

## MOTION—RETURNED SOLDIERS AND RAILWAY PASSES.

Order of the Day read for the resumption from the 16th November of the debate on the following motion by the Hon. A. H. L'Antoin:—

That in the opinion of this House returned soldiers who are attending the Base Hospital, Fremantle, or the vocational training schools in Perth, should be carried free of charge.

And on the amendment by the Hon. J. Cornell:—

That all the words after "House" be struck out and the following inserted in lieu: "the Government should (1) grant free transit over the State tramways to ex-members of the A.I.F. who are blinded or totally and permanently incapacitated, or eligible for full membership in the Maimed and Limbless Men's Association; (2) and in the event of the request made by the Federal Executive of the Returned Soldiers' League to the Federal Government being definitely refused, grant to ex-members of the A.I.F. free railway transit provided that they are (a) blinded or totally and permanently incapacitated; (b) inmates of or attending for treatment at military hospitals, sanatoria, convalescent homes, and hostels; (c) eligible for full membership in the Maimed and Limbless Men's Association.

Amendment put and passed; the question as amended agreed to.

On motion by Hon. J. Cornell, resolution transmitted by message to the Assembly and its concurrence desired therein.

*House adjourned at 6.10 p.m.*

## Legislative Assembly,

*Thursday, 25th November, 1920.*

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## QUESTION—REPATRIATION, LAND CLEARING AT PIESSE'S BROOK.

Hon. P. COLLIER asked the Premier: 1, How many acres have been cleared with the aid of the Government tractor on Location 784, owned by one Harold Raphael under the Soldier Settlement Scheme at Piesse's Brook? 2, What is the total cost to date of clearing such acreage?

The PREMIER replied: 1, Six acres cleared and about four acres in course of completion. 2, It is not possible to arrive at the actual cost of clearing operations on this particular block until the whole of the clearing in the Piesse's Brook area has been completed. The settlers will be charged at a flat rate, which, it is estimated, will not exceed £25 per acre.

## QUESTION—STOCK INSPECTION, VICTORIA DISTRICT.

Mr. M. J. Logue's Appointment.

Mr. WILLCOCK asked the Honorary Minister: 1, What was the date of the cancellation of Mr. M. J. Logue's appointment as honorary inspector of stock for the Victoria District? 2, What was the reason for the cancellation of the appointment? 3, Did this honorary inspector during his term of office do any wrong action in connection with his duties? 4, If so, when? 5, Have any defaulters for non-compliance with the provisions of the Stock Diseases Act, or the regulations made thereunder, been prosecuted in the Victoria or any other district? 6, If so, what are their names and the dates and places of their prosecution? 7, Are the police merely collecting declarations or performing other duties under the Stock Diseases Act? 8, If so, what other duties are they performing under that Act? 9, What is the object of the Department of Agriculture in appointing the police of the district to administer the Stock Diseases Act and the regulations thereunder when the honorary inspector was doing the work gratis? 10, Are stock being sent into clean districts without being dipped within the preceding seven days? 11, If so, what is the reason of the alteration of the previous practice? 12, Has the term been extended to six months? 13, If so, does the Minister think the owners of stock in clean districts are sufficiently safeguarded? 14, Who watches and superintends the dipping of sheep north of Geraldton? 15, What are the numbers of declarations and of sheep dipped during the last year of Mr. Logue's appointment and during the year previous to his appointment in the district? 16, Is the Minister aware that Mr. Logue, with a view to keeping the sheep of the district clean, has dipped over 10,000 sheep, in addition to finding the labour to do so, free of cost? 17, If the foregoing facts are correct, will the Minister consider the advisability of re-appointing Mr. Logue as

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

honorary inspector? 18, How many honorary inspectors were appointed prior to or since Mr. Logue's appointment? 19, If there were any other appointments, have all the appointments been cancelled? 20, What action, if any, was taken against the owners of sheep quarantined last year by Mr. Logue in his capacity of honorary inspector? 21, Has the Minister any information to verify or contradict the statement that there has been a considerable spread of foot rot, lice, and tick to clean flocks since the cancellation of Mr. Logue's appointment? 22, If so, what is the nature of the information in this regard?

The HONORARY MINISTER replied: 1, March 3rd, 1920. 2, For conduct considered to be unsatisfactory. 3, Answered by No. 2. 4, During a visit of an inspector of stock to the district. 5, Prosecutions have taken place in almost every district in the State. 6, Too numerous to mention. 7, Collecting declarations and performing other duties. 8, Duties pertaining to an inspector of stock. 9, The police are more satisfactory. 10, Yes, as regulations only require dipping within six months. 11, Previous regulations unsatisfactory to owners. 12, Yes. 13, Yes. 14, The Police. 15, In common with the other districts of the State there was an increase. To get the actual figures would entail a great amount of work. 16, No. 17, No. 18, Outside of Police officers, none. 19, Answered by No. 18. 20, No action. 21, No. 22, Answered by No. 21.

#### QUESTION—SANDALWOOD, EXEMPTED AREAS.

Hon. W. C. ANGWIN asked the Minister for Woods and Forests: 1, Were there pieces of sandalwood sent to and received by the Forests Department from the northern portion of the State situated outside the area for which tenders are advertised for cutting sandalwood for testing purposes? 2, Was not this sandalwood sent to the department for a person named Braddock, an oil distiller, for the purpose of testing to ascertain the percentage of sanotal in the wood? 3, If so, what has become of these pieces of sandalwood and to whom were they delivered? 4, Is not the percentage of sanotal in the sandalwood in the exempted areas from which tenders were called supposed to be higher than in the area advertised for cutting? 5, What is the name of the person, firm, corporation, or company that has applied for the area exempted from that for which tenders are called for cutting? 6, Has this person, firm, corporation, or company been distilling oil in marketable quantities previously?

The MINISTER FOR WOODS AND FORESTS replied: 1, Yes. 2, No. 3, Answered by No. 2. 4, No. 5, Plainmar, Ltd. 6, No; but has conducted laboratory experiments and under conditions of permit,

if granted, will be required to erect adequate plant and machinery for the distillation of the oil within the State.

Hon. W. C. ANGWIN: If you will take my advice you will call tenders for that top.

The MINISTER FOR MINES: Of course we will call tenders.

#### QUESTION—PORTER OAKE'S CASE.

Mr. BROWN (for Mr. Smith) asked the Premier: 1, Does he intend to act on the recommendation of the Select Committee re Porter Oakes to pay the sum of £22 4s. for the shorthand writer's fees, and other expenses incurred? 2, If not, will he state why he refuses to adopt the recommendation?

The PREMIER replied: 1, The matter is receiving further consideration. 2, Answered by No. 1.

#### LEAVE OF ABSENCE.

On motion by Mr. O'Loughlen, leave of absence granted to the member for Kalgoorlie (Mr. Green) for two weeks on the ground of urgent private business.

#### BILLS (2)—THIRD READING.

- 1, Licensing Act Amendment Continuance.
- 2, Sale of Liquor Regulation Act Continuance.

Transmitted to the Council.

#### BILL—RAILWAYS CLASSIFICATION BOARD.

Report of Committee adopted.

#### BILL—HERDSMAN'S LAKE DRAINAGE.

Second Reading.

The MINISTER FOR WORKS (Hon. W. J. George—Murray-Wellington) [4.40] in moving the second reading said: This is a small Bill but an important one. It deals with work which is under consideration in respect of the drainage of what is known as Herdsman's Lake. There is a large body of water there, which it is proposed to drain off for the purpose of utilising the land for the settlement of soldiers in connection with repatriation. The purchase of the lake and the adjoining land was undertaken with this object in view. Exhaustive tests and analyses were made of the soil in the locality, and these gave good results. It is necessary to put down a drain to take the water away, and we propose to have an open drain for a certain distance and to drive a tunnel through which the water will be discharged into the Indian Ocean. The reports of the engineers show that the scheme is a practicable one and can be carried through. It is believed that not

only will this bring some thousands of acres of good land into use for the purpose named, but that it will also have a beneficial effect upon other areas in the vicinity which may be said to have become water-logged.

Mr. Underwood: Where will the open channel be?

The MINISTER FOR WORKS: It is not possible to make a positive certainty of anything of this sort, but the impression amongst the engineers, which has been fostered by the results of the various levels which have been taken, is that the work can be carried out successfully. The schedule provides for the construction of drains, regulating gates, and tunnel, with necessary shafts and bores and fencing, from the outlet of an old drain in Location A.O. on the west side of Herdsman's Lake, through Locations A.N. and 1251, and thence through the city of Perth endowment lands to the Indian Ocean. The Government are of opinion that this is a beneficial work and is fully justified, and in order that it may be carried out it is necessary for this Bill to be passed. I move—

That the Bill be now read a second time.

Mr. SPEAKER: I would draw the attention of the Minister to the necessity for a Message to accompany this Bill.

On motion by Mr. Lutey, debate adjourned.

## BILL—NARROGIN RECREATION RESERVE.

### Second Reading.

The PREMIER (Hon. J. Mitchell—Northam) [4.45]: At Narrogin, as at most country towns, they have a race course, a show ground, which is used as a recreation reserve and a general sports ground. The race course is situated some little distance from the town and the people are anxious to combine in one ground all the requirements of the place. The people are acquiring a considerable area of land adjacent to the show ground, which is on the town boundary. They are purchasing about 20 acres from Mr. Michael Brown and certain other properties which, with the reserve of 23 acres, which is now used as a show ground, will provide about 70 acres. That will be sufficient for all purposes. The House will approve of the ideas actuating the Narrogin people in the direction of making the one sports ground an attractive place. A race course is only used for a few days in the year, but it costs a considerable amount of money to put it in order with the necessary fences, grand stands and so on. This can be done on the one ground. It is conveniently situated and will be sufficient for all purposes.

Hon. W. C. Angwin: What is the necessity for this Bill? There are powers under the Municipalities Act to borrow money.

The PREMIER: The Narrogin people ask that permission shall be given them to sell the race course. It is not a very valuable property and is probably worth about 30s. an acre. The sale of that land will probably return about £400. No objection is raised to this move by the racing people, who, in common with other sporting bodies there, are anxious that the suggestion I have outlined shall be carried into effect. The proceeds from the sale of the racecourse will be handed to the municipal council for disposal in connection with the recreation ground scheme. The council will spend altogether about £2,000 in completing purchases and improvements to the ground. Towards that amount, the £400 will be contributed. The State loses nothing by granting the wishes of the people.

Hon. P. Collier: The race course reserve should revert to the Crown if it is not required further.

The PREMIER: They want ground for a race course and can only acquire the additional land by the expenditure of a large amount of money. We have that land and if we allow them to sell, the proceeds can go towards the purchase of the larger area, which will be vested in the municipality as a Class A reserve. If they came to the Government and asked for an advance of £400, I would not agree to it. The land is now vested in the race club and as they desire to make the change, the House should have no objection to it. It is a good idea to centre all their sporting requirements on the one ground. In many small towns sports grounds are situated in three or four different places, with the result that not one is properly improved. In Boulder, for instance, there is a race course and a short distance away there is the Kalgoorlie race course. It would have been a good thing if only one race course had been provided for that area.

Mr. Lutey: The race courses serve as recreation grounds as well.

The PREMIER: I understand that that is so now.

Mr. Lutey: They are open all the time.

The PREMIER: Narrogin is smaller than either Boulder or Kalgoorlie and one sports ground will be quite sufficient for all purposes. The State will be amply protected and can lose nothing, while the Narrogin people will be considerably better off.

Hon. P. Collier: They will be going in for municipal races and municipal sports.

Hon. T. Walker: They will be municipalising entertainments there.

The PREMIER: They cannot spend municipal funds.

Hon. W. C. Angwin: Yes, they can under Clause 6.

The PREMIER: They intend raising money by various means.

Hon. P. Collier: The Bill as it stands enables them to spend municipal funds.

The PREMIER: They cannot spend much.

Hon. P. Collier: It does not limit the amount.

The PREMIER: As we now have shorter working hours, it is more necessary than ever to have properly equipped and useful recreation grounds. I do not know whether we need bother very much about what the Narrogin municipality will do, because the sports people will see that the municipal authorities provide the sports ground and the ratepayers will see that the money is spent wisely. All we are asked to do is to give up the land and enable them to sell it in order to devote the proceeds towards the purchase of the larger grounds.

Hon. W. C. Angwin: Will you have any objection to embodying the provisions of the Municipalities Act relating to loans so as to enable the people to say whether the loan money should be spent.

The PREMIER: In addition to the sports I have mentioned the people want to provide for polo, golf, trotting, bowls and a number of other games. While at Narrogin recently I came in contact with a large number of people and without exception they all expressed the hope that the Bill would be passed quickly. They are most anxious to make a start with the recreation reserve and recently they provided a sum of £25 as a prize for the best design for the grounds. They have secured a very fine design which meets the case well. I hope the House will raise no objection to the measure. I move—

That the Bill be now read a second time.

On motion by Hon. W. C. Angwin, the debate adjourned.

## BILL—GRAIN ELEVATORS.

### Second Reading.

The PREMIER (Hon. J. Mitchell—Narrogin) [4.55]: This Bill provides power to pay a call of 6d. per bushel against wheat in the 1920 pool upon the presentation of an application signed by a farmer for shares in the West Australian Grain Growers Co-operative Elevators, Ltd., and also his wheat certificate. Both must be presented, the application for shares and the wheat certificate.

Hon. W. C. Angwin: Must they be presented en bloc or by each individual?

The PREMIER: They must be presented by each individual, of course. The company will hold the application, and the farmer holds the certificate or usually the bank holds the certificate for him. Payments cannot be made unless the certificate is produced. In passing this measure, we run no risk. Payments will be made from the next dividend on the 1920 pool. It is expected that a sum approximating 1s. will be made as a final dividend. This is a part of the bulk handling scheme. Members will remember that the Federal Government have agreed to loan this company £550,000 out of £800,000 to be spent on the bulk handling

scheme. The Federal Parliament have passed the necessary Act authorising the advance. The Fremantle zone will be the first served and I believe will be the only one served for some time.

