hon. K. E. J. BARDOLPH—On a point of order, Mr. President. Is the honourable member in order in discussing a matter concerning Renmark that is not the subject of the Bill? He is talking about the expenditure of £250,000 there.

The PRESIDENT—I think that the honourable member is in order. There are so many interjections that are out of order that I cannot hear them.

The Hon. W. W. ROBINSON—The local townspeople and settlers clubbed together, collected wood, stoked the boilers and kept the engines running and the water started to flow in Renmark, and the district has been continuing successfully since. That same spirit evinced during the flood at Renmark will carry them through to success with their venture. At its inquiry at Loxton the Land Settlement Committee will have pointed out to it that Berri and other places had to contribute to their schemes. At Berri there was a contribution at the rate of £5 an acre to be paid at the rate of 10s. a year for 10 years.

The PRESIDENT—I think that the honourable member will have to return to the Bill.

The Hon. W. W. ROBINSON—I believe that the Land Settlement Committee has done excellent work under the guidance of its chairman and I have great pleasure in supporting the Bill.

The Hon. C. R. STORY (Midland)—Even before I entered Parliament I had a good knowledge of what the Land Settlement Committee was doing and I am one who believes that it can still do a very useful job. It has been given the added task of inquiring into drainage in one of the soldier settlement areas which its predecessors had recommended. I feel that its inquiry can do nothing but good. The information given to the Chamber by Mr. Edmonds must be of great benefit to those honourable members who take the trouble to listen to what other members have to say.

The Hon. K. E. J. Bardolph—Are the settlers happy about their valuations?

The Hon. C. R. STORY—No one is ever satisfied with his valuation. That also applies to council valuations. If one person has a valuation a few shillings above that of his

neighbour he feels that he has been victimized. I have no doubt that the position will be sorted out in a couple of years. If I chose to work under a landlord, it would be the Government, because it is the most charitable landlord I know and usually treats its tenants extremely kindly. I have had experience in irrigation and have done some research into it. The Chaffey brothers started the first irrigation settlement in Australia. I noticed that it was stated in a fine handbook circulated to honourable members in the last few days that Renmark had taken its lead from Mildura in starting an irrigation scheme. That is not correct. Renmark was the first irrigation settlement in Australia. The South Australian Government persuaded the Chaffeys to enter into an agreement with it. The Premier was Sir John Downer. This was before Victoria was able to negotiate, because it was arguing the point.

I should like to couple my remarks with the period from 1887, when the first irrigation settlement was started in South Australia. Owing to the bank crash in 1892 the Chaffey brothers had to go into liquidation, and the Government assisted in keeping the Renmark irrigation area going. In 1893 a scheme was started in South Australia by Socialists, who petitioned the Government to set up village settlements. A total of 11 settlements was started under this scheme and they muddled along for a number of years until a Royal Commission in 1899 decided that they were impracticable. The Socialist system just didn't work. Everything went on swimmingly until they decided how they would divide the profits. That has also been proved in other spheres. In 1908 the Government decided to finance land settlement schemes at Berri and Waikerie. From 1908 to 1918 steady progress was made in land settlement. Under the terms of the Discharged Soldiers Settlement Act of 1918 the Government developed 1,800 acres on the river, and 768 ex-servicemen were settled under the World War I scheme. In those days the work had to be done with horses and traction engines. A creditable amount of work was done to bring the land into production reasonably economically, although certain blunders were made. In those days there was no detailed soil survey or frost survey, and spray irrigation had not been evolved. Under the circumstances they did an extremely good job. After World War II the position was rather different. In 1944 the Commonwealth and State Governments held a conference as a result of which the Commonwealth Government passed legislation and complementary legislation was passed by the States. Some States elected to deal directly with their settlers and became what is known as principal States, and others elected to become agent States, and South Australia was one of the latter. The difference was entirely a question of finance and control. Under the terms of the War Service Land Settlement Agreement, development was undertaken by South Australia, the Commonwealth providing finance, and the Commonwealth and the State sharing in writings down on the basis of three-fifths by the Commonwealth and two-fifths by the State. Up to the present under that scheme 13 settlers have been settled at Loveday on 310 acres, 254 at Loxton on 6,559 acres, and 47 settlers at Cooltong on 1,134 acres. In addition a number were settled on single unit farms. The total area settled following World War II amounted to 8,600 acres, 3,000 of which are under spray irrigation. The subtle difference between the conditions applying to settlers under the World War I and the World War II schemes was that under the first scheme the settlers received a sustenance allowance of 30s. a week and a tent in which to live. They had to clear the land by hand, but under the World War II scheme the settlers received a more generous sustenance allowance, reasonable living conditions and their land was cleared and all the trees were provided. Although they were perhaps not able to live lavishly, at least the necessities of life were provided for them until their blocks came into economic production.

