

capable assistants. The State is fortunate to have Mr. McLarty.

The Premier: Yes; but he does too much.

Hon. A. McCALLUM: I agree. There should be a permanent board of directors with statutory authority. The job is a full-time job for three experts.

Mr. GRIFFITHS: I endorse what has been said in appreciation of the Agricultural Bank's work. I should like to obtain from the Premier some information as to properties on the wheat belt taken over from farmers and as to the cutting-down of debts. There have been many instances in which properties have been taken over at too high a valuation, owing to ignorance or misunderstanding. Being refused any revaluation or reduction, the men who took up those farms eventually left them. In such a case, however, the next man coming along got the property at a reduced valuation. What is intended with regard to the future cutting-down of debts? It is said that to cut down in this time of excessively reduced values would be unwise.

Mr. J. H. SMITH: At a later date there will be an opportunity of discussing all the ramifications of group settlement. Information is desired with regard to repossessions on the group areas. I have the greatest respect for the managing trustee of the Agricultural Bank and his fellow trustees. Those gentlemen are making an excellent job of their work. In the South-West we have a complaint against the Agricultural Bank with reference to re-possession in the group areas. In some instances the bank has repossessed where we consider further inquiries should have been made. Until the capitalisation has been written down and interest reduced, I do not think there is any hope of the Agricultural Bank collecting any interest from their clients in the group areas. The Government have endeavoured to solve the problem by decentralising the bank's operations and a branch of the Agricultural Bank has been established at Manjimup where the local manager will be able to deal direct with the settlers. The Government have appointed Mr. Pullen as inspector for the South-West and that officer will travel throughout the areas and direct operations. That is a move in the right direction. The Premier has promised that, on his return from Melbourne, members will have an opportunity to discuss

the report of the Royal Commission that investigated the dairying industry in the South-West and when that debate is held, we shall be able to give the House more information.

Vote put and passed.

Progress reported.

BILL—BRANDS ACT AMENDMENT.

Received from the Council and read a first time.

BILL—DAIRY CATTLE IMPROVEMENT ACT AMENDMENT.

Returned from the Council with amendments.

House adjourned at 10.5 p.m

Legislative Council,

Tuesday, 18th October, 1932.

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

ASSENT TO BILLS.

Message from the Lieut.-Governor received and read, notifying assent to the undermentioned Bills:—

- 1, Closed Roads Alienation.
- 2, Main Roads Act Amendment.

BILL—SPECIAL LICENSE (WAROONA IRRIGATION DISTRICT).

Report of Committee adopted.

BILL—CATTLE TRESPASS, FENCING, AND IMPOUNDING ACT AMENDMENT.

Further Recommittal.

On motion by Hon. J. J. Holmes, Bill again recommitted for the purpose of further considering Clause 2.

In Committee.

Hon. J. Cornell in the Chair; the Chief Secretary in charge of the Bill.

Clause 2—Amendment of Section 30 of principal Act:

Hon. J. J. HOLMES: I move an amendment—

That all the words of proposed Section 30, after "any" in line four, down to "apart" at the end of paragraph (c), be struck out, and the following inserted in lieu:—"wall, picket, close, or netted fence, or wire fence, constructed as follows:—sound posts at least six inches by three inches, or, if jam posts, not less than two inches diameter at the crown, and placed eighteen inches in the ground, twelve feet apart, or its equivalent, by the use of droppers, with at least four wires for great stock and at least six wires for small stock, fixed and spaced from the ground six inches, six inches, six inches, seven inches, nine inches, twelve inches. The top wire or all wires may be barbed, to be optional with the owner unless prohibited by the by-laws of the local authority, and for great stock four wires placed from the ground eighteen inches, seven inches, nine inches, and twelve inches: Provided that a post and rail fence consisting of two or more rails may be made proof against small stock by the addition of the necessary wires: Provided also, that any fence in existence before the commencement of this Act shall remain as it is at the risk of the owner."

Some members would have three wires as being sufficient for large stock, but my amendment provides for four wires, and also for discretionary power in a magistrate.

The CHIEF SECRETARY: If all the words down to "apart" are struck out, there will be no provision for the distance the straining posts are to be apart. It will be necessary to supply that omission in the amendment.

Hon. J. J. HOLMES: No strainers would be required either in a post and rail

fence, or in a picket fence, and I cannot imagine anybody erecting a wire fence without strainers. What we have to guard against is that while providing for strainers in a wire fence we do not also make provision for their use in a post and rail fence or any other form of fence where they would not be required.

The CHIEF SECRETARY: But we must have strainers in a wire fence, else the fence will not be taut. Surely it is necessary that the hon. member should include that in his amendment.

Hon. J. J. Holmes: Very well, if the Committee thinks it is necessary.

The CHAIRMAN: I will add it to the amendment in the form of a proviso as follows:—

Provided that in any class of wire fencing the straining posts shall not be placed at a greater distance than 330 feet apart.

Hon. J. M. DREW: I should like some explanation as to portion of the amendment. Possibly the position has arisen in consequence of a typographical error. When dealing with six wires for small stock it is provided that the wires shall be fixed and "spaced from the ground," etc. Then when we come to four wires we get "placed on the ground." I think that should be "spaced from."

The CHAIRMAN: Yes, that will be corrected.

Hon. W. J. MANN: Is there any reason for a top or second wire being barbed, or declaring that all wires may be barbed?

The CHIEF SECRETARY: In some instances the top wire is barbed and in others the second wire is barbed.

Hon. J. J. HOLMES: The amendment is all right as it is. In some cases there is the barbed wire on top and five plain wires below, and in other cases the second wire is barbed and the other four are plain wires. If an owner wants to put up six barbed wires, this will permit him to do so, or have the top wire or the second wire barbed.

Hon. Sir EDWARD WITTENOOM: It is correct that the use of barbed wire should be optional. If it is made compulsory, people with stock will not turn it into paddocks that are barb-wire fenced. The position is guarded by the word "may" in the amendment.

Hon. V. HAMERSLEY: Does the amendment now mean that the wires must be

spaced at six inches? I have an amendment on the Notice Paper that I think might well be added as a new paragraph. It reads—"A fence constructed of timber not less than 3 feet 6 inches in height from the ground substantially built and either horizontal or upright."

The CHAIRMAN: I am inclined to think the hon. member's suggested paragraph will destroy the value of what has been done. Anyway, I am in the hands of the Committee.

Hon. V. HAMERSLEY: I have put it in the form in which it appears on the Notice Paper, but hon. members are aware that it is known as the Harper fence. It is a very substantial and efficient fence.

Hon. G. W. MILES: The fences referred to by Mr. Hamersley are in existence in many parts of the State. There are hundreds of miles of them in the Beverley district alone.

Hon. J. J. HOLMES: My experience is that the last generation put up fences, but I do not know that the present generation keep them in repair. My amendment will leave it discretionary for the magistrates to view the half-tumbled down fences, and frame their decisions accordingly. My amendment was framed by one of the best legal men in the State for the associated road boards.

Hon. J. M. DREW: It would be as well if we left out the last proviso in which reference is made to an owner being permitted to allow a fence to remain in its present condition at his own risk. That seems to disqualify all fences now in existence that do not comply with the provisions of this legislation. Surely we should not go as far as that but should leave the matter to the discretion of the justices.

Hon. J. J. HOLMES: If a fence is in a state of disrepair, but the owner is satisfied and takes the risk, the magistrate will be able to determine whether the fence complies with the requirements of the Act.

Hon. V. HAMERSLEY: In my opinion, Mr. Drew was quite right in his contention. Many good fences at present serving their purposes will not conform to the definition of a sufficient fence. The danger I see is that many settlers may have difficulty in securing titles to their properties because the fences they have erected, although quite satisfactory, do not comply with the provi-

sions of this measure. They may even be forced to re-fence before they can secure their title deeds.

Hon. J. M. DREW: I do not think the words "at the risk of the owner" should remain in the proviso. It is an indication to justices to direct their attention to the amendment Mr. Holmes is moving. The difficulty is that the magistrate will have no discretion when the amendment specifies that the fence shall be of a certain gauge.

Hon. J. NICHOLSON: At first I thought the amendment would cover the various types of fences in general use, but the more the matter is debated with a view to arriving at what is an adequate and comprehensive definition of a sufficient fence, the more I am inclined to the belief that it would be better to leave the whole matter to the discretion of the magistrates, who would keep in mind the types of fences suitable for various districts.

Hon. J. J. Holmes: We can defeat the clause altogether.

Hon. J. NICHOLSON: The more we consider it, the more difficult it appears to be to arrive at something quite adequate.

Hon. G. W. Miles: Vote the clause out altogether.

Hon. J. NICHOLSON: Certainly the proviso is dangerous and we may do an injury to many farmers if we agree to it.

Hon. J. J. HOLMES: In my endeavour to reach finality on this matter, I had the amendment drafted so that the Committee would not be held up to ridicule, as they would have been had we agreed to the original clause. My amendment does not meet with the approval of the Committee and I suggest we strike the clause out altogether, leaving the magistrates to decide what is a sufficient fence.

The CHIEF SECRETARY: The only portion of the amendment to which members take exception is the proviso that refers to owners being allowed to take the risk in respect of existing fences. That might tend to divert the views of a magistrate in a wrong direction.

Hon. J. J. Holmes: Then let us delete the clause.

The CHAIRMAN: I will state the amendment without the last proviso, to which exception has been taken.

Hon. E. ROSE: I agree with Mr. Nicholson and Mr. Holmes. When we start endeavouring to define the differences between

wires, and so on, we are bound to experience difficulty regarding fences in various districts. There are hundreds of miles of cattle fencing with three wires only, and in other districts there are hundred of miles of fences comprising uprights and top rails with netting drawn between. Those fences would not comply with the definition in the Bill and it would be far better to leave the whole matter to the discretion of the magistrates.

Hon. J. J. HOLMES: If we insert the words, shall we have the option subsequently to strike out the whole clause?

The CHAIRMAN: Yes, members may vote against the clause as amended. I shall put the question for the insertion of the words without the final proviso.

Amendment put and passed.

Hon. G. W. MILES: It would be better to strike out the clause. There is no reference to an iron fence, and it may be held by magistrates that Parliament had deliberately omitted to include such a fence.

Hon. J. M. DREW: I, in a veiled manner, expressed a similar view when the Bill was first considered in Committee. I have had 30 years experience of police and local courts and have been present when numerous cases of trespass have been tried, and there was no difficulty on the part of justices in coming to a sound decision. Seldom was the question of a sufficient fence raised. The Bill, as presented and as amended, would cause confusion. The existing Act, which has operated for 50 years, left the matter to the discretion of the bench. Ninety per cent. of the justices are competent to administer the Act.

Hon. Sir CHARLES NATHAN: I agree with the two previous speakers. Had it been possible at the outset to describe a minimum fence, stop at that, and allow the justices discretion, it would have been satisfactory, but so many fences are now described that the justices would consider that any other fence would not be a sufficient fence.

