

## Legislative Council,

Wednesday, 12th October, 1938.

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

## QUESTIONS (3)—GOLD MINING.

*Profits Tax, Receipts.*

Hon. H. SEDDON asked the Chief Secretary: What amount was received by the Government from the gold mining profits tax for the year ended the 30th June, 1938?

The CHIEF SECRETARY replied: The amount received from the gold mining profits tax for the year ended the 30th June, 1938, was £98,312.

*Mine Workers' Relief Fund, State Contributions.*

Hon. H. SEDDON asked the Chief Secretary: What payments were made by the Government to the Mine Workers' Relief Fund for the year ended the 30th June, 1938?

The CHIEF SECRETARY replied: £17,124 5s.

*Miners' Phthisis Act, Compensation Paid.*

Hon. H. SEDDON asked the Chief Secretary: 1, What is the gross amount paid by the Government as compensation under the Miners' Phthisis Act since its inception to the 30th June, 1938? 2, How much of this was paid from the Workers' Compensation Insurance Fund? 3, What amount was paid by the Government as compensation under the Miners' Phthisis Act for the year ended the 30th June, 1938? 4, How much of this was paid from the Workers' Compensation Insurance Fund?

The CHIEF SECRETARY replied: 1, £648,383 13s. 2d. 2, Consolidated Revenue Fund has been recouped £170,000 from

State Insurance Office funds. It is presumed that the latter office is that referred to as Workers' Compensation Insurance Fund. 3, £54,033 8s. 1d. 4, Consolidated Revenue Fund was recouped £25,000 from State Insurance Office funds.

## QUESTION—HOSPITAL TAX.

*Receipts, Monthly Publication.*

Hon. H. SEDDON asked the Chief Secretary: 1, What amount was received from the hospital tax for each of the past three months? 2, Will the Minister make arrangements to have the receipts from the hospital tax for each month published when the monthly statements of Consolidated Revenue are published?

The CHIEF SECRETARY replied: 1, The amounts received from the hospital tax for each of the past three months were:—July, £17,285; August, £20,851; September, £21,349; total, £59,485. 2, Yes.

## QUESTION—PREMIER'S DEPARTMENT.

*Under Secretary's Remuneration.*

Hon. J. CORNELL asked the Chief Secretary: 1, Is the amount of £350 against the item Clerk of the Executive Council, vide page 17 of the current Estimates Revenue and Expenditure, included in the amount of £1,520, appearing against the item Under Secretary, Premier's Department, vide page 29 of the Estimates? 2, For what reason has the Under Secretary, Premier's Department, been given £20 per annum increase in salary?

The CHIEF SECRETARY replied: 1 and 2, The salary of the Clerk of the Executive Council is included in the salary of £1,520 appearing under the heading of Under Secretary, Premier's Department, and the addition of £20 per annum is the adjustment as provided for in the Public Service Regulations, due to the increase in the basic wage.

## BILL—MUNICIPAL CORPORATIONS ACT AMENDMENT.

*Second Reading—Defeated.*

HON. E. M. HEENAN (North-East) [4.38] in moving the second reading said: The Bill proposes to amend Section 413

and to repeal Sections 414 and 415 and the 21st and 22nd Schedules of the parent Act. Section 413 deals with the methods by which rates may be recovered by a municipality. The section reads—

The amount payable in respect of any rate made and levied under this Act shall be recoverable either by complaint or action, or by distress and sale . . .

The Bill proposes to delete from the section the words "by distress and." This means that if the measure is carried municipalities will not have the right to levy distress for recovery of rates. Section 414 deals with distress for rates and the method by which the distress warrant is to be enforced. Section 415, which it is also proposed to repeal, simply outlines the form of the distress warrant and the charges that are to be made in connection with the levy. The 21st Schedule sets out the form of the distress warrant, and the 22nd Schedule prescribes the rate of costs. Before proceeding further, I wish to mention that when a municipality levies distress the amount owing for rates is recoverable not only against the owner of the land or premises in question but also against the occupier. At the end of Section 414 it is stated—

by warrant under his hand distrain the goods and chattels found upon the land in respect of which the rate is payable.

The effect is that not only the owner of the property, who is responsible for the payment of rates, but also the unfortunate occupier or tenant can have his goods levied on by distress. Later, naturally, he would have a set-off against the person liable in the first place; but it is unfair and unjust that a bailiff should go along to premises and distrain on assets against a person who is not responsible.

In support of the Bill I say that the method of collecting outstanding rates by the issue of distress warrants is most obnoxious and not in keeping with present-day methods. I understand also that the method of recovery by distress is not provided for in the Road Districts Act. This means that municipalities are placed in a position which road boards are not placed in, and also in a much more favourable position than private creditors. I see no justification for that state of affairs. The parent Act was passed in 1906, and I submit that the time has arrived when this obnoxious method of collecting rates should be abolished. I understand,

further, that the method is very rarely used, that municipalities issue distress warrants more or less as threats. At the same time, it represents a great hardship, and is utterly out of keeping with our present methods. The common law as it stands provides ample means for the collection of rates. For that reason I suggest that we abolish distress for the collection of rates. Summarising my argument, I suggest that the existing method is out of date and unduly harsh in that innocent persons may suffer under it as well as those responsible. Further, it places municipalities in a more favourable position than other creditors, and the law provides ample other means for collection of rates. I therefore move—

That the Bill be now read a second time.

**HON. H. S. W. PARKER** (Metropolitan-Suburban) [4.45]: This Bill appears to me not to require any adjournment of the debate. Its object is to do away with distress for rates. Actually, it will only have the effect of increasing the cost of the collection of rates. Municipalities would be forced immediately to take action through the court to collect overdue rates, instead of following their present procedure. That procedure is very simple and efficacious. A notice of overdue rates is delivered to the occupier of premises. If a tenant is occupying the premises, he is notified to pay his rent direct to the council. I am speaking now particularly of the Perth City Council, but I feel sure that all other municipalities follow the same procedure.

Hon. L. Craig: Before they distrain at all?

Hon. H. S. W. PARKER: Yes. I shall give members some figures in a moment. As I say, I am speaking now of the Perth City Council in particular. A notice is served on the tenant, who is informed that he must pay his rent to the council. He does so, and that ends the matter. Sometimes, however, the owner is the occupier. As a matter of fact, 75 per cent. of the warrants issued to recover overdue rates are issued against the owner-occupier. If a man cannot pay his rates he should not own property. The Government collects income tax and other taxes from people who very often have no other means of paying them except their wages.

People who desire the privilege of owning property must pay the rates and taxes due on the property. That is one of the

conditions under which people are allowed to own property. Distress is a quick means of collecting overdue rates at a minimum of expense. If the rates remain unpaid after service of the notice, an inventory is taken. It is taken, not immediately, but within a reasonable time. This usually has the effect of securing payment. People say, "This looks serious, I must pay." It is seldom necessary to make a seizure, but if one is made a fee of 7s. is charged. People therefore realise that the quickest and cheapest method is to pay the rates immediately the notice is served. By this method, many thousands of pounds of rates have been collected. The knowledge that the council has power to distrain is sufficient to frighten people into paying their just and lawful debts. During the past eight years only three auction sales under distress have taken place. Those sales were made only because other creditors had taken proceedings under the Local Courts Act or some other Act and were about to sell. The City Council, therefore, quite rightly got in first and sold; the council said, "These people are in a hopeless position, we will get in first." As I say, there were only three cases in eight years.

The Honorary Minister: That is a good argument for the Bill.

Hon. H. S. W. PARKER: I trust the Honorary Minister will listen to me attentively. If he will follow my argument closely, he will learn that it is to the advantage of the property owner and the tenant that this power of distress should be allowed to remain. The system is cheap; the defaulting ratepayer incurs practically no expense. No question of law has to be decided. It is unnecessary to approach the courts and go through a complicated procedure. No summons is issued and no fees are payable, except the fee of 7s. which I mentioned. If this method is discontinued, then so soon as rates fall into arrear the council officials will deem it their bounden duty immediately to institute proceedings through the local court. Such proceedings will be followed by execution, which is distress by another name, but which is very costly.

For the period from the 1st January, 1937, to the 20th September, 1938—21 months—1,097 warrants were issued, but no sales at all took place. Of those defaulting ratepayers, 1,046 paid their rates, leaving 51 ratepayers who are now discharging

their liability by instalments. The general idea seems to be that a distress warrant is issued and every effort made to kick the unfortunate individual who is down, that a distress warrant is merely a device whereby the city corporation, or some other corporation, can annoy ratepayers. Nothing of the sort! It is for the purpose of protecting the honest ratepayer. I have not figures for other municipalities, but I can say of my own knowledge that at least in one road board district in the metropolitan area ratepayers are put to considerable expense because the road board must sue for arrears of rates.

The Honorary Minister: They must be bad payers down your way.

Hon. H. S. W. PARKER: They are not in my Province; they are just over my boundary in the hon. member's Province. A great number of summonses was issued for rates.

Hon. J. J. Holmes: In a road board district?

Hon. H. S. W. PARKER: Yes. Another method is to wait until the rates are overdue for a period of five years and then go to the enormous expense of advertising the land for sale. That is a ridiculous waste of money. The method is adopted to recover overdue rates on vacant land. A distress warrant is a simple procedure that brings home to the ratepayer his bounden duty to pay his rates. It involves a minimum of expense. I cannot understand anyone objecting to the procedure except the dishonest ratepayer, who has no intention of paying his rates. The law, as it stands, cannot affect the honest ratepayer; but it does give the dishonest ratepayer an opportunity of putting off the evil day to the disadvantage of the persons who pay their rates. I cannot see any virtue at all in the Bill.

HON. J. NICHOLSON (Metropolitan) [4.53]: I share the views that have been expressed by Mr. Parker. I agree with him when he says the Bill has nothing to commend it to the support of members. The instances which he gave of the warrants issued by the City of Perth are familiar to myself and also to Mr. Franklin.

Hon. J. T. Franklin: Very familiar.

Hon. J. NICHOLSON: I believe that what applies to the City of Perth applies

to every other council incorporated under the Municipal Corporations Act. The power of distress given by the Act is not a power that is abused or used with the intention of inflicting hardship on ratepayers or on tenant-occupiers. I myself can recall a laborious task I had to sign distress notices. Mr. Franklin will bear me out when I say that those notices were not in any way an attempt to abuse the power of distress. On the contrary, instead of the power being detrimental to the ratepayer and to the public generally, it is of the greatest benefit, and for that reason should be preserved. Looking at the matter merely from the ordinary economic standpoint, the method is, as Mr. Parker pointed out, a cheap and effective way of recovering rates that are due and payable.

The Honorary Minister: It is brutal.

Hon. J. NICHOLSON: The Honorary Minister is quite wrong. Had he been in the Chamber when I spoke earlier, he would have heard that I said the power is not abused. It is not brutal. On the contrary, it is most salutary, because we have to look at the matter in this light: we must remember that as ratepayers we are sharers in the responsibilities of our local governing bodies. Further, it is incumbent upon us, as members of this House, to ensure that the most economic methods are provided for the collection of overdue rates. If they are not recovered by this economical means, then great expense will be incurred by a resort to the other methods that have been alluded to, namely, action at common law and execution. Such procedure is clearly wasteful. It would involve a waste of public money, and I abhor that. If I were looking at the matter from a selfish point of view, I would say, "By all means abolish this particular power and resort to the other method of legal process followed by execution." That would mean more grist to the mill for the lawyers.

Hon. H. S. W. Parker: Very necessary, too.

Hon. J. NICHOLSON: I am not actuated by motives of that kind, nor, I can say assuredly, is Mr. Parker. We are here to pass laws that will be beneficial to and serve the best interests of the community. I can see nothing whatever to commend the Bill. On the contrary, I believe that a great deal of expense will be entailed by municipali-

ties generally if the power be removed from the Act. By causing municipalities to resort to the other more expensive methods of enforcing remedies for the recovery of money, we may be necessitating an increase of rates upon other ratepayers. That, so far from being beneficial, would be highly undesirable. I agree with the views expressed by Mr. Parker, and will vote against the second reading.

HON. G. FRASER (West) [5.1]: I intend to support the Bill. I cannot agree with the argument advanced by the two previous speakers for the retention of this power in the Act. They have told us that if this method is abolished the municipalities will have only one remedy left to them, namely, to sue in the ordinary course and thus involve the ratepayer in greater expense. I venture to say it will not be necessary for the municipalities to do that. They will have to do only what most other creditors do, namely, threaten to sue. All said and done, that is all that the provision in the Act is used for. We have had that admission from Mr. Parker. Of 1,097 warrants issued, 1,046 persons paid. The same number of persons would pay if prosecution were threatened.

Hon. H. S. W. Parker: Have you had any experience of collecting debts?

Hon. G. FRASER: The Taxation Department does not issue a distress warrant to recover its dues.

Hon. A. Thomson: No, it fines taxpayers 10 per cent.

Hon. G. FRASER: The Taxation Department issues a notice stating that if the money is not paid by a certain date, prosecution will follow.

Hon. J. J. Holmes: Ten per cent. will follow.

Hon. G. FRASER: No, that is not the threat.

Hon. A. Thomson: It is a very effective threat.

Hon. G. FRASER: The notification of the department is that if the taxes are not paid within a certain number of days, prosecution will follow. There is no mention of 10 per cent. If we had figures to show the taxpayers who pay on receiving a communication of that kind, they would be very illuminating. The Taxation Department and similar departments do not have to threaten distress in order to get their dues paid, and

why should one group of authorities such as local governing bodies have that power?

Hon. H. S. W. Parker: Every creditor has it.

Hon. G. FRASER: But every creditor does not exercise the power to the extent that the local authorities do. They use it as a threat, and I fail to see why Parliament should countenance any body using the laws of the country merely as a bluff. That is what is being done by the local authorities to-day.

Hon. J. Nicholson: They are merely using the means provided by law to collect a just debt.

Hon. G. FRASER: And they are doing it as a bluff.

Hon. L. Craig: You are suggesting the same thing.

Hon. G. FRASER: No, to issue a letter threatening prosecution is quite a different matter from issuing a warrant threatening distress.

Hon. L. Craig: You said it was a bluff.

Hon. G. FRASER: A letter threatening prosecution is not a bluff because prosecution would follow if payment were not made. According to the figures quoted by Mr. Parker, of 1097 persons served with distress warrants, 51 did not pay up.

Hon. H. S. W. Parker: In full.

Hon. G. FRASER: And three tenants were sold up.