The PRESIDENT—I think that the honourable member is beginning to drift a bit.

The Hon. C. R. STORY—With the extension of the committee's term for two years it will be able to make inquiries and thus some of the earlier mistakes in settlement will be obviated. The first thing is that they will see, I feel sure, the necessity to drain the land at an early stage before the economy of the properties is adversely affected. I think that the committee, under the guidance of the present chairman, the committeemen all being practical people in their own spheres, will have adequate knowledge and take advice from people who know local conditions in order to get this problem of drainage solved. I for one am happy that the committee's term has been extended for two years. The Bill has my complete support.

The Hon. K. E. J. BARDOLPH secured the adjournment of the debate.

CONSTITUTION ACT AMENDMENT BILL.

Adjourned debate on second reading.

(Continued from September 17. Page 768.)

The Hon. Sir ARTHUR RYMILL (Central No. 2)—This Bill will obviously receive the support of every member of this Chamber. In introducing it, the Chief Secretary said:—

Its object is to make express provision that women are not disqualified . . . from . . . sitting or voting as a member of either House of the State Parliament.

He went on to say that honourable members were aware that some doubts were expressed during the recent election period as to the eligibility of women to sit as a member of either House, that there were certain legal proceedings which were indecisive, and that those were the reasons why the Government had introduced this measure—for the purpose of clearing up doubts.

On the other hand, the Hon. Mr. Condon, this being a non-Party measure, was able to be himself—that is, frank—he expressed appallment at the mere thought that women should not be able to sit either here or in another place. He proved that the age of chivalry is not dead. He said that when he was speaking on the Address-in-Reply, he had said he hoped the Government would not weaken by introducing this legislation. He said:—

I do not want to be one who says that Mrs. Cooper has no right to be here, as this Bill implies. I say that she or any other woman who is elected has a right to be here—not a privilege, but a right.

While admiring the Hon. Mr. Condon's chivalry and idealism, I prefer to take the more practical line and put the matter beyond doubt so that present and future women members—because there will be others, of course—are not embarrassed, as at least one of our two lady members was, by legal proceedings.

I have always adhered to the view that it is Parliament's duty to put things absolutely beyond doubt as far as it possibly can. That is the purpose and virtue of this measure. It is interesting to go into the history of this Bill a little. I hope I will not weary honourable members, but I really believe it is most interesting to see how the franchise for women became law and what happened in this place some 65 years ago in the matter. The Bill giving the franchise to women—I think it was the first of its kind in Australia, and long before many other parts of the world gave the franchise to women—was presented, in the first instance, to this honourable House of Parliament. As presented, it had two main clauses, Nos. 1 and 4. Clause 1 of that Bill stated:—

The right to vote for persons to sit in Parliament as members of the Legislative Council and the right to vote for persons to sit in Parliament as members of the House of Assembly are hereby extended to women.

Clause 4 stated:—

Until otherwise provided by Act, no woman shall be capable of being elected to Parliament as a member of either House thereof.

There is the historical fact that, although the Government of the day was prepared to introduce the franchise to women to vote for both Houses of Parliament, it was not prepared to recommend that they be entitled to sit in Parliament. That came, as I say, in the first instance to this House which, showing that sturdy commonsense that it shows even today, decided that it was quite illogical to disqualify women from sitting while giving them the right to vote for members of Parliament.

I should now like to quote one or two interesting extracts from *Hansard* of the day. The Bill was called the Adult Suffrage Bill. One of the chief speakers was the Hon. J. J. Duncan (as he then was). Some of his remarks are reminiscent of certain remarks that one hears in the Chamber today—as, for instance, this quotation will show honourable members. The Hon. Mr. Duncan said:—

The Chief Secretary had displayed a great deal of wit and introduced the Bill in his usual cheerful way. This speech appeared to him, however, to be more suitable for an audience of ladies after an afternoon tea party than for an assembly of members of Parliament. He had read the speech through very carefully and failed to find anything in it to reply to.

I have heard much the same sort of thing said in this House, even today. He went on to say:—

He seldom dropped into poetry, but the ladies, according to the honourable gentleman, "Were all his fancy painted; they were lovely and divine."