Hon. W. J. MANN: I hope the definition will be retained. I understand that the amendment, in essence, has been approved by the Road Board Conferences. It has been difficult to decide what constitutes a sufficient fence, and I take it this is an effort to secure some sort of uniformity. With the excision of the final proviso, the definition is quite satisfactory.

The CHIEF SECRETARY: I point out that the amendment makes the clause mandatory. The Bill, as originally introduced, was more satisfactory.

Hon. J. J. HOLMES: We have reached the stage when we realise that we cannot define a fence. Therefore we should leave the matter to the discretion of the magistrates. I propose to vote against the clause.

Hon. A. THOMSON: Mr. Holmes's amendment is on the lines requested by the Road Boards Association. I regret that I did not notice earlier that the final proviso was also in accordance with a request of the association. The intention was that new fences should be of the type stipulated. I hope the clause will be retained.

Hon. J. NICHOLSON: I believe Mr. Thomson and Mr. Mann do not appreciate the effect of the clause. Mr. Holmes foresees the danger.

Hon. J. J. Holmes: I saw it from the start.

Hon. J. NICHOLSON: Mr. Holmes has been quite consistent. He has endeavoured to secure a comprehensive definition of a sufficient fence.

Hon. J. J. Holmes: And have arrived at the conclusion that it cannot be framed.

Hon. J. NICHOLSON: I think the hon. member is correct. If the clause were retained, and a man had a fence one inch more or less than the measurements stipulated, it would not be a sufficient fence under the measure and the magistrate would have no alternative to finding accordingly.

Hon. J. J. Holmes: Have not we flogged the question long enough?

Hon. J. NICHOLSON: Yes. The passage of the clause would be harmful.

The CHIEF SECRETARY: The Bill was merely intended to serve as a guide. We could delay this measure for a few days, and put back the words that were struck out this afternoon.

The CHAIRMAN: It would be better to pass the clause as amended, and recommit it again so that it may be further amended if deemed necessary.

Hon. G. W. MILES: I hope the clause will be struck out. As it is worded now, it will constitute a direction to the magistrate, and will complicate the whole business.

The CHIEF SECRETARY: The people responsible for the handling of this business are the local governing bodies, who have asked that the law should be amended in

this direction. Surely we can frame a Bill that will meet their wishes, and put them in a better position to deal with the matter than they have occupied in the past.

Clause as amended, put, and a division taken with the following result:—

Ayes	..	..	..	..	10
Noes	..	..	..	..	14

Majority against .. 4

AYES.

Hon. C. F. Baxter	Hon. W. J. Mann
Hon. L. B. Bolton	Hon. H. V. Piesse
Hon. A. M. Clydesdale	Hon. A. Thomson
Hon. E. H. Gray	Hon. C. H. Wittenoom
Hon. E. H. Harries	Hon. E. H. H. Hall
	(Teller.)

NOES.

Hon. J. M. Drew	Hon. G. W. Miles
Hon. J. Ewing	Hon. Sir C. Nathan
Hon. G. Fraser	Hon. J. Nicholson
Hon. V. Hamersley	Hon. E. Rose
Hon. J. J. Holmes	Hon. H. Seddon
Hon. W. H. Kitson	Hon. Sir E. Wittenoom
Hon. J. M. Macfarlane	Hon. J. T. Franklin
	(Teller.)

Clause thus negatived.

Bill again reported with a further amendment.

BILL—EAST PERTH CEMETERIES.

In Committee.

Resumed from the 4th October; Hon. J. Cornell in the Chair; the Chief Secretary in charge of the Bill.

Schedule:

The CHAIRMAN: Mr. Nicholson had moved an amendment to strike out the figure "70" and the word "and" in the first column of the schedule.

Hon. J. NICHOLSON: I have seen the Minister for Lands, and ask leave to withdraw the amendment.

Amendment, by leave, withdrawn.

Schedule put and passed.

Preamble, Title—agreed to.

Bill reported without amendment and the report adopted.

BILL—SUPPLY (No. 2), £860,000.

Second Reading.

THE CHIEF SECRETARY (Hon. C. F. Baxter—East) [5.55] in moving the second reading said: The first Supply Bill released

funds totalling £2,225,000 for services during the months of July, August, and September, and it was hoped at that time there would not be any necessity for a second Supply Bill. However, the Budget is still receiving consideration in another place, and it is necessary to provide funds with which to carry on. In this Bill Supply is sought for the months of October and November, to the extent of £850,000 from Consolidated Revenue Fund and £10,000 from the Government Property Sales Fund, a total of £860,000. This request is based on expenditure as provided for in the Budget. 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.

BILL—JUSTICES ACT AMENDMENT.

Second Reading.

Debate resumed from the 13th October.

HON. J. M. DREW (Central) [6.1]: The Attorney General is primarily responsible for this measure. Since taking office Mr. Davy has given practical proof of a desire to effect necessary reforms in connection with matters that come within the province of his administration. The present Bill is an instance in which the Minister seeks to give a humanitarian trend to some of the features of certain laws that appear on our statute-book. In the Bill he presents a case which requires almost no argument in support. The necessity for the reforms must be obvious to all who give the question even a moment's consideration. It was surely never intended that a person should be sent to prison if unable to pay his gas rate, or his water charges, or his electricity bill, or if he cannot meet the cost of eradicating plant diseases from his garden, or fails to pay the fire brigade's fees for trying to put out a fire in his home, or, in fact, for numerous similar defaults which cannot be described as criminal even by the wildest stretch of the imagination. The position has arisen by reason of the fact that all such cases come before the police court, and are

dealt with under the Justices Act. The Bill provides a remedy for the existing state of affairs. While it enables certain cases to be tried before the police court, the ultimate result will be such as it would be if they had been tried before the local court. The procedure laid down in the Bill seems to me capable of being greatly simplified. Instead of the party who obtains a decision in his favour being obliged to obtain from the clerk of petty sessions a certified copy of the order of the justices and then registering it in the local court, the registration should, in my opinion, be attended to by the clerk of petty sessions. The document could be sent by messenger to the clerk of the local court, and duly acknowledged. If that course is not followed, it means that in many cases a solicitor will have to be employed, and that the plaintiff will have to bear the additional costs. The transfer from the police court to the local court should be a simple matter, involving no expense to either of the parties concerned. At all events, that is my view. In one respect the Bill is not to my liking. The Masters and Servants Act is included in the Schedule to the Bill, and this means that wages due become an ordinary debt recoverable in the local court. Such legislation does not obtain, I believe, in any of the Australian portions of the British Dominions. Under a good old English law which has been handed down to us and is still on the statute-book, an employer who fails to pay his employee the wages owing to him can be prosecuted in the police court for any amount up to £50, and if the decision goes against him and an execution fails, he can be sent to gaol for any term up to three months.

Hon. J. J. Holmes: You can go back further. We are told that the labourer is worthy of his hire.

Hon. J. M. DREW: I could quote Scripture, too. It is a law that has worked well in this country. In the course of my life I have known scores of men who would have been defrauded of their wages had this law not been in operation. I am referring not to the ordinary class of employer, but to the man of straw who takes on a contract and engages others to do the work, and but for the Masters and Servants Act would not scruple to put the proceeds of the contract in his pocket and clear out, leaving the employees stranded. It seems to me that it

borders on crime to defraud a worker of his wages. The injustices are sometimes borne in silence. When visiting an agricultural centre some time ago, I was informed by responsible residents, who knew all the circumstances, that a contractor who had been handling wheat owed two migrants a fortnight's wages on the completion of the contract, and had laughed at them when they asked for payment. I saw the migrants—apparently very decent young fellows—and they repeated to me word for word the story I had previously heard. I urged them to sue the scoundrel, who had, as I gathered, plenty of money to spend at the local hotel. In fact, I promised to arrange matters connected with the prosecution. The young fellows conferred, and then told me they were afraid that if they started prosecuting employers they would have great difficulty in getting work in the future. So this contractor got away with a fortnight's wages due to those unfortunate men. He relied on their ignorance of the law—they being strangers in a strange land—and on the fact that they had no money with which to take action against him. This type of individual would have no fear whatever of the local court. Besides, how can employees afford to await the slow procedure of the local court in order to reach finality? I have frequently been present in police courts when a similar type of employer had to face the bench; and in every case, upon its being proved by the other side that the money was owing, he had to find the money. There is, of course, another side to the picture. If an employee enters into an engagement with an employer and clears out before the term of service expires, he is liable to pay damages, and in default be imprisoned. But, taking the Act by and large, it has been a great protection to workmen, and it should not be treated so lightly as the Bill proposes. This is not to say that the Act does not need revision. From a hasty perusal of it I feel sure that it does need some amendment. Discretion should be given to the bench in cases where there is no suspicion of fraud and where, owing to circumstances beyond control, it is impossible for the employer to meet his obligations. In other respects, too, the Act may call for amendment. Still, I consider it would be worse than a mistake to alter the law in order to compel a workman to go to the local court to secure

the wages due to him. It would mean a slow progress of the machinery of the local court; the employee would have to take out a judgment summons against the employer, and, after having proved his case, might in the end be rewarded with payment at the rate of 5s. per week. In the meantime the worker might be hung up, without any money, for perhaps six weeks or two months. In Committee I shall move that the Masters and Servants Act be struck out of the Schedule. If I am successful, then I trust the Attorney General will make a careful examination of that Act and introduce such amendments as may commend themselves to his judgment.

THE CHIEF SECRETARY (Hon. C. F. Baxter—East—in reply) [6.12]: I thank Mr. Nicholson for the kind way in which he spoke about the Bill. I also thank Mr. Drew for portion of his speech, but the hon. member destroyed all the good he did, by voicing his resentment at the repeal of the Masters and Servants Act. If the Bill passes, there will be no difference with regard to the Masters and Servants Act except this, that it will no longer be possible for the defendant to be sent to gaol by the police court. Assume that an employer has no money and is sent to gaol, what satisfaction is that to the employee, who remains unpaid? If the Bill deals rightly with the other Acts mentioned, surely the position is in order as regards the Masters and Servants Act. There have been cases in which people who, owing to no fault of their own, were unable to pay, have been obliged to go to gaol. That is one of the reasons why the Bill has been introduced. In the case of a workman suing an employer for wages due, every endeavour would naturally be made in the civil court to determine whether the employer has anything with which he can meet the claim.

Question put and passed.

Bill read a second time.

Sitting suspended from 6.15 to 7.30 p.m.

BILL—STATE TRADING CONCERNS ACT AMENDMENT (No. 1).

Second Reading.

Debate resumed from the 13th October.