Hon. W. C. Angwin: For how long?

The PREMIER: I think it will be the only zone served by the expenditure of this money.

Hon. W. C. Angwin: God help the poor devils who will put wheat into it. That will be the end of it.

The PREMIER: They do it of their own free will. There is no compulsion. This merely gives the wheat board the authority to pay on presentation of an application signed by the farmer together with his wheat certificate. On receipt of this, the payment of 6d. against the wheat in the pool can be made.

Hon. W. C. Angwin: Many of them are asking that their orders be withdrawn.

The PREMIER: I suppose they can do that but we have no connection with that aspect. The Industries Assistance Board farmers cannot take shares under this Bill except with the approval of the manager of the board. There are outside creditors, apart from the money which is owed to the Government. Such creditors have to be protected and they are protected under this Bill, equally with the Government. No farmer owing money to outside creditors can apply without the permission of the manager for shares under this company. If he does, he must pay for the shares with money other than that covered by the Bill.

Hon. P. Collier: Why should the Minister have power to agree to it? Surely an obligation to a creditor comes before an investment in such a scheme.

The PREMIER: Yes, before anything else. I said that so long as a farmer owes money to outside creditors, he cannot apply for shares, but if the manager agrees and if the farmer only owes money to the board, he can take shares.

Hon. W. C. Angwin: He can only apply for shares if his creditor is the State only.

The PREMIER: Many of the accounts are in good order. Some are in credit.

Hon. W. C. Angwin: Poor old Government again.

The PREMIER: The Government will not run any risk. To-day the farmers owe in the aggregate £920,000 and it is estimated that the returns from the harvest will be a million and a quarter sterling. That does not mean that every account on the board will be covered; as a matter of fact some are in credit. Every care will be taken to protect the Industries Assistance Board.

Hon. P. Collier: They were persuaded into it by the eloquence of the Country party members; they were caught off their balance.

The PREMIER: I do not know that, but I do know that the member for Williams-Narrogin persuaded a good many people in the Tammin district, while Mr. W. D. Johnson also took an active part.

Hon. W. C. Angwin: That is not a great recommendation.

The PREMIER: I am merely stating a fact. Applications for shares must be presented with wheat certificates.

Hon. P. Collier: And the Government will pay the 6d.

The PREMIER: The Wheat Board will.

Hon. P. Collier: That is the Government. They will be acting as agents on behalf of the company and collect the 6d. a bushel.

The PREMIER: We pay it now to the farmer. This does not mean that we shall do anything that we are not now doing.

Hon. P. Collier: You are acting as agents now, and you will have to pay legitimate liabilities.

The PREMIER: Hon. members will realise that if farmers wish to have the payment made, they can submit their certificates. I move—

That the Bill be now read a second time.

On motion by Hon. P. Collier, debate adjourned.

## BILL—ROTTNEST ISLAND.

### Second Reading.

The MINISTER FOR MINES (Hon. J. Scaddan—Albany) [5.5] in moving the second reading said: This Bill has reached us from the Legislative Council. It consists of only two clauses and deals with one matter which is very simple. For a number of years the Government of the State have from time to time reserved Rottneſt Island as a tourist resort, and during the last three years the control of that island has been handed over to a board consisting of Mr. Colebatch as President, Dr. Trethowan, Mr. Crocker, Mr. Allen, and myself.

Hon. W. C. Angwin: And a very poor board.

The MINISTER FOR MINES: Not many of us are very poor in appearance, although we are poor in other directions, but in the aggregate we make up as much wisdom as it is possible to get in the State in the same number of individuals. I will admit the board would be improved by the inclusion of the hon. member. We, as a board, are very poor from the point of view of funds. That is to say, we have not an unlimited amount of money available for the purpose of making the necessary improvements on the island to accommodate those people who desire to use it. The board since having had control, has been able to make a great deal of progress without cost to the State. In fact during the three years a profit of something like £1,200 has been shown. This is an excellent result, and it has only been achieved by the fact that a fair percentage of the development work on the island had been undertaken in previous years. The hotel for instance had, for some time before, been operated under the control of the State. A few cottages had also been provided. But

during the last three years the board extended the operations on the island at a fairly rapid rate, and as evidence of the appreciation on the part of tourists, I may quote figures to show the extent to which the island has been used. In the first year of the board's administration, 7,000 tourists visited the island. In the second year the number increased to 8,000, while last year the number had increased to 12,000. Hon. members will see that if the increase is maintained, the board will be hard put to find the necessary funds to provide the required accommodation.

Mr. Pickering: To say nothing of a decent tramway service.

The MINISTER FOR MINES: That is not the key to the position. I am of opinion that the State could very well spend £10,000 on the island.

Hon. W. C. Angwin: Yes, if you had plenty of money.

The MINISTER FOR MINES: If we had plenty of money we could spend it to advantage at Rottneſt in the direction of making provision to cope with the traffic that should go to that island. In that way we could keep in the State many people who go for their holidays to other parts of Australia.

Hon. W. C. Angwin: But you are taking them outside the State as it is.

The MINISTER FOR MINES: Rottneſt is well within the State. There is no more ideal spot for a good holiday, especially having regard to the cost. We are experiencing great difficulty in meeting the demands which are made for accommodation at Rottneſt. Last year, although 12,000 people visited the island, many hundreds had to be refused accommodation because it was not available.

Mr. Johnston: Thousands.

Hon. W. C. Angwin: You did not have the boats to take them over.

The MINISTER FOR MINES: Already this year applications have been received for all the accommodation that can be made available at Rottneſt, and a good deal of discontent has arisen because we have not been able to comply with the requests of all who desire to visit that resort. We have had more than half a dozen applications for each cottage. The great difficulty in regard to Rottneſt is transport. We have to depend largely on the "Zephyr" and in some cases on a tug boat, to take people to the island. Then great difficulty is experienced in landing. The summer prevailing winds blow from the south-east and vessels like the "Penguin" which could not get alongside the wharf, were compelled to anchor in the bay and discharge their passengers into whale boats at considerable inconvenience and not a little risk. The only thing to do is to extend the jetty into deeper water, so that boats of greater draught can tie up alongside. Many people object to go to Rottneſt because of the difficulty of landing. To get over that difficulty will mean heavy expenditure and funds are necessary with which to carry out the

work. The people who use Rottneest have been paying for the accommodation which we have provided, and it has cost the Government nothing. Over and above that, we last year showed a profit of £809 which is evidence of the fact that the island is fairly well administered under existing conditions.

Hon. W. C. Angwin: Profits do not prove good administration. There might be imposition.

The MINISTER FOR MINES: There has been no imposition.

Hon. W. C. Angwin: You have been charging them a hob to sleep on the sand. That's pretty strong.

The MINISTER FOR MINES: I know many people who pay more than a hob to sleep on the sand; it is all a matter of the circumstances.

The Honorary Minister: And it depends on the company.

The MINISTER FOR MINES: Rottneest has been maintained as a reserve for the use of the people.

Hon. W. C. Angwin: To make provision for the aristocracy, the silver flats.

Hon. P. Collier: This is the most impudent Bill that has ever been introduced into this House.

The MINISTER FOR MINES: The hon. member knows that I would not be a party to building up an aristocracy for Rottneest. He knows that I took action to move the aristocracy from Rottneest when I transferred Government House from there to Albany. We have since turned that house into flats.

Hon. T. Walker: And it is full of bugs.

The MINISTER FOR MINES: I am surprised at hon. members trying to depreciate the value of Rottneest as a health and tourist resort, when they should be encouraging people to go there.

Hon. T. Walker: There is a difference between a tourist resort and an aristocratic resort.

The MINISTER FOR MINES: What the board had in mind was the difficulty of providing cottages so that people could use Rottneest as it should be used.

Mr. Pickering: What about camps?

The MINISTER FOR MINES: We are dispensing with them and putting up cottages in order to make a holiday there worth while. If there is an aristocracy in Western Australia and they are prepared to pay for any accommodation provided, why not allow them to?

Hon. P. Collier: Why not give them King's Park?

The MINISTER FOR MINES: That is an entirely different thing.

Hon. P. Collier: What! Give them an exclusive right to one of the best resorts in Australia?

The MINISTER FOR MINES: When a person obtains a cottage at Rottneest, he gets an exclusive right to it so long as he occupies it.

Hon. P. Collier: For a day or two, and someone might have it next month or next year, but these leases are for 21 years.

The MINISTER FOR MINES: I think that preference is usually given to regular visitors. The hon. member knows that there is a big area of land at Rottneest and there is a big and increasing demand for accommodation. There is only one way in which to provide it, and that is for the Government to find a large sum of money and erect cottages and camps.

Hon. W. C. Angwin: Which the Government will not do.

The MINISTER FOR MINES: Which the Government cannot do. The first thing we have to consider is the finding of money to enable people to produce wealth and enjoy wealth, and not devote our money to works which will enable some people to enjoy themselves at the expense of the general community. If the money were spent for this purpose other people would have to go short, because we require money for other purposes. We suggest that the board should be empowered to let a portion of the island on building leases, so that, instead of the board having to find the funds for the building of cottages, those people who wish to make Rottneest an annual resort and send their families there for two or three months can erect their own cottages. Thus, without expense to the board, we should get some revenue which would enable us to erect additional cottages for other people.

Mr. Johnston: And in the end you would get the cottage built on the leasehold.

The MINISTER FOR MINES: Yes. As a member of the board I think we should make provision that, after a certain period has expired, the board may resume the lease.

Hon. P. Collier: Rottneest and every inch of it should be retained for all time inviolate for the enjoyment of the people of the State.

The MINISTER FOR MINES: Will the hon. member deny that he stands for the leasehold principle to maintain the land for all time for the State?

Hon. P. Collier: You want to give an exclusive right to certain portions of the island for 21 years.

The MINISTER FOR MINES: Subject to the lessees putting up premises.

Hon. P. Collier: That does not matter.

The MINISTER FOR MINES: And other conditions.

Hon. P. Collier: You may as well give them a lease of King's Park.

The MINISTER FOR MINES: That is an entirely different matter. The area made available under these leases would not be used for any other purpose for probably the next 20 years.

Hon. P. Collier: It would consist of the best sites.

Hon. T. Walker: Even after 20 years, what then?

The MINISTER FOR MINES: Then we should get the site and the premises as well.

Hon. T. Walker: Once you establish the principle of a 21 years' lease it will be gone.

Hon. P. Collier: You do not take back the pastoral leases at the expiration of 21 years.

The MINISTER FOR MINES: The hon. member knows that the Exchange Hotel on the corner of Maritana and Hannan streets, Kalgoorlie, was built on a lease, the condition being that the premises should revert to the owner of the land at the expiration of 15 years. To-day the owner of the land is in possession of the Exchange Hotel.

Mr. Munsie: Not yet; the time is not quite up.

The MINISTER FOR MINES: Then it is almost up. This was a profitable arrangement from the point of view of the owner, and the same thing might apply here.

Mr. Munsie: It might not.

The MINISTER FOR MINES: We want to encourage people to spend their holidays within the State, and we must provide resorts where people can enjoy themselves. To meet these demands would cost a tremendous lot of money. As to handing over a heritage, I cannot follow the arguments of the leader of the Opposition.

Hon. P. Collier: I honestly regard this as a most outrageous proposition.

Mr. Underwood: What is the area?

The MINISTER FOR MINES: The area leased would be only sufficient on which to build a cottage.

Hon. P. Collier: If this is to relieve the congestion, you will have to give a great number of building leases.

The MINISTER FOR MINES: Rottnest is about seven miles long by four miles broad.

Hon. P. Collier: And half of it consists of salt lakes.

The MINISTER FOR MINES: No, the salt lakes do not comprise a great area.

Mr. Munsie: People would not take leases down at the bottom end of the island.

The MINISTER FOR MINES: Twelve thousand people visited the island last year, and all that we have occupied of the island has been an area about equal to the Parliament House grounds.

Hon. P. Collier: And next year you will find notices on some of the best sites, "Trespassers prosecuted."

The MINISTER FOR MINES: It seems to be useless to endeavour to convince the hon. member, not because he disagrees with the principle of leasehold—

Hon. P. Collier: But because I disagree with the idea of a playground or a resort of the people being given to anybody.

The MINISTER FOR MINES: We do not propose to give any playground away. The portion which would be granted would not be played on except, possibly, for golfing. We had in mind the area known as Bickley Bay, at the north-eastern corner of the island. We endeavoured to provide for tourists by erecting cottages and tents there, but we found it very difficult to properly control

them because it was too far from the centre. There is no intention on the part of the board to give up anything in the way of rights which belong to the people.

Hon. P. Collier: The present board may go out of existence next year.

The MINISTER FOR MINES: Then the Government would step in.

Hon. P. Collier: But other members who may be on the board may take an entirely different view.

The MINISTER FOR MINES: The Government would not allow them to take any other view.

Hon. P. Collier: But Governments come and go, too.

The MINISTER FOR MINES: Then we shall be in difficulty with all our legislation. If the hon. member will put in the Bill that this shall be subject to the present Government remaining in office in perpetuity—

Hon. P. Collier: I shall not have one line or one letter of this Bill if I can help it.

The MINISTER FOR MINES: The hon. member should consider it from the point of view of the duty of the board and the Government to provide accommodation for tourists. The people demand that this place should be made available, and subject to there being no intrusion on their rights—and I assure the hon. member that the board have no desire that anything of the sort should be done—

Hon. P. Collier: Plenty of people would be glad to take up portions of King's Park.

The MINISTER FOR MINES: If the board cannot provide such accommodation, why not let someone else, and then the existing cottages would be available for other people.

Mr. Pickering: Build a cottage and let it stand idle for six or seven months of the year?

The MINISTER FOR MINES: Yes.

Hon. P. Collier: I suppose the chap who builds a cottage there will live there all the year round.

Mr. Hudson: He would get double rent during the summer.

The MINISTER FOR MINES: I am desirous that people who wish to go to Rottnest should be able to get cheap and satisfactory accommodation.

Mr. Maley: Do the cottages at Rottnest return interest on the money?