The Chief Secretary interjected "That's not poetry." As you, Sir, are sitting in the Chair and not the President at the moment, I will not ask you for a ruling whether or not it is poetry. That was the position, and the honourable Mr. Duncan (as he then was) finished his speech by saying—and I think this was an appropriate summary:—

Was the proposal an admission that the present electorate was effete and incapable? Was manhood played out? Did not its out and out supporters admit as much, and condemn the present Parliament and the Government as incompetent and incomplete, and did they not want to add women in order that there might

be a better Parliament, a more stable, more reliable, honest, and straightforward Government, and he was not sure they were not right. That all happened 65 years ago. It has taken us all this time to obtain a woman member of Parliament. Many other pious expressions were made in those days, and I should like to quote from the Hon. Dr. Campbell, who said:—

With regard to the question of women sitting in Parliament the Bill contained a clause which would preclude them from doing so, and he agreed with those who would have it struck out. If they were going to give freedom it should be full freedom.

That sounds to me very sensible and logical. The same gentleman, the Hon. Dr. Campbell, summed the matter up by saying, in opposing clause 4 of the then Bill (the clause that disqualified women from sitting):—

The whole question had been argued from the standpoint of right and justice, and if they agreed that women should have all the privileges of men they must give them the opportunity of assisting in making the laws of the country. They claimed for women her rights of citizenship, and that must not stop at merely giving them a vote. She must be absolutely free. They must leave it to the good sense and judgment of women to say whether they would enter Parliament or not. He hoped they would all vote consistently on the question and not put their hand to the plough and then turn back.

Those sentiments admirably express my own view, 65 years afterwards. I am happy to say that, because Dr. Campbell was my great-uncle.

There was a division on the question of striking out clause 4 (which disqualified women) and that was carried by 17 votes to 4 which, as I say, displays the sturdy commonsense of this Chamber. So, when the Bill went to the Assembly, it was a Bill to give women the right not only to vote but to sit as well. Unfortunately, no consequential amendments were made, and this is the same old lesson all over again. Clause 1 stood, and still stands—I think its verbiage might be slightly different now; I did not check on that but it is very similar. That is what gave the courts and the legal profession all the difficulty, because clause 1 had been drawn to dovetail in with clause 4, which disqualified women from sitting, Clause 1 was there to give them the right to vote but not to sit, and clause 4 expressly disqualified them from sitting. Clause 4 was cut out and no consequential amendments were made to clause 1, and then it still carried the legal flavour in its verbiage that women might not be intended to sit in Parliament. That is what gave rise to the whole trouble, and that is what this present Bill sets out to cure.

In supporting the Bill I, in common with other members of this Chamber, support the intention of this House as quite unequivocally expressed in the debate 65 years ago, but unfortunately not translated into precise language in that Bill. In those 65 years, of course, things have changed considerably. Public opinion has altered. Whereas during that debate 65 years ago certain members expressed their doubts as to whether this should or should not be, we have for many years not had doubts but, as the Hon. Mr. Condon has said, we have all assumed and taken it for granted that women had the right to sit in Parliament, which was indeed the intention of the Parliament of the time as clearly expressed by the debate as reported in *Hansard*. Therefore, for the purpose not of altering the law as we understand it or think it ought to be, but of making it clear that the law is what everyone thinks it ought to be, I have very much pleasure in supporting this Bill.

Bill read a second time.

In Committee.

Clauses 1 and 2 passed.

Clause 3—"Non-disqualification of women members."

The Hon. A. J. MELROSE—Although the new section might cover the whole subject it has occurred to me that it might not. It commences, "A woman shall not be disqualified by sex or marriage." I ask whether the words "or divorced" should not be inserted because divorce may be raised as an objection on some future occasion.

The Hon. Sir ARTHUR RYMILL—Does not "sex" cover that?

The Hon. Sir LYELL McEWIN—I have not studied this question but I believe that everybody is on an equal footing and I know of nothing that stops a divorced man from being a member of Parliament and I therefore do not think there is anything to stop a divorced woman.

The Hon. Sir ARTHUR RYMILL—If the honourable member would like a legal opinion outside the House I can procure one for him at a satisfactory fee, but if he wants my opinion now it will be worth what he is going to pay me for it, which is nothing. I would say offhand the Bill means but two things—(1), that women are not disqualified by sex and, (2) the term "marriage" is brought in because there are still certain disabilities imposed on married women rather than on single women. Honourable members will remember that very severe penalties were incurred on women getting

married in the early days. At one stage they were deprived of their property, which went to their husbands and so on. These disabilities are gradually becoming a thing of the past, and I think that the reference in the Bill is to make the position absolutely clear. I do not think divorce would alter the situation at all.