Hon. H. S. W. Parker: Three in eight years.

Hon. L. Craig: Fifty-one had not completed payment.

Hon. G. FRASER: And only in three instances had extreme action been taken.

Hon. H. S. W. Parker: That was in the previous eight years.

Hon. G. FRASER: It does not matter whether those cases were spread over 20 years; the people paid because the local authority used the power in the Act as a bluff. The City Council did not use that bluff against the people who owed the money. The Honorary Minister interjected about the exercise of the power being brutal and Mr. Nicholson denied that it was brutal.

Hon. H. Seddon: Brutal to use the threat?

Hon. J. Cornell: I think "brutal" was a wrong word.

Hon. G. FRASER: I know of no other word that would adequately describe the

action of a public body in thus threatening somebody who did not owe the money.

Several members interjected.

The PRESIDENT: Order! I ask members to allow Mr. Fraser to proceed.

Hon. G. FRASER: Members are apparently desirous of retaining in the Act a provision that will permit of innocent people being put to considerable trouble and expense. Nothing can be more worrying to an honest person than to have directed against him a threat to sell up his goods if certain debts are not paid. In effect, that is what the warrant of distress amounts to. A tenant in good faith has probably paid the whole of the money due by him to the owner, and the owner has failed to satisfy the local authority. Yet we are asked to retain in the Act a provision that will permit of the tenant's goods being sold up because the owner has failed to pay the rates. Can any member justify that? Of course not. I am not prepared to allow the statements made to pass without voicing a protest. I see no justification for retaining that power in the Act, though there might be some justification if we permitted distress to be levied against the owner of the property. There is certainly no justification for allowing distress to be levied against the tenant who, in most instances, has stood up to his responsibilities as between himself and the owner. The principle is entirely wrong. I shall probably be told that the tenant could obtain redress by first paying the rates. Why should he be made responsible for somebody else's debt?

Hon. H. S. W. Parker: It means that he does not want to pay his way.

Hon. G. FRASER: The tenant completes his part of the transaction by paying his rent to the landlord, and why should that tenant be worried and put to the trouble of paying his rent to the local authority instead of to the landlord? That should not be his responsibility. The obligation is one devolving upon the owner in his relations with the local governing authority. If the tenant does not pay his rent, the owner has redress. We should not make the tenant responsible for ensuring that the rates are paid. So long as the tenant meets his obligations, that should be the end of his concern in the matter. The average ratepayer is not at fault with the provisions of the Act, and he suffers a considerable amount of worry when served with a notice of distress. I want to save tenants that worry. I hope the House

will agree that this power should be eliminated from the Act and something more suitable inserted in its stead.

**HON. J. CORNELL** (South) [5.10]: I oppose the second reading for two reasons that I consider valid. I represent one municipality and part of another. There is only one municipality and a piece of another in the whole of the South Province. Neither the whole nor the piece has asked me to act in this matter, and until one or the other does so, I shall reserve judgment upon it. Another point that ought to be considered is the fact that the Municipal Corporations Act is 32 years old. Year in and year out the representatives of the municipalities have asked for an amending and consolidating law. The Act has been out of print for years. If any one goes to a municipal office to see a copy of the Act, he is almost placed in the strong room while he peruses it because that is the only copy available. The Labour Party takes the stand that, until such time as Parliament will agree to the abolition of plural voting, it will not amend or consolidate the Act. By subterfuge or side wind a private member in another place has introduced a Bill, which is now before us, having for its object the giving of easement to one section under the existing Act. Until all sections that work under the Act are given easement, and until the Act is consolidated, I shall oppose any piecemeal attempt to alter the law.

**HON. J. T. FRANKLIN** (Metropolitan) [5.12]: I certainly agree with those members who have decided to vote against the second reading. I can claim to have as wide a knowledge of municipal affairs as has any member of the House. I have had the privilege of being mayor and lord mayor for over 10 years, and I know that the matter of distress warrants was one that came before me almost every month. Under the law the tenant is liable for the payment of the rates.

Hon. G. Fraser: He should not be.

Hon. J. T. FRANKLIN: I agree with the hon. member, but probably he does not know that if the rates are in arrears and the tenant pays them, he can deduct the amount from his rent due to the landlord.

Hon. G. Fraser: I am aware of that.

Hon. J. T. FRANKLIN: There is nothing to prevent that being done. As Mr. Parker told us, a large number of distress warrants

is signed every year. The procedure is for the City Treasurer to go to the Mayor with a file six inches or eight inches high relating to tenants who have not paid their rates. He asks the Mayor to sign those warrants. This is only preliminary, because the seal is not attached to the warrants at that time.

Hon. G. Fraser: Exactly what I said—bluff.

Hon. J. T. FRANKLIN: An official of the council takes the warrants, shows them to the tenants, and explains that if the rates are not paid, a further warrant, signed and sealed, will be issued. That gives the tenant very fair notice of the council's intention. Further, the liability of the tenant for the rates is explained. The City Treasurer does not demand payment of the whole amount. The tenant is informed that if he so desires he may pay by instalments. There is nothing wrong with that method. The amendment contained in the Bill would necessitate the local authority putting the owner or tenant to extra expense by issuing a summons in the first instance. Under the present method, that does not happen. Even when the warrant is actually served, another bailiff is not put in to take charge; the tenant is appointed bailiff. No extra expense is involved except in respect of the 6s. for the warrant.

As the result of my long experience, I realise that there are tenants who will pay neither their rates nor their rent. I have had a rather unfortunate experience with tenants. The landlord has to pay the rates because in the end the local governing body will make him do so. The Act is more than fair to all concerned. I agree with Mr. Cornell that the introduction of a comprehensive Bill to overhaul the Municipal Corporations Act is long overdue. A majority of the members of this Chamber will not agree to the deletion of the section relating to plural voting, and the whole of the interests of local governing bodies are disregarded for the reason that the Labour Government cannot get just what it wants from that standpoint. Why does the Government not introduce a Bill to deal with the various sections it desires amended, and give the House an opportunity to criticise its intentions and agree to or amend the measure? I shall oppose the second reading of the Bill because I regard it as unfair and wrong. I shall oppose it because, if the Bill were agreed to and a tenant owed rates to a

local governing authority, that authority would of necessity have to launch proceedings for recovery. Tenants' circumstances having been such that they could not pay, they have been allowed to continue year after year without being forced to meet their obligations, though they have been given opportunities to liquidate them by instalments. Nothing could be fairer. If a summons has to be issued against such people they will then have to pay not only the debt but the costs of the proceedings. I hope the Bill will not be agreed to.

**HON. E. M. HEENAN** (North-East—in reply) [5.18]: I have been surprised at the opposition aroused by the Bill, and at some of the arguments advanced against the measure, particularly by Mr. Parker and Mr. Nicholson. There is one unanswerable argument in favour of the Bill, which is, to use Mr. Parker's own words, that it provides a quick, easy and simple method for the recovery of rates. I can quite understand the attitude of a municipality such as that of Perth opposing the Bill because it provides that quick, easy and simple method for the recovery of money due to it. On the other hand, I shall point out to the House that this so-called quick, easy and simple method is not so inexpensive as Mr. Parker suggested. His statement to that effect was almost misleading. In any event, that method of rate collection is denied to road boards, and I have not yet heard of any road board complaining because it was denied this means of recovery.

**Hon. J. Nicholson**: Have you looked at the road board lists of defaulters?

**Hon. E. M. HEENAN**: This easy and simple method is also denied to the grocer and the butcher.

**Hon. H. S. W. Parker**: And to the landlord.

**Hon. E. M. HEENAN**: Yes, even to the landlord, thanks to the wise judgment of this House in passing legislation last year. This method would be nice and simple for the grocer, and who is more entitled to that advantage than he?

**Hon. J. Nicholson**: Well, give it to him!

**Hon. E. M. HEENAN**: Should a municipality be in a more favoured position than the grocer or the butcher?

**Hon. J. J. Holmes**: Or the lawyer?

**Hon. E. M. HEENAN**: Would it not be equally satisfying to the butcher to be in a position to go to his customers and say, "Here is a warrant, and unless you pay your account within five days you will be sold up"?

**Hon. J. J. Holmes**: Thousands have been sent out.

**Hon. E. M. HEENAN**: I admit that few sales eventuate as a result of the efforts of local governing authorities to recover arrears of rates, but nevertheless notices are issued and served upon people. If the Bill be agreed to, then those notices will still be issued, and will act as threats. I have with me a warrant that was issued, the amount owing being £5 17s.

**Hon. H. S. W. Parker**: Who issued the warrant?

**Hon. E. M. HEENAN**: This was sent through the bailiff.

**Hon. H. S. W. Parker**: Yes, but who issued it? What you have is a Local Court warrant.

**Hon. E. M. HEENAN**: No, it is not. I have not seen very many of these on the goldfields, because the municipalities there do not issue warrants. However, the amount involved in this instance was £5 17s. Mr. Parker will correct me if I am wrong, but I think the other costs involved are 6s., which goes into the pocket of the bailiff for going out and handing the warrant to the ratepayer. Then there is another amount of 7s. for possession, and there is provision for 5 per cent. for seizure, sale and delivery. The provision in the Act is very wide with regard to expenses incidental to seizure. To this amount of £5 17s., there is already added costs amounting to 19s., made up as I have indicated. The provision for 5 per cent. on account of seizure, sale and delivery represents the other 6s.

**Hon. H. S. W. Parker**: And what would it have cost if the action had been taken in the Local Court?

**Hon. E. M. HEENAN**: If that were done, the municipality would still send out its notice of demand or threat, which would strike terror into the breasts of quite a lot of people who are in the unfortunate position of owing rates. If the notice does not have the desired effect, the municipal authorities can then go to the Local Court and secure the issue of a summons for 1s., plus 2s. for the bailiff's fee.

Hon. H. S. W. Parker: No, on an amount of £5 17s. the cost would be 5s. plus 2s. for the bailiff's fee. On top of that there would be the lawyer's fees.

Hon. J. Nicholson: And then the fee for judgment.

Hon. E. M. HEENAN: I think I am right when I say that on an amount of £5 17s. the fee would be 1s., but I may be wrong.

Hon. G. Fraser: And there would be no need for a lawyer.

Hon. E. M. HEENAN: As the amount owing was not disputed, I do not think the municipality would employ a solicitor.

Hon. J. Nicholson: Of course it would. There would be the execution fee as well.

Hon. E. M. HEENAN: If the Bill is agreed to, then the notices that have done such valiant service in the past could still be sent out and could continue to accomplish the good work achieved in the past. If the Bill is agreed to, then municipalities will be in the same position as road boards, the butcher, the baker and the grocer, and can issue summonses against ratepayers and, if the worst comes to the worst, can cause judgment summonses to be issued. In the last-mentioned event, the magistrate might be lenient and realise that 5s. a week was the most the debtor could pay.

Hon. H. S. W. Parker: What will the judgment summons cost?

Hon. E. M. HEENAN: It will not cost very much.

Hon. G. Fraser: And it would be issued only in an extreme case.

Hon. E. M. HEENAN: I realise there are some people who will not pay their debts, but there are others who, through no fault of their own, cannot meet their obligations. When a warrant such as I have referred to is issued, it suggests that the ratepayer is in a desperate plight, and probably he reaches the stage when he sacrifices the welfare of his family in order to raise the necessary money.

Hon. G. Fraser: Or makes an arrangement with the municipality to accept small weekly payments.

Hon. E. M. HEENAN: I submit the House should pass the Bill. Distress in itself is a method that is not in keeping with present-day ideals of fair play. We have abolished distress in respect of the recovery of rent, and I fail to see why municipalities

should desire the continuance of that right. I commend the Bill to the House.

Question put, and a division taken with the following result:—

Ayes	..	..	..	7
Noes	..	..	..	15

Majority against .. 8

#### AYES.

Hon. J. M. Drew  
Hon. G. Fraser  
Hon. E. H. Gray  
Hon. E. H. Hall

Hon. E. M. Heenan  
Hon. W. H. Kitson  
Hon. T. Moore  
(Teller.)

#### NOES.

Hon. C. F. Baxter  
Hon. L. B. Bolton  
Hon. J. Cornell  
Hon. L. Craig  
Hon. J. A. Dimmitt  
Hon. J. T. Franklin  
Hon. V. Hamersley  
Hon. J. J. Holmes

Hon. G. W. Miles  
Hon. J. Nicholson  
Hon. H. S. W. Parker  
Hon. H. Seddon  
Hon. A. Thomson  
Hon. H. Tuckey  
Hon. E. H. Angelo  
(Teller.)

#### PAIRS.

AYES.  
Hon. C. B. Williams  
Hon. W. R. Hall

NOES.  
Hon. C. H. Whittenoom  
Hon. H. V. Piesse

Question thus negatived.

Bill defeated.

## RESOLUTION—YAMPI SOUND IRON ORE DEPOSITS.

### Commonwealth Embargo.

Debate resumed from the previous day on motion by the Chief Secretary to concur in the Assembly's resolution as follows:—

That this Parliament of Western Australia emphatically protests against the embargo placed by the Commonwealth Government on the export of iron ore from Australia, in view of its disastrous effects upon the development of the State. We consider that the information available does not warrant such drastic action, and we urge the Commonwealth Government to remove the embargo.

to which Hon. A. Thomson (South-East) had moved an amendment as follows:—

That the following words be added to the motion for concurrence:—"Provided the resolution be amended by striking out all the words after 'Western Australia' and inserting in lieu the following words:—'considers the embargo imposed by the Federal Government on the export of iron ore—which has been done in the interests of the whole of Australia—means a serious loss to the State of Western Australia in particular, and it is considered therefore that a substantial grant should be made by the Federal Government to compensate this State for the disastrous effect this embargo has caused in the loss of employment for its workers and the retarding of development in the Yampi area; such grant to be earmarked for the development of the northern portion of the State.'"