The MINISTER FOR MINES: During the last three years there has been a profit of £200, but many improvements ought to be effected. Take the tramway: One of the most beautiful spots along our coastline is the West end of the island, and it is impossible to get there under existing conditions. Huge expenditure would be required to construct and maintain a road. Therefore this portion of the island is not available to the general public. If there are people who will provide their own accommodation, subject to not intruding upon the freedom of anyone else—for the Bill does not contemplate giving them any foreshore rights or

any right to put up a fence and prevent other visitors from going where they like—

Hon. P. Collier: There will be fences around all these leases.

The MINISTER FOR MINES: Not at all. I do not agree that fences should be erected. We in Australia ought to adopt the American system of dispensing with fences in the residential parts of our cities and towns.

Mr. Troy: You must get rid of the goats first.

Mr. Duff: And what about the fowls?

The MINISTER FOR MINES: I have been in large cities of America where they have fowls, and there I have seen whole streets without a single fence. All along the street alignment there were magnificent lawns, and instead of planting gum trees for street ornamentation as we do, they plant fruit trees, which will be of advantage to the community. I think that our people are quite as honest as are the people of America, and that there is no need to erect fences to shut off our neighbours. We have no desire to take from the people the rights they enjoy at Rottneest.

Mr. Johnston: There is no limit laid down as to the size of the leases.

Hon. P. Collier: No, the board will decide that.

Mr. Nairn: Is there any limit to the area?

Hon. P. Collier: No, no limit as to area or anything else.

The MINISTER FOR MINES: The Government will only permit the board to grant leases for building sites on any part of the island where the Government consider it desirable.

Mr. Duff: Will there be any ground rent?

The MINISTER FOR MINES: Certainly, and the ground rents will produce revenue and relieve us of an otherwise impossible task to provide the requisite accommodation for tourists.

Hon. P. Collier: If we lease a portion of King's Park, it will produce revenue.

The MINISTER FOR MINES: We want to encourage people to go to Rottneest and live there for a period.

Hon. P. Collier: We want them to visit King's Park.

The MINISTER FOR MINES: We must provide accommodation for them. The board have not the funds available and the Government cannot provide the funds.

Hon. P. Collier: And so we hand the island over to a few people.

The MINISTER FOR MINES: There is no desire to hand the island over at all. I know I shall not convince the leader of the Opposition, but I leave it to the good sense of the majority of hon. members to decide whether this is a way out of the difficulty as regards providing suitable accommodation for the people who desire to visit Rottneest Island. I move—

That the Bill be now read a second time.

Hon. P. COLLIER (Boulder) [5.31]: I move an amendment—

That the word "now" be struck out, and "this day six months" added to the motion.

I move this amendment because I deem it a duty to take the very earliest opportunity to prevent the passage of the Bill. I am amazed that the Government should bring forward such a measure at all. I am not surprised that it has come through from another place. Indeed, an amendment was moved in Committee there to extend the term of the proposed leases from 21 years to 99 years, on the ground that the "desirable" section of the community who would be likely to take advantage of this measure would not expend the money necessary for putting up palatial residences if they had only a tenure of 21 years. In order to encourage that "desirable" class to expend considerable sums of money in putting up large buildings, it was sought to extend the period of lease to 99 years. In my opinion the Minister has given no reason whatever why the House should pass this Bill. The main point advanced is that the Government are at present unable to find sufficient accommodation for all those who are desirous of visiting Rottneest Island for holiday purposes. In order to relieve the congestion, so to speak, and to make available for the general public some of the Government cottages on the island, it is proposed to grant building sites to those who may wish to have them for the purpose of erecting summer residences of their own. How many people does the Minister think will take advantage of this Bill? The nation's heritage for all time should not be handed over to the exclusive use of that section of the community who can afford to spend money in erecting summer residences in which they would sojourn for a month or two during the hottest period of the year. Certainly it is not the mass of the people who would be able to take advantage of such a provision. It is only the select little circle, the "silvertails," if I may so describe them without offence, who would build residences, who desire this exclusive right not so much because there is lack of accommodation to-day as because they object to herd, or be thrown in association, with the general crowd of people who visit the island during the holidays. This is one of those Bills which are introduced because the strings have been pulled by a few more or less influential people. Members who have visited the island know that a considerable portion of it is not at all suited for camping or residential purposes. It may safely be assumed that the persons who will apply for building sites will desire to obtain the very best locations. They will not be prepared to go into the scrub in the centre of the island, or on to the salt lakes. They will desire the heights, and in so far as



they succeed in securing to themselves the most desirable sites, as a land agent would put it, thus far will the general public, the 12,000 people whom the Minister mentioned as having visited the island last year, be excluded from the pleasantest parts of Rottneest. The Minister says there is no parallel between King's Park and Rottneest Island. But here is a direct parallel. There is a lack of money for providing accommodation on Rottneest Island. Rottneest Island, however, does not represent the only direction in which there is evidence of a scarcity of funds for carrying on. We find that scarcity everywhere. Every year the King's Park Board complain of insufficiency of funds to enable them to do what they ought to be doing. If the principle of this Bill is going to be adopted, the Government may well extend it and say, "In order to relieve the public revenue of charges, and in order to assist the King's Park Board, we will lease sites in the King's Park to those who are in a position to pay, and the rentals will be so much augmentation of the funds of the board." I venture to say that Rottneest Island is now, and in future will be to a yet greater extent, even more of a public playground and holiday resort than King's Park itself. To attempt to take away from the people any of the grounds set apart for their general use and enjoyment is a most reactionary proposal. Every foot and every inch of Rottneest Island should for all time be reserved for the use of the whole of the people of this State, or so many of them as may desire to visit that resort. Not one inch of the island should be taken away for any period whatever. If I go there for a holiday, I should have the same right as anyone else to go anywhere on the island, so long as I do not invade the house of any other person. But once this thing starts, where will it stop? If we pass this Bill, then next year there will be a report from the Minister that so many hundred pounds of revenue have been derived from building sites; and that circumstance will be used as an argument for granting additional building sites; and so it will go on year by year. Next year there will be 100 houses, and the year after 200 houses, and in the course of five or 10 years there will be 500 or 1,000 private residences on the island. And then where will the public be so far as the island is concerned? If it is a sound argument to start giving building leases, it is a sound argument to keep on increasing their number—with the result that eventually all those portions of the island that are suitable for visitors and holiday makers will be within the exclusive rights of that section of the community who can afford to build summer residences for themselves. Let those persons who have money to spend in erecting summer residences go to beaches where there is private property for sale. The House would be false to itself and would be committing a crime

against posterity, in my opinion, if it allowed any portion of Rottneest Island to be taken away from the general public by any particular section. Let those persons seek privately-owned lands for the purpose of erecting summer residences. Strangely enough, it is always those who can afford to purchase property that are anxious to encroach on the parks of the people. I would no more think of allowing any portion of Rottneest Island to become the exclusive property of any individual, than I would allow any portion of King's Park to be so diverted from the general enjoyment of the people. A few years ago there was a proposal that a portion of that class "A" reserve in the hills which is known as "National Park" should be set aside for the purpose of a sanatorium. The area proposed to be resumed was comparatively small, and the purpose in view was one for the welfare of the people generally. Nevertheless the Bill in question was rejected by the House, and I consider rightly so. How infinitely more inexcusable would it be to allow any encroachment whatever upon such a place as Rottneest Island for the purposes of private, exclusive enjoyment!

Mr. Teesdale: Let those who desire summer residences buy land on Garden Island.

Hon. P. COLLIER: Yes, or let them go to North Beach. There are plenty of sites suitable for summer residences available for purchase at North Beach and on Garden Island.

Mr. Teesdale: Those places are not fashionable.

Mr. Johnston: The whole of Garden Island is a Commonwealth reserve, every inch of it.

Hon. P. COLLIER: Let those people apply to the Commonwealth Government, then.

Hon. W. C. Angwin: There are plenty of foreshore sites at Fremantle.

Hon. P. COLLIER: There are plenty of foreshore sites available everywhere. If I were well enough off to have a summer residence, and built myself one on Rottneest Island, I should feel that that was the hall mark of my aristocracy. People would say, "Collier has a summer residence on Rottneest Island!" That would become the hall mark of aristocracy, just as now that hall mark consists in having a motor car.

Mr. Teesdale: It is the hall mark of aristocracy now to have a residence at Mount Lawley.

Hon. P. COLLIER: I have just managed to get half way to Mount Lawley, half way to the charmed circle; but, still, I find the door closed against me. However, if I had a residence on Rottneest, I would be right in the exclusive, charmed circle of refined aristocrats. The Minister has told us that 12,000 people visited the island last year. That is a very large number. We are also told that many hundreds of people—one hon. member said many thousands—were unable to visit the island last year because of difficulty in obtaining transport across

and accommodation when there. All these things show how popular Rottneest Island is becoming. I remember that not more than 10 or 12 years ago, and the Minister remembers this also, the island was practically unknown. The number of visitors to it then would not exceed a few hundreds annually.

Mr. Pickering: And they were mostly yachtsmen.

Hon. P. COLLIER: Yes. But as Rottneest is becoming known as Western Australia's ideal holiday resort—in my opinion there is none better in Australasia—the people are availing themselves of it in ever increasing numbers. The number has increased annually, until the record of 12,000 was attained last year, and next year there will be more. Better to turn away hundreds each year than to alienate any portion of the island. Let us provide what increased accommodation we can with whatever money is at our disposal; and even though we still fail to provide accommodation for all, better so than that any portion of the island should be disposed of, given as an exclusive right to those who can afford to erect residences there. And as I have said, men will not erect residences at any considerable cost unless they can get desirable sites. Those desirable sites should be available for the whole of the general public to roam over. Under the proposal, fences will be erected. My colleague, the member for Fremantle (Mr. Jones) endeavoured to introduce the communistic principle of removing the fence between himself and his neighbour. I do not know how it turned out, but I am informed that the hon. member removed from the locality only a few months after initiating the experiment. Apparently we are not yet sufficiently imbued with the communistic spirit to be justified in removing these obstacles to an entrance to our houses. Seeing that is so, we shall have fences erected round any and all of the houses to be constructed under the Bill. The gentlemen who have exercised sufficient influence to get the Bill introduced will, if it pass, be able to exercise sufficient influence to get permission to erect fences around their houses. They are not going to spend hundreds of pounds in erecting houses and then leave them without fences for some drunken sweep to fall against and break the windows.

The Minister for Mines: There is no drink obtainable over there.

Hon. P. COLLIER: What! And no board could resist an application for permission to erect a fence. It would be unreasonable. Fences will be erected, padlocks placed on the gates, and presently up will go boards bearing the sinister intimation, "Trespassers prosecuted." That is the condition of things we shall reach at Western Australia's most beautiful holiday resort. I am surprised that the Minister did not preface his second reading speech with the remark that the Bill had been introduced in the public interests.

The Minister for Mines: I did not think of it.

Hon. P. COLLIER: It did not occur to him, but no doubt he realises it is really in the public interests that the Bill has been brought forward.

The Minister for Mines: Unquestionably.

Hon. P. COLLIER: Generally speaking, the principle is followed that there should be a demand from a substantial section of the community before legislation is introduced.

Mr. Pickering: Do you think that a good argument?

Hon. P. COLLIER: I do.

Mr. Pickering: Then there is something to be said for the Architects Bill.

Hon. P. COLLIER: There was some justification for the introduction of the Architects Bill, because it seems a limited section of the community asked for it; but I have not heard or read of any individual asking for the Bill before us. I strongly suspect that the few people who suggested it did so under the lap, were clever enough not to show their hand. They have had the entree behind the scenes, and no doubt have suggested the Bill at some drawing-room gathering, put it quietly in a few words to a responsible Minister. But what right have the Government to bring down a Bill of this kind when there has been no publicly voiced demand for the privilege of erecting residences on the island?

Mr. Maley: Did not the board put up the proposition?

Hon. P. COLLIER: No doubt, but who are the board? Mr. Colebatch, Mr. Scaddan, Mr. Crocker, Mr. Allen, and Dr. Trethowan, all gentlemen who would be in a position to avail themselves of the privileges the Bill proposes to confer. I ask the Minister whether any considerable section of the community requested the board to introduce the Bill?

The Minister for Mines: No, it was purely a brain wave.

Hon. P. COLLIER: Brain waves are not always beneficial. Sometimes they lead to absurd results. If this leasehold principle is established, we shall have an amending Bill next year to extend the period of the leases from 21 years to 99 years.

Mr. Johnston: It might be a conversion Bill.

Hon. P. COLLIER: The gentlemen who have been able to secure the introduction of the Bill no doubt will endeavour to get an extension of the leases; and having made that step, they will make a determined attempt to secure the freehold.

Mr. Troy: Now you have it!

Hon. P. COLLIER: Wherever the right to erect residences on leasehold has been obtained, although those availing themselves of that principle declared at the time that they would be quite satisfied with the leasehold, yet all history tells us that in this State and elsewhere, immediately they secured a house on leasehold they have begun an agitation for the freehold. And so these

people, having secured the right to build on leasehold on Rottnest Island, will set up an agitation for the freehold. Personally I do not see very much difference. The principle is the same whichever way we regard it—we are to give away a portion of the island. And so, if the Bill passes, we shall in time have people owning the freehold of portions of the island, and each year the portion so alienated will be increased, until our children will find that the whole of Rottnest Island has been pirated away in fee simple to people wealthy enough to enjoy residence there.

The Honorary Minister: Only with the approval of the Government and of Parliament. It is a Class A reserve.

Hon. P. COLLIER: But in the very introduction of the Bill we have evidence of how daring a Government may be. I am astonished at the Premier, a native of the State, deeply interested in preserving existing privileges, not only for those of his own generation, but for generations of Western Australians to come after him, should approve of any proposal to give exclusive rights to a national play-ground such as Rottnest Island.

The Premier: It means but a very small piece of the island.

Hon. P. COLLIER: If I ask for a quarter acre of King's Park, will the Premier grant it to me?

The Premier: On the island or at Point Walter, yes.