HON. G. W. MILES (North) [7.30]: I congratulate the Government on having brought down the Bill, especially in view of

the startling figures given by the Minister regarding the losses made by the State Implement Works. I doubt whether those works should be continued at all, for I have been given to understand that other departments requiring work done are charged more than they would be charged if tenders were called and the work done privately. I hope the Minister will investigate the State Sawmills and other State trading concerns. I am convinced that if he did so he would find they were all in the same condition as the State Implement Works. As for the sawmills, I understand they have stocks in New Zealand, Colombo and South Africa, and that from the statements of accounts that we have received, those stocks have not been written down as they should have been. Also I have heard that some of the timber exported through the State Sawmills is a disgrace to the country, containing gum veins, shakes and dwarf wood that should never have left the State. I hope the Government will go into the other trading concerns and bring down similar Bills for the winding up of the lot.

HON. L. B. BOLTON (Metropolitan) [7.33]: I endorse Mr. Miles's remarks and say emphatically it is a great pity the Government are not closing up the State Implement Works entirely. I protest against the works being continued as a repair shop for other Government departments. We have instances of work done by one Government department for another without any cost estimates, with the result that the work has cost from 50 per cent. to 100 per cent. more than would be charged by private enterprise. I believe most of the work for other Government departments is handed to the State Implement Works, and that those other departments are charged exorbitant prices compared with the charges made by private enterprise. Yet the State Implement Works are to be maintained for this purpose. I am sure we shall have huge losses in the future, as we have had in the past, when the works were a State trading concern. I have read remarks made in another place in opposition to the Bill, remarks in which it was stated that one of the reasons for the failure of the State Implement Works was that there was a prejudice against many of the implements turned out. I say that is not so. Except as to one or two of the lines manufactured at North Fremantle, the implements were practically forced on the farmers, the sales being

effected in this way, that the unfortunate farmer had to rely on the Agricultural Bank for money for the purchase of implements, and was told that unless he selected a State implement there was little chance of approval being given to his application for an advance. That is an entirely wrong principle. One of the reasons for its adoption was that the cost of the State implements was 20 per cent. or 30 per cent. higher than the cost of those purchased from private enterprise. I urge the Government seriously to consider the absolute closing down of those works. Most of the repair work, other than for shipping—which was previously done by the harbour works at Fremantle—can be done by private enterprise at a considerably lower figure than would be charged by the State Implement Works.

HON. J. CORNELL (South) [7.37]: I do not desire to oppose the passage of the Bill, but I do desire to correct Mr. Bolton, who said that State implements were forced on the farmers, that it was made a condition of an Agricultural Bank advance to a farmer that the farmer must purchase State implements. To that I give a flat denial. I know hundreds of farmers in the Yilgarn district, and I can say that except for State ploughs—which were admittedly good implements—I do not think one per cent. of those farmers have any State implements on their holdings. Yet without exception every one of those farmers has received assistance from the Agricultural Bank with, apparently, free choice as to what implements he should purchase.

HON. G. FRASER (West) [7.38]: I regret this step has been taken by the Government. Some members have suggested that the farmers had to purchase State implements. I am only sorry they were not compelled to take them, because had that been done the State Implement Works probably would have been in full operation to-day.

Hon. L. B. Bolton: Their harvesters were no good at all.

Hon. G. FRASER: Apparently the harvesters were not up to standard, but most of the other implements were eminently satisfactory. Some of the most successful farmers in Western Australia used State implements exclusively.

Hon. L. B. Bolton: That is nonsense.

Hon. G. FRASER: Until quite recently one of the most successful farmers in the State had nothing but State implements on his farm. I regret that many farmers who were quite prepared to take the State's money through the Agricultural Bank were not prepared to take the State-made implements.

Member: Why was that?

Hon. G. FRASER: The reason for it I do not know, but had it not been for the attitude of a number of public men who did all in their power to hold up to ridicule anything made at the State Implement Works, those works would have been more successful. That attitude was due to prejudice against the State-owned factory in which the capital of the people of the State was invested. Instead of taking up that attitude, our public men should have endeavoured to make a success of the venture.

Hon. J. Cornell: Provided the works delivered the goods, which they did not do.

Hon. G. FRASER: They did deliver the goods.

Hon. J. Cornell: Only the plough.

Hon. G. FRASER: It is generally admitted that the State plough was a really good implement, notwithstanding which very few of them were favoured by the farmers as compared with ploughs brought from the Eastern States. It did not matter whether the implement was good or bad, many farmers refused to consider it simply because it came from a State-owned factory. That was sufficient to condemn it with a good many people, people who should have been trying to bolster up the State industry and so retain the money in the State. But the attitude of quite a large number of people can be summed up this way, that they would prefer to see brass plates here instead of chimney stacks. A more sympathetic attitude would have kept the State Implement Works open. Even supposing there were defects in some of the first implements turned out, whoever heard of any factory starting off by producing a first class machine that could not be improved upon?

Hon. J. Cornell: Those works started in 1914, quite a long time ago.

Hon. G. FRASER: The initial trouble was that up-to-date machinery was not installed in the factory, nor was encouragement afforded to the first class tradesmen

employed to give of their best. However, I lay no blame at the doors of the employees in that factory. I have lived near to it ever since it was established, and I know a good deal of what was going on inside it. Some years ago, during a first class debate in this Chamber, an endeavour was made to put on the shoulders of the workmen the blame for the non-success of the State Implement Works. But I know that there were in that factory tradesmen who could be favourably compared with those in any other part of the Commonwealth.

Hon. L. B. Bolton: Nobody ever questioned that.

Hon. G. FRASER: It has been questioned in this Chamber and you were not here at the time.

Hon. L. B. Bolton: It was the management that was wrong.

Hon. G. FRASER: I am sorry the hon. member was not here at the time to back me up in what I said about the management. I trust the factory will not be closed. It is established and is carrying on as a Government engineering works. A better shop it would be impossible to find in this State. That has been proved by the many jobs that have been done in the factory that could not have been carried out anywhere else in Western Australia. There is plenty of scope there for work and there are men there who are capable of turning out work equal to if not better than can be done at any private workshop in the metropolitan area. Whilst I regret that as State Implement Works it is intended to close them down, I trust that as an engineering shop, even if it be used for Government jobs only, it will continue to exist for many years to come.

HON. J. J. HOLMES (North) [7.47]: I had not intended to speak because I wanted to see in cold print some of the statements that were made on the second reading of the Bill. Mr. Bolton has told us that the works will not pay. I understand, however, that they will pay, that they must pay, because the system will be for all the other departments to send work there without any price being quoted. The works, of course, will fix a price that will pay and that will make it appear to be an up-to-date workshop at the expense of the community. What these works did do originally was to pirate the

patents from other works in Australia. Mr. Fraser was not right in what he said in this respect.

Hon. W. H. Kitson: He was referring to the machinery.

Hon. J. J. HOLMES: I used the word "pirate" knowing exactly its meaning in this respect.

Hon. E. H. Gray: Do not private firms pirate as well?

Hon. J. J. HOLMES: All other engineering firms built up their machines as the result of experience gained. They always sent men around the country to note defects in the machines sent out, and then those defects were rectified. The Implement Works of Fremantle, in order to cover up their tracks, pirated one part from one machine and another part from another machine, and after the whole lot had been put together, it was found that the result did not pan out as was expected. Again, what happened to ruin those works was the day labour principle which was adopted there. Every other engineering establishment of the same type in Australia adopted piece work.

Hon. W. H. Kitson: Not in Western Australia.

Hon. J. J. HOLMES: No, and we have the spectacle that other engineering firms endeavoured to establish themselves here, but were unable to do so because they were not permitted to adopt piece work. The result was that the implements that would have been made here were manufactured in the Eastern States on the piece work system, and then sent to the farmers of this State who had to pay for the manufacture elsewhere. During the inquiry conducted by the Peel Estate Commission we had evidence that where a man had a chance of succeeding, he was permitted to buy the implements that he wanted, but when the down and out person wanted implements, it was insisted, to hasten his funeral. I suppose, that he should secure those made by the State works at North Fremantle. These are facts. Further, Mr. Fraser told us that these works were equal to anything in Western Australia. I do not know what those who are associated with the Midland workshops will say when they read that statement in to-morrow morning's paper, because I understand that at Midland Junction we have a first-class establishment, and that work is turned out there

which is a credit to the Railway Department. I will not discuss the question of cost, because I am not capable of expressing an opinion, but I do know a good article when I see it, and I know that at Midland Junction they turn out first-class work. Therefore, I fail to understand why all the Government work that is required cannot be done at the Midland workshops, and so avoid running a dual establishment. It is a mystery to me and does not savour of economy. I do not propose to say any more except to regret that I was not able to see in cold print what the Minister actually had to say. I support the second reading of the Bill.

HON. W. H. KITSON (West) [7.52]:

I oppose the second reading of the Bill. The hon. member who has just resumed his seat likes to put up proposals for the purpose of knocking them down. On this occasion he has used Mr. Fraser as his medium. He accused Mr. Fraser of having said something that was not said, and then proceeded to criticise him. Mr. Fraser did not say anything about implements made at the North Fremantle works in the manner mentioned by Mr. Holmes. What Mr. Fraser did say was that the machinery installed in the works in the first place was not up-to-date. The plant itself was not up-to-date and consequently it was not possible for the employees, who were the equal of any of those engaged on similar work in any part of the Commonwealth, to do what was expected of them. If that is correct, and I believe it is, it is no use trying to lay the blame for the non-success of the works on the shoulders of the employees.

Hon. J. J. Holmes: The unions would not permit piece work to be adopted there.

Hon. W. H. KITSON: The men depended on the Arbitration Court for the terms and conditions of their employment; the various unions represented in the works were all engaged under awards of the Arbitration Court, and those awards would have nothing in the way of a suggestion of piece work. It is that to which Mr. Holmes objects. Personally I hope piece work will never be introduced in works of a similar character in this State. Mr. Holmes told us that other firms refused to start operations here because of the objections on the part of the unions to the introduction of piece work. If any other firm had been genuine in the desire to start operations here, they would have had plenty of oppor-

tunities of proving that genuineness because no State in the Commonwealth has made such progress with its agricultural industry as has Western Australia in the last 10 or 15 years. It is true what Mr. Fraser said, that if most of the farmers in Western Australia had been compelled to use more State implements, those implements would have been turned out more cheaply. I do not know who said that only a few of the implements had been turned out at a profit.

Hon. J. J. Holmes: The Minister said that.

Hon. W. H. KITSON: I think it was Mr. Thomson. Anyway, someone said it.

Hon. J. J. Holmes: The figures used were 15 out of 75.

Hon. W. H. KITSON: Yes, those were the figures quoted. It would be interesting to know how those figures were arrived at. If we had the whole of the facts before us, the position would not appear to be half as bad as has been made out.

Hon. E. H. Harris: The 15 or the 75?

Hon. W. H. KITSON: I do not know how many kinds of implements were made, but I venture to say that many of the 75 would be experiments, and would not be implements tried out here or anywhere else with success. If other works such as these only made one or two implements as an experiment, it is more than likely that those implements would be turned out at a loss. The fact of other implement works having been able to make a success of their establishments, no doubt has been brought about by a certain amount of mass production, because we are aware the greater the number of articles that are made in a factory, the cheaper are they turned out. The same thing would have applied at North Fremantle. The State Implement Works were established to manufacture agricultural implements, some of which it is admitted were successful—

Hon. J. J. Holmes: You should have bought some to find out.