**HON. G. W. MILES** (North) [5.32]: I am glad to have arrived back in time to take part in this debate, and have carefully read all the speeches in another place and in this House upon the motion and the amendments that have been moved. Several members suggest that it is a reflection upon the Commonwealth Government, but that is not so. If the Prime Minister had any further information in his possession he should certainly have passed it on confidentially to the Premier. There must be something more behind the action of the authorities than the statement that only a limited quantity of iron ore is available in Australia. The State Government has launched this motion, and pointed to the serious injury that will be suffered by the north of this State if the embargo remains. I endorse that view. The embargo means that the opening of a deep-water port in West Kimberley will be held up, and that we shall lose the opportunity to establish an important industry. The only economic market for iron ore at present is in Japan. Some 15 years ago the proposition was submitted to all the engineering firms in the Old Country. England was importing 6,000,000 tons of iron ore from foreign countries. Yampi ore was worth 30s. a ton in England. Freight from Australia to England would kill a trade of that sort. Last year there was talk of an embargo upon the export of iron ore from Yampi, and I made a speech in this House upon the subject. I pointed out that the withholding of raw materials by one nation from another had caused all the unrest in the world to-day. I repeat that statement. Statesmen throughout the world are trying to bring about peace and appeasement and to cut down tariffs that countries may trade with each other.

A ridiculous statement was made by one member to the effect that the embargo would mean losing the sale of a pound of meat per day to 100 men. If the iron ore industry were properly opened up it would lead to the employment of 200 or 300 men and the maintenance of their families. In all probability a township would spring up at Yampi Sound. I understand the State Government has had the country examined with a view to opening up a stock route. Deepwater ships could load the iron ore and take away various commodities that would be produced

in the Kimberley districts. Derby would be closed as a port, just as Onslow was closed and a new port opened at Beadon. Every man employed in the mining industry makes work for another four or five people. That would be the position at Yampi. Members have talked about the State receiving only 3d. per ton. They forget about all the wages that would be paid. Our mining laws stipulate that no Asiatics shall be employed in or about a mining tenement. The Federal Government was kept informed concerning every move that was made. All that the State Government wanted it to do, and all that other people wanted it to do, was to give a permit for three or four Japanese experts to remain on the island assaying the ore before shipment. Just as is done in the case of Japanese experts who desire to inspect wool before buying it. The ore itself would be worked under White-Australia conditions. The ships would remove the ore just as they remove wheat and wool from other ports in Australia. Hundreds of thousands of pounds would be spent in wages, and money would be put into circulation, not only in the district, but throughout the State. Great advantage would accrue to Western Australia if the embargo were removed. I agree there must be some reason for the action of the Federal Government, but if there is one it should have been given confidentially to the Premier.

I do not think there is any antagonism towards the Commonwealth Government because it is a National Government. That is proved by some of the arguments advanced in the House. I think Mr. Cornell said that neither the Federal member for the district (Mr. Green), who is a Labour supporter, nor the Federal Leader of the Opposition (Mr. Curtin) had made a protest. In all probability the Prime Minister informed both gentlemen of the reason for the embargo. The sooner that embargo is lifted the better will it be for the State. Some of the arguments have been used for political purposes, and those who made them have decried their own country. They have written down and talked down the Kimberleys and their possibilities. It is a crying shame. My colleague when speaking said, "Before I sit down I will convince the House." I hope before I sit down I shall have convinced the House, too. It is not a question of my views against those of my colleague,

or anything of the kind. I claim, however, to have been up North and to have seen the country for myself. As President of the North Australia League I was responsible for arranging with the Federal Government to send a Commonwealth engineer there. At that time the Mitchell Government was shamed into sending up a Minister and three or four car loads of people. Later on I will quote extracts from what the late Mr. Hobler had to say about the country. The quotations will justify the attitude I have adopted for the last 20 years when I have brought forward schemes that, as my colleague says, were not practicable. I think I shall be able to convince the House that they are practicable. I also hope to show that the Government has not supported my suggestions for investigation as to the possibilities of the North, as I think it should have done. My colleague supports it in that attitude. I will read the opinions of experts on that country. If members will listen they will be convinced that in the Kimberleys we have a territory worthy of being peopled and developed.

I said years ago that one of the main reasons for my wishing to enter Parliament was that I had seen on our coast 35 years ago Japanese laundrymen, who were really civil engineers, but were doing our washing. In a speech I made in 1922 I stated that Japanese laundrymen knew more of Australia than the average Australian knew of his own country. I was taken to task by the editors of newspapers. Our dear old friend, the late Mr. Lovekin, before coming into the House, said in the "Daily News" that I was likely to raise the ire of a noble race. Subsequently he was elected to this House, and became one of its most respected members. Later on he went to Japan, and took letters of introduction from the Labour Government to the Government in Japan. On his return he stated he had learned more of the north of Australia while in Japan than he ever knew. He found that the Japanese had every harbour and river mapped out, as well as the rainfall, not the rainfall over three months, but for a longer period. Because of what I said 20 years ago my name has been bandied around the House, though why I do not know. This motion has been brought forward by the Government. My colleague has spoken upon it and expressed his views. Mr. Thomson expressed my views, what I said 15 years ago. He happened to be

in London when I was there. I made eight trips to the Eastern States and two to England in connection with the development of the Kimberleys, and did so for the most part at my own expense. I have spent thousands of pounds of my own money in trying to educate the people of Australia and England to an understanding that we have a territory worth developing.

Hon. A. Thomson: Quite right.

Hon. G. W. MILES: The Japanese Consul General visited Western Australia about 1928 or 1929, when the Collier Government was in power. This was after Mr. Lovekin had made his trip to Japan. We know what a great host Mr. Lovekin was. He could not allow this man to come to Perth without extending hospitality to him. Accordingly he entertained the Consul General at Parliament House, and invited all the members of the Collier Ministry, the three members representing the North Province, and all the consuls of other countries. In the corridor I got together our host, Mr. Lovekin, the Japanese Consul General, and the Premier. I said to the Consul-General, "Our host took me to task four years ago for saying that your laundrymen knew more of Australia than did the average Australian and stated I was likely to raise the ire of a noble race." I then added, "I was paying a noble race a compliment when I said its laundrymen knew more of Australia than the average Australian knew of his own country and that it was an insult to Australians, and I was going to continue insulting them until they woke up to the fact that they had a territory worthy of development."

Hon. H. Seddon: What did he say?

Hon. G. W. MILES: He did not say much. My object was to put in a little more propaganda with the Premier. Mr. Collier did me the honour to look into some of the schemes that were put up for the development of the Kimberleys, and said he would favourably consider any practical scheme for the development of the North. The first scheme put up by Sir James Connolly was too elaborate and visionary. He talked about placing half-a-million people there within 12 years. I circulated the matter that he forwarded and sent a copy to each State member and to each Federal member. Sir James wrote asking what the feeling was. He himself had spent thousands of pounds of his own money trying to get the people in England interested in his scheme. I need scarcely remind members that the

northern part of Australia is the most vulnerable spot of the Empire and that has been pointed out for the last 20 years. Western Australia, or indeed Australia, has not been able to do anything with it up to date and the attitude that seems to be adopted is that because we cannot do anything with it, no one else is to be permitted to make any attempt to develop it. We are all God's creatures whether we be white, brown, black or brindle. Some of us may be more religious than others and some members may be more religious than I am. For instance, my colleague can quote the Bible and he, I have no doubt, will be able to tell us that Esau was a hairy man. But we are all the same God's creatures.

The Jewish question has been brought up in the course of the debate. Jews have been persecuted throughout the world and no one seems to know where they can be settled and provided with homes. Surely we have enough space wherein to provide a refuge for these persecuted people. Anyway, I will deal with the Jewish question later on. That is if I am permitted to do so. I understand that I will be in order in referring to the question on this motion.

The PRESIDENT: If the amendment is read it will be seen that it is proposed, as an alternative to the motion, that if possible a grant be secured and that the money so obtained should be spent for the development of the northern part of this State. Thus the hon. member will be quite in order in dealing with the development of the northern part of the State.

Hon. G. W. MILES: Thank you, Mr. President. As I have already said, I read the debates on the motion, both in another place and here. I congratulate the member for Roebourne on the excellent speech he made in another place on the subject. There has been considerable argument as to whether it is possible to ship cattle on the hoof across the Equator. I do not claim to be an expert and of course according to my colleague I know nothing about land development.

Hon. J. J. Holmes: That is correct.

Hon. G. W. MILES: In reply to that interjection I can make this one remark that within 80 miles of Perth I personally can carry one and two sheep to the acre where Mr. Holmes failed and practically gave his property away. That is merely by the way in reply to the hon. member's interjec-

tion. For the last 25 or 30 years I have had a cattle brand although, according to my friend, I have had nothing to do with the land business.

Hon. T. Moore: And did you lose money over it?

Hon. G. W. MILES: Yes, because the fellow alongside was too quick with his branding iron. I am simply trying to show that I have had a little experience with land settlement. I hope to be able to convince the House that a lot of the argument advanced by my colleague was not correct. He may believe it to be correct, but what he gave to the House, according to experts' reports, is certainly not correct. In years gone by cattle were exported on the hoof to Manila. During the debate on this motion it was stated that no one had ever heard of taking live cattle through the tropics. One of the arguments used in another place, however, was that there was such a thing as air conditioning and that it could be made to apply to vessels carrying cattle as it was being made to apply to vessels carrying human beings. Therefore, within a year or two it may be possible to transport cattle across the Equator. It has also been pointed out that the coloured people do not like fat beef, that they prefer it lean.

In the course of the debate my colleague criticised Sir James Connolly very severely and when I returned from England on the 2nd October, I did not know what had happened. Anyway, I received this cable from Sir James Connolly—

We feel sure you will take the earliest opportunity in Council to refute Holmes's Yampi foul slander. Written Jackson & Leake regarding action.

I showed this cable to my colleague and said to him, "What have you been saying?" Mr. Holmes replied, that he sent me a copy of what he had said. I should like to take this opportunity to thank the Chief Secretary for holding up the debate so that I might have the opportunity to take part in it. He realised that it would not be possible for me to do that until I had got my papers together and I had read what Mr. Holmes and others had said. I consider that Mr. Holmes improperly criticised Sir James Connolly by saying what he did. I was a supporter of Mr. Holmes, and I am still and I remind him that he once said that he had to thank Sir James Connolly

for occupying the position he is in to-day. Sir James Connolly has done a great deal of good for Western Australia and he is anything but the parasite that my friend Mr. Holmes insinuates he is. Some time ago when Sir James was busy on the scheme for colonising the North he asked me to let him have my opinion as to how I thought it would be received. I wrote to him saying that some of his friends were calling it the Connolly ramp and that I considered it was ridiculous to talk about putting half a million people in the North in say 12 years when the country should be attacked from the angles of pastoral development, mineral resources, marine wealth, with agriculture to follow. Some people insinuated then that Sir James Connolly was only doing this for what he could make out of it. We are fortunate in having in London a man like Sir James Connolly to put forward a modified scheme for the development of the northern part of Australia.

Hon. T. Moore: He is discredited now.

Hon. G. W. MILES: Nobody associated with Sir James Connolly, nor Sir James Connolly himself, has ever been guilty of sharp practices as has been said. I shall read the names of the people who have been associated with his colonisation proposals—

Lord Stonehaven, formerly Governor-General of the Commonwealth; General Sir George McMunn (Honorary Director of the Church of England Council of Empire Settlement); Commissioner D. C. Lamb (Salvation Army); Lord Howard of Penrith; the Hon. Edward Russell; Mr. Leslie Boyce, M.P.; Commander R. T. Bower, M.P. (Chairman of Land Settlement Committee); Sir Frederick Mills, M.P.; Sir Clement Kinloch-Cooke (formerly Chairman of the Central Emigration Board); Sir Archibald Weigal (Chairman of the Royal Empire Society and formerly Governor of South Australia); Mr. Vernon A. Malcolmson; Sir Samuel Wilson (ex-Under Secretary for the Colonies); Admiral Sir Sydney Fremantle; Admiral Mark Kerr; Sir Burton Chadwick (Deputy Master of the Honourable Company of Master Mariners); Sir James Connolly; Mr. G. H. Cholmley; Sir Benjamin Morgan; Mr. R. L. Gilbert; Sir Martin J. McIvin; Lieut.-Col. P. T. Etherton; Mr. Cyril Bavin (Y.M.C.A.); Mr. J. P. Mitchell; Mr. S. C. Magennis; Mr. G. S. Arthur; Mr. G. W. Watts; Lieut.-Col. Edward Lascelles (Overseas League).

Those are the names of the gentlemen on Sir James Connolly's committee when efforts were being made to promote a scheme for the development of the Kimberleys. Does not the list I have

read show that Sir James Connolly is not the man that my friend here has said he is? My colleague, I am afraid, has said too much, although in one part of his speech he declared that there was nothing personal in his remarks and that he did not like speaking against a man in his absence. Perhaps that was the hon. member's intention, but I fail to see that he could have said anything worse than he actually did about Sir James Connolly. If Mr. Holmes still believes what he said in this House about Sir James Connolly, he should not hesitate to say it out of the House so as to give Sir James the opportunity to defend himself in a court of law. I do not mind what anyone in this House, or out of it, says about me.

Hon. J. J. Holmes interjected.

Hon. G. W. MILES: With all due respect to you who are my colleague—

The PRESIDENT: The hon. member must address the Chair and not carry on a conversation with another member.

Hon. G. W. MILES: All I can say is that my dear old colleague, the Hon. J. J. Holmes went too far in his criticism of Sir James Connolly, and I hope that sooner or later he will see fit to retract the statements he made.

There has been some talk about pig raising in the North and when that question was mentioned my colleague insinuated that it would be necessary to take wheat from Katanning to the far North so that the pigs might be fed. I might enlighten my friend by telling him that pigs have been bred in the North for the past 50 years and, strange to say, they were first introduced in the Kimberleys by a Jew, Mr. Emanuel. The progeny of those pigs are still there and they have been killed up to 400 lbs. in weight. I am giving this information for the benefit of Mr. Holmes, to show him that pigs can exist in the far North on the natural grasses and that it is not necessary for wheat to be taken to the North from Katanning or anywhere else. One does not require very much imagination to realise what can be done with pig raising in the North if scientifically carried out. I have had some association with the North directly and indirectly since the 70's. and in all probability the association goes much further back than that of any other hon. member.

I had the honour of organising a second trip through the Kimberleys at the request of the present Leader of the Opposition, then Minister for Lands. When I talked the

matter over with you, Sir, you said you would like to go. I said, "Mr. Latham asked me to arrange the trip, and I will see that you receive an invitation." I at once saw Mr. Latham and said, "Sir John Kirwan would like to go on the trip," and asked him to invite Sir John and Mr. Wise. Mr. Wise was then the Government's tropical adviser. Mr. Wise and I planned the itinerary and carried out that trip of 5,000 miles to the letter of the programme. I may recall that Sir John Kirwan wrote a very humorous book describing the trip. He told his readers about Marble Bar, and the story concerning a resident of Marble Bar who died and went below, and immediately wired back for his overcoat. Another resident of Marble Bar, some years later, was cremated. For some reason or other the door was left open, and he shouted, "For Heaven's sake shut the door! There is a draught!"