Hon. P. COLLIER: There is no difference between Point Walter, King's Park, the Esplanade and Rottnest. They are all Class A reserves.

The Premier: The same system obtains now. We ask the lessee to erect the building and to leave it at the expiration of the lease.

Hon. P. COLLIER: I felt sure the Bill had been introduced behind the back of the Premier.

The Premier: No.

Hon. P. COLLIER: The Premier does not know its provisions; he is not acquainted with it.

The Premier: I am, but I say we are doing the same thing now.

Hon. P. COLLIER: You erect bungalows at Rottnest now, and if the application be made in time I or any other citizen may secure the use of one of those residences for the holiday season. But as soon as my brief term of a fortnight or a month is up, the place is available for somebody else. On the other hand, if you lease a quarter acre or a half acre of the island, it means that that area is to be reserved for the exclusive use of one lessee for 21 years. Under the existing system, in the course of 21 years a bungalow would be availed of by 50 or 100 different citizens.

The Premier: There is plenty of room over there.

Hon. P. COLLIER: Yes, down in the salt lakes. People who are going to erect residences on leasehold over there will not

put them in the salt lakes. And there is no limitation in the Bill to the area which may be leased. The board could lease any area it liked, 10, 20, 30 or 60 acres. We may have a man with golf tendencies desirous of erecting a house over there, and he may want to lay out golf links. Another man may be addicted to polo, may have a few nice polo ponies to take over there with him. He, too, would require quite an area.

The Premier: Another might want to go in for log chopping.

The Attorney General: Or to grow a few experimental wheat plots.

Mr. Johnston: One may want a tennis court.

Hon. P. COLLIER: I should not be afraid of a tennis court, for that would require only a small area. But another man might desire to lay down a bowling green, or some racing men might want to go over there and open up a private racecourse. We know the energy and activity displayed by the trotting association in Perth, and who can say that those gentlemen may not seek to obtain an area on Rottnest and develop it for trotting purposes.

The Premier: What about whippet racing?

Hon. P. COLLIER: Or a Plumpton course for wallabies.

Mr. Teesdale: What is your idea; what area would you like?

Hon. P. COLLIER: I should be content with five or six acres, just to ramble around upon.

Mr. Smith: Precisely what you are doing now.

Hon. P. COLLIER: The hon. member is a member of the board. I shall be glad to hear him ramble around on the subject of the Bill. At all events, I have raised some points for the hon. member to defend in the course of his rambling.

Mr. Smith: I am not a member of the board.

Hon. P. COLLIER: I am glad to know the hon. member dissociates himself from this proposal. Certainly he was a member of the board a little time ago. I believe he was a member when this was initiated. The Bill places no limitation upon the board as to the area of land they may lease. The Minister will say that it would be absurd to suggest the board would give an unduly large area, but that they would fix blocks of a reasonable size of, say, a quarter or half an acre. There is no guarantee that they would take that view of the matter. Even if the board is comprised of level headed and sensible men at the present moment, we never know when changes may take place, and when unreasonable persons may get on the board, and take the view that the whole of Rottnest ought to be a sort of preserve for the exclusive use of the Western Australian aristocracy. The board will deal with the whole matter. The Executive Council will merely give approval to the recommendations brought forward by the board. There is no guarantee in the Bill that up to, say,

10 acres may not be leased to each resident, or even some larger area. The Government have placed no limitation whatsoever on the area that may be leased, neither is there any guarantee as to the rent that will be charged. The board have a free hand to charge 2s. 6d. or £10 a week. We are going to hand over to the board the right to lease any portion of Rottnest Island for building purposes. The Bill does not say that the area shall not exceed 50 or 100 acres altogether. Even that would have been some protection to the public. But the Bill allows the board to lease every inch of the island. In a year or two we may awake to the discovery that the people are shut out entirely from Rottnest, because it has all been leased by the board for building sites. Parliament must recognise not that which will be done, but the powers conferred upon persons to do certain things. There is no limitation whatever upon the powers conferred on the board by this Bill. Instead of 12,000 people going to Rottnest, as was the case last year, they may find themselves shut out altogether as the years go on. It is an outrage upon the judgment of the House to introduce such a measure. Why single out Rottnest? Why not take all our Class A reserves and treat them in this manner? Why not take King's Park or the Esplanade, or the National Park in the hills and treat them similarly? The National Park is just as desirable a residential area in winter time as Rottnest is in the summer time.

Mr. Piesse: Why did you not reserve all the Darling Ranges?

Hon. P. COLLIER: If I had been here in the days when the hon. member was I might have done so, but they were gone before I could utter any voice in the legislation of this country. The people who were governing Western Australia in its early days exercised very great foresight. It will stand to their credit for all time that they recognised the necessity for safeguarding the future welfare of the people by reserving for them the necessary playgrounds. King's Park will stand as a monument to the man or men responsible for its reservation. I take my hat off to the gentlemen who reserved that magnificent area as a playground for the people of the city for all time. Rottnest was also reserved as a Class A reserve, and an attempt is now being made to induce Parliament to go back upon that principle. It is now proposed to hand over Rottnest to the comparatively small section of the community who can afford to erect houses there. Does the Premier approve of that?

The Premier: Of course I do, but I do not approve of doing that which you say we would do.

Hon. P. COLLIER: We have no guarantee that it will not be done.

The Premier: I think so.

Hon. P. COLLIER: It can be done.

The Premier: Oh yes!

Hon. P. COLLIER: It cannot be said, when we have passed a Bill giving certain powers, that these powers will not be exercised in this direction or that. We must have regard to the one point, that is the power we are giving.

The Premier: Surely the leasing of a limited area would be of advantage.

Hon. P. COLLIER: Such a lease would enable the lessees to exclude the thousands of people who visit the island from going upon that particular area. The principle involved in these public parks is to establish the common right of all to use every inch of them.

The Premier: They have not that right now. You put up a house and let it to a man, and the public can be kept out of the grounds.

Mr. Johnston: People ought to have the right to lease the land.

Hon. P. COLLIER: Under this proposal the public can be kept off the land for a period of 21 years. If I rent a house erected by the Government I can keep the people off it for the period during which I stay there. I have moved that this Bill be read a second time six months hence, because during the intervening period the public will have an opportunity of expressing their opinion upon the question, and thoroughly understanding the whole proposition. Further, the general elections will take place within the period of six months, and the electors will have an opportunity of expressing their approval or disapproval. If the people say it is well that this should be done and that we are justified in taking this action, we may perhaps go on with it. In the closing days of a moribund Parliament, a Parliament which is now practically trembling beneath the shadow of impending doom—

Mr. Gardiner: What about the sword of Damocles?

Hon. P. COLLIER: To ask that we should give away for a period of 21 years the people's heritage is wrong. There might be some justification—although I am of opinion that there would be none—if Parliament had assembled fresh from the elections, empowered by some sort of instruction in the matter, for such action being taken. The member for East Perth (Mr. Hardwick) would be in a better position to give an intelligent vote upon this question after the general elections than he is now. I mention the hon. member because he happens to have caught my eye, but the same remark applies to others.

Hon. W. C. Angwin: He is your member.

Hon. P. COLLIER: He is my member, and I am speaking as one of his electors. I am concerned about the attitude my member is going to adopt towards this proposal. He must recognise that it is the people of the metropolitan area who mostly avail themselves of the opportunity of going to Rottnest. Moreover, the surroundings in and conditions under which the people of East Perth have to live all the year round must

mean that they most of all desire to seek the fresh breezes that blow at Rottneest. I should say there would be a larger proportion of residents of East Perth to be found at Rottneest during the Christmas holidays than of any other constituency in the metropolitan area. At Rottneest they would be far distant from the aroma of the septic tanks. As I say, there will be an opportunity to discuss this matter face to face with the electors if it is allowed to stand over for six months. The new Parliament can then vote upon it with a clear conscience, feeling that it has received some mandate or instruction from the electors. I intend to do my best to see that every inch of Rottneest is kept available for my electors to roam over if they please. I believe in people being allowed to roam over these holiday resorts. It is said that sermons can be found in stones and running brooks.

The Minister for Mines: We are looking for oil.

Hon. P. COLLIER: If we restrict the peregrinations of the tourist at Rottneest—

The Honorary Minister: You will save them in boot leather.

Hon. P. COLLIER: We restrict not only their physical enjoyment, but their intellectual and mental recreation.

The Minister for Mines: What will you do if Mr. East finds oil there? He says that is an oil basin.

Hon. P. COLLIER: The discovery of oil would be of such importance to the nation that it would transcend all other questions, and we would then be justified in fencing in the small area that would be required to carry on the oil operations. I understand that Mr. East—

Mr. SPEAKER: I cannot allow the hon. member to discuss Mr. East on this question.

Hon. P. COLLIER: I only mentioned him in passing. I understand he is a recognised geological authority, and is strongly of opinion that if oil is likely to be found at Rottneest it will be found under the salt lakes. That portion of the island will not be brought into use under this Bill, and in fact will be of no use whatever. If we be fortunate enough to discover oil there, it will be found in a place that will not interfere with those who avail themselves of the island for holiday purposes.

Mr. Johnston: You do not want to compensate all these leaseholders?

The Premier: There are 30 miles of coast line there.

Hon. P. COLLIER: If oil should be found beneath one of the palatial residences of the island the State will no doubt be landed for a large sum in compensation.

Mr. Johnston: Perhaps that is why the leases are wanted.

Hon. P. COLLIER: Perhaps someone who is interested in the discovery of oil there is also interested in one of these building sites,

and might put up a residence on the very spot where oil is believed to exist.

On motion by Mr. O'Loughlen, the debate adjourned.

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

## BILL—INNKEEPERS.

### Second Reading.

The ATTORNEY GENERAL (Hon. T. P. Draper—West Perth) [7.33] in moving the second reading said: This short Bill is the result of the attention which was drawn to the question of the liability of innkeepers by a recent case in the Supreme Court. At common law an innkeeper is practically an insurer, and is liable for all goods of lodgers which may be lost in the inn unless it is shown that they have been lost owing to the negligence of the owner. This wide-reaching liability is probably the result of circumstances which arose in bygone days in the old country, when highwaymen infested the roads, and when very often innkeepers acted in collusion with highwaymen. However, in England the liability has been restricted for a good many years, the last Act on the subject having been passed in 1863. The measure of which I now move the second reading seeks to assimilate our law on the subject to the English law. In the Eastern States the liability in question has been restricted in practically the same manner; indeed, I think some of the other States have restricted the liability in some respects more than this Bill purports to do. However, I am following the English law, which I regard as quite sufficient for the purpose. On referring to the Bill hon. members will see that it restricts the common law liability of the innkeeper to £30 except in certain cases. Under this measure, if it becomes an Act, no innkeeper will be

liable to make good to any guest of such innkeeper any loss of or injury to goods or property brought to his inn, not being a horse or other live animal, or any gear appertaining thereto, or any carriage, to a greater amount than the sum of £30, except in the following cases:—(a) Where such goods or property have been stolen, lost, or injured through the wilful act, default, or neglect of such innkeeper or any servant in his employ; (b) Where such goods or property have been deposited expressly for safe conduct with such innkeeper.

The innkeeper will under this measure still be under his common law liability to the extent of £38, but beyond that amount his liability can be restricted under the conditions of the measure. The more important reservation is that the innkeeper's liability is not restricted where the goods have been deposited expressly for safe custody with him. Where that has been done, the innkeeper's liability remains as it was. So that,

if any person going to an hotel wants to hold the innkeeper liable in excess of £30 for goods which the guest may have with him, all he has to do is to deposit them with the innkeeper; and under those conditions the innkeeper will still remain liable. There is also a clause providing that if the innkeeper refuses to receive the goods for safe custody, his liability remains unrestricted as at present. I think the proposed limitation upon the liability is a reasonable one. Naturally an innkeeper does not know the contents of a person's luggage. Recently we had a claim in the Supreme Court which may be taken as a very good illustration of what can arise under the existing law.

Mr. O'Loughlin: If it had not been for that case, there would be no Bill.

The ATTORNEY GENERAL: In that case a claim was made against the innkeeper for several hundreds of pounds for jewellery which probably the innkeeper never knew to be on his premises at all. Under this Bill, a person would not be able to claim against the innkeeper for more than £30 in respect of such jewellery unless he had gone to the innkeeper and said, "I have these things; they are in this hotel; I lodge them with you for safe custody." Hon. members will probably be well aware of the circumstances of that case, which, I frankly admit, has drawn my attention to the law on the subject. The measure is a very short one, and I hope it will not occasion much discussion. I move—

That the Bill be now read a second time.

Hon. P. COLLIER (Boulder) [7.40]: I see no objection to this Bill. It appears to me to be reasonable to say that in the circumstances set out an innkeeper or hotel keeper should not be held liable or responsible for any goods or property lost by a lodger in his house. Indeed, I do not know why in the circumstances he should be liable even to the extent of £30. After all, the same principle applies if I take a room at an hotel and, without the knowledge of the proprietor of the establishment, bring with me goods or property to the value of £30, and then, practically owing to my own neglect, lose the goods or property. Under the Bill, if it becomes an Act, the hotel keeper would in those circumstances be liable to the extent of £30. I can hardly think the Bill means that the hotel keeper would have to make good a loss of up to £30 in any circumstances. Surely a case would have to be taken to court first, and the whole of the circumstances attendant on the loss investigated. I presume the court would take into consideration whether the hotel keeper should reasonably be held responsible.

The Attorney General: The innkeeper is not responsible in any event if the loss is owing to the neglect of the owner.

Hon. P. COLLIER: In that case I have no objection to offer to the Bill.

In Committee.