Hon. W. H. KITSON: I did buy some. I agree that the price of agricultural implements in Western Australia to-day is far too high, but that is not because the State works also made implements. Most of those implements have been made in other parts of Australia by Australian workmen, and the manufacturers had the opportunity of starting operations in this State. Because they did not do so, the farmers here had

been paying more than they should have paid. I regret that the works are being closed down in the manner proposed. At one time there were employed between 500 and 600 men there.

Hon. L. B. Bolton: The more men they employed there, the more money the works lost.

Hon. W. H. KITSON: That was not the men's fault.

Hon. L. B. Bolton: Whose fault was it?

Hon. W. H. KITSON: The closing of these works has been a great loss to Fremantle. One reason for the works not having been successful was the unsympathetic way in which they were handled.

Hon. J. J. Holmes: Your Government established them and carried them on.

Hon. W. H. KITSON: Had the Government that established them been permitted to carry them on for a longer period there would have been a very big difference. A stage has now been reached where the present Government have decided to close down the works as a trading concern. I was glad to hear the Minister declare that arrangements had been made to supply spare parts for Implement Works machines that were still being used in Western Australia. There is no gainsaying the fact that the ploughs made there were equal to the best produced in any part of Australia. They were built for a certain job, and they did that job very well. The remarks of one or two other members with regard to other trading concerns do not affect the Bill, but I do ask members to be a little more careful in the statements that they make. I do not wish to accuse those hon. members of speaking in that way with the idea of spreading propaganda against State enterprise, although I know that, on principle, they object to the State embarking upon such undertakings. Such statements, when repeated abroad and in the country, create a bad impression for which, to my way of thinking, there is no need. The trading concerns served a very useful purpose and if there is anything wrong with the State Sawmills, as has been suggested, with regard to book-keeping methods, the quality of timber supplied, or with their business methods overseas, let those hon. members, who consider they have information on the point, put up a concrete case. Let them ask questions in a legitimate way and secure the information that is available for members. They should not

make statements such as we have heard this evening without any proof whatever, the mere qualification of "I do not know whether it is right or wrong" or "I have been told on good authority" accompanying their assertions.

Hon. L. B. Bolton: I can prove my statement.

Hon. W. H. KITSON: I hope the hon. member will do so. I merely rose to combat one or two statements made regarding the State enterprises. The State Implement Works are dead. The Government have seen to that in very truth. They have made up their minds that it will not be possible for State Implement and Engineering Works to be revived as a State trading concern, and that it shall be necessary before any work of that description is undertaken by the State, for a Bill to be passed through Parliament. That is the real reason for the action the Government have taken. At any rate, the works are dead, and I regret it very much. I regret it, first of all, from the point of view of the province that I represent. There the loss of the implement works has been felt seriously. It has meant a large number of men being thrown out of work, and wherever anything of that kind occurs, it is usually bad for the district affected. I hope that other State trading concerns will have a better and more successful history than the State Implement Works. While I realise it is inevitable in the circumstances, I do not think the Government have acted fairly regarding the implement works, and for that reason I oppose the second reading of the Bill.

HON. H. J. YELLAND (East) [S.4]: I do not desire the Bill to be passed without some comment on my part. From one standpoint I am sorry that the necessity has arisen for the closing down of the State Implement Works. In some respects they proved a boon to some farmers, but, taking it on the whole, I am satisfied the financial losses incurred by the works generally class them as having been a burden upon the State.

Hon. G. Fraser: You must not lose sight of the fact that they spragged the wheels of other machines that were imported into the State.

Hon. H. J. YELLAND: There are two reasons why the works proved a financial burden on the State. The management did

not consider the buyers of the machinery. The cost of production was so great that it was possible to import similar machines from other States, pay freight and commission charges, and still secure them at the same price, or at a reduced price, compared with that charged for the State implements. When that could be possible, financial difficulties were bound to follow.

Hon. W. H. Kitson: In some instances, was it not a question of dumping machinery from the Eastern States?

Hon. H. J. YELLAND: No.

Hon. W. H. Kitson: Was it not the equivalent of dumping?

Hon. H. J. YELLAND: No.

Hon. W. H. Kitson: I can mention one or two instances.

Hon. H. J. YELLAND: And I can mention some instances of machines sold on a par with what they cost in the Eastern States.

Hon. W. H. Kitson: That rather proves my statement.

Hon. H. J. YELLAND: Not at all.

Hon. J. J. Holmes: The Eastern States machines could be sold cheaper because they were made under piece-work conditions, whereas we had day labour conditions in Western Australia.

Hon. H. J. YELLAND: The Eastern States machines were sold at the same price, plus the expenses here. Let me go back to my reference to those who used the State-manufactured implements. The success of every business depends upon the consumers being satisfied. I need mention one or two of the State implements only to serve as an indication of how the goodwill of the farmers towards the State machinery was destroyed. The consumer represents the demand, and if the consumer is not satisfied, he will not create the demand. Satisfy the consumer, and success is achieved from the outset. That is where the State Implement Works failed right from the inception. They did not make a success of the machinery they sent out, and the consumers, in the shape of the farmers who used the implements, were not satisfied with them at all. I could refer to a great number of the machines to emphasise the point, but I will deal first with the harvester. No attempt whatever was made by the State Implement Works to keep up to date with their harvesters. They produced a small machine,

5 feet or 6 feet in width, taking a copy from May Brothers' machines, which were manufactured at Gawler in South Australia, but did not attempt to improve upon them. What was the result? Later, improved machines were placed on the market, and any farmer requiring a new implement took the up-to-date machine, and the State-manufactured harvester was left lamenting. I do not suppose there is a single State harvester working to-day.

Hon. W. H. Kitson: Yes, there are some being worked.

Hon. H. J. YELLAND: There must be very few. They are so out of date that an up-to-date farmer would not look at them.

Hon. J. J. Holmes: They had to get McKay to make their reaper and binder.

Hon. H. J. YELLAND: Then let me deal with the disc plough, which was another machine upon which the State Implement Works concentrated. The first thing the management did was to confiscate Shearers' patent for the disc. No private firm would have thought of infringing a patent, but the management of the State Implement Works took with impunity the patent of a firm in the Eastern States. I asked the firm in question why they allowed it to go on, and they explained that they had just lost a law case over plough shares, and did not feel like taking on another law action, because they felt that they might lose more by that means than would be involved in the loss of trade.

Hon. E. H. Gray: The firm could not have had a very good case.

Hon. H. J. YELLAND: When we find these things going on, the farmers recognise the position quickly, and are not prepared to support an undertaking that acts in such a way. By such means the State Implement Works lost much prestige among the farmers of the State. A great deal has been said about the mould-board plough. There is no other plough of that description that will do better work. On the other hand, instead of using the best steel and making a light, strong plough, the Implement Works put in heavy, cumbersome iron work, which made the plough extra heavy to draw. That meant additional expense to the farmer using the mould-board plough, and I have no hesitation in saying that the 10-disc mould-board plough made by the State Implement Works would take an extra horse

for ploughing compared with the same sized Shearer plough to do the same work.

Hon. W. H. Kitson: How many of those are there in the State?

Hon. H. J. YELLAND: I speak as one having had practical experience in working both types of machines. I know what I have stated represents the explanation of the loss that arose from the distribution of the State machines in this State. I could deal in the same way with quite a number of other machines, and could comment on them from a practical point of view. I wish to show that the losses have been due to the fact that the management of the State Implement Works did not devote their time to seeing that a type of machine was supplied equal to those provided by private firms. Another reason why the losses have been enormous is due to the fact that the works were over-manned. I will quote the words as I remember them of the manager who said some little time ago that when he took over the works, nearly 600 men were employed there. Not wishing to make a clean sweep in the reduction of hands, he did the work gradually, and in the first year put off about 200 hands. In the second year he reduced them to about 250, and paradoxical as it may seem, he was able to claim that with 250 men employed, more work was done than when 600 men were on the pay roll. The overhead expenses during the early stages of operations were indicative of the enormous losses that inevitably followed.

Hon. W. H. Kitson: Whom do you blame for that?

Hon. H. J. YELLAND: I do not wish to drag the debate to any extent, but the reasons I have given are perhaps the principal ones explaining why the State Implement Works have failed. There was no option but to close the works. I support the second reading of the Bill.

HON. W. J. MANN (South-West) [8.12]: I support the second reading of the Bill because the time has arrived when the action contemplated should be taken. In a measure I am sorry that the State Implement Works failed to carry out the intentions of those responsible for its creation. If ever there was a State trading concern established that had a chance of making good, it was the one under discussion. It was sponsored for a number of years by a paternal Government, and had unlimited

cash behind it, yet we find that, with one or two exceptions, the implements made at the works were more or less absolute failures. Mr. Cornell referred to some of the implements having been forced upon the agricultural community. He was referring to Agricultural Bank clients, but there is another section of the agricultural community upon whom the State implements were forced, to the great sorrow of the settlers. Those who remember the early stages of the Group Settlement Scheme will bear in mind the shocking samples of machinery sent to the unfortunate settlers. I have already referred to piles of the machinery that at one time lay in dumps all through the South-West. I have mentioned the wonderful harrows that were sent out at one stage. After being dragged along a 10-acre paddock, the tynes, instead of being more or less upright, were almost horizontal. They pulled the machine back and the tynes finished in the opposite direction. That machine was no use whatever in the heavy land of the South-West.

Hon. W. H. Kitson: Do you blame the State Implement Works for that?

Hon. W. J. MANN: I blame those who were in charge of the works. No private firm would have allowed that sort of thing to continue for a moment. When the first complaint was made, a man would have been sent out to investigate the position and the trouble would have been rectified. Mr. Yelland referred to the mould-board and disc ploughs. The disc plough was practically useless to the group settlers. It was too heavy, and they had not the horse flesh, as the wheat farmers had, to handle it. At the same time, it was a very good implement of its kind. The mould-board was made so weighty that it was ineffective as compared with other ploughs. After a good number of years, with a Government who were committed to State enterprise and who did their level best to bolster up the Implement Works, this phase of Government activity has failed. I support the Bill, and I hope it will be passed.

HON. V. HAMERSLEY (East) [8.17]: I welcome the measure. We have realised for many years that the State Implement Works were not making headway. This has been a great disappointment to those who advocated the construction of the works.

Hon. H. J. Yelland: And a disappointment to those who bought the implements.

Hon. V. HAMERSLEY: It was said there was an opportunity for other firms to come to the State, had they desired to start the manufacture of implements, and that none of them had done so. Since the inauguration of the Implement Works, that has been the tragedy. The mere fact of the Government being in the business has deterred other people from embarking on that kind of enterprise. Tremendous development of the land was taking place and there was a grand opening for other firms to establish themselves here. An English firm were quite willing to embark on the construction of implements, but their decision was that, while the State would be in open competition with them, they would not put a penny-piece into the manufacture of machinery here.