I have here the opinions of experts, since I know nothing about practical schemes. My colleague on my right knows everything, but nevertheless I want to counter some of his views. Here is one extract—

Mr. Easton confirms that pigs do remarkably well on the natural grasses and roots. Mr. Despeissis, late Commissioner for Tropical Agriculture to the W.A. Government, says: "What I have seen leads me to believe that pigs will be quite as much at home in the Kimberleys as are cattle, and will be more profitable to run in well-enclosed and well-watered paddocks than either cattle or sheep."

Hon. J. J. Holmes: Pigs have to be fed on something solid, though.

Hon. G. W. MILES: I know that, and before I close I will show that the Kimberleys can grow solid stuff to feed them. Concerning the report of Mr. Wise, our Minister for Agriculture. I shall have something to say later, and also something regarding the cablegrams referred to by my colleague. The chairman of the Buenos Ayres and Pacific Railway Company Limited, in his speech at an ordinary general meeting of shareholders held at Winchester House on the 6th November, 1934, said—

When I first went to the Argentine, 40 years or more ago, one never saw a pig on the territory our line goes through. One wondered about it, but there simply were not any, and the breeding of pigs in the country is quite a recent business. In 1925 the Argentine exported only 700 tons of pig produce; in 1930 that had risen to 9,500 tons, and last year it had risen to 20,000 tons.

I quote that extract in order to show that this can be done in the Kimberleys, because what has been done in other countries can be done there. The Argentine, of which that railway chairman speaks thus, was originally in the same position as the Kimberleys are in to-day.

Last year I specially went to Queensland to see conditions there and compare them with Kimberley conditions. I have to thank Mr. Wise, the Minister for Agriculture, for letters of introduction, and also to thank the Forgan Smith Government for showing me round. I saw more of Queensland in a month than most people see in a year. Twenty years ago I said that pigs could be grown in the Kimberleys, and that dairying would flourish there. I was laughed at, and was told that this was one of the schemes I knew nothing about. Those schemes were frustrated by pessimistic Governments which had no time for our North. My pessimistic colleague is now about to frustrate my efforts once more. In Queensland people asked me how the Kimberleys compared with their country. My reply was that when the late Alexander Forrest returned from his trip through the Kimberleys in 1879, he said that he had not been able to get a mile away from water. That is the country where it is said there is no water, and no possibility of conserving water for irrigation. However, on Mr. Forrest's report Queenslanders came to the Kimberleys and inspected the country. Then they went back to Queensland and brought across their cattle to the Kimberleys, occupying 2½ years on the trip. Yet the Willcock Government says there is no land suitable for agricultural development in the Kimberleys, and that we do not want that country investigated further. My colleague endorses that stand.

There have been two attempts at the development of the North. One is that of the Yampi company. That was not going to cost the State or the Commonwealth a penny, and it would have resulted in a thousand people becoming dependent on the iron industry, and in the opening of a deep-water port, a work that would be undertaken by private enterprise. Fifteen years ago I had a prospect of getting millions invested in our North, but the Mitchell Government would not entertain the granting of a concession. In the Yampi case no concession is desired. The people have

their own money. We had an opportunity to get men of capital to investigate the North. I do think that a certain cablegram that was sent to London would not have been so framed if our Minister for Agriculture and the North-West had been in the State. However, he was on his way to Colombo. Let me quote another extract—

It is interesting to note that this country attracted attention as long ago as 1863. It is recorded that the well-known explorer, the late Mr. Kenneth Brown, and his party recorded in their diary that the Glenelg River district consisted of magnificently grassed downs, etc., 240ft. above sea level. They stated: "We have already seen 300,000 acres of land of the finest quality for grazing, and although it is now drawing near to the close of the dry season, clothed with grass of the most luxuriant growth. The grass seed was at least 3ft. above our heads. It is the opinion of us all that the lowest estimate of the carrying power of this district is a sheep to the acre; therefore, 300,000 sheep might be fed on it."

Another quotation that I often use is from the journal of Sir George Grey, dating back 100 years exactly—

In his journal (1838). Sir George Grey makes many references to the rich basaltic country in the neighbourhood of the Glenelg River—which he named after the Secretary of State, and of which he says: "I have seen many Australian rivers, but none to equal this either in beauty or magnitude."

My colleague says the rivers there are mere sandbeds.

Hon. J. J. Holmes: When it is not raining.

Hon. G. W. MILES: My colleague has not seen those rivers, and his speech referred mostly to north-west rivers, and he was right in what he said about them. Sir Hal Colebatch, after his tour through the Kimberley country in 1922, and following the report of Mr. Easton, who had surveyed that country, expressed himself as follows:—

Our conception of its possibilities has been widened as a result of the expedition recently undertaken by Surveyor Easton and his party. This land of big mountain ranges, noble rivers and fertile soils, cannot fail to appeal to the imagination of people in the Old Land, whilst its emptiness and its close proximity to teeming millions of coloured populations elevates to a position of first-class importance the question of whether in the years to come it shall be to the Empire an occasion of anxiety and danger, or a source of boundless wealth and unlimited opportunity.

That was what Sir Hal Colebatch said in 1922.

Hon. J. Cornell: He was at his best.

Hon. G. W. MILES: Yes. Now we shall hear a few words from our former Chief Secretary, Mr. Drew—

I share the anxiety of my predecessor in office as to the ultimate fate of this wonderful tract of country should we fail to take advantage of the great opportunity given us in making every endeavour to fill its empty spaces with people of our own kind.

I think I had better not read what Mr. Holmes said. The House has heard the hon. member on the subject. Mr. Holmes did refer to Mr. Wise's having been for years the State's tropical expert and adviser, and latterly Minister for Agriculture and Minister for the North-West, and said that the hon. gentleman had done nothing.

Hon. J. J. Holmes: No; I did not say that.

The PRESIDENT: I would point out that conversational discussion makes it highly difficult for "Hansard" to report the proceedings.

Hon. G. W. MILES: That is my colleague's fault, Sir.

The PRESIDENT: I hope it will not continue.

Hon. G. W. MILES: During the tea hour I would like to look up Mr. Holmes's speeches, so that I may quote from them appropriately. My desire is also to bring to the attention of hon. members a little of what Mr. Wise has said. Endeavours were made by me to secure the necessary capital for the development of the North-West.

*Sitting suspended from 6.15 to 7.30 p.m.*

Hon. G. W. MILES: Before tea, I was referring to a comment by Mr. Holmes on the Minister for the North-West. He said—

We talk about the development of the North. We have Mr. Wise as Minister for the North-West, a man with a knowledge of tropical agriculture, and one would have thought that he would have told Parliament and the country what could be done with the Kimberleys, but he is silent on the subject just as are a good many others.

In his report to the Commonwealth Government in 1929, Mr. Wise made certain recommendations. I myself have been trying to arrange finance to carry out the ideas expressed by Mr. Wise. The State has not money to carry out the experiment, nor do we expect the State to find it; but we hope to be able to induce private enterprise to

investigate the possibilities of developing the country. That is the point I want to make in reply to Mr. Holmes's statement.

I quote now from Commonwealth Memorandum on the Development and Settlement of North Australia, 1933, which contains a report, dated the 25th July, 1929, by F. J. S. Wise, agricultural adviser, in regard to "holding" areas in North Australia adjacent to Wyndham and the agricultural prospects generally of such country (Victoria River District). Mr. Wise says—

The agricultural survey made would indicate possibilities with certain of the soils, which, for agricultural purposes, may be placed in four classes, viz., the black soil of the limestone areas, the brown alluvial soils of the Ord River, the black soils of Argyle, Ivanhoe and Auvergne (North Australia) and the black peaty soils of the Pandanus Springs. To particularise the areas of promise in each station they are hereunder dealt with in detail.

Argyle (in Western Australia, on boundary of North Australia).—The homestead of this valuable holding is situated 110 miles from Wyndham, on the Behn River. There exists very extensive plains of black and brown loamy soil, richly grassed and very fertile, extending 10 to 15 miles north-east and south of the homestead. Adjacent to the Behn River are contiguous areas, which would approximate over a quarter of a million acres, on which all the summer fodder crops hereafter enumerated should flourish and produce immense tonnage annually.

This land in its virgin state raises very fat cattle, and is classed by pastoralists as a very rich belt. The rainfall of Argyle is slightly lower than that of Wyndham, the average over 40 years being 25 inches. A study of the falls since 1892 shows that the lowest fall of 14 inches was in 1920, and it would appear that in every season there is sufficient rain to mature short season crops such as millet, sorghums, cowpeas, and at times early maize. The months of May to September are often rainless, which would render lucerne-growing without irrigation rather precarious.

On Argyle are the largest conjoined areas in this district of fertile arable land which is suited to the raising of fodder crops for grazing for hay or ensilage, and all this land appears to be well-drained and for the most part easily cleared.

Auvergne (North Australia).— . . . very large areas of rich black soil lying between the Baines River more heavily timbered than the land on Argyle. This is a very rich pastoral area, and with effective subdivision and provision of water would carry four or five times its present herd. There are several extensive plains richly covered with Flinders and Mitchell grasses, and which should be well adapted to cultivation. One hundred thousand

acres suited to the growing of the crops mentioned in connection with Argyle would be a conservative estimate. Along the banks of the many creeks and rivers is tremendous scope for the growing of valuable grasses. Panicum muticum growing near the homestead on the banks of the East Baines River is flourishing, making a heavy succulent growth over 3 feet high, being cut daily for feeding to horses.

I visited Queensland with the object of ascertaining whether we could inaugurate some scheme such as that adopted in the Argentine. In Queensland, blade grass is being ploughed out and panicum muticum planted. The people there are demonstrating that weaners can be fattened on those grasses and sold as three-year-old chillers. That is the industry I wish to develop in the Kimberleys. I now wish to quote the remarks of Mr. G. A. Hobler, who examined and reported upon the Kimberleys and adjacent country in 1920. He was at the time Engineer of Ways and Works of the Commonwealth Railways. He stated—

The Kimberley and North-West division, and that portion of the Eastern division dealt with in this report, undoubtedly contain a very great amount of land with good soil and feed for stock, good soil for tropical and sub-tropical agriculture, and large supplies of water available for conservation for irrigation, stock and domestic purposes, besides considerable natural supplies. The country also contains, so far as can reasonably be estimated and assumed, considerable latent mineral and metal resources . . . With proper development the country could carry a great population, and support numbers of wealth-producing industries, adding immensely to the wealth and revenue of the State of Western Australia and the Commonwealth as a whole. A large extent of the country is suitable for closer settlement, and in any development scheme or schemes this should undoubtedly receive very earnest attention. There is ample room and country for settlers with small means and for those with large means . . . The country is not necessarily sensational in its extent of natural value and resources, but is just a portion of the very valuable and large extent of country which exists to a considerable degree almost all round the sea coast of Australia for a good distance inland, and it fully warrants opening out and developing in the same way as many of these other portions of Australia have been.

I have quoted Mr. Wise, Mr. Hobler and also Mr. Easton. My colleague was very emphatic in stating that rain fell in the North during only three months of the year. In the South, rainfall, to be of real use,

must occur during the growing period. If it does not, the crops will be a failure. Crops can be grown in the tropics with the present rainfall of the Kimberleys. To verify that statement, I have obtained from the Com-

monwealth Meteorological Bureau the following information:—

In response to your telephoned inquiry today, I have to advise that the monthly and yearly averages at Wyndham and Derby respectively are as follows:—

	Jan.	Feb.	Mar.	Apr.	May.	June.	July.	Aug.	Sept.	Oct.	Nov.	Dec.	Year.
Wyndham ...	743	599	466	85	22	7	15	4	8	46	188	422	2,605
Derby ...	735	573	452	148	73	41	20	10	1	7	86	419	2,565

Our farmers in the South would be pleased to obtain 85 points of rain in October as finishing rains.

Hon. W. J. Mann: What is the total rainfall?

Hon. G. W. MILES: At Wyndham, 26 inches and at Derby 25 inches. Yet Mr. Holmes wants members to believe that the rainfall occurs in the North only during three months of the year.

Member: Is the record you quoted for one particular year?

Hon. G. W. MILES: No. The figures quoted are monthly and yearly averages. Since then, Mr. Angelo's brother, who has been a pastoralist all his life—a practical pastoralist, not a city one—

Hon. W. J. Mann: Is the evaporation great?

Hon. G. W. MILES: It is very great.

Hon. W. J. Mann: The rainfall on the Queensland coast is 80 inches.

Hon. G. W. MILES: I know that, but in some portions of Queensland the rainfall is not more than 25 or 26 inches, yet maize is grown in that country. Our rainfall is equal to that, so we could grow maize in the Kimberleys. Mr. Angelo said he had inspected three stations and that the number of sheep the country could carry was astounding. I could quote extracts from the reports of Mr. Lefroy and Mr. Hubert Evans, who reported to the Government upon the possibilities of that country for sheep-raising.

Hon. J. Cornell: Why have not those men settled there?

Hon. G. W. MILES: The hon. member makes me smile! I am trying to keep cool. Mr. Angelo stated he visited three stations.

Hon. C. F. Baxter: Which Mr. Angelo?

Hon. G. W. MILES: Mr. Alec. Angelo. I just mentioned that he is the brother of my colleague on my left. He is a pastoralist, a practical pastoralist, who has worked on stations since the 1890's.

Hon. C. F. Baxter: Do not get annoyed.

Hon. G. W. MILES: I am not annoyed, but had the hon. member listened he would have heard that. Mr. Angelo is making a report for Melbourne firms. He is astounded at the quality of the country in these back areas. When he set out to inspect the country, he was informed that there were no roads, so he asked for some pack-horses. He was absent for a month, and travelled some 500 miles. My colleague says I do not know anything at all about this business. I would say this, however, that any person who has had experience of the back country knows that horses will make for the sweetest country. Where horses feed, there is good country. The horses were found on the rough spinifex ridges, where the cattle did not go. It has been stated, as I said before, that the country will carry one sheep to the acre. In some parts the country will carry a sheep to five acres. The Roses have demonstrated that the country will carry a sheep to three acres. If water and fodder can be conserved, and new blood introduced to the herds, if the cattle are fenced off so that they are not all running together and mating at one period, as many pastoralists allow their stock to do, and if the sheep and cattle can be mated as they are in the South, at the right period of the year, we shall have a better class of stock, such as that on the station in which my colleague, with his partner, was interested. They introduced new blood into their stock, and developed their station. I ask members to read Mr. Payne's report, the latest report of the commission appointed by the Commonwealth Government to inquire into the development of the North. That particular station, Rosewood, received £1 per head more for cattle from the Wyndham Meatworks than did any other station, simply because money had been invested to improve the quality of the stock and provide better fencing. If capital were brought into that country the quality of the herds could be improved, and fodder and water could be conserved. Fodder can be grown in the



Kimberleys, and its production would enable chillers to be marketed capable of competing with Argentine meat.