The Hon. F. J. CONDON—The honourable Sir Arthur Rymill spent a considerable time criticizing me, but all he said was that he supported the views I stated in this House. I am not one who says that Mrs. Cooper has no right to be here, but that is what the Bill says. I dissociate myself from it.

Clause passed.

Clause 4 and title passed.

Bill reported without amendment and Committee's report adopted.

STATUTES AMENDMENT (PUBLIC SALARIES) BILL.

Adjourned debate on second reading.

(Continued from September 17. Page 769.)

The Hon. F. J. CONDON (Leader of the Opposition)—I have in the past always supported similar Bills and I intend this afternoon to support the seond reading of this Bill beause I am of the opinion that it is justifiable, but I want to make one or two observations. I realize I am not speaking on the Address in Reply. The salaries of the Agent-General, the Auditor-General, the Commissioner of Police, and the Public Service Commissioner, were all fixed prior to 1957, and the Bill provides that these officers shall receive an additional £364 retrospective to April 1 last. The President and the Deputy President of the Industrial Court will also receive increases, but not as much as the other officers because they received an increase in 1957. It might be just as well to place on record the salaries paid to these officers today and what will be paid, and at the same time refer to the basic wage, which amounts to £706 a year. The Agent-General today receives £2,876 and his salary will be increased to £3,240. The Auditor-General receive £3,876 and he will receive £4,240. The President of the Industrial Court receives £3,750 and this will be increased to £4,075, while the Deputy President receives £3,150 and this will be increased to £3,425. The Police Commissioner receives £3,576, and it will be increased to £3,940. The Public Service Commissioner who now receives £3,876 will be paid £4,240. The Government will also have the power to increase the salary of the Railways Commissioner, who is now paid £4,926. The salary of the Highways Commissioner is £3,576.

The basic wage now stands at £706 a year and members have spoken in this debate of margins, and I will express my opinion on the matter. I repeat that I am supporting this Bill because it is justifiable. If this State wants to keep highly trained men in our public service we must fix reasonable salaries for them. In the past we have lost some good officers because of offers made to them from outside interests. Other officers have however remained in the service and have stood loyal to the Government. It has been said during this debate that salary increases have come about usually because of basic wage increases. Let us have the history of what has happened. Let us compare the salaries I have referred to with the salary of a member of Parliament, which stands at present at £2,150. Who is responsible for what we have today? Salaried officers and other officials in all industries have to thank the trade union movement for present-day salaries.

Who is responsible for today's standard of living? I say it is the worker, through his organizations. The A.C.T.U. is the recognized authority and it and other bodies, including the A.W.U., set the ball rolling. Through conventions they decide to approach the court for increased margins, increased basic wages, restoration of quarterly adjustments, fixation of hours, and improved conditions. These organizations spend a lot of money, time, energy and research in preparing the case and after lengthy hearings there is usually some improvement made. By these means the trades union organizations are responsible for improving the standard of living of every man in this State, from the highest to the lowest. I make that point strongly. When the basic wage is increased that increase is passed on to members of organizations and non-members of organizations too. The professional associations go to the court then and have their salaries and wages increased. Who lays the foundation for all this? Who raises the standard of living for all, including honourable members in this House? I repeat they all have to thank the trade union movement.

In this Bill the Government is not opposing, but rather sponsoring the increases. However, when the basic wage earner tries to improve his position, or tries to restore quarterly adjustments or reduce working hours, we find this Government sends its top officers to Melbourne to oppose the worker's application.

The Hon. G. O'H. Giles—How many are on the basic wage?

The Hon. F. J. CONDON—A good many, but that does not alter the principle. If there are not many on the basic wage why does the Government send its top officers to Melbourne to oppose the case?

The Hon. E. H. Edmonds—They have a perfect right to do so.

The Hon. F. J. CONDON—Quite so, but why don't they admit it? Everything the trade union movement has done has benefited my honourable friend and I defy anyone to contradict that statement, because every time the Federal Arbitration Court fixes the basic wage every industry and professional organization wants their salaries based on it. Special mention was made in the Minister's second reading speech that £85 of the increases proposed was due to the basic wage increase of 15s. Who was responsible for that increase? It was the trade union movement; but what credit does it get for it? The trade union movement has a perfect right to ask for any conditions it thinks reasonable, provided it does it constitutionally, and I stand for constitutional methods. When I hear people who are making higher profits since the basic wage increases took place than ever before wingeing and crying about the worker who gets £706 a year trying to improve his position, I wonder. When it comes to a question of trying to improve the position of the man on the bottom rung of the ladder we have strong opposition from honourable members here who support the Government, and they are prepared to deny the worker his rights. I had not intended to speak on this Bill because my colleague, the Deputy Leader, had done so very ably, but I felt I must offer some comments after hearing the remarks of one honourable gentleman who criticized the three judges of the Arbitration Court because they were unable to arrive at a unanimous decision. We all know that there are disagreements in the highest courts of Australia. How often do we hear of a dissenting judgment? I suppose if we all agreed on everything there would be no necessity for this Parliament; but the fact is that people will differ.