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

## BILL—DIVORCE ACT AMENDMENT.

### Second Reading.

The ATTORNEY GENERAL (Hon. T. P. Draper—West Perth) [7.44] in moving the second reading said: This Bill is to amend the Divorce Act Amendment Act which was passed last session. When we passed that Act very late in the session, and late at night, the full effect of the consequences which it would have was not appreciated. To some extent I speak for myself, but I believe it was also the impression of other members that the Bill we were then passing would make the law here exactly the same as the law in England, that the wording of that Bill was similar to the wording of the English Act. There was a considerable amount of discussion in another place regarding that Bill, and although the wording of it, so far as this particular portion is concerned, and the wording of the English Act are practically the same, owing to the difference in the English law with reference to grounds for divorce, different results have been obtained in Western Australia. I am informed that in New South Wales the law is the same as the measure passed in Western Australia during last session. I have not verified that statement, and I would be rather surprised if it is so. I consider that the Bill before members now should be passed in order to amend the Act which was passed last session.

Hon. P. Collier: I read somewhere that there were 500 cases listed about a month ago in Sydney awaiting hearing.

The ATTORNEY GENERAL: I do not know when the law was passed in New South Wales, but it may have resulted from the same mistake as was the case here. The position briefly is this: In England desertion by itself is not a ground for divorce. Desertion for two years is ground for a judicial separation. In Western Australia, however—and I think our law is better—five years' desertion is sufficient ground for divorce. Members will readily understand that it is the length of this period which is really the substantial ground for divorce. In England a refusal to comply with an order for restitution of conjugal rights entitles a person to judicial separation.

Mr. O'Loughlin: Not divorce?

The ATTORNEY GENERAL: No, not by itself. That is where the confusion has arisen. Judicial separation in England could be obtained for two years' desertion only, and a refusal to comply with a decree for restitution entitled a person to a decree for a judicial separation and there the matter ended. In England also the wife who could prove adultery against her husband, as well as the two years' desertion, had in

that combination grounds for divorce. Adultery by itself in the old country—I think it still remains so—is not a ground for divorce except against the wife. In that respect we differ. In England where there is the period of desertion and also adultery on the part of the husband, the wife can issue a suit for the restitution of conjugal rights and by the proof of adultery as well, she can get her divorce immediately. In that case the substantial ground for divorce was not the period of desertion, but the adultery on the part of the husband. From a common-sense point of view, apart from the legal aspect, adultery was the substantial ground, just as we now make adultery on the part of the husband ground for divorce by itself. Difficulties arose here at once. All one had to do according to the law passed last session, was to get a decree for the restitution of conjugal rights, and a refusal to obey the order was deemed to be desertion, although the period of five years, which was our period for desertion, had not expired. Unfortunately, I do not think we noticed that point, or if we did, we did not think of the consequences. The effect has been notable. I do not know of any individual case where it has happened but I expect it has happened, and members will realise how easy it would be to obtain a divorce. If a couple were unfortunately married, all that is required is for one to refuse conjugal rights to the other. The latter immediately issues a suit for restitution, obtains an order, the other party refuses to obey the order, and divorce follows immediately. It is the simplest thing in the world, and is open to the gravest collusion. I am not very surprised that there has been, not an agitation, but a good deal of notice taken of this position as soon as the effects were noticed after the Act was passed last session. To my mind, the results have been grave so far as the community is concerned.

Hon. T. Walker: Do you know of any single case where an injury has been done?

The ATTORNEY GENERAL: I do not. If I had, it would have been my duty to intervene as King's proctor. In the circumstances, we should remedy this defect in the Act of last session at the earliest opportunity.

Hon. P. Collier: Does this measure restore the position to that prior to last year's amending legislation?

The ATTORNEY GENERAL: No, it does not. The proviso to the second clause indicates that the effect will be to preserve the period of five years' desertion as the substantial ground for divorce. Desertion may not be actually established legally until we have a refusal to obey an order for the restitution of conjugal rights. Supposing there has been proof of two years' desertion before an order is obtained, then a divorce can be obtained three years after the refusal to obey that order, making up the full period of five years.

Mr. O'Loughlin: Then, this does not make much difference?

The ATTORNEY GENERAL: When the order is obtained, the definite period of desertion is established.

Hon. P. Collier: It really means five years desertion has to be established.

The ATTORNEY GENERAL: That is so, although you must have proof of desertion established by disobedience of the order.

Hon. T. Walker: You cannot establish desertion before restitution. That would be the same as at present.

The ATTORNEY GENERAL: No, a person might be able to prove desertion for two years, yet he could not get a divorce, but could get a decree for the restitution of conjugal rights. With a refusal to carry out that order, desertion would thus be deemed to have taken place and three years afterwards the person could get his divorce.

Mr. Underwood: It is a case of two years desertion and three years waiting.

The ATTORNEY GENERAL: It is essential that we should amend the Act.

Mr. O'Loughlin: We do not want to go from one extreme to the other.

The ATTORNEY GENERAL: I desire to provide reasonable means of dissolving marriages, where there is a refusal to obey an order of the court in the way I have indicated. The remedy which I have suggested is open to a good deal of argument and I am quite prepared to listen to reasonable argument on the subject. I do not want to see the disobedience of the order made a ground for divorce altogether but I want to safeguard the position. I move—

That the Bill be now read a second time.

On motion by Mr Hudson, debate adjourned.

## BILL—WORKERS' COMPENSATION ACT AMENDMENT.

### Second Reading.

The ATTORNEY GENERAL (Hon. T. P. Draper—West Perth) [7.56]: This is a Bill to amend the Workers' Compensation Act. I do not propose to speak at length with reference to the measure, because the subject has been thoroughly discussed in the House this session. The member for Hannans (Mr. Munsie) raised a good many questions affecting the position and it is impossible, I think, to bring in a Bill to meet all the amendments which he suggested even if the Government were willing to take that course. I quite realise that it is desirable to amend the Act in some respects. I indicated that such was the case when speaking on a motion earlier in the session, and during the short time at our disposal I trust that the few simple amendments included in this Bill will be passed. One amendment which this measure will make affects the workers who are entitled to apply for re-

lied under the Act. At present the definition of the term "worker" does not include tributers. A tributer, so long as his remuneration as defined by this Bill, does not exceed the amount which would disentitle a worker to claim under the Act, will be treated in the same way as a worker. At the present time, a worker cannot claim under the Workers' Compensation Act if he is in receipt of more than £300 in wages. The object of one clause of the Bill is to extend that amount to £400. This will bring the Act more into conformity with legislation in the other States. While the amount is less than that provided in some Acts, still the amendment will bring the Act more into conformity with the principle which is now prevalent in Australia, and, no doubt, to the increase in the cost of living and the consequent higher wages which have been so much in evidence during recent years. That amendment deals with the definition of workers. The next clause is one which deals with Subsection 2 of Section 6 of the principal Act, which provides that an employer shall not be liable under the Act in respect of any injury which does not disable a worker for a period of less than one week from earning full wages at work on which he was employed. I propose to reduce the period of one week to three days, which I think is the same as in the Queensland Act. Again, an amendment is made as regards payment in a lump sum. That question arises in Clause 16 of the First Schedule of the principal Act, which provides that where any weekly payment has been continued for not less than six months the liability therefor may, on application by or on behalf of the employer, be redeemed by the payment of a lump sum to be settled by the local court. The amendment will give the same facility to the worker. In most cases where the liability is covered by insurance it does not make much difference, but there may be cases where the immediate payment by an employer of £400 would mean absolute ruin. Therefore I propose to add the proviso:

Provided that, on exercising the jurisdiction to order redemption by payment of a lump sum on the application of a worker, the magistrate shall take into consideration the ability of the employer to make compensation in that form.

This, I think, is necessary to meet cases of hardship such as I have mentioned, where there is no insurance.

Hon. P. Collier: They can all insure.

The ATTORNEY GENERAL: In most cases the proviso will make no difference, but in some cases the employer is not insured.

Hon. P. Collier: Although I might engage a man to cut my lawn for half a day and may not insure him, still I should be liable.

The ATTORNEY GENERAL: He would be a casual worker. However, one can easily conceive a case in which this proviso

would be of assistance. I think it is only reasonable. There is nothing more in the Bill. I move—

That the Bill be now read a second time.

On motion by Mr. Munsie, debate adjourned.

## BILL--NURSES' REGISTRATION.

Withdrawn.

Order of the Day read for the second reading.

The SPEAKER: Before the Bill proceeds any further, I wish to draw attention to Clause 13. This Bill has been sent up from the Council. It comes under Sections 66 and 67 of the Constitution Act, initiating expenditure.

The Honorary Minister: Clause 11, I think

The SPEAKER: I am calling attention to Clause 13, which reads as follows:—

The Governor may, on the recommendation of the board, appoint (a) fit persons to be examiners under this Act, and fix the remuneration of such persons: and (b) make such regulations as are necessary to carry this Act into effect.

That is initiating expenditure. The principle that Bills involving the expenditure of public money to any serious amount are subject to the same rules as are Bills appropriating any part of Consolidated Revenue has always been consistently maintained in this House. The matter has frequently been discussed, and reasons and authorities for this course may be found in many places in "Hansard," both in Speaker's rulings and by way of opinions expressed by hon. members. There is a well known and frequently used method of overcoming the difficulty in Council Bills which incidentally involve expenditure: that is, by printing the financial clauses in italics, and having them moved as amendments by a Minister in this House. It has not been explained by the parliamentary draftsman why this course has been departed from. I have no alternative to ruling that the Nurses' Registration Bill is improperly before the House and must be withdrawn.

Bill withdrawn.

## BILL--MINING ACT AMENDMENT.

Second reading.

Debate resumed from the previous day.

Mr. LUTY (Brownhill-Ivanhoe) [8-7]: The Bill is a step in the right direction. In the interests of tributers it could easily be more liberal than it is, but I am pleased to see that the Government are placing the Hampton Plains companies and the Midland company in the same position as other land holders in respect of oil. It is only right that this should be done. We know that the freehold was granted to those companies prior to Responsible Government. Some may say the Bill means confiscation, but personally I think it is only fair that the State should have the same power over those lands as it has over any other freehold land in Western Australia. The Minister informed the House the other night that it is possible for lease-



holders to take up a prospecting area of 190 square miles. In my opinion that area is too large unless precautions are taken to see that it is properly prospected. I believe some large tracts are already held under prospecting lease. At the present time a company with a huge prospecting area can prospect one corner alone and leave the rest unexplored. The Minister should make provisions to see that those areas are thoroughly prospected. The member for Hannans (Mr. Munsie) referring to the tributings question; spoke of the percentages charged by the companies. I have here some figures which would perhaps open the eyes of hon. members and secure their sympathy for the tributers. I will not quote the whole of the figures I have, but any member can see them if he so wishes. I merely pick out the following:—Of a parcel of 132 tons giving a result worth £1,178 11s. 8d. the tributers' share was £769 2s. 2d. Another parcel of 55 tons with a result worth £744 returned to the tributers £495 15s. 8d. A parcel of 35 tons with a result worth £334 returned to the tributers £221. Here is another: 45 tons result worth £697, tributers' share £390. And again: 66 tons, result worth £372, tributers' share £231. Those examples are quite different from those quoted by the member for Hannans. They are typical of a great number of tributings on the goldfields. The House should do everything possible to give the tributers a better deal than they have had in the past. Here are some samples of percentages in one particular mine: The percentages demanded are as follows:—From 9 to 12 dwts., 7½ per cent.; from 12 to 15 dwts., 10 per cent.; from 15 to 17½ dwts., 12½ per cent.; from 17½ to 20 dwts., 15 per cent.; from 20 to 25 dwts., 17½ per cent.; from 25 to 30 dwts., 22½ per cent.; from 30 to 40 dwts., 25 per cent.; from 40 to 80 dwts., 30 per cent.; all over 80 dwts., 40 per cent. These are extortionate percentages. The House should limit the percentages a company may take. If it were to be made 10 per cent. all round, the companies would be getting a very fair deal. As to treatment charges, here is one scale: 15dwts., 20s. per ton; 16dwts., 20s. 9d.; 17dwts., 21s. 6d.; 18dwts., 22s. 3d.; 19dwts., 23s.; 20dwts., 23s. 9d.; 21dwts., 24s. 6d.; 22dwts., 25s. 3d.; 23dwts., 26s.; 24dwts., 26s. 9d.; 25dwts., 27s. 6d. Over 25dwts., 40s. per ton. It will be interesting to members to know that the charges at the adjoining mine, the South Kalgurli, including mining, boring, all expenses, breakages of machines—everything practically is done for 22s. 6d. per ton.

Mr. Harrison: (Cyaniding included):

Mr. LUTEY: Everything. Yet the people are charging as much as 49s. per ton.

Mr. Harrison: That is a good mine.

Mr. LUTEY: Yes, but I think the hon. member is better off on his farm at Avon than he would be in the mine. The Minister should provide that in all tribute agreements shall be inserted the names of the men concerned in the tribute. Some men, by influence, have secured interests in tributings and have been taken in as sleeping partners. They pay nothing towards the expense of working the tributings, and yet they received returns from the hard won earnings of the tributers. If the tributers' names were inserted in the agreement it would be to the advantage of those men who have been battling

along for years. The concentration of labour is a ticklish question to deal with. There have been abuses under the concentration of labour clauses for years past. Mining members know that there are companies who have areas of auriferous country and are not working them; they concentrate their labour. A company might have several hundred acres of valuable land but by concentrating labour, they are able to comply with the labour conditions and to keep the land locked up from tributers and others who would be prepared to work it. If we inserted a clause giving power to apply to the warden for a tribute on portions of leases held by a company and not worked, we might be able to overcome the difficulty arising from the concentration of labour, and enable some of the auriferous areas now lying idle to be worked. This would not only redound to the benefit of the industry but would remove a burning grievance which has long existed on the goldfields.

Mr. PICKERING (Sussex) [8-18]: I would preface my remarks by saying that the oil question is one of very great importance to the State and to the British Empire. Up to the present the inducements offered to search for oil in this State have not been great. The Government Geologist on every possible occasion has endeavoured to belittle the prospects of finding oil in Western Australia, so much so that at the time when representatives from Western Australia were in London endeavouring to secure capital to exploit Western Australia in the search for oil, the Government Geologist desired the Minister to wire to England warning people there against the efforts being made to raise money for this purpose. It was a grave indiscretion on the part of the Government Geologist to interfere in this way and I consider that it was unwise on the part of the Minister to give publicity to such a statement. Coming from such a source the statement must have a far wider effect in deterring people from entering into enterprises of this nature than would have been the case if the original warning had gone out from the Government Geologist. The great question to consider is, "Is there any real prospect of finding oil in Western Australia"? The work which was accomplished in 1920 by Cunningham Craig gives considerable hope in this regard. It says—

The source from which oil is derived is one that is open to considerable argument. There are two causes which are attributed by geologists, one inorganic origin, and the other organic origin.