Hon. J. J. Holmes: Nobody disputed the possibilities of the cattle and sheep industries.

Hon. G. W. MILES: But the hon. member disputed the possibility of the agricultural industry in the North. Because wheat and oats cannot be grown there, it does not follow that other agricultural products cannot be raised. Fodder can be grown in the Kimberleys and used to fatten pigs. In one part of Queensland situated in the same latitude as the Kimberleys, dairying is carried on and butter factories have been established. We are writing down and talking down our own country. That was what the Eastern States Press used to do by referring to Western Australia as a desert that could not grow any wheat. I believe that Mr. Holmes was a member of a Ministry when the Premier of the State said we could not grow sufficient wheat for the then population, which numbered fewer than 200,000 people at the time. When speaking in Sydney on that point, I had to confess that the hon. member had made a mistake. Imagine having men of that type governing the State—men without any confidence in the country!

Hon. J. J. Holmes: I will take all you can give me.

Hon. G. W. MILES: I am trying to refute some of the arguments put up by the hon. member. I believe that by quoting the rainfall figures, I have conclusively refuted one of his main arguments. If Mr. Holmes could only see what is being done in other countries, he would not be so fond of running down his own country as he is doing. That is what I object to.

Hon. J. J. Holmes: You are not getting very far in trying to run it up.

Hon. G. W. MILES: That task is difficult enough in view of the pessimism of the Government and of my colleague's attacks on the North. Mr. Holmes said that we did not want any people in the North.

Hon. J. J. Holmes: When did I say that?

Hon. G. W. MILES: Well the hon. member said something next door to it.

Hon. J. J. Holmes: Be accurate.

Hon. G. W. MILES: I shall endeavour to be accurate; I have no desire to misquote the hon. member. Mr. Holmes commented

on certain remarks by Mr. Thomson as follows:—

"The Government ought to take advantage of this development and put Jewish people into the country." Does the hon. member know that a combination of people in London did put a proposal to the Government in respect to that area but it was turned down?

Hon. J. Cornell: In what paper did that appear?

Hon. G. W. MILES: That is an extract from the hon. member's speech.

Hon. J. Cornell: From what are you quoting?

Hon. G. W. MILES: I was not able to hear the hon. member's speech, and my only opportunity to learn what he had said was by reading "Hansard." This is copied from "Hansard."

Hon. J. Cornell: You are out of order in quoting "Hansard."

Hon. G. W. MILES: I am not out of order.

Hon. J. Cornell: Are you not?

The PRESIDENT: I understand that the hon. member is merely making some incidental reference to the speech of Mr. Holmes in order to reply to it.

Hon. G. W. MILES: That is right.

Hon. J. Cornell: He said he copied it out of "Hansard."

Hon. G. W. MILES: Anyhow, I have read the passage and shall reply to it.

The PRESIDENT: I am sure the hon. member knows better than to quote from "Hansard" of the present session.

Hon. G. W. MILES: I am not quoting from "Hansard." I am permitted to take extracts and quote from them.

The PRESIDENT: I take it the hon. member is merely quoting some incidental reference contained in the speech.

Hon. G. W. MILES: Then I shall quote no more of what the hon. member said. Let me now deal with this proposed scheme. When I reached London I was approached by certain people who wanted information as to the possibilities of development in the Kimberleys. Sir James Connolly had nothing whatever to do with this matter. I was introduced to the people concerned by Sir Howard D'Egville, secretary of the Empire Parliamentary Association, and I read the proposal that had been submitted through the High Commissioner for Australia and the Western Australian Agent General. After having read the proposal I

had a document placed in my hands containing the opinions of a man of vast practical experience in the North. I knew nothing at all about this letter until I reached London. The letter was written by Mr. M. P. Durack, Perth, a pioneer of the country who, with others, has been holding this outpost of Empire for the last 50 years. Mr. Durack wrote under date, the 25th February, 1938, to Mr. J. B. Cramsie as follows:—

Your name appears in this morning's press in association with the question of Jewish settlements in the Kimberleys and from which we gather that you may have been approached in this matter.

It is, for us here in Australia, somewhat difficult to visualise the Jews as associated with agriculture or pioneering work. We know them here in Australia as more associated particularly with trade and commerce. The question of the Jews settling in the Kimberleys appears to have some support from the leaders of the Jewish community here in Perth. The writer discussed the matter this morning with the Rev. Rabbi Freedman, head of the Jewish community in Perth, who apparently had no misgivings about the agricultural capabilities of the Jews and instanced what wonderful work was done in Palestine, mentioning in particular vast marshy lands, which for centuries had remained unutilised and which in recent years had been converted into most promising fertile productive fields. It appears that there is an organisation in existence which sees to the training of the men in agricultural pursuits and no men are sent out on the land without this necessary form of training. The Rev. Rabbi is quite satisfied and has no hesitation in saying that the right type of agriculturist is available and can be obtained in sufficient numbers.

One can visualise the Jew as patient, painstaking and capable of much endurance and suffering and prepared to put up with preparatory conditions of hardship to a greater degree possibly than in the case of our own race. Further, the Jew is perhaps better prepared to take the long-range view and would not look for that immediate result that we so often demand or ask for. It is the possession of such attributes that might qualify the Jews in making a success where the others would fail.

Young McDonald, as appears in this morning's press, raises the point of no markets for the agricultural products in Australia or overseas, but I think we might safely assume that, if the goods are produced, a market will unquestionably be found. The Kimberleys should offer multiple avenues for production. Apart from sheep and cattle, possibilities which may be unquestioned, there are prospects in pig raising, maize, pea-nuts and sugar growing along the banks of the Ord River and the Victoria River, where we have such prolific and

profuse growth of the sugar grass indigenous to the country. There are, too, the possibilities of tung oil and fibres as mentioned by you. Another highly probable product is that of soya bean, which would find a ready market in Australia and which has been so profitably grown in the United States of America.

It is said that some of our heavy black soils of the Kimberleys bear striking resemblance to that of Manchukuo, where the soya bean is extensively grown and regarded as a most valuable product.

From the various correspondence in relation to the Kimberleys exchanged between your worthy self and our firm, and from your own practical experience of the North, you have all the necessary data and particulars that would qualify you in advising with respect to the possibilities of Jewish settlement for the Kimberleys.

With the approval of the Commonwealth as to the entry of the Jews into North Australia, there should be little or no difficulty in procuring the necessary areas required for such a proposal.

We would be pleased to hear from you at any time as to how you view the prospects.

The reply to Mr. Durack's letter, dated the 2nd March, 1938, read—

I have to acknowledge receipt of your favour of 25th ult., which reached me this morning, covering copies of cuttings from West Australian papers of similar date, in connection with the settlement of the Jews in Northern Australia. I am enclosing copies of two articles which appeared in the "Sydney Morning Herald" of that date and which deal more extensively with the proposal.

During the past twelve months I have been approached by representatives of the Jewish fraternity for advice in connection with colonisation scheme for members of their fraternity, and have provided full plans and reports.

During my two world tours, the last of which occupied two years, I examined colonisation schemes in the Argentine, Uruguay, Brazil, U.S.A. and Canada, and came to the conclusion that while individual migration might prove successful, there was little doubt that colonisation properly directed and supervised would prove not only valuable to those who were induced to take part, but also to our great Commonwealth.

I have carefully examined the methods of colonisation in the Argentine and found that great success had invariably accompanied their efforts, and after a few years, with the assistance of soil experts, irrigation experts and tropical production experts, these men were producing prolific crops of products which were marketed en masse after being carefully graded, with the result that maximum values were secured. Again, I carefully studied the irrigation scheme and resultant production at Denver City, at the foothills of the Rocky Mountains in the U.S.A., where a commission secured control of the snow waters from the

Rockies, and laid down the scheme for the irrigation of a huge area, much of which is second-class country but has proved the most remarkable success.

With regard to Jews, I have always understood that they originally were agriculturists, and under most difficult conditions had produced prolific crops with the crude machinery of those days. I am confident, if a colonisation scheme of some 5,000 families were carefully selected, there is no reason to believe that a young Jew would not be as successful as his pioneer forefathers.

Mr. McDonald raises the question of markets; this question is always put forward whenever increased and improved production and development are mentioned. If the world's markets at the present time are saturated with primary products (which I am confident is incorrect) what chance will there ever be of us developing this great Commonwealth, which by proper methods of intense cultivation, improved pastures and irrigation could be made to produce at least 100 per cent. more than it does to-day?

For fifty years I have been interested in pastoral and agricultural production in Australia, and in the marketing of this production, and never have I found our products to be unsaleable. I am one of those who believe if the world were properly fed, we could at least produce 50 per cent. more than we now use, without affecting price values in the markets to-day in any degree. I have repeatedly stated the fact that if all our people were back at work and the basic wage increased by 10s. per week, the local market would absorb the whole of our present exportable surplus of wheat, and we would have nothing to export.

I do not know what qualifications Mr. McDonald has for stating the Kimberleys would not be suitable for a Jewish settlement. Had he travelled the world as I have, and made a study of these colonisation schemes, he would recognise the fact that there is scarcely any country in the world where water is available and a reasonable rainfall is assured, where colonisation cannot be made highly successful.

I would not anticipate that these colonists would become wealthy; I would anticipate they would be able to provide for themselves and their families a comfortable living, producing most of their food requirements in their colony, and at the end of the year, without having been faced with the fear of unemployment during the whole of that period, would be in a considerably better financial condition than the basic wage earner of to-day, who has to support a wife and family of two children in our principal cities.

Apart from the fact, as you say, that cattle and sheep raising could be included in a minor degree, pig and poultry raising, growing of principal fibres, cultivation of dates and other desert fruit, tung oil, soya bean, and dozens of other tropical products could be grown, and under a colonisation scheme the necessary plant for the manufacture of many of these

raw materials could be acquired and operated, enabling the production of large quantities of products which would replace many of those imported into Australia to-day.

Mr. McDonald need have no fear that present lessees would be unfairly treated; such a colonisation scheme carried out in his locality, instead of adversely affecting him, would act entirely in the reverse way and possibly improve the value of his lands, four or five fold.

I have no time for the man who says a proposal such as this cannot be carried out. It certainly cannot be done by pessimists, but in the hands of optimists, possessing common sense, such a scheme could not only be made successful, but the greatest advertisement Australia could ever have.

In the near future, a great deal more will be heard of these schemes, and I may say while preparing my reports, I was also approached by another religious organisation who are interested in a proposal of a similar type, and are giving very serious consideration to same at the present time. You would be surprised to see the immense amount of data, maps and reports which have already been sent forward in connection with these proposals, but such important proposals take time and I do not anticipate anything definite before the end of the present year. You can rest assured, colonisation schemes properly directed and supervised would do much more towards developing and populating Australia than the present spasmodic methods of migration.

That is the correspondence between two practical men—Mr. M. P. Durack and Mr. J. B. Cramsie.

Hon. J. Cornell: Do they know the position of the wheat farmer in this State?

Hon. G. W. MILES: I suppose so. While we have pessimists and croakers, the interests of the State will never be advanced. During the course of the debate, references were made to a map we exhibited here some years ago. That map, which was reproduced from a Japanese magazine, was 6 ft. wide. It showed various European countries and their nationals fitted in along the coastline of Australia and served to indicate that while the Japanese were teaching their children all about Australia and its possibilities, our own people were talking and writing adversely about the country, as some members of this House have talked during the present debate. Attention was drawn to my reference to 6,000,000 or 8,000,000 Japanese babies; that was a misquotation. The figures showed that the 1,000,000,000 included all types of coloured people and that their numbers were increasing at the rate of 5,000,000 each year. That was the object of the publication of the map, and

served to indicate the necessity for developing and peopling the most vulnerable spot in the Empire—North Australia.

Hon. J. J. Holmes: Our object was to keep the Japanese out, not to bring them in.

Hon. G. W. MILES: And the object of this move was not to bring them in, but to allow their ships to go to Yampi Sound, just as they are allowed to go to Fremantle or Sydney.

Hon. J. Cornell: Why not allow the Japanese to land?

Hon. G. W. MILES: Our White Australia policy will not permit of that.

Hon. J. J. Holmes: They will land all right.

Hon. G. W. MILES: If the northern parts of the State were handed over to the Commonwealth, as they should have been years ago, there would be no argument between the State and the Commonwealth as to whose was the duty to protect our shores. I have been striving along these lines for the past 20 years and I am glad to see that at last some people are adopting my point of view. In fact, I congratulated Mr. Holmes on an article of his that appeared in the Press in February last. He was on right lines then.

Another phase has been referred to, namely, the rainfall in North Australia. If I remember aright, one hon. member interjected that the rain in the Kimberleys fell in a period of three months and as much as 12 inches might fall in one day. That is quite all right. If a fall of 12 inches were recorded in one day, it would be so much easier to conserve the water than if lighter rain fell at intervals during the year. In 1922 we engaged engineers to estimate the possibilities of water conservation in the vicinity of Yampi Sound. We had worked out a scheme, and the engineers were asked to investigate the possibility of harnessing the tides. At present that is not possible but the engineers are experimenting. If it were found possible to harness the tides, ample power would be provided for all the requirements of the North-West. Three rivers discharge their water into Walcott Inlet, namely, the Calder, the Charnley and the Isdell. The watershed there is very extensive, and with an average rainfall of between 40 and 50 inches, it has been estimated that 300,000,000,000 cubic feet of water are discharged into the inlet. Even if that quan-

tity were halved, it would mean that 150,000,000,000 cubic feet of water run into Walcott Inlet from those rivers. Reference was made to coping with the water problem and the necessity for keeping the water out, as well as in, was emphasised. Is not that done in other parts of the world? Of course, it is!