Hon. E. H. Gray: Who were the firm?

Hon. E. H. Harris: There is a chance for them to jump in now.

Hon. V. HAMERSLEY: When the opportunity was present, they would have started and would have become established in a large way, but the whole project was completely wrecked. Had the State never started the manufacture of agricultural machinery, I am satisfied that we would have had a good healthy industry in this State, that we would not have imported anything like the quantity of machinery that has been imported, and that local works would have employed more hands than the State Implement Works ever did. I am glad that at long last the works are being wiped off the slate. If we experience another good forward move in land settlement during the years to come, the door will be open for firms who desire to embark on the manufacture of agricultural machinery.

HON. J. M. MACFARLANE (Metropolitan-Suburban) [8.19]: We are asked to approve of the transfer of the State Ferries from the schedule of State Trading Concerns to the Commissioner of Railways.

Hon. G. W. Miles: No, this Bill is to close the State Implement Works.

The Chief Secretary: You are dealing with the wrong Bill.

Hon. J. M. MACFARLANE: I regret in some measure that the Government intend to carry on repairs in connection with the Implement Works. My objection to State trading in its different forms is that it prevents private enterprise from embarking upon industry here. When State trading concerns exist, private enterprise cannot compete on

even terms. State trading concerns pay no taxes or rents, while any losses have to be made good by the public. In this case the loss is £250,000. The works had a good innings under the Labour Government, who endeavoured to put it on as good a footing as possible. As the effort has failed, the Government are right in closing the manufacturing arm, but they should have closed the repair shop also. The continuation of the repair shop will leave open the opportunity for a later Government to enlarge it in the same calamitous fashion as previously and make of it a manufacturing concern. It has been mentioned that other firms could come here and manufacture agricultural implements. I remember when the firm of H. V. McKay negotiated to start works at Maylands.

Hon. E. H. Gray: They were not sincere.

Hon. J. M. MACFARLANE: They were downed by the unions, because the unions would not permit piecework.

Hon. E. H. Gray: They never approached the court.

Hon. W. H. Kitson: They were not prepared to submit the matter to the Arbitration Court.

Hon. J. M. MACFARLANE: They wanted conditions similar to those obtaining in Victoria, and because the industrial bodies would not concede those conditions, the firm pulled out. The same thing applies to most other attempts by private enterprise to establish industries here. The State has been the loser by it, because we are minus many industries that would have been established. Had the Government not embarked upon State trading, we would have had industries established and operating successfully.

Hon. W. H. Kitson: Like the Carnarvon meat works.

Hon. J. M. MACFARLANE: And there would be fewer men on sustenance work at the present time. It seems to me that the Government are taking this step with regard to the Implement Works so that they need not present a balance sheet to reveal whether repairs are being carried out at a loss. When the works were engaged in manufacturing, they had to present a balance sheet, but for a repair shop only they need not present a balance sheet and the State will have to bear any loss.

Hon. J. J. Holmes: They could charge what they liked and show a profit.

Hon. J. M. MACFARLANE : But the country cannot get the information to which it is entitled. I disapprove of trading by any Government, and particularly by the present Government. I support the second reading.

HON. SIR CHARLES NATHAN (Metropolitan-Suburban) [8.23]: I, with apparently a majority of members present, quite agree with the Bill. I cannot say that I can follow all members to the extreme length to which some appear to go. I suppose I am as much opposed to State trading as is any member who has spoken. In the Government's decision to keep the repair shop going, however, I cannot see any breach of that principle. It seems to me that, from a departmental point of view, it is highly desirable to retain the repair shop. Should the repair work done at Midland Junction be farmed out to private enterprise?

Hon. L. B. Bolton: That is not suggested.

Hon. Sir CHARLES NATHAN: When a breakdown occurs on the railways, or the railways require necessary repairs to rolling stock or engine supplies, is it suggested that quotations should be obtained from private concerns to do the work?

Hon. E. H. Harris: Who made a suggestion of that nature?

Hon. L. B. Bolton: No one suggested such a thing.

Hon. Sir CHARLES NATHAN: The repair shops at Fremantle, as I understand them, will merely take the place of the Midland railway shops insofar as other departments are concerned—departments requiring repair and engineering work. Certainly they are not intended for manufacturing for sale. In the circumstances, it seems to me the Government are not departing from the principle of not interfering with private enterprise by running trading concerns.

Hon. L. B. Bolton: The repair shop will be interfering with private enterprise.

Hon. Sir CHARLES NATHAN: It is no longer a State trading concern; it has been removed from the schedule of State trading concerns. I am with members to the utmost in limiting Governments in the matter of State trading concerns, but I cannot read into the Government proposal any resurrection of State trading concerns in another guise. I propose to vote for the Bill, but

I do not want to go to the extreme length some members have done in endeavouring to read into the proposal for continuing repair shops a State enterprise of another kind.

HON. E. H. GRAY (West) [8.27]: I add my regret at the passing of the State Implement Works. In my opinion a big point has been missed by previous speakers. Before the establishment of the State Implement Works there was considerable development in agriculture, and great competition resulted amongst importing firms to sell agricultural implements to farmers. If the cost to the farmers could be collated—and that is really a cost to the State—of the various useless machines imported from overseas, the United States and elsewhere, the amount would exceed by far the loss on the State Implement Works. It does not matter whether the State Implement Works lost £200,000 or £300,000 or whether the farmers lost it, the loss is sustained by the State just the same.

Hon. G. W. Miles: The loss occurred both ways in this case.

Hon. E. H. GRAY: When the agricultural development took place, some very smart commercial travellers were placed in the country, and as a result an enormous quantity of machinery not suitable to our conditions was sold to the farmers.

Hon. E. H. Harris: You are reflecting on the farmers now.

Hon. E. H. GRAY: No, on the people who imported the machinery. If the farmers had had brains or experience enough to support Australian manufactures, they would have been better off. I have a vivid recollection of the army of commercial travellers employed at that time. A man who travelled first for H. V. McKay—he was travelling for a good firm and selling good stuff—could not get enough commission, and he transferred his allegiance to an overseas company. He sold just as many machines, or even more than did McKay's representative, but I venture to say the machines he sold proved a distinct loss to the farmers. It is idle to talk against the State Implement Works, because they were at a disadvantage from the outset. At their inauguration there was no driving force behind them such as H. V. McKay, May Brothers, and other manufacturers had. It makes all the

difference to a concern if the driving force is lacking.

Hon. E. H. H. Hall: Did the hon. member go in for State implements on his farm?

Hon. E. H. GRAY: Yes, and they were good ones, too. Mr. Mann spoke of the groups. Hundreds of machines were sent to the groups other than State implements that were not suitable for the country. It is necessary to select those machines that are suitable. Thousands of pounds worth of harrows were sold in Western Australia that were not suitable for the farmers. It does not matter whether the farmer is losing a pound or the Government are losing a pound; it is a State loss just the same. The State Implement Works were not the disastrous experiment that some members would have us believe. The figures presented by the Chief Secretary and Mr. Thomson will not bear investigation. It has been said that machines have been sold at £15 or £16 under cost. If that were so, would the man who sold them continue as expert adviser to the Government? It does not seem common sense that it should be so. When I was at the State Implement Works the other day the whole thing was ridiculed. The statement was described as so much bunkum. There are seed drills for sale on the floor of the implement works superior to those that have been sold by other firms.

Hon. J. J. Holmes: Did not the present manager say there were 600 men doing the work of 300 men?

Hon. E. H. GRAY: I do not know about that. It is a calamity that these works should be closed down, whether it is due to the fault of the management or the system itself. It is not fair to blame the men although the criticism to-night has not been in that direction. There are handicaps attached to every State trading concern. The bosses do not seem to realise their responsibilities to the country. One of these handicaps is due to the continual changes in staff. In every State concern there are periodical transfers of officers. Any concern whether run by private enterprise or by the State must have men disciplined and trained before such concerns can meet with success.

Hon. H. J. Yelland: Do you not think political influence in the early days had

something to do with the failure of the State Implement Works?

Hon. E. H. GRAY: That did not have much to do with it. Western Australia lost a big opportunity when those works were started. After a while they were transferred to the Westralian Farmers. That firm proved to be a bad stepfather and a bad seller. Instead of being loyal to the State Implement Works the management took over agencies on behalf of Eastern States firms, and neglected the State's products. The agency was then withdrawn from the Westralian Farmers and the works opened their own establishment. For some weird reason the business was placed in the hands of men not trained for the road. Any business man would condemn such a system. A commercial traveller must have the necessary personality and experience, as well as the brains with which to push the products. Every move the State Implement Works made to sell their machines was met either by bad luck or an unwise choice of men. The worst mistake was when the trade was handed over to the Westralian Farmers, which failed to give the concern a fair go. We are here to-night to bury an enterprise which many believed would grow into a large and flourishing industry that would be of great benefit to the people. I am sorry but not dismayed. We have the men and the brains, and provided we have sympathetic management, and customers who will give the concern a just deal, it is possible to run successfully a Government concern. The State Implement Works have not had a fair deal from the farmers nor from successive Governments. The expected has happened. I regret that such a valuable industry has been wasted. I had hoped when the works were beginning to go downhill that private enterprise would step into the breach and establish works for themselves in Western Australia. The argument concerning men refusing to do piece work is all bunkum. The McKay Company were not serious in their statements that they wanted to establish works here.

Hon. G. W. Miles: Why do you say that?

Hon. E. H. GRAY: They did not approach the Arbitration Court to ask for piece work conditions to be embodied in

the award. That was merely an excuse to get out of starting the works.

Hon. E. H. H. Hall: It is easy to say that.

Hon. E. H. GRAY: The closing down of these works was a matter of great regret to me. Private enterprise ought to stand upon its toes now in an effort to do something for the coming generation of Western Australia. I shall vote against the second reading of the Bill, and shall be very sorry if it is carried.

HON. H. SEDDON (North-East) [8.37]: A considerable amount of propaganda has been indulged in during the debate, and members have voiced their opinions concerning State trading generally.

Hon. E. H. Harris: Are you supporting them because of the principles contained in the Bill or for some other side-stepping matter?

Hon. H. SEDDON: The hon. member is not justified in suggesting that I am side-stepping.

Hon. E. H. Harris: I am suggesting that some other members did.