The honourable gentleman on my right (Sir Frank Perry) said that there were too many increases in the basic wage. Does anybody here claim that the basic wage is overgenerous? We all know that these people who speak with their tongue in their cheek receive the most benefit. We hear much about marginal differences, but there is a great difference between the basic wage of £706 a year and the £4,240 mentioned in this Bill. Every time the basic wage is increased the effectiveness of the marginal difference of the skilled tradesman is reduced, and today he is not receiving what he should justly get. Every time the worker tries to improve his position this prosperous Government in South Australia—let me repeat it—sends its top-rankers to the court to oppose the worker getting an extra one or two shillings a day. Those who cringe and cry because of basic wage increases should examine their own position: share values are increasing and production has gone up, so what is wrong with our economy, even though we may be facing a bad season in the agricultural sphere? The man on the basic wage gets £706 a year, out of which he has to pay £156 or more to the Housing Trust for rent, and very often any increase that is granted to him is more than offset by a rise in prices even before he gets the increase. Sir Frank Perry spoke about the system of wage fixation. Well, if it is wrong let us have another system, but whatever it is I hope that it will be constitutional.

Once again my mind is drawn to the question of retrospectivity. I have always fought for retrospectivity, particularly in industrial Bills, but this Government has always opposed me. During this session already half the Bills we have passed have contained retrospective provisions, so why not be consistent and reasonable and not oppose retrospectivity simply because members of the Labor Party support it? A little more fairness in this Council would be welcome. This Bill is retrospective to April 1 and in the increases to be granted is included the 15s. rise in the basic wage. I will say nothing about salaries as they affect people here, but simply compare the rates included in this Bill—even those of members of Parliament—with the basic wage. For the reasons I have mentioned I am supporting the Bill because I believe that everyone concerned in it is worthy of the increases proposed and even if the Government decided to make the increases greater I would still support it because I believe that a man is worthy of his hire—but that should apply not to one section of the community only.

The Hon. A. J. SHARD secured the adjournment of the debate.

LOCAL GOVERNMENT ACT AMENDMENT BILL.

Adjourned debate on second reading.

(Continued from September 16. Page 734.)

The Hon. L. H. DENSLEY (Southern)—A Local Government Act Amendment Bill always brings home to us a reminder of the very great services rendered to the State by the members of councils throughout South Australia. They are very close to the people and are called upon to consider all sorts of problems, from pot-holes in a road to very important improvements. One can say that a district councillor or a member of a municipality is a medium between local government and Parliament, and I feel sure that everyone in this Council will admit the value of the work done by local authorities.

I propose to deal with only one or two matters and the first is hours of voting. I oppose any reduction of hours. I believe that if we could achieve uniformity in electoral matters it would be very advantageous in many respects, and if an extension of voting hours were proposed I would support it with a good deal of satisfaction. There is always an uncertainty in the minds of electors with regard to the hours of voting and the method of voting, and usually only a small section of ratepayers avail themselves of the privilege of voting at district council elections. We have made voting compulsory in House of Assembly elections and consequently the percentage of voters is better, but I believe that until we have uniformity of hours in elections for both local government and Parliament people will be always wondering what the hours of voting are.

Probably the main provision of this Bill is clause 3, regarding the election of deputy mayors and deputy chairmen. I believe that it is a fundamental requirement for the satisfactory working of councils that the same people who vote for the election of a mayor should vote for the election of a deputy mayor. I know that in some quarters the provision of deputy mayors and deputy chairmen is not looked upon with a great deal of favour, but I think it is highly desirable that if we are to have them the same people should vote for the deputies as vote for the principals. To fortify my opinion I have looked up what is the practice in other countries and other States. In England the mayor of a borough is elected annually by the council of the borough from among the aldermen or councillors of the borough. The term of office of the mayor is one year; but unless he resigns or ceases to be qualified, or becomes disqualified, he continues in office until his successor becomes entitled to act as mayor. During his term of office the mayor continues to be a member of the council, notwithstanding the retirement of councillors of a borough at the end of three years. The mayor may, by writing recorded in the minutes of the council, appoint an alderman or councillor to be deputy mayor.