After reviewing the whole Jewish settlement proposal, I stated my views and what I thought were those of Australia on the subject. I pointed out that under any such scheme the men would have to be land workers who were capable of undertaking agricultural activities. I further pointed out that if any such scheme were adopted, the persons who came out would have to become Australian citizens. What was the proposition? Those people wanted to send out a mission to investigate the Kimberley country. I cabled to the Minister for the North-West (Mr. Wise), under date the 24th June, 1938, as follows:—

Strongly support Jewish Kimberley scheme submitted to Agent General. Their financial position sound. Please show Holmes and Angelo. Supply copy proposals Durack and Henry Gregory. Your Government's reply urgently required. Conference Page next week. Commonwealth approval essential.

I understand the Minister was away at the time, but I did not find that out until later. I thought he could not have been present at the Cabinet meeting at which it was decided to send a cable to the Agent-General for despatch to me in the following terms:—

Please communicate following to Miles: Kimberley area unsuitable agricultural settlement. Proposal Jewish mission investigation not warranted. Writing. Willecock, Premier of Western Australia.

These Jewish people proposed to send out a mission to ascertain if it were possible to take up an area in the North-West and develop the land along the lines suggested by experts. It was to that proposal that the Government's reply referred. I then cabled to the Premier as follows:—

Astounded your cable which stultifies Wise 1929 report published Commonwealth memorandum 1933. Regret his illness.

The report I referred to was that furnished by the Minister for Agriculture (Mr. Wise), which I have read to members. Mr. Wise said that the North-West was capable of agricultural development and urged that

experiments be carried out. These people proposed to send out a mission to ascertain if what the experts said was right and whether the land could be developed by means of the cattle, sheep and other industries suitable to the North. That proposal was turned down. The day on which I despatched my cable to the Premier—that was on the 30th June, 1938—I sent the following cable to Mr. Holmes:—

See Premier's astounding cable stultifying Wise's 1929 report published Commonwealth memorandum 1933, also Cramsie's correspondence Durack March. Inform Gregory.

That was the correspondence I wanted Mr. Holmes to see. I do not know whether he did see it. I also cabled Mr. Gregory, M.H.R., at Canberra as follows:—

Holmes supplying copy Willecock's cable stultifying Wise's 1929 report published Commonwealth memorandum 1933. See Cramsie's correspondence Durack, March.

Then there was the astounding cable that nearly knocked me off my feet—the sort of thing that makes it necessary for a man to go to his club and take something to steady his nerves.

Hon. H. S. W. Parker: Did you get over it?

Hon. G. W. MILES: Yes. This is the cable I received from Mr. Holmes—

Regret must endorse Premier's cable. Writing.

Hon. J. Cornell: A statesmanlike reply.

Hon. G. W. MILES: Yes, a statesmanlike reply—in the opinion of pessimists and little Australians. That is the attitude of men who are not even secessionists. Yet they talk about an Empire vision or an Australian vision.

Hon. G. Fraser: It is something new for Mr. Holmes to endorse a Government proposal.

Hon. H. S. W. Parker: Why spread the reports of the pessimists?

Hon. G. W. MILES: I want to show what harm has been done, in the hope that those people will return to the straight and narrow path.

Hon. H. S. W. Parker: But why repeat this, if it is so harmful?

Hon. G. W. MILES: I wish to refute a statement made in this House to the effect that the Kimberleys did not comprise country worthy of anything beyond sheep, cattle and minerals. What I have quoted serves to prove my contention that it is necessary

for people to come here to investigate the position for themselves. Mr. Parker asked why I quote the views of pessimists and little Australians. If we cannot influence these people to hand over the North to the Commonwealth, we should do what we can to refute what is suggested by the Labour Government, with the support of my colleague Mr. Holmes and aided by the pessimistic Mr. Cornell. After all, there is only an imaginary line between the Kimberleys and the Northern Territory.

Hon. G. B. Wood: If this is so advantageous, why was not something done before?

Hon. J. J. Holmes: Yes, you have been wasting time for 25 years.

Hon. G. W. MILES: I have been up against croakers and pessimists! That is the only reason why I have wasted time. Here is the reply that Mr. Gregory received from the Premier—

Your telegram 27th. Have to-day cabled Miles as follows:—Kimberley area unsuitable agricultural settlement proposal. Jewish mission investigation not warranted.

The point I want to emphasise is that the Government, of which Mr. Wise is a member as Minister for Agriculture, issued an ultimatum that sought to prevent an investigation by a mission, the object of which was to ascertain whether the country was all that Mr. Wise claimed. I regret that Mr. Wise was away from Perth at that time, for I am convinced the Government would not have sent such a communication had he been present at the Cabinet meeting.

Hon. J. J. Holmes: You know what Mr. Wise told the North-West Committee,

Hon. G. W. MILES: I showed what Mr. Wise said in his evidence, and the hon. member will not take any notice of that evidence.

Hon. J. J. Holmes: You read what suits you.

Hon. G. W. MILES: I do not. I showed what Mr. Wise said regarding the Kimberleys. At any rate, I intend to finish with this subject. On the 30th June last I received the following letter from the secretary to the Agent General—

I have to advise you that the following cable has to-day been received from Parliament House, Canberra:—"Advise Miles Willecock opposed Jewish scheme, Gregory."

Hon. J. Cornell: Why Mr. Gregory? Why not Mr. Green, who represents that part of Western Australia?

Hon. G. W. MILES: I despatched a communication to Mr. Gregory regarding the Jewish mission and I looked to my colleagues for support, but I found Mr. Holmes was a bad opponent. On the 28th June, 1938, the Prime Minister wrote to Mr. Gregory as follows:—

With reference to representations made to you by Mr. Miles respecting the question of the settlement of Jews in the Kimberley district, I desire to inform you that it is understood that certain proposals of this nature have been submitted to the Government of Western Australia by the "Freeland" League for Jewish Territorial Colonisation, London. Particulars of the proposals have also been brought to the notice of the Commonwealth Government through the High Commissioner in London.

You will doubtless appreciate that the question of settlement in the Kimberley district is one which primarily concerns the Western Australian Government. I therefore recently addressed a communication to that Government seeking its views in regard to the project.

Mr. Gregory, in replying to my cable, sent the following communication, dated the 30th June, to me from Canberra:—

I have received your cable in connection with the proposal to induce the settlement of Jews in the Kimberley district. I at once got in touch with the Prime Minister, and also wired to the Premier of the State. I enclose replies from which you will note that Mr. Willcock is opposed to any action, and that the Federal Government will only take action at the instance of the State, so I assume that the refusal of these authorities will make it impossible for you to carry out your project.

The cable messages prevented these persons from investigating the possibilities of the Kimberleys. People think the Jews are not agriculturists, and insinuate that they are only city dwellers. The pioneer of our light lands in the Great Southern is a Palestine Jew. He arrived here with £100 and seven children. Before the depression he was worth £10,000. Some of this money has gone, but he is doing well again now. This shows that Jews are agriculturists.

Hon. J. Cornell: That one Jew is.

Hon. G. W. MILES: There are many others.

Hon. C. F. Baxter: There are three brothers, who are all successful.

Hon. G. W. MILES: Jews have done wonderful work in Palestine. I met the chief constable at Nottingham. He had come from that part of the world, and told me that the temperature in the Jordan

Valley was 130 degrees in a humid atmosphere. The coastal temperature in the Kimberleys goes up to 80 or 90 degrees, but there is no comparison between the conditions there and in Palestine. Nearer the coast in the Kimberleys the atmosphere becomes more humid, but Jews are developing land in Palestine under conditions far less tolerable than are those in the North of this State. I hope the Government will do something to encourage these people to look at the country. When they have done so, they may start out in a small way to improve the cattle-raising industry and establish the sheep and pig-raising industries, as well as embark upon conservation of fodder, water-supply undertakings, and the like. I am glad some members agree that the North should be handed over to the Federal authorities. Already they have shown their readiness to assist in the development of the North by giving rebates of taxation that cannot be given to a State or portion of a State.

I do not think there is anything political about this resolution. If a National Government had been in power in Western Australia, its duty would have been to do everything possible to have the embargo lifted, so that the Yampi business might proceed. The embargo prevents the opening up of a deep-water port in the West Kimberleys, a port that would maintain more than a thousand people. The undertaking would not cost the Government a penny, but would be of great benefit in developing that portion of Australia. The present position constitutes a great disability for Western Australia. The embargo will be lifted sooner or later. Why not let the business go on now. If, later on, it was desired to restrict the output of iron ore, that could be done. Meanwhile the development at Yampi Sound has been stopped. When the time comes to lift the embargo and resume the export of iron ore from Australia, the Eastern States will get the benefit of the whole business. Before the embargo was imposed last year, the Broken Hill Proprietary Company was exporting 200,000 tons of ore to Japan, and England was supplying that country from the Malay States. We have certainly lost an opportunity to open up and develop the Yampi area. For this reason I hope the House will concur in the Assembly's resolution. If members are not satisfied with the

wording, that can be altered. In the resolution I see no reflection upon the Federal Government. I see only a protest concerning a great disability that has been imposed upon Western Australia. The amendment is not worthy of consideration. It is not possible to calculate the harm that has been done by this restriction and by retarding the development of the North. I am opposed to the amendment, but support the motion.

On motion by Hon. E. M. Heenan, debate adjourned.

## **BILL—HEALTH ACT AMENDMENT.**

*Second Reading—Defeated.*

Debate resumed from the previous day.

**THE HONORARY MINISTER** (Hon. E. H. Gray—West—in reply) [8.22]: To understand the opposition to this Bill is difficult. Mr. Seddon, Mr. Cornell and Mr. Nicholson have stated that its enactment would have the effect of depriving quite a number of widows of their means of livelihood. One would conclude from the remarks of those members that the by-laws of the local authorities governing the conduct of boarding houses are particularly severe and unreasonable. Referring to the position that would obtain if this measure became law, Mr. Nicholson said—

The premises would immediately become subject to all the restrictions and requirements laid down in the Act, and the occupant would have to comply with this, that and the other regulation, and in the end she would probably be distracted. Consequently, instead of making a few shillings a week out of boarders, she would probably be suffering a loss after having paid fees and complied with regulations.

If the Bill is carried, the only hardship that will be suffered by the boarding-house keeper will be the payment of the registration fee. Any local authority could make a by-law to register these establishments free of charge. That is all there is in the Bill.

Hon. H. S. W. Parker: Does the award cover boarding houses?

**THE HONORARY MINISTER:** No award is affected by the Bill. It will enable local authorities to ascertain where these boarding houses are and to have them efficiently inspected.

Hon. J. M. Macfarlane: To keep them within bounds.

**THE HONORARY MINISTER:** Yes. I am surprised that Mr. Nicholson should make the statement he did. Evidently he did not properly consider the effects the Bill would have, or read the by-law concerned. In this particular matter his opinion may be disregarded.

Registration fees are fixed by the local health authorities. The Perth City Council, the Perth Road Board, the Cottesloe Municipal Council and the Subiaco Municipal Council prescribe the fees set forth in Schedule C to Part VI of Series A of the Model By-laws gazetted pursuant to Section 295 of the Health Act. The relevant scale of fees is as follows:—

When the maximum number of lodgers to be accommodated does not exceed 20—10s. per annum.

When the maximum exceeds 20—£1 per annum.

Hon. L. Craig: Is there any real necessity for the Bill?

**THE HONORARY MINISTER:** It will enable local authorities efficiently to supervise all boarding houses.

Hon. E. H. Angelo: Is the position not already sufficiently covered?

Hon. A. Thomson: How many local authorities are concerned?

**THE HONORARY MINISTER:** I understand that amongst others the Perth City Council and the Geraldton Municipal Council are concerned. Requests have been made for the registration of boarding houses in which there is only one boarder. The Fremantle and Kalgoorlie councils charge a flat rate of 10s. per year, and so far as can be ascertained, this is the scale of fees prescribed by local authorities in other parts of the State. The "restrictions and requirements" mentioned by Mr. Nicholson are not such that their observance would impose hardship on any ordinary housewife. I have here a copy of the model by-laws that form the basis of the general body of regulations governing this matter in all parts of the State. Any member who peruses them will find they have been designed merely to ensure that every boardinghouse-keeper shall have proper regard for the normal requirements of health and sanitation. They provide, *inter alia*, that—

(a) No keeper of a boarding house shall permit a greater number of persons to occupy any sleeping apartment in such house at any

one time than will admit of any such person having at least 500 cubic feet of air space.

(b) All sleeping apartments are to be certified for that purpose.

(c) Fresh bed linen and towels shall be provided once a week.

(d) Floors, passages and stairways shall be kept thoroughly clean and washed once a week.

(e) Rooms and their contents are to be cleansed and disinfected whenever an inspector directs.

(f) Sufficient lavatory appliances and clean water and soap are to be provided.

Further provisions relate to disinfecting where an inmate contracts an infectious disease, the scrubbing of privies, and so on. The Bill will ensure that the public is properly safeguarded.

Hon. A. Thomson: Has that just been discovered after all these years?

The HONORARY MINISTER: I cannot understand why members continually oppose all health regulations, etc., that are brought into this Chamber. This is a simple measure.

Hon. A. Thomson: Then why bring it in?

The HONORARY MINISTER: When the Perth City Council, the Geraldton Municipal Council and other local authorities require the passing of legislation to protect the public, it is our duty to give it to them.

Hon. J. J. Holmes: I understood that local authorities had denied that they wanted this amendment.

The HONORARY MINISTER: Mr. Macfarlane has already made a personal explanation on that subject, and stated that the amendment was required by the Perth City Council. He finished up by supporting the Bill. Surely we cannot ignore the Perth City Council.

Hon. J. Nicholson: No one is required to live in a private house that is not registered as a boarding-house.

The HONORARY MINISTER: Very often no other accommodation is available.

Hon. J. Nicholson: That is a reason for not passing the Bill.

The HONORARY MINISTER: The public is entitled to proper protection. The by-laws also stipulate that no premises shall be registered as a boarding house unless—

(1) The external walls and roof thereof are weatherproof.

(2) The inner surface of all walls is so constructed that they can be washed.

(3) The walls are damp-coursed.

(4) The passages are 4 feet in width.

(5) Stairways are provided with handrails.

(6) Proper sanitary conveniences are provided.

(7) Every internal wall is complete from floor to ceiling.

(8) Every part of the floor, if of wood, is at least twelve inches above the ground.

The Bill is a reasonable one and should have the support of members.