Hon. H. SEDDON: The campaign in favour of State trading started when Labour was returned in 1911. Flushed with victory they attempted to introduce this policy. There are valuable lessons which Labour can learn if they desire to make progress with their policy. This desire of theirs was ambitious but not on sound lines. The State Implement Works afford an example of how ambition can override judgment. The Government of the day might have realised that, in starting the manufacture of implements, they were up against one of the biggest obstacles they could encounter. Even then the principle of mass production had been adopted in the large factories to such an extent that they had no possible chance of competing, if they turned out a perfect machine, in price or in any other way, against the methods adopted by well-established, well-run and highly capitalised factories established by private enterprise. Reference has been made to the various implements manufactured at North Fremantle, and complimentary references were made in particular to the plough. Had the Government of the day been less ambitious, and had they concentrated upon an article which was then in favour, and had they adapted their equipment and methods

of manufacture to the best scientific managerial lines, it is possible they would have established an impregnable position with respect to that implement. Labour can well profit by the expensive lessons they have learned in pursuance of their policy, and might well adopt as their watchword, "Efficiency in industry." Then only can they demonstrate the possibility of carrying out communal manufacture as against manufacture by private enterprise. Had sound judgment been exercised, and had the works been established on scientific lines they would have gone beyond all the propaganda, and got beyond all the prejudice that had to be combated as to the possibility of carrying on with communal manufacture.

Hon. J. Cornell: They tried to make everything in general but nothing in particular.

Hon. H. SEDDON: Yes. This meant high capitalisation far beyond the capacity of the Government even then, and the works were foredoomed to failure from the start.

Hon. V. Hamersley: And yet they had all the orders from the Agricultural Bank and the Industries Assistance Board.

Hon. H. SEDDON: The economic struggle in which we are engaged is bringing forward more and more the communal idea of manufacture. The question will become more sharply defined and come more prominently to the front than it has done in the past. This is a question to be approached from the standpoint of efficiency. There only can I see any chance of success for State enterprises.

THE CHIEF SECRETARY (Hon. C. F. Baxter—East—in reply) [8.42]: I agree with the remarks of those members and citizens of the State who are opposed to State trading. It is not the prerogative of any Government to indulge in that class of business. The fact remains that certain State enterprises have been established. Where I disagree with members and many of our leading citizens is in the methods that should be adopted in the future regarding the State trading concerns. Whatever step we take to meet the situation, there are bound to be some people in opposition to us. I take full responsibility for the position of the State Implement Works, and the appointment of the mechanical engineer, Mr. Shaw. He was appointed on my recommendation. I did not take an ar-

bitrary stand because the works lost £27,000 in 1931, but I made thorough inquiries before recommending that the implement section should be closed down. It was the only thing to do with such an unsuccessful concern, for the success of which there remained no hope. We were pouring money into it, and it was losing £30,000 a year to no good purpose. The engineering section is a different matter. Some members were prepared to say, "Close down the engineering section. Why should there be a Government repair shop?" One may ask why have we the Midland Workshops? Where is the difference? If the Government engineering section were closed down there would be two private concerns in the State left to enjoy the benefits of all the Government's work.

Hon. J. Cornell: And all the shipping repairs would go East.

The CHIEF SECRETARY: That is so. This is the only place where the repairs can be carried out. Let me inform the hon. member that costs are now closely scrutinised by one of the most capable engineers in the State, Mr. Shaw. He can say where repair work is to be done, and he can and does assess the value of the work.

Member: He has never had a chance to manage the works.

The CHIEF SECRETARY: No man in the world would have had a chance at the State Implement Works. The undertaking was doomed from the start by derelict machinery obtained from firms that had gone under. Mr. Shaw did excellent work with very bad tools. The continuation of the engineering works as a repair shop meant the closing-down of a number of small repairing governmental workshops in the metropolitan area. All the governmental repair work has now been transferred to North Fremantle. The Government must have that repair shop, as I think hon. members will agree. There was an interjection this evening regarding private work. It is 18 months or more since the works took any private jobs at all. One of the first things I did, after taking charge, was to stop the works from taking any private work.

Hon. W. H. Kitson: What about shipping work?

The CHIEF SECRETARY: They do that only when it is compulsory. I am astonished at Mr. Kitson's not believing the

figures I quoted. The figures of losses quoted by me were carefully prepared, and I went into them thoroughly before asking the Government to allow me to close the works down. Heavy losses were made on practically every line of agricultural implement manufactured. On heavy stump-jump disc ploughs of four to eight furrows the loss ranged from £11 to £22 per plough. On disc cultivating ploughs the loss ranged from £1 to £33 each. On standard stump mould board ploughs, from £8 to £17. On spring tyne cultivators, from £14 to £18. On drills, from £20 to £40. On light stump-jump mould board ploughs, from £11 to £17 each. With some people, year in year out, it is a popular cry to close up the State enterprises; but an immediate closing down would mean the throwing away of £2,000,000 worth of assets. The Government tried to dispose of the works.

Hon. G. W. Miles: In a half-hearted way.

The CHIEF SECRETARY: First of all the State Quarries were put up to be leased or sold by tender. The result was one application, and the applicant wanted the full monopoly of all Government requirements from quarries, a condition to which no Government could agree. At a conservative estimate the value of the State Brickworks is £35,000. Tenders were called, and the outcome was a generous offer of £10,000 for an asset worth £35,000. What would hon. members say if I brought down a Bill to dispose of an asset worth £35,000 for £10,000? And what would the taxpayers of Western Australia say? Mr. Miles said a good deal about the State Sawmills. He used extreme terms, but quite unwittingly spoke about something with which he is not at all fait.

Hon. G. W. Miles: We never had the information.

The CHIEF SECRETARY: Had the hon. member possessed more knowledge of the State Sawmills, he would not have talked as he did. The capital value of the State Sawmills is £480,000. However, that is not the full value as assessed in the books, for much writing down has taken place. Interest paid since the inception of the sawmills amounts to £398,738. Sinking fund stands at £34,629. There is an earned exchange reserve fund of £3,242. Over and above these items, there is the amount paid into the

Treasury, £287,188. Thus the grand total paid to the Treasury is £723,797.

Hon. G. W. Miles: Do you say that the State Sawmills made £700,000 profit?

The CHIEF SECRETARY: I have given the figures accurately.

Hon. G. W. Miles: I think they are misleading, though not intentionally so.

The CHIEF SECRETARY: Plant and stocks have been written down heavily. As to Government charges on timber lying abroad, for instance in the British Isles—

The PRESIDENT: I think this discussion is going beyond the scope of the Bill. It was quite in order to refer incidentally to other State trading concerns; but the Bill now before us is to deal with the discontinuance of a particular trading concern. Of course the Minister can reply to incidental remarks made during the debate, but I would ask him not to go too deeply into the details.

The CHIEF SECRETARY: Mr. President, I am merely replying to criticisms emanating from other members. The State Sawmills have been employing practically the whole of the men they employed before the crisis, employing 600 men on four days per week instead of letting part of them go on sustenance. No other sawmilling enterprise in Western Australia has done anything of that sort, nor could it be expected to. Finally, there is no justification for the remarks levelled at the Government for turning the Implement Works into a repair shop.

Hon. G. W. Miles: What about that repair shop doing work for other Government departments at a cost higher than it would be done for by outsiders?

The CHIEF SECRETARY: That assertion is not right. The State Implement Works turn out their repairs as cheaply as any other engineering works in the State.

Question put and passed.

Bill read a second time.

In Committee, etc.

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

BILL—ROAD DISTRICTS ACT AMENDMENT.

Second Reading.

Debate resumed from the 13th October.

HON. G. FRASER (West) [9.2]: Although this is a pretty long Bill I intend to be brief in my remarks, for it is a measure chiefly for the Committee stage. Still, I should like members to examine Clause 14, dealing with the resignation of the chairman, vice-chairman, or acting chairman. At the end of the clause it is provided that when the chairman, vice-chairman, or acting chairman resigns from office, the office does not become vacant until he resigns as a member.

Hon. J. J. Holmes: I think he resigns only as chairman, not as a member of the board.

Hon. G. FRASER: My interpretation may be wrong, but I should like members to consider it, so that if necessary we could amend the provision. I cannot agree with the proposal that subdivisions of land shall not be allowed until such time as the necessary public roads have been built. Some such safeguard may be desirable, but this is altogether too drastic, and will serve to hold up desirable subdivisions. Another amendment which I regard as being altogether too drastic is the provision that in the licensing of hawkers the board shall have discretion as to the number of licenses to be issued. I do not think it wise to limit licenses for the hawking of fruit, vegetables, and the like. And it is to be within the power of the board to prohibit hawking in certain sections of a district.

Hon. A. Thomson: I think that is to prevent a hawker setting up his barrow in front of a man's shop.

Hon. G. FRASER: I do not think so, for that is dealt with in another subclause. Also I disagree with the proposal that a rate may be increased from 6d. to 9d. My experience of rates is that invariably they are sufficient for the needs of a district, and I think it entirely wrong to give power to the board to increase the rate from 6d. to 9d. The present maximum of 6d. is ample for the needs of most districts. Whenever a board has permission to do such things, generally they are done, and not always to the advantage of the citizens. The local authority should be confined to the rate prescribed in the existing Act. That clause

might well be struck out. Again, it is proposed that when an appeal shall reach the local court, fresh evidence can be adduced. That means that an appellant could take his appeal to the local appeal board, submit only half the case and, not being satisfied with the result, take the appeal to the court and there present the full case.

Hon. J. J. Holmes: Both sides could do that.

Hon. G. FRASER: The trouble is that the board in taking its case to the local court would have the case prepared, not expecting to meet with fresh evidence.

Hon. J. J. Holmes: Notice of fresh evidence would have to be given.

Hon. G. FRASER: I see no provision in the Bill for that. My experience of local authorities is that they always give appellants a fair deal. It is entirely wrong that permission should be given for appellants to produce fresh evidence in the local court. Again, the existing Act provides for the appointment of a ratepayers' auditor. The Bill proposes to delete that. I understand that many local authorities desire to have the services of a Government auditor. But the suggested amendment abolishes the ratepayers' auditor and provides for the audit being done by a Government officer. Then it goes further and makes provision for the local authority to appoint another auditor. I see no reason for that.

Hon. J. Nicholson: That would mean a double charge.

Hon. G. FRASER: Yes, the board would have to pay any auditor whom they appointed, and I believe the cost may be anything up to £90. It seems wrong to take the appointment of an auditor from the ratepayers and give it to a handful of men on the board. The Government certainly should appoint an auditor to do the work for the board.

Hon. E. H. Harris: Will you, in Committee, move in that direction?

Hon. G. FRASER: I prefer the existing system of a ratepayers' auditor, but if the Government can show that the ratepayers' auditor is not necessary, then I favour the Government auditor.

Hon. E. H. Harris: Is not the motive behind the clause merely to secure competent auditors?

Hon. G. FRASER: Efficiency will be secured by the use of the Government auditor. If I could not have a ratepayers' audi-

tor, I would prefer a Government auditor, but not an auditor appointed by the board. Now I come to the question of a local authority being permitted to pay the hospital tax for sustenance workers. Until recently the Health Department refunded the payment of that tax for men who were on sustenance. Some few months ago an alteration was made, and now those particular men themselves have to pay that tax. I know that some local bodies are still willing to pay the tax out of their funds on behalf of those men. Some boards have been doing it but in one particular instance the ratepayers' auditor refused to sign the balance sheet because of the fact that the board had paid those amounts, even though the Government auditor had passed them. Under the Bill boards will not be permitted to pay the amount.