It has been narrowed down by the writer to the question of organic origin under the heading "From vegetable matter." He says—

Petroleum is formed from the remains of terrestrial vegetation accumulated in clays, sands, or actual beds (which under other conditions would develop into carbonaceous shales, sandstones, and seams of coal or lignite), by natural processes which can be not only reproduced in the laboratory, but can also be proved to have taken place in the past and are taking place at the present day.

He goes on to point out how the same process which has evolved our coalfields has also evolved some of the oilfields of the world. The reason so far as I can understand it is that it is due

to the imperviousness of the strata overlying the coal or the oil beds. This, I take it, is about the best piece of news which has come to Western Australia regarding the possibility of finding oil here. We have coal in Western Australia, and if the same causes which will produce coal or lignite will produce petroleum from vegetable matter, then there is a greater certainty of finding oil in Western Australia. If this can be proved, and I think it has been fairly well proved by the arguments set out by this writer, then we have reason to hope that the possibility of finding oil in this State, as the geologists opposed to the Government Geologist maintain, will be ultimately borne out in fact. Further on the writer says:—

Recent researches on coals have established their relation to petroleum more clearly than has been recognised hitherto.

And he gives direct instances. In other places coal, lignite, and petroleum have been found in close juxtaposition, a distance of only 300 yards separating the two formations. He points out that the one does not result from the other, but that the process action of nature upon terrestrial vegetation produces coal in the one instance and oil in the other. If this be so, we have the assurance of the Government Geologist that there are the other necessary indications for oil in Western Australia such as the anticline and the different stratas which are essential to finding oil. Members who have spoken do not appear to appreciate the fact that oil is a very different subject from any other mineral. It is evolved under different conditions from any precious mineral. Therefore we should endeavour to widen the whole outlook as to the inducement we should give people to come here and prospect for oil. I shall read an extract from the "World's Work":—

In 1919 approximately 29,000 wells were drilled in U.S.A. In 1918 25,500 were drilled. It cost between £2,000 per well in Pennsylvania, where the oil is near the surface, and £20,000 per well in California.

The Minister for Mines: The "World's Work" does not say that.

Mr. PICKERING: It does.

The Minister for Mines: The "World's Work" never speaks in pounds sterling.

Mr. PICKERING: I have reduced the figures to pounds sterling.

The Minister for Mines: Then you ought to say so.

Mr. PICKERING: I have reduced the figures to pounds sterling because in that form they convey a more accurate idea than would dollars. It continues:—

The total cost was somewhere about £120,000,000. This sum was as much as all the oil produced in the United States of America in 1913, 1914, and 1915 was sold for—a total of nearly 800 million barrels.

It should be borne in upon the minds of members that the enormous sum spent in that year took three years' returns from the oil wells of the United States to recoup them for it. Therefore it is very evident that the search for oil is not only expensive but involves considerable loss to those who engage in the search. If this be so, we know that the cost of searching for oil is very high indeed and if we desire to get companies or persons with sufficient capital to enter upon

such a search, we shall have to give them a bigger guarantee than the small area stipulated in the Bill.

Mr. Munsie: Six hundred and forty acres! You are a Western Australian.

Mr. PICKERING: The Minister said that 640 acres was practically the area which was being offered throughout the world. That statement is not borne out by fact and I believe the Minister has had evidence given to him to show that those figures were not correct.

The Minister for Mines: I do not accept J. J. East as an authority. He is employed by a company wanting 100,000 acres.

Mr. PICKERING: The statement by the Minister is made under the protection of this House and the Minister knows that Mr. East cannot defend himself.

The Minister for Mines: Which statement?

Mr. PICKERING: That Mr. East is employed by a company wanting 100,000 acres.

Mr. SPEAKER: There is nothing in this Bill dealing with the gentleman in question.

Mr. PICKERING: I did not introduce his name. In Argentina, where the discovery of oil was accidental, areas of from 3½ to 7½ square miles were given. In Nigeria areas four square miles in extent were given and the authorities there allowed one ownership to comprise as many as 10 leases or 40 square miles.

The Minister for Mines: Who are you quoting?

Mr. PICKERING: An extract from the "Daily News." These figures can be substantiated. In the State of Colombia, in a proved producing area, less than 500 miles from the Panama Canal, 1,200,000 acres was transferred in 1915 to the Carib syndicate of New York, and in March of this year the same syndicate obtained a further 250,000 acres in the Honda district alongside the Tropical Oil Company's lands. There are 23 large companies now operating in Colombia, the Anglo-Persian being one of them. The reason I have referred to these figures is to show that it is not unusual to give very much larger reward areas than those instanced by the Minister when moving the second reading of the Bill. If it is really the intention of the State to protect any company that undertakes to search for oil, it is essential that the Bill should be so amended as to give them a reward claim over an area sufficient to induce them to expend capital in the search.

The Minister for Mines: What do you suggest?

Mr. PICKERING: I suggest an amendment to the effect that notwithstanding anything contained in the Bill, for the purpose of initiating the industry it shall be competent for the Minister to grant for the discovery of the first payable oil field within the State such an area of land as the discoverer may require, not exceeding 100,000 acres.

The Minister for Mines: Those figures coincide with Mr. East's figures.

Mr. PICKERING: It does not follow that because Mr. East quotes some figures they are not accurate. The Minister is evidently set against the one company that will honestly endeavour to prospect for oil in Western Australia. The whole of his argument is in the direction of casting ill repute and ill favour upon that company, or upon any company which is endeavouring to bring into the State sufficient capital to

open up the oil industry. The Minister says it is not the intention of the Government to enter into the search for oil. He recognises that to do this involves a very considerable outlay and probable loss, and yet he is not prepared to concede to a company, which I believe is prepared to come to this State and put at least £50,000 into the initial operations, a lease under which the company will consent to operate.

Hon. W. C. Angwin: For £50,000 they want half of Western Australia.

Mr. PICKERING: No one would be so silly as to suggest that. As to the conditions contained in the Bill, with a few amendments the company would be satisfied, but in addition they would require an assurance that they would get a sufficient area to protect them in their search for oil. It is quite right that such protection should be afforded. In Trinidad, in the initial stages of the search for oil, many small companies were interested. They found seepages, but eventually they all had to give up. The Anglo-Persian Oil Co. then obtained a concession of 100,000 acres. They started operations 12 miles from the point on which the original prospectors worked, and found oil. If they had not received an assurance that they would be protected to this extent by the British Government they would not have entered upon the search for oil. There is no known oil field in Western Australia. The State is not prepared to enter into the search for oil, and we have not the capital in Western Australia whose owners are prepared to invest in this direction.

Mr. Smith: Have you not enough at Busselton?

Mr. PICKERING: I should like the hon. member to rise above petty environments and treat the subject as one of national importance, instead of one for petty jibes and jokes. If he does not realise that the search for oil is important not only to Busselton, Western Australia, and the British Empire as a whole, it is time that he did. Evidently he does not know it and cannot help himself. I take it that the Bill is a recognition of the dire necessity for finding oil. If we would give effect to this we must liberalise that particular aspect of it. It is no use thinking we are going to induce a company with sufficient capital to operate in the industry to come here if we only allow them the small area laid down by the Minister in control of the measure. In the United States legislation has recently been introduced reducing the area to about 635 acres, but this area may be five times as long as it is wide. The Bill contains nothing to show what form a lease will take, but simply says it is a matter of so many acres.

Mr. Munsie: No, it does not.

Mr. PICKERING: Some clauses of the Bill make the Government Geologist the sole arbiter in certain directions, particularly as to the method of working an oil find. I know of no man in Western Australia possessing knowledge which would fit him to work an oil find. Anyone who has read the history of oil finds knows that it may not be possible to control one. If an oil find is to be shut down for the time being, when the Government Geologist arrives at the centre and issues his instructions the oil may be gone for ever. The gushers in some of the biggest finds in the world have gone up in smoke, and

some of them have never been brought under control. In a country like this, where the possibilities of fire are so great, it is easy to conceive the position that if the oil was not properly controlled by a company, which understood how to do so, we might lose the oil lying in any particular basin. An enormous amount of money and valuable petrol through careless handling have been lost to the countries in which the oil has been found. If the area is limited to 640 acres, other persons may come in and tap a particular basin. I know it is stated that all this must be done under Government direction, but we have not in the Government service of this State men who are capable of issuing the necessary instructions. It would be better for the House to agree to the amendment I have suggested, giving to the discoverer of oil up to 100,000 acres.

Hon. P. Collier: Why not make it a million acres?

Mr. PICKERING: What is 100,000 acres in a big State like Western Australia? There are many stations here which contain millions of acres.

Hon. P. Collier: What a comparison!

Mr. PICKERING: We raise no protest about that. In an industry which we are not desirous of undertaking ourselves we are refusing to give sufficient inducement to cause a company that is prepared to do the necessary work to come here. That is practically what the Bill indicates. There is another clause referred to as the Apex law. According to the Bill, that means that if a seepage is struck it can be followed into an adjoining prospecting area.

Mr. Lambert: It would not do to apply that to crops.

Mr. PICKERING: By such a provision it would be possible for one individual to take 640 acres from the prospecting area belonging to another individual or company. It may be that the people who have been prospecting on an area on which the oil basin has been located have spent thousands of pounds upon it, and some other party on an adjacent lease may put down a small bore at a small expense and tap the seepage, follow it up, and receive the whole benefit of the operations of the larger concern. That seems to me to be unjust.

Mr. Munsie: It would be unjust if the first man found it, and it happened to be a seepage and he could not get at it.

Mr. PICKERING: The unfortunate thing is that the other party may have spent far more on the actual search for oil.

Mr. Munsie: That would be their bad luck.

Hon. P. Collier: What about the man who may have spent a huge sum of money, and struck the seepage, but someone else found the oil next door?

Mr. PICKERING: If the area given is extended to 100,000 acres I do not think any injustice of that kind would occur.

Mr. Duff: There would be only one man in it then.

Mr. PICKERING: It would depend on the boundary line, but if a sufficient area was given on which to operate, that difficulty would hardly occur.

The Minister for Mines: You are confusing prospecting with the working of the oil.

Mr. PICKERING: When a company starts operations on an oil field other people will naturally take up prospecting leases around it.

Mr. Munsie: They would have to take up an oil lease.

Mr. PICKERING: There is only one prospecting lease.

Mr. Munsie: When oil is found there will be no prospecting lease.

Mr. PICKERING: When a company with a large amount of capital starts operations in this State, other companies not intending to do any work, or at all events as much work as the first company, will take up country in the immediate vicinity and await developments.

Mr. Munsie: The Bill provides for 100,000 square miles for prospecting.

Mr. PICKERING: Why has no provision been made in the Bill with regard to gases? There are gases in America which are very valuable, and are generally found in connection with oil fields.

Mr. Johnston: We might remedy that difficulty.

Mr. PICKERING: I am anxious that the area of land given to the first discoverer of oil should be increased.

Mr. Smith: What area do you suggest?

Mr. PICKERING: One hundred thousand acres.

Mr. Lambert: Would not you compromise at 50,000 acres?

Mr. PICKERING: Last night the member for Coolgardie made a generous offer to the Minister to the effect that he would be prepared to have his man-anese scheme nationalised.

Mr. Lambert: That was subject to approval.

Mr. PICKERING: The subject was probably an electioneering twist. When it came to the point he would be the last man to do it.

Mr. SPEAKER: Will the hon. member keep to the Bill before the House?

Mr. Lambert: That is not needed to ensure my re-election.

Mr. PICKERING: It was all the cheaper on the hon. member's part to make that statement. This question of finding oil should not be treated as a joke.

Hon. P. Collier: I do not think the hon. member is justified in saying that. We shall not be able to laugh directly.

Mr. PICKERING: The true value of the discovery of oil, and the necessity for obtaining sufficient capital to search for it, are not properly appreciated by this Assembly. When members desire to restrict the area given to the discoverer of oil, it is tantamount to an endeavour to shut down on any company that comes to this State to prospect for oil.

Hon. P. Collier: If some of the companies who are claiming such huge areas would get out, we could obtain a million pounds from the British Government to prospect for oil here.

Mr. PICKERING: I entertain some doubt as to that.

The Minister for Mines: I have saved the position for the companies in question.

Mr. PICKERING: The Minister has inserted in this Bill a clause restricting areas to such an extent as to preclude any company of magnitude from coming here to operate. If the House is in earnest as to the desirability of discovering oil in Western Australia, I ask that the amendment

I suggest be fairly considered. Under the Bill as it stands, it will be impossible for any company other than a British company to come into this State to prospect for oil. So much is clear. After all, the Government will in any case have full control of the oil business. They have the right to obtain royalty on any oil found in the State. They go so far as to refrain from saying what the amount of that royalty shall be. Why cannot they say that the royalty shall range from five to 20 per cent? Under the Bill the royalty is quite unlimited, and it might be made unreasonably high. In spite of that however, I believe a company would come here to prospect for oil if only they had the assurance of getting a sufficient area. What objection should we have to a British company, prepared to put in sufficient capital to prove the oil bearing strata of this State, getting the whole of a basin? Other basins would be found. We know that the possible oil-bearing strata extend from the northern portion to the southern portion of the State. In such a huge area a grant of 100,000 acres would not be excessive.

Mr. Johnston: On the other hand, 100,000 acres might include all the oil bearing lands in the State.

Mr. PICKERING: I do not think so. If oil is found in Western Australia, the oil-bearing lands will be of considerably greater extent than 100,000 acres. The Bill excludes foreign companies from coming here to prospect for oil, and under the measure the Government have all possible control, inasmuch as they can direct workings and regulate output and so forth, and, above all, levy royalty. In the circumstances, the amendment which I suggest surely does not ask too much, and I hope hon. members will give it favourable consideration.