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

Ayes .. .. . 12

Noes .. .. . 13

Majority against .. .. 1

#### AYES.

Hon. E. H. Angelo  
Hon. L. Craig  
Hon. J. M. Drew  
Hon. E. H. Gray  
Hon. E. M. Heenan  
Hon. W. H. Kitson

Hon. J. M. Macfarlane  
Hon. T. Moore  
Hon. H. S. W. Parker  
Hon. H. V. Plesse  
Hon. C. H. Wittenoom  
Hon. G. Fraser  
(Teller.)

#### NOES.

Hon. C. F. Baxter  
Hon. L. B. Rolton  
Hon. J. Cornell  
Hon. E. H. H. Hall  
Hon. V. Hamersley  
Hon. J. J. Holmes  
Hon. W. J. Mann

Hon. G. W. Miles  
Hon. J. Nicholson  
Hon. H. Seddon  
Hon. A. Thomson  
Hon. G. B. Wood  
Hon. H. Tuckey  
(Teller.)

Question thus negatived.

Bill defeated.

### BILL—LOCAL COURTS ACT AMENDMENT.

#### Second Reading.

Debate resumed from the previous day.

HON. H. S. W. PARKER (Metropolitan-Suburban) [8.35]: The object of the Bill is to give more latitude to those people who incur debts, and who do not intend to pay. At the present time, certain articles are saved from seizure by the bailiff. It is well to understand exactly what this means. If a person owes a debt, never mind what it be for, a summons is first of all issued and the person has five days in which he can give notice that he intends to defend the action. If he does so, it takes anything from a month to two months before the case is heard. Then, as soon as the case comes to trial, judgment may be given against him, and the successful party may immediately issue a warrant of execution. That is handed to the bailiff in the course of a day or two, and the bailiff goes along and seizes. He is not, however,



permitted to seize wearing apparel to the value of £5; he is not permitted to seize any of the wife's goods. When we come to think of it, no one would attempt at any time to seize wearing apparel of the members of a family for the simple reason that it would not be possible to get anything for it if an attempt were made to sell it. Bedding to the value of £5 is mentioned. If a person has much bedding, he can probably afford to pay his debts. If one can go into any place where there are implements of trade, the value of £5 is mentioned. That is the secondhand value, and it can be realised what the secondhand value would be.

Hon. J. J. Holmes: Who would value it?

Hon. H. S. W. PARKER: The same person who would value it at perhaps £25. But the position is that the bailiff can say it is worth more than £5. The magistrate, however, decides the matter. The amount of £5 is fixed definitely. The bailiff is not going to take any risks, and the position as it exists has worked out very well in the past. A sale takes place only in the case of people who will not and do not intend to pay their debts. The effect of the Bill is to protect the dishonest person. The honest person endeavours to pay his debts, and he is not pressed by his creditors. From the 1st January, 1937, to the 26th September, 1938, a period of 21 months, there were 2,326 warrants issued out of the Local Court, and the number of sales effected in that period was only 32, approximately 1.35 per cent. So it will be seen that the warrant of execution is never used except as a last resort. What happens is that when a man owes money and will not pay, he is taken before the court and examined as to his means. It is then learnt what goods and chattels he has. If it is found that he has a motor car, or something of the kind, it is seized and sold, because he will not pay his debt. I have a certain amount of sympathy for creditors, and my experience over a number of years is that creditors do not put a bailiff into a man's house except as a last resort. If, as is suggested by the Bill, we are to make the figure £50 instead of £5, it will practically mean that a man on the basic wage, with the whole of his effects in his house, will have those effects virtually free from seizure. Then he can put his fingers to his nose and say, "I am not going to pay you." The threat, or call it what we will does get the money for the creditor, and I would far rather the creditor received what was due to him than

that he should be forced to seize a man's goods. I cannot see any reason for increasing the amount, which will only give the dishonest debtor a greater opportunity to avoid the payment of his debts. Furthermore, it may have the effect of limiting very considerably the credit that is given by the small storekeeper to the small man. The small storekeeper will not give credit to a man if he knows that the man's goods are not liable to execution in the event of judgment. The Bill is not a good one, and I shall vote against it.

HON. G. FRASER (West) [8.44]: I intend to support the Bill. Members will find it is a very reasonable request to make. The first portion seeks to make an alteration from £5 to £25 in respect of bedding. I ask members to visualise how much bedding would be worth £5 to-day.

Hon. H. S. W. Parker: Secondhand bedding.

Hon. G. FRASER: Yes, secondhand. That is hardly the price of one lot of decent bedding. Decent bedding to-day costs £7 15s., or certainly nothing under £5. Secondhand prices would represent half of those amounts. And that is for the mattress only.

Hon. H. S. W. Parker: A secondhand mattress has no value.

Hon. G. FRASER: The amount does not take into consideration the other part of the bedding at all. Five pounds worth of bedding to cover a family's beds! The figure is preposterous.

Hon. H. S. W. Parker: The amount required for bedding depends how many there are in the family.

Hon. G. FRASER: Suppose there are three in the family. The amount allowed for bedding would be £7 or £8. Whatever the cost of new bedding may be, secondhand prices must also be on the increase. Evidently the amount of £5 is ridiculously insufficient. The only material alteration made by the Bill relates to the value of tools of trade. I may also mention the inclusion of household furniture and appliances. The principal Act covers bedding, but not the bedstead. Surely to heaven we will not allow the bedstead to be taken away! I have no sympathy for the person who will not pay, but I have a great deal of sympathy for the person who, through force

of circumstances, cannot pay. Only a person who cannot pay will allow matters to go to extremes. The Act as it stands is absurd from the aspect of protection. Certainly a decent creditor would not take bedsteads and things of that description. We need not legislate for him, but there are some vultures who would take anything and everything, and protection is needed against them. Mr. Parker quoted the Act as protecting tools of trade to the value of £5. The Bill seeks to raise the margin of protection to £25, which is only reasonable. To leave a carpenter £5 worth of his tools of trade is ridiculous. That is equivalent to taking away his means of livelihood. The Act might just as well allow all tools of trade to be seized. The value of a carpenter's tools of trade to-day is £40 or £50. Mr. Thomson, I understand, was engaged in that line of industry at one time.

Hon. A. Thomson: He is now.

Hon. G. FRASER: Mr. Thomson seems not to be a man having any knowledge of the present-day cost of a carpenter's outfit. I happen to have a son serving his apprenticeship to that trade, and I know the value of the tools. The margin of £25 is perfectly reasonable, and I daresay that what applies to carpenters applies to other tradesmen.

Hon. J. J. Holmes: One tradesman would only want a pair of snippers and a soldering iron.

Hon. G. FRASER: That would be a bush plumber, the kind of man the hon. member would want to engage. A reputable plumber's tools of trade cost a substantial amount. Little change is proposed by the Bill, and it would inflict no hardship on any decent creditor. There may be some objection as regards household furniture, but I assume that the term covers such things as I have mentioned, bedsteads and other necessary furniture. There may be extras in the home which could be seized upon, but certain types of furniture no creditor should be permitted to seize, because his doing so would inflict undue hardship on families who probably are not in a position to pay. What the Bill asks is so slight that I feel sure hon. members, upon studying the matter, would pass the measure. I support the second reading.

**THE HONORARY MINISTER** (Hon. E. H. Gray—West) [8.52]: I support the Bill. Its object is to prevent distressing instances

that do occur, although but rarely. Something must be done to protect persons who find themselves in trouble of this character. What Mr. Parker has stated as to there being only 22 such cases on record is a tribute to the commercial community. I would like to know how many business men are involved in those 22 instances. I believe their number to be considerably less than that of the instances. However, it is the class of trader or business man actually concerned that we want to stop.

Hon. H. S. W. Parker: Probably they are not business people at all. Goods and chattels may be seized for motor accident damages.

The PRESIDENT: Order! I must ask the hon. member to stop interjecting.

The HONORARY MINISTER: Seizures are generally made by private individuals whom most people hold in contempt. However, that section is determined to get its money irrespective of evil results to the community. I repeat, it is a tribute to Western Australia that the number of such creditors here is so small. Nevertheless, people in difficult circumstances should be protected by a Bill of this character.

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

## **BILL—PARKS AND RESERVES ACT AMENDMENT.**

### *Second Reading.*

**HON. J. CORNELL** (South) [8.55] in moving the second reading said: At the outset I commend the provisions of the Bill to the House. The Parks and Reserves Act was passed as far back as 1895, and in the interim has never been amended. I understand, however, that successive Governments have received departmental recommendations to the effect that in view of the lapse of time and the change in circumstances certain amendments should be made. It is an extraordinary fact that 75 or 80 per cent. of the members of both Houses of this Parliament did not know under which Act the State Gardens Board was appointed. The amending Bill will affect four boards—the State Gardens Board, which was appointed by Sir James Mitchell on the 17th December, 1920; the King's Park Board, which was first appointed on the 24th January, 1896; the Rott-nest Board, which was first appointed on the 18th May, 1917; and the Caves and Reserves

Board of Control, which has the management of State Hotels, and which was first appointed on the 20th November, 1914. The present position is that Section 3 of the principal Acts gives the Governor power, for the purpose of controlling and managing parks and reserves, to appoint persons to form boards of parks and reserves, and to appoint the president of any such board, and from time to time to cancel and revoke such appointments and fill up vacancies, and to appoint each board to control such parks and reserves as he may from time to time decide. One-third of the members of such a board constitutes a quorum for the transaction of business.

Hon. J. J. Holmes: A quorum would be one man, in that case.

Hon. J. CORNELL: The first amendment proposed by the Bill is that no quorum shall consist of fewer than two members of the board. To-day only two members constitute the State Gardens Board. Let me say right here that personally I have nothing but the best of feelings and the greatest respect for the members of the State Gardens Board. However, two members constitute the board, and one can form a quorum. The Bill proposes that not fewer than two shall form a quorum. The passing of the Bill would mean that the present State Gardens Board could not function unless both its members were present. However, there is nothing to prevent the Government from increasing the number of the board under the Act. By no stretch of imagination can hon. members conjure up in their minds that when this Act was passed 43 years ago there was any notion that a board appointed under it would assume, and to some extent usurp, the gigantic functions which the State Gardens Board exercises to-day. When the Act was passed, no member could have dreamt that under it the administration of 15 Class A reserves and six other reserves, totalling about 650 acres, would be handed over entirely to two men, one to form a quorum for the purpose of administering. The following reserves are controlled by the State Gardens Board:—

A1150	Stirling Square	...	4½	acres.
A3355	Serpentine Falls	...	50	"
A4813	Point Walter	...	167	"
6340	Heirison Islands	...	30	"
A7537	National Park	...	3,545	"
A9868	Yanchep	...	5,300	"
A10887	Government Gardens	...	9	"
A13012	Government Gardens	...	10	"
13375	near Causeway	...	5	"

17060	Keane's Point	...	8	acres.
A17375	Crawley	...	250	"
A17391	South Nedlands	...	39	"
A17826	near Causeway	...	4	"
A17827	near Causeway	...	1	"
A18391	Supreme Court Gardens	...	1	"
A18392	Supreme Court Gardens	...	1	"
A18987	Porongorups	...	5,013	"
20896	Perth Water	...	29	"
20897	Perth Water	...	68	"
A21054	East Perth Cemetery	...	11½	"
21824	Bazaar Terrace (about)	...	4	"
				about 15,650 acres.

The management and control of all these reserves is vested in the board. I am given to understand that any portion of a Class A reserve is, under the law, open to citizens between the hours of sunrise and sunset. That being so, any citizen may, if he so desires, enter the A.B.C. studios or the Yanchep Hotel between those hours because both buildings are erected upon a Class A reserve. I shall deal later with the question of the auditing of the accounts of the board. If hon. members will consult the Estimates, they will find the following sums have been allocated—

State Gardens Board, grant for maintenance and improvements, Public Gardens, foreshores, Crawley, etc.—£2,500.

Upkeep of gardens (including wages)—£1,360.

Zoological Gardens—£3,300.

Treasurer, King's Park Board—£2,400.

State Gardens Board, Pt. Walter—£100.

The accounts of the State Gardens Board are not audited by the Auditor General. The board, as I have already pointed out, is at times under the control of one man. That is unfair to him, because he has to carry the responsibility. He has control of the moneys voted by Parliament and also, accepting the Premier's own figures, of revenue from other sources amounting to £18,000.

Hon. C. F. Baxter: Is there no audit at all?

Hon. J. CORNELL: The accounts are audited by a private firm of auditors, W. Hayes and Co. Quite recently, the Premier, when defending the State Gardens Board, said the accounts were audited by Haines and Co. He also said at that time that he thought the board was constituted of the Secretary to the Premier and Mr. Morris, the former Under Secretary for Lands, whereas in fact the board is constituted of the Secretary to the Premier and the present Under Secretary for

Lands. Notwithstanding that the accounts are audited, no one, except the members of the board and the auditors, know how they are kept. The Act provides that a balance sheet showing the transactions of the board must be submitted annually to the Treasurer. Beyond the Treasurer and those other persons whom I have mentioned, I do not know of any person who sees the accounts. I have already pointed out that the Premier, when defending the State Gardens Board, did not know the names of the auditors or the names of the persons who constitute the board. That is a pretty state of affairs! The accounts of the King's Park Board are not required to be audited by the Auditor General; but I am given to understand that some few years ago—

Hon. J. Nicholson: Many years ago.

Hon. J. CORNELL: —on account of the unsatisfactory position, the King's Park Board requested that the Auditor General should audit its accounts, and he has done so ever since. Mr. Nicholson was a member of the board at the time.

I understand the Chief Secretary is the chairman of the Rottneest Board. I presume that board, like the State Gardens Board, conducts its business and makes up its own balance sheet. No doubt it handles its revenue and submits a statement to the Premier; but I have been unable to ascertain who audits the accounts. The Auditor General does not know the name of the auditor.

Hon. C. F. Baxter: It is time that was altered.

Hon. J. CORNELL: I am not arguing against the Rottneest Board, because I understand it is comprised of six men.

The Chief Secretary: That board receives no subsidy. The members are purely honorary. The board accounts are audited by a reputable firm.

Hon. C. F. Baxter: Does the public see the balance sheet?

The Chief Secretary: Yes.

Hon. J. CORNELL: We are working under an obsolete Act passed 43 years ago, an Act that has never been amended. The Caves Board, I understand, comes under the management of the State Hotels. The accounts of the State Hotels are audited by the Auditor General and are submitted to Parliament. When the Act was passed, power was given to the board to control the

Zoological Gardens, but those gardens are now dealt with by a specific Act of Parliament, just as the Karrakatta Cemetery Board is. The accounts of those bodies are audited by the Auditor General and are available to Parliament.