Hon. G. W. Miles: I am surprised at the Government auditor passing it.

Hon. G. FRASER: That is the actual position. I have endeavoured to find ways and means by which I can frame an amendment to meet the position. I am afraid, however, the task is a little difficult. There is another matter also that I should like to be included in the Bill, and it deals with the taking of a referendum. We know it is quite right that where certain things are required by a particular district, it is necessary to take a referendum. Then, a decision having been arrived at by way of that referendum, we have found that within the space of a week or so a disgruntled section beaten by the referendum have again come forward and demanded the taking of another. There should be a provision in the Bill to declare that the taking of a second referendum on the same question should only be possible after the lapse of a certain period. We should take steps to prevent money being wasted on a second referendum on the same question within a short time of the taking of the first. I support the second reading of the Bill.

HON. J. J. HOLMES (North) [9.18]: I realise the necessity for the amending Bill. The Minister has told us that the Bill is the outcome of recommendations made by road board conferences. At the same time I urge the House to look into the matter and determine whether or not those conferences are not asking for too much. Unfortunately,

in the larger areas of the State men that could and would serve on local boards live too far from the towns. Consequently it remains for the town itself to elect a majority of the members of a board, and the result is that all the attention is given to the town and very little to the roads and the outer districts. Again, the question of boards that are within a radius of 50 miles of Perth is one that requires to be looked into. For instance, at Claremont there is a municipality and a road board, whilst between here and Claremont there is the Netherlands Road Board, and at Cottesloe there is a municipality and closely adjoining is the Peppermint Grove Road Board. The whole country seems to be mapped out in these small areas, many of which are constituted road boards, and all of which have a secretary. I understand it was decreed some time back that a secretary of a road board had to be paid £300 per annum. In the Bill I find that a district must have a minimum revenue of £300 a year, or it cannot continue to remain a road board. The Bill proposes that the minimum revenue of a board must be £500, and of that the secretary may receive £300 per annum. It means, therefore, that a board may have £200 surplus revenue with which to administer the whole of its area. This is a matter that should be looked into closely. A road board should have a minimum revenue of £1,000 or £1,500 before it can be entitled to continue as a board. If this were agreed to, it would mean the amalgamation of a number of small boards, and the result of that amalgamation would be a better class of road board. I congratulate the Government upon the stand they are taking on the question of auditing, but I do not think they have gone far enough. The ratepayers' auditor should be wiped out altogether.

Hon. G. Fraser: They have done that.

Hon. J. J. HOLMES: No. With the permission of the Minister the board can have their own auditor. The ratepayers' auditor should be wiped out altogether. I am speaking with some knowledge of what has happened in the past and I contend the Government should appoint their own auditors to audit the books of all the road boards. There have been instances of misconduct that have not come to light. This has been due to the fact that the road boards' own auditor, perhaps because of reasons of friendship, has failed to carry out his duty

in the manner that he should have done. With an independent auditor, one whom nobody knows, the work would be carried out satisfactorily and delinquencies would be disclosed. I can give an instance that came under my notice. A certain road board purchased a Reo truck and it was found by the Government auditor some 18 months later that the chairman of that board had a similar truck, and spare parts had been ordered through the board. The order had been certified to by the secretary and by the chairman, and the cheque had been signed by the chairman. Then the Government auditor found that the spare parts were for the chairman's truck.

Hon. A. Thomson: He should have been put in gaol.

Hon. J. J. HOLMES: If there is a necessity for a Government auditor to step in, here we have it. Members of road boards should understand that they are occupying positions of trust and that those positions carry great responsibilities. A Government auditor goes around and shows the boards just where they fail and where they must mend their ways. I was once a member of a Royal Commission and it was shown to that Commission that the chairman of a particular road board had 400 acres of land in the centre of the road board area, and that for a number of years his name had never appeared on the books of the board. When the Royal Commission exposed the position, the chairman, taking advantage of the Statute of Limitations, paid his arrears for six years only. I notice in the Bill that provision is made for an advisory committee. I do not know what that means. When members of a board are elected by the ratepayers, the board in turn have the right to appoint an advisory committee. I do not know how this will work out. Anyway I do not approve of it.

Hon. A. Thomson: I think it is a good idea.

Hon. J. J. HOLMES: This is an opportune time to refer again to stock routes and reserves that were provided by pioneers for travelling and camping stock. I hope the Minister will make a note of it. I was under the impression that until lately these were Class A reserves and could not be sold except by Act of Parliament. Now I find they are not Class A reserves. In view of closer settlement and the necessity for camping grounds and the taking of

stock to railway stations, all the reserves that were provided by pioneers should be Class A. Road boards are more or less health boards, and we know that sometimes they fail in their duty and at other times they go too far. I can quote instances. In one case a family who knew how to make jam arranged their premises in a manner that complied with the Act, but the local body said this "factory" was in a defined area, an area which did not allow, under the town planning system, of factories being conducted. The family in question had sufficient courage to fight the local authority and beat them. Another case is that of a young man, a motor mechanic, who, rather than remain idle, took to his own premises cars that were given to him to repair. The local authority tried to stop him from carrying out those repairs there because they claimed that it was a residential area. Still, that man can come to my place and repair my car there without anything being said, but he is not allowed to do the work at his own place because it is claimed he lives in a defined area. I repeat that there are too many of these local authorities and that we can do with fewer. I am aware that there are many good men associated with these boards, that there are many good men who have given lifelong service, but we cannot close our eyes to the fact that there are always some with axes to grind, and we have known of cases where a person has gone to a district to start a business, similar to that conducted by a member of a board, and because it has interfered with that member's business the new arrival has had obstacles put in his way to prevent him earning his living. The rate in question is difficult to understand. The present Act imposes a minimum rate of 1d. in the pound and it is proposed to give the boards power to reduce that assessment to a halfpenny in the pound. If we follow the section on we find that the present Act provides for the imposition of a rate of 3d. on the rateable value, but the Minister has power to increase that levy to 6d. in the pound. Now it is sought to increase that maximum to 9d. Those two provisions do not seem to fit in. If it is necessary on the one hand to have power to reduce from 1d. to $\frac{1}{2}$ d., why should the necessity arise for power to increase another impost from 3d. to 9d. That matter should be looked into when we deal

with the Bill in Committee. Another phase that will appeal to some hon. members who have heard such a lot about State trading concerns is that apparently the Bill will provide for road board trading concerns, seeing that power is asked to enable boards to open up quarries and gravel pits. The question arises as to whether that is desirable. I also find that authority is sought in the Bill to enable boards to make grants to agricultural societies provided that the money so donated does not exceed 3 per cent. of the revenue. The Bill does not say for what purposes the grants may be made. Is the money to be made available for the building of halls, for prizes, or what? I hope that no money will be used for the building of more agricultural halls. Some years ago there was a craze for the erection of such buildings, which are now to be seen north, south, east and west. I hope the Minister will explain the necessity for that provision. There are 76 clauses in the Bill. I admit that the Minister has a lot to do, but I have expressed my opinion in that regard on previous occasions. I cannot think that in the brief speech with which the Minister placed the Bill before the House, he could have dealt with the principal points in those 76 clauses. I have no fault to find with him on that score, but I urge hon. members to look closely into the provisions of the measure and not to be satisfied with the fact that the measure has been endorsed by representatives of the road boards. They should see that justice is done to the ratepayers as a whole. I support the second reading of the Bill.

HON. W. J. MANN (South-West)
[9.35]: If the Bill is perused carefully, one has to admit that a very earnest effort has been made to improve the conditions under which local governing authorities are working in what may be described as the road board areas. As Mr. Holmes said, we must realise that there is necessity for the Act to be amended, and I cordially agree with his statement to that effect. At the same time I think there are quite a number of provisions in the Bill that require careful consideration. I do not propose to enumerate many of them, but I think there are some that should be carefully scrutinised because I see in them not only a source of profit but of much concern to the ratepayers. Some phases have been referred to by previous

speakers that give me the idea that they are inclined to class all country road boards in the same category as boards that are adjacent to the metropolis. I think there are two distinct classes of road boards, those that serve the outer back-country areas, and those that operate closer to the centres of the ordinary amenities of life. Many provisions in the Bill that may be quite legitimate with respect to boards operating in closely settled areas appear ridiculous in the extreme if applied in the outer areas. One clause that makes provision regarding the removal of buildings, illustrates the point I make, and for the life of me I cannot understand it although I have read it half-a-dozen times.

Hon. J. Cornell: That is to get at Cecil Brown at Kalgoorlie and Boulder.

Hon. W. J. MANN: There is one that provides that before any owner demolishes a building, he shall give notice in writing of his intention to do so to the road board office. What will be the position in some of the way-back portions of the goldfields areas? A man may reside 100 miles from the road board office and he may desire to pull down a shed to erect it somewhere else. He must write in before he can do anything.

Hon. J. M. Macfarlane: He would remove the building and put it up again and the board would never know.

Hon. W. J. MANN: Probably so.

Hon. A. Thomson: And the ratepayer would be liable to a fine of £50.

Hon. W. J. MANN: Probably the Minister will be able to explain the position when he replies to the debate.

Hon. E. H. Harris: He will give a very effective answer.

Hon. W. J. MANN: I hope the Minister will be able to satisfy us. For the moment I cannot see that any good purpose will be served by the provision I refer to. Another clause appears simple and is one we might pass over easily. When I referred to the principal Act I found that Clause 71 proposes to amend Section 352 by inserting the words "rate books." The effect of the amendment will be that the Act so far provides that rate receipt books, dockets and so on can be destroyed after a period of seven years, and it is now proposed to allow disused ratebooks to be destroyed as well. Some years ago a member of the Forrest family died in the South-West. A number of blocks of land were owned by the deceased and amongst them, there were two for which the title deeds had been lost. They had been

taken out in the name of a member of the family, and when an attempt was made to wind up the estate, the two title deeds could not be found. There were copies at the Titles Office but they were not considered sufficient to meet legal requirements. Someone suggested looking up the old rate books and this was done with the result that it was found that the land in question stood in the name of the deceased, who had paid the rates regularly up to the time of his death. The secretary of the board made an affidavit to the effect that the land stood in the deceased's name and that he had been recognised as the owner. The court allowed that information to be taken as *prima facie* evidence of ownership. The rate books in the country areas are looked upon as embodying the history of the board area from the standpoint of land ownership and I suggest that when we reach the Committee stage that particular clause should be deleted. There are other points that I shall deal with later on. I have pleasure in supporting the second reading of the Bill because I believe it to be a genuine attempt to assist a very fine body of men generally and particularly those in the back country areas, who travel many miles to do, without fee or reward, fairly and honestly, the work of local government.