The person appointed holds office, unless he resigns or ceases to be qualified, or becomes disqualified, until a newly elected mayor becomes entitled to act. The deputy mayor may, if the mayoralty is vacant, or the mayor for any reason is unable to act, discharge all functions of the mayor, except that of taking the chair at the council unless specially appointed by the meeting to do so. That condition applies in a number of countries. In New South Wales it was a practice for many years for each municipal council to elect one of its members to be the mayor. A council may from time to time elect one of its members to act as deputy mayor, either for the mayoral term or for a limited term as may be resolved by the council. There was an alteration after much trouble in the Sydney City Council whereby the election of the Lord Mayor was provided for by a ballot of ratepayers. The position is somewhat similar in Victoria, where it is provided:—

As soon as conveniently may be after any vacancy taking place in the office of chairman of any municipality, one of the councillors shall be elected by the council to be chairman. The chairman so elected shall in the case of the City of Melbourne be entitled the Lord Mayor and in the case of a borough be entitled the mayor, and in the case of a shire, the president. The chairman of every municipality shall take the chair at all meetings of the council at which he is present, and if at any meeting of the council the chairman is not present, one of the councillors present shall be elected chairman of such meeting by the council.

The position in Queensland is rather different. There it is laid down:—

The chairman shall be elected by the electors of the area. If the area is not divided, the other members shall be elected by the electors of the area. If the area is divided, the other members shall be elected for each division by the electors of such division. At the first meeting of the local authority, after the conclusion of every triennial election of members, or a fresh election of all the members, or at some adjournment thereof, the members present shall elect one of the members to be deputy chairman who shall, except as hereinafter provided, hold office until the conclusion of the next triennial election of members. A deputy chairman may act in the office of chairman during

such time he is prevented by absence, illness or otherwise from performing the duties of the office, or during such time as a vacancy exists in the office of chairman.

The position in Tasmania generally is similar to that in England. The difference is that in the municipality of Hobart the mayor and deputy mayor are elected by the ratepayers, whereas in Launceston the mayor and deputy mayor are elected by the aldermen. It was stated in the press that Hobart was considering the use of the same procedure for the election of a mayor by the council as is done in Launceston and the rest of Tasmania. The Tasmanian Act provides:—

At the first meeting of the council of a newly constituted municipality or at some adjournment thereof, and thereafter at the first meeting of the council after the conclusion of every annual election of councillors, or at some adjournment of such first meeting, the councillors present shall after fixing the amount of the allowance, if any, to be granted to the warden, choose one of the councillors to be warden for the ensuing year, and he shall hold office until his successor is chosen or appointed acting chairman. The warden, if present, shall preside at all meetings, and in his absence, such other councillor as the councillors present shall choose as acting chairman.

I think it would be most undesirable to accept the amendment of the Act as suggested in the Bill. The position is not quite so bad in its application to the election of a deputy chairman. After much study of the position and some experience of the matter I should say it would be desirable to leave the position as it is at present in the appointment of a deputy chairman. Therefore, I favour the exclusion of clause 3, and in Committee I shall vote against that clause. I am pleased to support the second reading to enable other provisions in the Bill to be included in the Act.

Bill read a second time.

In Committee.

Clauses 1 and 2 passed.

Clause 3—"Appointment of deputy chairman."

The Hon. C. R. STORY—I move—

After "A" in line 1 of new subsection (3) of section 65 to insert "district."

The object of my amendment is to bring the clause back into the same form as it was when introduced in this Chamber in an amending Bill in 1958. I do this because I believe that the appointment of a deputy chairman is desirable and often necessary for the good functioning of district councils, but I do not favour the appointment of a deputy mayor, because the franchise for electing a mayor is not consistent with that set out in the Bill for the election of a deputy mayor. A number of councils in my area desire to appoint a deputy chairman. The clause will give them that power only if they so wish. There is no compulsion on them.

The Hon. Sir FRANK PERRY—As far as I am able to ascertain, there is no real demand for the clause, and from what I have heard in the debate, there is no unanimity on the matter. Consequently, I feel that it would be wrong to vote for a change of the law when long experience has shown that the present provision has been entirely satisfactory to most district councils and municipalities. The provision for the appointment of a deputy mayor is unnecessary and the authority for the election of an acting chairman is already in the law. No chairman who is active would desire the appointment of a deputy. I think that a deputy would be placed in an awkward position if he were not in step with the chairman or the mayor. I think the clause should be struck out, although I am prepared to accept the amendment because it improves the position. However, even if it is accepted, I will vote against the clause.