I wish to deal with one particular venture of the State Gardens Board. For the life of me I am at a loss to know the reason, or even the motive, that actuated the Licensing Court in granting a hotel license for a building on a Class A reserve to a board that has no equity whatever in the land upon which the hotel is built. A license has been granted to a board appointed to administer certain parks and reserves comprising 15,000 acres.

Member: It is a good business proposition.

Hon. J. CORNELL: Who disputes that? But is it proper to allow such a board to enter into the hotel-keeping business and carry it on in premises erected upon land to which the board has no title? The Premier, when defending the board recently, said that the cost of the Yanchep Hotel was at least £15,000 and that the board borrowed money to erect the hotel.

Hon. J. J. Holmes: Upon what security?

Hon. J. CORNELL: As Mr. Holmes asks, upon what security? I am not questioning the business advantages. It may be a good business, it may be warranted, but we have reached a pretty pass when this board can usurp such powers. No one can convince me that the Parks and Reserves Act gives the board power to carry on the business of a publican and to borrow £15,000 to build a hotel, and then to handle the revenue derived from the hotel, have the accounts audited by a private auditor, and submit accounts to the Treasurer only. The official appointed by Parliament to audit State accounts is not allowed to audit the accounts of this board. The matter needs straightening out.

Member: Quite right.

Hon. J. CORNELL: It must be put on a proper basis. I think this Bill will achieve that result, but we should carry the matter a little further. I have pointed out that the Bill provides that one individual only shall not decide the policy of a board. As the Act stands now, one person can. The Government need not increase the number of members of the existing board, but I certainly think that a quorum should con-

sist of at least two men. It seems a very queer appointment to start with. A board of two members at least should sit and adjudicate. The next amendment safeguards the first one. Section 6 of the Act reads—

A board may delegate any powers conferred on them by this Act to a committee of their body, and such committee shall, to the extent to which such powers are delegated, be deemed to be the board within the meaning of this Act.

If we pass the first amendment, the board could delegate the whole of its powers to a special committee. The Bill proposes that the special committee shall consist of not fewer than two members.

Hon. H. Tuckey: What if those two disagree?

Hon. J. CORNELL: The remedy would be to increase the strength of the board. I have no doubt that when the State Gardens Board was first appointed, it was a board of convenience for the Treasurer of the day and it has since been carried on by succeeding Governments, irrespective of party colour, as a board of convenience. The next proposal contained in Clause 5 is to require all boards appointed under the Act to do as the Zoological Gardens Board and the Lotteries Commission have to do, namely, present accounts to be audited by the Auditor General and to be submitted to Parliament.

Hon. C. F. Baxter: What about Clause 4?

Hon. J. CORNELL: That is intended to amend Section 11 of the Act, which reads—

The board shall act by a majority of votes, and if at any meeting there is an equality of votes, the president or the member actually presiding shall have a second or casting vote.

Clause 4 proposes to insert after the word "meeting" the words "at which more than three members are present." The object of the three amendments is to make the board larger and to avoid one-man control. Section 12 of the Act, which will be repealed by Clause 5 of the Bill, will bear quoting. Members will then realise how far and to what extent the State Gardens Board has gone. I am not casting any reflection on the other boards.

The Chief Secretary: Some of your remarks do not sound like that.

Hon. J. CORNELL: To what remark does the Minister take exception? He should not be too thin-skinned. I have said that I was unable to ascertain who audits the accounts

of the Rottneest Board appointed under the Act. The Auditor General told me to-day that he did not audit them.

The Chief Secretary: All right.

Hon. J. CORNELL: There is no need for the Minister to get "shirty" over that. I make no accusations at all against the Rottneest Board, which is not handling public money. My idea is that there should be no invidious distinction such as there is at present by singling out the King's Park Board or the State Gardens Board. There is no reason why the accounts of one board should be audited by the Auditor General and not the accounts of the others. All should be treated alike. Let me revert to Section 12 of the Act and show how far we have advanced in 43 years. Section 12 states—

The board shall cause a full and true account to be kept of all moneys expended by the board, and of all moneys received by the board as well from licenses, grazing, sale of trees, wood, loppings, or underwood, or otherwise as from the vote of Parliament—

I direct attention to the word "moneys received from licenses, grazing, sale of trees, wood, lopping or underwood." I think the revenue from those sources was cleaned up years ago.

—and shall, on or before the first day of August in every year, transmit to the Treasurer a copy of such account made up to the 30th day of June then last past and certified by the President.

The Bill proposes to repeal Section 12 and insert the following in lieu:—

The board shall cause a full and true account to be kept of all moneys received and expended and on or before the first day of August in every year such account for the period of twelve months ending on the thirtieth day of June then last past and certified by the president shall be audited by the Auditor General who shall thereupon transmit to the Treasurer a copy of such account, together with a report thereon. The report of the Auditor General, together with a copy of the account, shall be tabled in each House of Parliament within fourteen days of the making of the report or if Parliament is not then in session within fourteen days after commencement of the next session.

That is what a multiplicity of boards appointed under statutes have to do. Is it asking too much to provide that the accounts of these boards shall be audited by the Auditor General's department and that he shall submit a report to Parliament?

Hon. J. Nicholson: They could not all be done by the 1st August.

Hon. J. CORNELL: Why not?

Hon. J. Nicholson: Because the Auditor General has so many accounts coming in at that time.

Hon. J. CORNELL: The Auditor General has a staff.

Hon. J. J. Holmes: The 1st August is the date when the accounts shall be made up.

Hon. J. CORNELL: Clause 6 reads—

The provision of section twelve of the principal Act as amended by this Act shall apply to all moneys received and expended by any board since the thirtieth day of June, one thousand nine hundred and thirty-eight.

It is not too much to ask that the Act be amended. Parliament has a perfect right to know how the money has been spent. The present practice is entirely wrong and a relic of the old days—I will not say the bad old days—when circumstances were totally different from those prevailing at present. In these days we have a concern with a big turn-over handling, as the Premier has said, something in the vicinity of £25,000 a year, and it is not right that that concern should be in the hands of two men. The people of the State will not stand for that. This practice should have been remedied long ago. Referring again to Yanchep, the Premier said that the money necessary to build the hotel was borrowed on security. What was the security? Interest and sinking fund on the amount borrowed is paid out of the revenue received from the hotel by the State Gardens Board. The Premier did not state the amount borrowed, or from whom it had been borrowed.

Towards the end of last session I introduced a Bill having for its object the scotching of certain manipulations that had been indulged in by higher officials of the State affecting salary for the calculation of retiring allowances. I submit that if that matter needed tightening up, this matter of boards also needs tightening up by at least one additional hole. When the chairman of the State Gardens Board retires—I understand he will reach the retiring age in about 18 months' time—how shall we get on? He has been quite a success. There is no man in the State whom I would place above him for the manner in which he has progressed.

Hon. W. J. Mann: Leave it at that.

Hon. J. CORNELL: Yes, I am prepared to give him credit. He created a department out of nothing. Mr. Drew knows the

circumstances of that appointment to the Premier's department. The fact remains that when the present Under Secretary received the appointment, his was a very minor job for there was really no Premier's department. The position to-day is that there is a Premier's department, and the Under Secretary draws the highest salary of any official in the Public Service. Good luck to him! He got on through his own guile and by good luck. I do not think he reached his position on merit alone. However, he has handled the Yanchep affair from the inception and apparently is the only one that knows much about it.

The Honorary Minister: He has made a good job of it.

Hon. J. CORNELL: I do not know that he has. Had I been given the security and the license, I could have made as good a job of it. Does the Government intend that he shall carry on Yanchep after reaching the retiring age? That phase needs consideration. I wish to pay a tribute to the Under Secretary's enterprise.

Hon. L. Craig: And ability?

Hon. J. CORNELL: The Parliamentary House Committee, in a weak moment some time ago, decided that the State Gardens Board could probably do better with the Parliament House gardens than its own gardener was doing. The garden was handed over to the care of the State Gardens Board, but the House Committee quickly gathered strength from experience. I think the board had the garden for about four months and the committee saw the error of its ways.

Hon. L. B. Bolton: It did not take long.

Hon. J. CORNELL: The House Committee reverted to status quo, but had something by which to remember the enterprise of the State Gardens Board. Members will recall that the bowling green on the south side of Parliament House was fitted up with a lot of electric lighting gear, but the House Committee woke up one morning to find that all that gear had been shifted to Yanchep by the State Gardens Board. That is certainly a tribute to the ingenuity of the chairman. I commend the Bill to the House, and I hope members will not regard it as having been prompted by a spirit of antipathy towards anyone on the board. The measure has been introduced with the desire to do what is right and to demonstrate to the public that the appointment of the

board has received the seal and approval of Parliament. That is not the position to-day.

On motion by the Chief Secretary, debate adjourned.

## BILL—NORTHAM MUNICIPALITY (LOAN AUTHORISATION).

### *Second Reading.*

**THE HONORARY MINISTER** (Hon. E. H. Gray—West) [9.31] in moving the second reading said: The Bill proposes to authorise the Northam Municipal Council to raise a loan of £4,000 to be applied in recouping its electric light fund for money taken from that account and used in financing the completion of its sewerage scheme. The scheme was inaugurated in 1935, and was financed on a pound-for-pound basis out of moneys made available by the Commonwealth Government through the State Government, for the purpose of relieving unemployment. The council estimated that the total cost of the proposed works would be £54,000, and it subsequently raised a loan of £27,000, in accordance with the provisions of the Health Act, 1911-1937, and the Municipal Corporations Act, 1906, to cover its share of the expenditure. When a considerable portion of the scheme had been completed, it appeared that the cost of the whole system would not exceed £40,000, and that there would be left an unexpended balance of £14,000. Members will agree that it is seldom either the Government or a local authority embarks upon a scheme like this, and finds itself with £14,000 in hand.

Hon. J. J. Holmes: It was done by contract, not by day labour.

**The HONORARY MINISTER:** The work was carried out by day labour; I expected that interjection. As the business portion of the town had been subject to flooding in the past, plans were drawn up for the purpose of establishing a flood-water drainage scheme to prevent a recurrence of this trouble. The council thus sought to provide both a sewerage and a drainage system at a total cost equal to the original estimated expenditure in respect of the sewerage scheme. Following the commencement of work on the drainage system, both works were carried on concurrently, and finally the drainage scheme was completed at its estimated cost, namely, £14,000. Meanwhile it had become apparent that the revised esti-

mate of £40,000 for expenditure on the sewerage scheme would be exceeded by £4,000. This increase was due partly to a rise in costs, and partly to unexpected expenditure incurred in compensating land owners for damage done to property through which the sewerage drains were laid. At the same time, it was found that the original funds would be exhausted before the council could draw up fresh estimates and complete the necessary formalities for the purpose of raising a further loan to provide the additional money.

In order that the work might be continued without interruption, immediate action had to be taken to obtain temporary finance. Funds were available in the electric light account. The council thereupon decided to appropriate the required sum from this account, and to recoup the fund from a loan to be raised at a subsequent date. It now desires to make this re-adjustment, and has already approached a financial institution with a view to raising the necessary money. The bank is quite willing to make funds available on satisfactory terms, but its legal adviser points out that the council has no authority to raise the loan under the provisions of the Municipal Corporations Act. As members are aware, Section 435 of that Act permits a council to borrow money for the purpose of carrying out works or undertakings prescribed in Section 438. Section 445 then provides that before borrowing money, the council shall publish a notice of its intention in the "Government Gazette," and in a newspaper, not less than one month before the loan is raised. The notice must state the amount proposed to be raised, the rate of interest, and the purpose for which the money is to be borrowed. Where the loan is to be expended on works and undertakings, these have to be specified, and plans, specifications and estimates must be open for inspection at the office of the council.

The Act, too, makes provision for a poll of owners, and, finally, Section 448 only empowers the council to proceed to raise moneys where—

(1) no demand has been made for the submission of the matter to the electors, or

(2) a majority of the votes polled does not forbid the council to proceed with the loan.

Since the works in question have already been completed and the money spent, obviously this procedure cannot be adopted. As a result, the council finds itself unable to

borrow from the bank under the provisions of the Act, although, of course, its actions have been quite bona fide. This Bill has, therefore, been brought forward to exempt the proposed loan from these provisions, and will authorise the council to borrow £4,000 for the purpose mentioned, thereby ensuring that the electric light account, which is now in debit, will be recouped, and the affairs of the council put in order. I move—

That the Bill be now read a second time.

Question put and passed.

Bill read a second time.

#### *In Committee.*

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

*House adjourned at 9.20 p.m.*

## **Legislative Assembly,**

*Wednesday, 12th October, 1938.*

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

### **QUESTION—BUTTER EXPORT.**

#### *Arbitration Case.*

Mr. DOUST asked the Minister for Agriculture: 1, With reference to the arbitration case, Manjimup Dairy Products Co. versus

Dairy Marketing Board, is it proposed to allow butter exporting firms to give evidence before the arbitrator regarding the cost of exporting butter overseas? 2, If so, will the various firms be notified in time to enable them to do so?

The MINISTER FOR AGRICULTURE replied: 1, An arbitrator was appointed to decide a dispute between the Dairy Products Marketing Board and the Manjimup Dairy Products Company. If it is the view of the arbitrator that any person or firm can give evidence relevant to the dispute he will, I feel sure, afford them an opportunity of giving such evidence. 2, Answered by No. 1.

### **QUESTION—UNEMPLOYED RELIEF.**

#### *Work in Return for Rations.*

Mr. SAMPSON asked the Minister for Employment: 1, Is he aware that able-bodied men resent the indignity of being denied work in return for rations—part groceries order and part cash—which are supplied? 2, How many able-bodied men are in receipt of rations? 3, Will he take steps to ensure that work is made available and thus prevent destruction of the morale of men anxious and able to work?

The MINISTER FOR EMPLOYMENT replied: 1, I am not aware that able-bodied men desire to work for their rations only. 2, 428, made up—"A" class, 231; "B" class, 104; "C" class, 93; total 428. 3, The question of providing work and improving conditions of employment has always received the first consideration of the Government. To-day 94 per cent. of the men on the books of the Employment Department are working, as against 64 per cent. when the Government took office.

### **LEGAL PRACTITIONERS ACT SELECT COMMITTEE.**

#### *Extension of Time.*

On motion by Mr. Sleeman, the time for bringing up the report was extended for two weeks.

### **BILL—INCOME TAX ASSESSMENT ACT AMENDMENT.**

Introduced by the Premier, and read a first time.