On motion by Hon. J. M. Macfarlane, debate adjourned.

BILL—LOCAL COURTS ACT AMENDMENT.

Second Reading.

THE CHIEF SECRETARY (Hon. C. F. Baxter—East) [9.45] in moving the second reading said: This Bill, to amend the Local Courts Act, 1904-1931, is designed to alter the procedure whereby execution against the person may be had under the Local Courts Act, Section 130. As the law stands at present, a magistrate may order the imprisonment of any person against whom a judgment has been obtained, for a term not exceeding six weeks. As a condition precedent to making such an order, the magistrate has to be satisfied that the debtor either has, or has had since the date of the judgment, the means to pay the debt. If he is satisfied, then the practice is that he orders the man to be imprisoned, but suspends that order whilst the man pays so much per week. Then,

if the man, for any reason, fails to make his weekly payment, the creditor may immediately have him imprisoned. This law appears to be unduly harsh and not only may, but at times has caused the imprisonment of debtors who were merely unfortunate and not recalcitrant. The Bill proposes to alter this position in the following manner:—Under the proposed legislation the judgment creditor may apply to the court for an order that the man pay what he can afford off his debt, after taking into consideration the man's domestic and other commitments. If the debtor fails to comply with the order made by the court, then the creditor may cause him to attend again at the court and show cause why he should not be imprisoned for contempt. The magistrate will then, unless the debtor has a good explanation (which of course might be that he is out of work, or has had sickness in the family, or any of the other unexpected misfortunes which may befall a man) make an order that he be punished for his refusal to carry out the original order. It is considered that the new proposals, whilst retaining to the court ample power to punish dishonest debtors, will nevertheless ensure that no man will be imprisoned for neglecting to obey an order which he was, through misfortune or other factors beyond his control, unable to do. I move—

That the Bill be now read a second time.

HON. J. NICHOLSON (Metropolitan) [9.48]: This Bill is somewhat allied to another Bill which came before us last week, the Justices Act Amendment Bill. True, some difference of opinion may be expressed regarding this Bill as compared with the Justices Act Amendment Bill. While the Minister has reviewed the various stages of the procedure under the existing law, it is only right to remind members that there will be some little added expense in the procedure set out in the Bill. At present the stages are as follows:—Judgment is obtained in the Local Court. If the judgment is not satisfied, the judgment creditor may issue a judgment summons. On that judgment summons the debtor is brought before the court and examined as to his means. If it is proved that the debtor has had means to pay since the date of judgment and has failed to pay, an order may be made by

the magistrate for the man's commitment to prison for a period up to six weeks. It may be that the man has not had much money and he may make an offer to pay 2s. 6d.; 5s., 10s. or £1 per week. Sometimes the order is very small indeed and the satisfaction of the debt may extend over a long period. If the debtor should make default in payment of any instalment, it is competent for the judgment creditor to have his warrant of commitment executed and the debtor imprisoned, unless he avails himself of the opportunity given by Section 130 of the Act to have the order varied or modified.

Hon. W. J. Mann: How often does the judgment creditor take that action?

Hon. J. NICHOLSON: I am coming to that point. The judgment debtor may not be acquainted with the procedure of the court, and if he wanted to learn something about the law and his rights, he would probably find himself in prison and serving the time for which the order ran. A man accustomed to that kind of business, a hardened citizen, may avail himself of the knowledge that experience has given him and apply for a variation of the order. He probably has safeguarded sufficient funds to pay his legal adviser instead of his judgment creditor.

Hon. W. J. Mann: You do not object to that, do you?

Hon. J. NICHOLSON: That is a leading question. Without answering the question, it would probably assist the administration of justice if the procedure suggested in the Bill were adopted. I have received letters from the Chamber of Commerce and other bodies objecting to the amendments. There has also been some correspondence in the Press. The contention has been raised that it is unnecessary to depart from the existing system. Often, however, the Government find it necessary to alter a system because of the hardships in many cases, and I believe it has come to the knowledge of those who inquire into such matters that certain persons have resorted to the proceedings available under the Act with a certain degree of severity. A number of men have suffered imprisonment, who, had they possessed better knowledge of the procedure, would probably not have been sent to gaol because of their failure to pay one or more instalments. The difficulties of the times have also been responsible for that to some extent, and the Bill proposes to make provision for what amounts to a double ex-

amination. Instead of a commitment order being obtained straight away on the first application on the issue of a judgment summons, when judgment has been obtained, the judgment creditor, under the Bill, may apply to have the debtor examined before the magistrate. That is set out in Subclause 2 of Clause 3. An order is then made as a result of the examination. If it is proved that the man has means, an order may be made for payment, perhaps by instalments, as the magistrate may think fit. If evidence were given that the man had the money, probably an order would be made for payment otherwise than by instalments.

Hon. J. J. Holmes: That means two examinations.

Hon. J. NICHOLSON: Yes.

Hon. J. J. Holmes: Two fees for the solicitor.

Hon. J. NICHOLSON: At the same time we have to consider the conditions existing.

Hon. J. J. Holmes: The lawyer has to live, anyhow.

Hon. J. NICHOLSON: Subclause 2 provides that the magistrate shall dismiss the summons if sufficient evidence is not brought before him to prove that the debtor has the means. It is somewhat difficult at times to get evidence that a man possesses means.

Hon. J. J. Holmes: Should not the man prove that he has not the means?

Hon. J. NICHOLSON: A negative cannot be proved. It is necessary to prove an affirmative. The onus is on the creditor to prove that the debtor has the means. That may be done by showing that a man is living at a high rate. Many years ago a man in the Old Country was driving about in a carriage and living a luxurious life and at the same time setting his creditors at defiance. He was eventually laid low, but it took some time to do it. The man tried to show that he did not possess the money, but that his wife had it—a very convenient way. The artful debtor can often evade his responsibilities, and the debtor I have mentioned sought to evade his responsibilities under the cover of his wife. If the creditor fails to prove that the debtor possesses sufficient means the magistrate shall dismiss the summons and there is no further remedy. That provision of the Bill is wrong. I propose to put up an amendment to safeguard the position. The judgment creditor should be protected against the type

of debtor I have referred to. The Bill should provide for the adjournment or dismissal of the summons. If the order made under this Bill was a dismissal order by the magistrate, that would be the end of the examination, and the debtor would be free. I do not think that is intended. I also propose suggesting a further amendment to provide that if the summons should be dismissed, liberty should be given to the judgment creditor to make a further application, because he may receive further information as to the debtor's means, which may confirm any evidence he gave before.

Hon. J. J. Holmes: A debtor may have won £1,000 in a cross-word puzzle.

Hon. J. NICHOLSON: Evidence could be given in regard to that.

Hon. G. W. Miles: You will create a position where there will be no credit in the future.

Hon. J. NICHOLSON: Probably that would be a good thing. Mr. Holmes referred to the extra burden that would be placed upon the creditor. He will see from the Notice Paper I have suggested the position of the creditor should be safeguarded, and that his costs should be added to the judgment debt.

Hon. J. J. Holmes: The Bill sets out to reverse that. It will be all right if you leave it as it is.

Hon. J. NICHOLSON: The hon. member is in error. The creditor does not get his solicitor's costs given to him on the examination under a judgment summons. All that is added is merely the out-of-pocket expenses. He himself as judgment creditor would have to pay his solicitor for attending on the examination, under the present-day judgment summons position. The man who incurs the debt with a full knowledge that he must repay the money should meet the costs, and the judgment creditor should not suffer by reason of his delinquency.

Hon. J. J. Holmes: How are you to get the costs if the Bill provides that you cannot collect the principal?

Hon. J. NICHOLSON: A further stage is provided that if a man makes default in payment of the instalments and a second examination or step is provided for, as set out in the Bill, an order for commitment may be made up to six weeks, this being the same period as that set out in the Act. The amendments I have proposed

should help to safeguard the creditor, and are designed with that intention. A debtor who has incurred liabilities and received the benefit of the moneys owing should not escape payment of the full measure of the costs entailed in the recovery of the debt by the creditor. I support the second reading.

On motion by Hon. J. J. Holmes, debate adjourned.

House adjourned at 10.6 p.m.

Legislative Assembly,

Tuesday, 18th October, 1932.

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

QUESTION—HORSES, IMPORTATIONS.

Vaccination Against Disease.

Mr. GRIFFITHS asked the Minister for Agriculture: 1, Is he aware that serious complaints are being made regarding horses imported from the Eastern States being unvaccinated, developing strangles, etc., after arrival? 2, If so, will he cause regulations to be framed that will provide for the vaccination of such animals before arrival in Western Australia? 3, Is it a fact that the vaccine is now prepared in the Commonwealth laboratories at Canberra?

The MINISTER FOR AGRICULTURE replied: 1, Yes. 2, No. No vaccine is yet produced which is an absolute preventive. 3, Yes.

QUESTION—DRYSDALE MISSION LANDING GROUND.

Mr. COVERLEY asked the Premier: 1, Has his attention been drawn to a statement in the Press relative to the establish-

ment of a landing ground for aeroplanes at Drysdale River Mission? 2, If so, will he see that this information is brought before the Minister for Defence?

The PREMIER replied: 1, Yes. 2, Yes.

QUESTION—MINING, LOANS REPAID.

Mr. MARSHALL asked the Minister for Mines: What amount of money has been received by the Mines Department from mining companies as a repayment, or part of repayment of loans received by them from the Government during the two years ended the 30th June, 1932?

The MINISTER FOR MINES replied: £47,831 10s. 2d.

QUESTION—BUTTER MANUFACTURE.

Hon. W. D. JOHNSON asked the Minister for Agriculture: Will he lay upon the Table of the House a copy of the monthly records received by the Agricultural Department from the butter manufacturers giving the percentages of choicest, first and second grades of cream received at the respective factories for the past three months?

The MINISTER FOR AGRICULTURE replied: Statement hereunder contains the information required for the months of July and August. September figures are not due until the 20th inst.:

	July.		August.	
	Choice.	Second.	Choice.	Second.
Bunbury	90.4	9.6	75.6	24.4
Bussellton	90.8	9.2	81.4	18.6
Harvey	98.7	1.3	50.0	50.0
Margaret River	99.4	0.6	97.1	2.9
Manjimup	98.9	1.1	89.5	10.5
Northam	91.07	8.03	75.6	24.4
Albany	95.9	4.1	93.31	6.69
Perth	93.5	6.5	25.9	74.1
Bricktown Depot	99.5	0.5	91.4	8.6
Narrogin	94.1	5.9	96.7	3.3
Denmark	99.1	0.9	98.7	1.3
Boyanup	99.8	0.2	90.5	9.5
Capel	99.05	0.95	100	0
Brownes, Ltd.	40.6	59.4	53.8	46.2
Marfariane & Co.	92.7	7.3	86.2	13.8

Statement showing percentages of Grades of Cream received at Factories in Western Australia during July and August, 1932.

September figures will not be available until after 20th October.