Hon. W. C. ANGLWIN (North-East Fremantle) [8-40]: I do not profess to know much about mining, though perhaps I have spent more years in the mining districts than some members have. However, there are two features of the Bill on which I have a few words to say. I shall not deal with the question of tributary or the question of area. I shall not advocate that an area of 100,000 acres be granted to one company, because I think such an area would be far too much. But I do wish to express my extreme surprise that a Nationalist Government, the fellow of many Nationalist Governments elsewhere in Australia, should have introduced legislation which proposes virtually to confiscate private property. The charge of introducing confiscatory legislation has frequently been levelled at members sitting on this side of the House, but always falsely.

The Minister for Mines: It is levelled against this side of the House falsely too.

Hon. W. C. ANGLWIN: This is one of the first confiscatory measures to come under my notice in Western Australia.

The Minister for Mines: This Bill does not confiscate.

Hon. W. C. ANGLWIN: It does. We are told by the Press every day that the financial situation of the State of Queensland is so bad because the Government of that State, which is of the same political complexion as my friends on this side of the Chamber, have done something in the nature of confiscation. We know, however,

that the Queensland legislation referred to did not take away from any person anything to which the Crown had previously given him a right. However, that legislation was so seriously regarded that a special delegation was sent from Queensland to London for the purpose of trying to induce the English people to refuse a loan of money to the Queensland Government, so that the Government might, as it was termed, come to their senses and repeal the legislation in question. The consequence of sending the delegation was that money which would in the ordinary course have come to Queensland was left in the hands of certain English financial institutions desirous of putting pressure on the Queensland Government. A further consequence was that we had it proclaimed broadcast that a sum of two millions sterling had been offered to the Government of Western Australia.

Mr. Griffiths: Now we know!

Hon. W. C. ANGWIN: I say with every confidence that even the Queensland legislation which was objected to did not contain confiscatory provisions such as those included in this measure. If hon. members will peruse the Bill from Clause 3 onwards, they will find that it proposes to confiscate certain rights which Western Australian Governments of former days, rightly or wrongly, sold to various companies in respect of certain large areas of land. The whole of the minerals discovered on those lands were to be the property of the private purchasers of those lands. This Bill takes away that right.

The Minister for Mines: Where?

Hon. W. C. ANGWIN: By Clause 3.

The Minister for Mines: No.

Hon. W. C. ANGWIN: I will read the clause to the Minister.

Notwithstanding anything to the contrary contained in any Act or in any grant or instrument of title, it is hereby declared that mineral oil on or below the surface of all land in Western Australia, whether alienated in fee simple or not so alienated from the Crown, and if so alienated whenever alienated, is and always has been the property of the Crown.

If that is not a clear taking away of rights given to certain people in the early days, I do not know what is. I cannot use any other language to describe it than to say that it is pure confiscation. And this is a Bill which has been introduced by our friends opposite.

The Minister for Mines: That clause takes nothing. It merely makes a declaration.

Hon. W. C. ANGWIN: It declares that if oil is discovered on the properties I refer to, the oil belongs to the Crown.

The Minister for Mines: Yes, and the land belongs to the Crown.

Hon. W. C. ANGWIN: If we go back far enough in point of time, we trace back all land to the Crown. Unfortunately, however, those who acted for the Crown in the old days parted to certain private companies with certain rights of the Crown. To prove my contention I will refer to the Mining on Private Property Act, introduced into this House years ago. In connection with that measure it was found necessary to provide certain protection for persons who had taken up large areas of land in the manner I have referred to. In other words, the Govern-

ment of the day realised that it would be confiscation to take away the mineral rights which had been sold by the Crown to the companies in question. That Mining on Private Property Act made special provision in respect of the Hampton Plains estate, on which gold discoveries were expected; and to-day those who mine on that estate have to conform to regulations made by the owners of the estate and approved by the Crown. But this Bill contains no such provision. Under this Bill the Minister can take any land he pleases, whether it is actually wanted in connection with boring for oil or not. As regards mining, the law prohibits mining in certain districts, and mining must not be carried on within a certain distance of a town, or other areas specified. The Bill before us, however, imposes no such restriction. I have never known in this Parliament a piece of legislation so loaded with confiscation as is the present Bill. And the measure comes from a Nationalist Government, whose motto is "law and order." The Nationalist Government introduce a measure for the express purpose of depriving certain people of rights for which they have paid the Crown.

The Minister for Mines: That is not correct.

Hon. P. Collier: The Opposition will send a delegation to Great Britain to have this Bill disallowed.

Hon. W. C. ANGWIN: It is true that the people to whom the lands in question belong can claim compensation as regards surface rights. Compensation must be paid for land resumed in the same way as compensation is payable under the Public Works Act. But it matters not to the Minister whether the area resumed may have had a good deal of money spent on it, say in planting an orchard or establishing a homestead. In all cases the Minister can step in without any reservation whatsoever. If that is not confiscation, I do not know what confiscation is.

Mr. Harrison: Can one take away from a man what he does not possess?

Hon. W. C. ANGWIN: If any member on this side of the House had proposed such a measure as this, every member opposite would have raised his voice in condemnation. A few years ago Mr. Bath, then Minister for Lands, introduced a regulation which provided that conditional purchase land should not be transferred until the conditions under which it had been taken up were complied with. That regulation was described as confiscation and repudiation. What a howl went up throughout the State! Every morning the newspapers teemed with condemnation of the Minister for Lands. Members then sitting on this side of the Chamber made the skies echo with their denunciations of Mr. Bath's action, although that gentleman's regulation merely required that the existing law should be complied with. Mr. Bath asked for nothing more than that. He did not propose to take away anything from any person. Mr. Bath was a man who believed in law, believed in maintaining order, believed in adhering to an agreement which had been honourably entered into by previous Governments. But he was fiercely condemned for so doing, and the whole of the Labour party were also involved in that condemnation. Throughout Australia Mr. Bath's action was described by the Press as dastardly.

But nothing of the kind is printed about this Bill. Now we have the Minister stepping in, and taking over the whole thing, merely paying a small compensation for surface rights.

Mr. Johnston: The member for Irwin (Mr. Gardiner) drew attention to that aspect.

Hon. W. C. ANGWIN: I did not hear him make that speech, but I am glad to know that at least one member on that side of the House realises that this is confiscation.

The Minister for Mines: That is not true. That is not there.

Hon. W. C. ANGWIN: It is there.

The Minister for Mines: You do not understand it.

Hon. W. C. ANGWIN: Clauses 3, 4, 5 and so on all deal with it.

Mr. Pickering: Everyone has read the same thing into those clauses except the Minister.

Hon. W. C. ANGWIN: I sat here listening intently when the member was speaking, and I found that he was deeply interested in matters which took place in other parts of the world. He forgot to look home. He did not say one word about confiscation.

Mr. Pickering: The member for Irwin went over that point. What was the good of repeating it?

Hon. P. Collier: If the hon. member feels strongly about it, why did he not emphasise the point?

Hon. W. C. ANGWIN: Is it not surprising that when I stated that the Government were legislating for confiscation, members opposite interjected that there was no such confiscation implied? Now they agree that there is. This is surprising coming from a Nationalist Government, who stand for the preservation of law and order, for the honouring of the Constitution and all agreements.

Hon. P. Collier: And for the sacredness of private contracts.

Hon. W. C. ANGWIN: I am astounded that any Government in Western Australia, realising the financial position, and profiting by the lesson they say they were taught during the past few months by Queensland, should bring forward such a proposal. Would Western Australia have been offered £2,000,000 if it had not been for Queensland's action? Yet Queensland did nothing beyond honouring their obligations to the squatters. The Queensland Government merely said that the land of the squatters had become more valuable and their rents should be increased a little. Here we seek to take away the rights of people who are on the land.

The Minister for Mines: Have you read the Queensland Oil Bill?

Hon. W. C. ANGWIN: I have read the Mining or Private Property Act.

The Minister for Mines: Have you read the Queensland Oil Bill?

Hon. W. C. ANGWIN: No, I have not read it.

The Minister for Mines: Of course not. You do not know what you are talking about.

Hon. W. C. ANGWIN: Under the Mining

on Private Property Act it was found necessary to make special provision to protect the Hampton Plains mines. That is one phase of the Bill which members have overlooked and I hope they will pay strict attention to this feature during the Committee stage.

The Minister for Mines: You bet your life we will.

Hon. W. C. ANGWIN: There is a possibility that this action will affect the finances of Western Australia, and if such should prove to be the case, it will be a serious matter for the new Government next year. It has to be admitted that there is a possibility of a change of Government next March.

Mr. SPEAKER: This Bill does not indicate anything of that kind.

Hon. P. Collier: All the indications are outside the Bill.

Hon. W. C. ANGWIN: As soon as there is a change of Government—

Hon. P. Collier: We shall have to carry the baby.

Hon. W. C. ANGWIN: And we will find that agreements which have been entered into honourably prior to this taking place, will be honourably carried out.

The Minister for Mines: We believe that.

Hon. P. Collier: We pledge ourselves to repeal this. It will be the first act.

Mr. Munzie: No, the Land Act Amendment Act will be the first.

The Minister for Mines: You promised to support amendments to make the Bill clear.

Hon. W. C. ANGWIN: There is another portion of the Bill which seeks to usurp the functions of Parliament. Subclause 4 of Clause 8, provides for the making of regulations in order to carry out the provisions of the Bill. The Minister, however, is not satisfied that when regulations are framed, they should be laid on the Table of the House in order that Parliament may, should it be deemed desirable, review them and possibly disallow some. The Minister is not satisfied with that. He wants to carry on the whole thing by himself.

The Minister for Mines: Where is that?

Hon. W. C. ANGWIN: In the subclause I have referred to. The subclause reads as follows—

Every licensee shall furnish to the Minister monthly reports of the work done in searching for mineral oil, and if he discovers mineral oil, or any indication that renders the presence of mineral oil probable, he shall immediately report the discovery to the Minister. On any such discovery being made the Minister may direct the future working by the licensee, and such directions when given in writing by the Minister to the licensee shall be observed and carried into effect by him. If a licensee makes default in the observance of this subsection in any respect the Minister may cancel the license.

[The Deputy Speaker took the Chair.]

The Minister for Mines: You do not agree with that?

Hon. W. C. ANGWIN: Under this the Minister can lay down regulations of his own making, and whether right or wrong they automatically become law without Parliament reviewing them at all. Those regulations will have to be carried out. The Minister will have power under this subclause to tell a person who has a lease granted to him, how many pumps he shall put on his property, the class of engine he shall use, and how he shall manage the whole undertaking. This is totally different from the provisions under the Mines Regulation Act where the regulations have to be tabled, and reviewed by members if necessary, before they become law. The power contemplated under the Bill is such that I do not know has ever been extended to any one man yet.

Hon. P. Collier: It is a little bit of Billy Hughes.

Hon. W. C. ANGWIN: The Minister is following in his footsteps. This sort of thing is becoming infectious. However, I consider that these regulations should be dealt with in the usual manner. Members of Parliament should have the right of approval or disapproval before such regulations become law. As a matter of fact in this particular instance the Minister becomes the manager of the mine.

The Minister for Mines: That is not correct.

Hon. W. C. ANGWIN: The Minister not only becomes in effect the manager of the mine, but he becomes the mouthpiece of the departmental officers, who declare that there is no oil in Western Australia.

The Minister for Mines: Do you not know the difference between licenses and leases? I do not do anything of the kind regarding leases. Do you not know the difference?

Hon. W. C. ANGWIN: I do.

The Minister for Mines: Is there any such provision for leases?

Hon. W. C. ANGWIN: The Minister need not worry. He says he does nothing of the kind. There will be a change of Government soon, so he need not worry.

The Minister for Mines: You need not worry. Just look at the municipal council election results for an indication.

Hon. W. C. ANGWIN: I was returned unopposed. Is that the indication you refer to? However, Parliament and not the Minister makes legislation. The Minister I know has a few followers on his side of the House, but he does not know where they are for 24 hours together. He is not too sure of his position.

Mr. Troy: He is not too sure of himself.

Hon. W. C. ANGWIN: Members should remember that the Minister belongs to a party which has become the sponsor for mining in this State, and that being so, he has to put in something to show that he intends to act as sponsor for that industry.

Mr. Hudson: Does your leader authorise you to make that statement?

Hon. W. C. ANGWIN: No, I saw it in the "Primary Producer." This is the forerunner of his policy.

The Minister for Mines: You will get the policy all in good time. You must not be too anxious.

Hon. W. C. ANGWIN: I hope the people of Western Australia will not permit this sort of thing to go on. We have too much of it in Australia to-day. I trust Parliament will reserve to itself the right to say whether regulations are right or wrong.

The Minister for Mines: We are in thorough agreement on that point.

Hon. W. C. ANGWIN: Two matters require careful attention. The first is—confiscation by the Government.

The Minister for Mines: Which is not correct.

Hon. W. C. ANGWIN: And the second is—the Minister and the regulations.

The Minister for Mines: Which also is not correct.

Mr. ROBINSON (Canning) [9.15]: In the main I agree with the arguments of the members for Irwin (Mr. Gardiner) and for North-East Fremantle (Hon. W. C. Angwin). The Bill seems to be a curious admixture of nationalisation, private enterprise and confiscation. I do not know exactly how they mix; no doubt at the Committee stage the Minister will be amenable to reasonable argument. It is not necessary that each member should go over the various points in the Bill; we must not be condemned if we do not take them seriatim. There is, however, one to which I wish to draw attention, namely in connection with the first discoverer. I think we might well free the first discoverer of oil from any possible royalty. That would get over some of the difficulties raised by the member for Sussex. Another point is the difference made in the Bill between what is known as mineral oil found in its crude state, and the mineral oil which may be extracted from coal shale or other rock by a mechanical process. I do not know that we should not give a little more attention to the oil that could be possibly extracted from shale. For that purpose I wish to invite attention to some remarkable industrial matters going on in the United States at present. Only quite recently all sides in the United States agreed that there is what they call an impending shortage of gasoline; and then on all sides came the suggestion, "Well, if there is a shortage, let us increase the output of crude oil." Those who know have answered that by saying it is impossible in the United States itself, as a decline in the production of petroleum in the United States is only a matter of months. Then suggestions came to be made that the people of the United States should acquire rights for prospecting in Mexico, Cuba, South America, and other parts of the world. But David Hay, who is the consulting chemist of the United States Bureau of

Mines, has made some suggestions which are found to be of the greatest value there, and I venture to say would be of equal value to us in Western Australia. Therefore I claim attention for a moment while I explain them.