The Hon. Sir ARTHUR RYMILL—My views are the same as those of Sir Frank Perry. I propose to vote for the amendment because I think it improves the clause, but I should prefer the clause to be deleted. I propose to vote against the clause whether it is amended or not.

The Hon. F. J. CONDON—I understand that the clause is desired by those engaged in local government and if councils desire it, I am prepared to give them what they want. Will I be able to move an amendment to provide that councils shall have power to give alleviation to pensioners and those on limited salaries and superannuation, or does the Minister later this session intend to introduce another amending Bill and give me an opportunity to submit such an amendment?

The Hon. N. L. JUDE (Minister of Local Government)—The matter rests with the Chamber. However, the honourable member will have an opportunity during the session to move for the incorporation of such an amendment in another Local Government Act Amendment Bill.

Amendment carried.

The Hon. C. R. STORY moved—

In new subsection (3) of section 65 to strike out "deputy mayor, as the case may be, the" where first occurring.

The Committee divided on the amendment:

Ayes (12).—The Hons. Jessie Cooper, L. H. Densley, E. H. Edmonds, G. O'H. Giles, A. C. Hookings, A. J. Melrose, Sir Frank Perry, F. J. Potter, W. W. Robinson, Sir Arthur Rymill, C. R. Story (teller) and R. R. Wilson.

Noes (6).—The Hons. K. E. J. Bardolph, S. C. Bevan, F. J. Condon (teller), N. L. Jude, Sir Lyell McEwin and A. J. Shard.

Majority of 6 for the Ayes.

Amendment thus carried.

The Hon. C. R. STORY moved—

In new subsection (3) of section 65 to strike out "deputy-mayor or" wherever occurring.

Amendment carried.

The Hon. C. R. STORY moved—

In subclause (2) to strike out paragraph (*c*).

Amendment carried.

The Hon. F. J. POTTER—Section 65 already has four subsections. It seems beyond doubt that a typographical error has occurred and that new subsection (3) ought to be new subsection (5). I do not know whether I should at the beginning of the debate on this clause have moved that "(3)" be struck out and "(5)" inserted.

The CHAIRMAN—It is a typographical error which I will put right, so there is no need to move an amendment.

The Hon. Sir ARTHUR RYMILL—There is another consequential amendment in subclause (2). Paragraph (*d*) ought now to be paragraph (*c*) because we have now struck out former paragraph (*c*). That follows from your previous ruling, Sir.

The CHAIRMAN—Yes.

The Hon. L. H. DENSLEY—I hope that the Committee will defeat the whole clause. It is quite usual for a council to elect a member to take the chair when necessary, and it is desirable to strike out the clause. District councils have been minded to retain chairmen for very long periods, and that is not in the best interests of the district. If a person was chairman for only a limited time, the result would be better. One accepting the duty of chairman should be able to attend meetings fairly regularly. If sickness or any other disability prevents his attending, he can at least get the councillor for the ward concerned to do any job affecting that ward, and it would be in the hands of the council to appoint someone to act as chairman on the day of the meeting. We should reject the clause.

The Committee divided on clause 3 as amended:

Ayes (9).—The Hons. K. E. J. Bardolph, S. C. Bevan, F. J. Condon, G. O'H. Giles, A. C. Hookings, N. L. Jude (teller), Sir Lyell McEwin, A. J. Shard and C. R. Story.

Noes (9).—The Hons. Jessie Cooper, L. H. Densley (teller), E. H. Edmonds, A. J. Melrose, Sir Frank Perry, F. J. Potter, W. W. Robinson, Sir Arthur Rymill and R. R. Wilson.

The CHAIRMAN—The result is, 9 Ayes and 9 Noes. I give my casting vote for the Ayes to give the Committee a chance to reconsider the clause if it wants to.

Clause as amended thus passed.

Clause 4—"Proceedings on day of election."

The Hon. Sir FRANK PERRY—The difficulty of getting people to vote is well known. I would like to see voting hours uniform in all Federal, State and municipal elections, but that is impossible. I think to shorten the period of voting time would be a retrograde step and it is not generally desired. I intend to vote against the clause.

The Hon. C. R. STORY—As I stated during the second reading debate, I am opposed to the clause.

Clause negatived.

Clauses 5 and 6 passed.

Clause 7—"Revenue derived from timber, etc."

The Hon. N. L. JUDE—There is a typographical error in paragraph (*a*). I move—

After "separate fund" to insert "to be".

Amendment carried; clause as amended passed.

Clause 8 passed.

Clause 9—"Registration of approved rights of access, etc."

The Hon. F. J. POTTER—Subsection (6) of proposed new section 352 states:—

No right shall be registered as provided by subsection (5) if the Registrar-General is satisfied that the street, road, lane, yard or passage, roadway, byway or footway . . . is a public highway.

It seemed to me that the word "highway" was an inappropriate word as used in this subsection. The Oxford English Dictionary describes the word "highway" as a "public road open to all passengers and principally a main or principal road between two towns or cities," and therefore I move—

After "public" to insert "street" and after "highway" to insert "thoroughfare or place."

I think those words are more appropriate to the new subsection.

The Hon. N. L. JUDE—If the honourable member feels the amendment clarifies the position I have no objection to it.

The Hon. Sir FRANK PERRY—This clause takes away from owners certain rights that they have had, and the Registrar-General has the right to take them away. The present provision protects the right of ownership that already exists. I would like the Minister to make the position clear. I think this clause is designed to control access to a public highway, but the rights of the owner may lapse or be taken away from him.

The Hon. N. L. JUDE—I am not a legal man and I realize there may be some implications in what the honourable member says. However, I am reasonably satisfied with the explanation given in the second reading speech, which is basically that this clause does away with the uncertainty created in the original provision passed in 1903. It now states what must be done to establish any rights which may or may not exist.

The Hon. Sir ARTHUR RYMILL—The honourable Mr. Potter has approached this clause in a technical way, but I prefer to approach it in a broader way. My view is that owners should be able to have their rights registered. As the honourable Sir Frank Perry said, this amendment would tend to cut away their rights to have these rights registered, not to add to them. The amendment would give a more restrictive construction. At present the provision says, "No right shall be registered . . . if it is a public highway." As the amendment will read, and I do not altogether agree with the point, no right can be registered if the Registrar-General thinks it is a byway or a footway or any other thing. If the Registrar-General has to delve into the question of whether it is a street or some other thing he will have the right to refuse to register the rights of owners. I think on the broader concept the Act is far better left as it is. If we pass this amendment it will not affect as many rights.

The Hon. F. J. POTTER—I approached this clause in a technical way because I thought the words "public highway" were not defined and as such they are not easy of interpretation. After all, this has to be given a technical meaning by the Registrar-General, and I therefore think in the interests of clarity the amendments I have moved are necessary. I understand that there is some provision requiring councils to keep a register of public roads and no doubt the Registrar-General would want to know whether a particular road, involved in any application for registration, was on the register. My understanding is that many councils have not kept their register of roads up-to-date, and some of them do not have one at all. I therefore felt that rather than have an argument about what is meant by the word "highway," seeing it is not defined, it would be better to insert these amendments.

The CHAIRMAN—I would like to inform the Council that it helps greatly if the member moving an amendment can have copies of the amendment typed.

The Hon. N. L. JUDE—Having examined at short notice the second reading explanation referring to this clause and having conferred with the Parliamentary Draftsman, I did note that special reference is made to the fact that in some cases where a roadway, etc., is not a public highway, the owner is given statutory rights. The Parliamentary Draftsman advises me in those circumstances that this clause may take away certain rights, which this House does not usually approve of.

The Hon. Sir FRANK PERRY—I feel following the honourable member's explanation that the position is quite clear. Certain rights are now held by owners and it is to clear the whole matter up that the Registrar-General can take certain rights away, and the owner has to register such rights. He cannot if it faces a highway, and that is quite clear and the explanation the honourable member gives should satisfy us on that. Having had that explanation I hope the honourable Mr. Potter will not proceed with his amendment.

The Hon. F. J. POTTER—I only looked at this clause this afternoon, but I felt there was a good argument for my amendment. I now ask leave to withdraw my amendment.

Leave granted; amendment withdrawn.

Clause passed.

Clauses 10 to 17 passed.

Clause 18—"Hours of Voting."

The Hon. A. J. MELROSE—I take it that as clause 4 has been deleted this clause too should be deleted as a consequential amendment.

The CHAIRMAN—I think it is consequential. It is in the hands of the Committee.

Clause negatived.

Remaining clauses (19 and 20) and title passed.

Bill reported with amendments and Committee's report adopted.

ADJOURNMENT.

At 4.58 p.m. the Council adjourned until Tuesday, October 6, at 2.15 p.m.