Hon. P. Collier: The United States draws 80 million barrels of oil from Mexico now.

Mr. ROBINSON: That is so. It is said the United States may try Mexico, Cuba, and South America, and still it is only a question of time before the oil supply depletes and perishes. What is the solution of the difficulty? Mr. Hay says the solution can be looked for in quite another direction, where the supply is actually in the United States, and where the quantity of oil obtainable will be sufficient for hundreds of years; that ten times the quantity of oil which the United States has ever produced from its oil wells can be produced from oil shale. Oil shale is not new, either in the United States or any other part of the world. It has been known, probably for centuries, in France and in Scotland.

Mr. Nairn: And in New South Wales.

Mr. ROBINSON: Yes, for some time past in New South Wales; and oil shale is not unknown in Western Australia. The difficulty in the past, however, has always been that the competition of the American oil wells has rendered the oil production from shale unprofitable. But only quite recently the processes by which oil is extracted from shale have been advanced to a state of remarkable efficiency. Despite that, however, it is only within the last six or seven years that the huge supplies of oil shale have become known in the United States. As is well known, in the case of oil in the subterranean basin, all that is necessary is to bore a hole sufficiently deep and in the right position; then, when the oil is struck, it gushes out. In the United States it has been known in many cases to go from 10 to 50 barrels a day. Like our gold, it brings sudden wealth to the discoverer or prospector, and consequently has about it that lure which the gold-fields of every country possess. On the other hand, oil shale is quite a prosaic affair. It is usually extracted with common appliances, it may be a pick and shovel, blasting, or, as in the United States, with a steam shovel. It is crushed and thrown into a retort, which in turn will steadily produce a flow of oil which can be gauged and estimated as regards flow, cost of production and saleable value. The manager of that shale factory can, with absolute accuracy, forecast the quantity of oil he will place on the market, what it will cost him to place it there, and the price he will sell it at, together with the profit he will make; and so, with this production, we have established a thoroughly stable secondary industry. Any ordinary person who has been made familiar with the appearance of oil shale may discover it. He is unlike the oil prospector. That gentleman requires at his back £20,000 or £30,000, and has to sink his bores on a mere chance, whereas the prospector who looks for oil

shale requires as his sole capital his own bright eyes, his power of observation. He may light on an outcrop of shale capable of producing millions of barrels of oil, untold wealth. When I say, quoting from my American authority, that only seven years ago the United States, one of the most thickly populated parts of the globe, was not aware that it possessed oil shale in such vast quantities, will hon. members say we do not possess oil shale in equally vast quantities in Western Australia? The trouble in the United States was that it was not known that it was oil shale. We have the very illustration here in our friend the member for Coolgardie's (Mr. Lambert) manganese show. Have not our prospectors and mining people passed that outcrop for years and years and thought it was just ordinary rock?

Hon. P. Collier: There was a townsite alongside it 20 years ago!

Mr. ROBINSON: Yes. They did not know the huge outcrop contained over 50 per cent. of pure manganese and is one of the richest deposits known in the wide world. That is certified to by our own Government Geologist. People did not know it. How easy to conceive, therefore, that a deposit or rock which is unrecognisable, like oil shale, may have been passed hundreds of times by people who know nothing about it.

Mr. Wilson: The coal miners can recognise it readily enough.

Mr. ROBINSON: Our coal miners are confined to one part of Western Australia. The place to look for oil shale is, not so much in the South-West—although I hope it will be found there—as in our vast areas of the North, where, owing to hot sun and tropical winds and rain, oil shale may have been so weathered as to be unrecognisable. In the United States the Geological Department started out to determine if they did possess oil shale. They set to work and published broadcast the forms under which it might be seen. They published reports and descriptions of shale. I commend that very same course to the Minister for Mines. I shall never forget my own personal experience in the Mines Department. When I asked our own Government Geologist, Mr. Gibb Maitland, and the State Mining Engineer, Mr. Montgomery, if it was not possible to endeavour to find oil in Western Australia by boring or some other means, they were rather amused at my suggestion and told me that if I wanted to bore for oil in Western Australia I was not to go to the South-West or the North or somewhere where it could not be seen, but that I ought to bore on Mount Eliza or on Rottnest, where it could be seen. That convinced me that our geological men are firmly of opinion that there is no oil in Western Australia. I told them it made me the more firmly of opinion that there is oil here.

Hon. P. Collier: When experts differ, who shall agree?



Mr. ROBINSON: At all events, that will not prevent our own geological men, who are perfectly qualified in this way, from preparing a memorandum which can be broadcasted throughout Western Australia, telling prospectors, miners and others what oil shale looks like in its natural state, and when it is weathered and exposed, also what indications it has when treated in different ways. I venture to say that if that were done, if there be any oil shale here, we should very soon find it.

Mr. Johnston: And samples might be exhibited.

Mr. ROBINSON: Certainly. In the United States oil shale is said to be intensely black, but exposure to the sun and rain has turned what has been found to be a mountain of shale to a very light colour, which hid that deposit from even the eyes of the geologist. I ask, are there not any such outcrops in Western Australia? At all events, it would cost us nothing to publish the information and, as I say, the man who goes about looking for oil shale requires only the capital of his own eyes.

Hon. P. Collier: Our geologists and mining engineers for years passed over that manganese deposit. It only shows that even those experts may stumble over something good without knowing it.

Mr. ROBINSON: Yes, but they have in their books of reference all the characteristics of oil shale and its appearance after being weathered for centuries.

Hon. P. Collier: We should not place too much reliance on the decision of those officers that it does not exist.

Mr. ROBINSON: I agree entirely in that. It is stated by Mr. Day that many processes for the extraction of oil are expensive and elaborate. The Southern Pacific Company, in collaboration with the United States Bureau of Mines, has just completed a new plant. There seems to be a feeling in the Mines Department here that they must not help a mine, but that a mine must go along as best it can. The United States Bureau lays itself out to help, and in co-operation with the bureau they have started a new grant on the Scotch oil-shale system, adopting, however, American methods. They say that scientific research is required in each case to show how to obtain the best results. To-day United States contractors quarry rock shale and deliver it to the retorts at 40 cents per ton—I am speaking in the parlance that the Minister for Mines understands—and it is estimated that with improved methods it could be done at 18 cents per ton, while one company in the southern States has proved that oil shale can be mined by drifting and stopping for one dollar per ton, which is higher. The Scotch methods of retorting have cost in America 50 cents to a dollar per ton, but with the American adaptation of that particular method those costs have been reduced by from 10 to 25 cents per ton. Mr. Day, the geological adviser to the United States Government, advises that no one there

will attempt to mine oil shale unless it is of a quality that will produce one barrel of oil to the ton. He gives as the total cost of mining and retorting, that is acquiring the rock from its site and treating it through the distillation plant, so that the oil runs into barrels at the other end, at from 50 cents to one and a quarter dollars per ton, while crude Pennsylvanian oil now has passed to six dollars per ton. Note the vast sum that, running into thousands of tons as this industrial proposition will mean, must lie in the difference between production at 1.25 dollars, and crude oil which now costs six dollars in Pennsylvania. It not only allows ample room for contingencies, but shows a profit in the industrial section that the crude oil could never give. Moreover, oil shale, in addition to producing the oil of commerce that we know, also produces minor by-products such as ammonia-sulphate and phosphates. I am indebted to Mr. Day, the geological assistant of the United States Department of Mines, for my facts and information. I suggest that we apply them in Western Australia and profit by the American experience. In the United States a shortage of oil is feared. Those engaged in the oil industry are looking for means to carry on, and they point to the shale as the method to overcome the shortage. We in Western Australia have no oil, but why should we not look for shale? It is cheaper to look for than is oil, and when found it would be a permanent industry. Members may ask what this has to do with the Bill. The Bill deals primarily with mineral oil, and if the Bill becomes a statute, that mineral oil is to be the property of the Crown. Yet we are entirely excluding mineral oil extracted from shale. If the experience in Western Australia turns out to be similar to that of the United States, then our legislation will not touch that which is the main source of supply in the United States to-day, and may be the main source of supply in Western Australia. It is right that we should know that in the United States oil is obtained from shale, and will keep that country supplied with oil for hundreds of years to come. Should not we deal with it in this statute, or should we be satisfied to leave the industrial process alone? Now is the time to think about it. This Bill excludes it. Is that the proper thing to do? I submit this for the consideration of hon. members.

Mr. DUFF (Claremont) [9.36]: Up to date there has been a fair amount of blowing off of gas. I do not intend to blow off, but I intend to congratulate the Minister on his attempt to give a simple interpretation of the Bill which he has placed before the House. Unfortunately, Clause 3 has been the subject of much debate. After the member for Irwin (Mr. Gardiner) had spoken last night, the Minister attempted to explain the position. The member for Irwin contended that we were going to confiscate the rights of the Midland Rail-

way Company. The Minister explained that it was not intended to impose hardship upon any land owner or discoverer of oil, but that the object was to control the oil exclusively for Australia, shutting out any foreign element. Every member of the House must commend the Minister for the attitude he has taken up, because we want to protect Australian interests and to study Australian ideas in all our business connections. We have had experience of foreign countries robbing us by the charges they make for petrol. If we are going to produce our own oil, let us study our own interests and protect our own country. If we did this there would be a little more pleasantness in Australia to-day. Regarding the license to prospect, while there are certain reservations, I think it must be admitted that the prospectors are being very liberally treated. The conditions afford every inducement and encouragement to prospect for oil. The license fee is £5 per year, and the license is granted for a term of ten years. I am pleased that the department have taken a stand to compel all licensees to strictly conform with the conditions and the true spirit of the measure. If they do this I am sure that prospecting for oil in this State, if it is to meet with any success at all, will pan out satisfactorily. Clause 11 reads—

In the event of mineral oil being discovered in payable quantities by a licensee under this Act, and the discovery being duly reported by the licensee to the Minister, the licensee shall have the right for 30 days, and such further time as the Minister may in his discretion allow to apply for and obtain under and subject to this Act and the regulations a mineral oil reward lease of 640 acres and two ordinary mineral oil leases of 48 acres each.

Instead of stipulating "such further time as the Minister may in his discretion allow" it would be better to fix a period of, say, 12 months. It would not be asking too much of a prospector who discovers oil to locate himself in 12 months. He may be on a seepage and 12 months would give him an opportunity to follow it to the channel and thereby he would reap the reward of his discovery. It would be more satisfactory to the prospector if he knew what was before him. It would encourage him to spend money and time in further prospecting for the channel. Generally speaking the other clauses appear to be in order. If there is any anomaly it can be rectified in Committee. The other portion of the Bill refers to tributing. During my association with mining I have had a little to do with tributers, and as I am a representative of mining companies at the present time, perhaps I can speak for them. I do not think that the Chamber of Mines, of which I am a member, will raise any objection. Most of the members of the Chamber of Mines are mine managers and

attorneys for companies, and I do not think they will object to any honest endeavour to improve the existing tributing conditions. We all know that this has been a controversial question on the Golden Mile for a considerable time. I do not think the Chamber of Mines would object to the board suggested by the member for Hannans to deal with disputes. I am sure I would offer no objection to such board. It would be satisfactory to have an impartial chairman with a representative of each party to deal with the many disputes which are always cropping up in connection with these tributes. There are many questions which are involved in tribute agreements. There is the blocking out, the time limit, the raising and crushing charges by companies, and other adjustments which could be easily and satisfactorily fixed by the board. The question of the royalty is one that should be finally determined. Evidence has been adduced to-night by the members for Brownhill-Ivanhoe (Mr. Lutey) and for Hannans (Mr. Munsie) that extortionate charges have been made by certain companies in their tributing agreements. In one instance the tributers had to pay a royalty of 40 per cent. to a company. It is wrong that we should not finally determine what royalty may be charged by a company. I am going to suggest that a sliding scale be instituted, that we start out with a minimum of five per cent. on the gross gold of 10-dwt. ore or under, and give an increase of one per cent. for every 2 dwts., with a maximum total royalty of 20 per cent. on all gold won.

Hon. P. Collier: I have an amendment to that effect on the Notice Paper.

Mr. DUFF: If a company receives 20 per cent. of the very rich ore that some of these tributers are fortunate enough to strike, it is well paid. Within the last 12 months I have had to deal with tributers myself. If hon. members care to inquire of these tributers they will find that I have worked on the sliding scale in the case of every agreement or arrangement made with them. I agree that no royalty should be charged until a tributer is earning £3 a week. At present the arrangement is £3 per week. We see the conditions for other labourers improving, and why should they not improve in the case of the tributer? A tributer, who at some risk battles hard to win gold and is unsuccessful, should be allowed by the company to earn at all events what it costs him to keep himself, his wife and his family. A sum of £3 a week is little enough. As an attorney for Westonia mines I would be quite willing that the crushing charges should not be made a means of profit on the part of the companies. Many companies endeavour to make a profit out of every move they make. These crushing charges should be based on the actual cost. If a company desires to make money out of the tribute, let it be made out of the royalty. We were told by

the member for Hannans that the crushing charges per ton on a parcel which went through one of the Kalgoorlie mines was £2. I do not know how the company could make the charges up to that. At Westonia we are paying more for water, as the Minister for Works will admit, than they are at Kalgoorlie, and yet I only charged the tributing parties 15s. per ton. If these charges are based on local conditions, in other words on the actual cost of crushing in a particular locality, the tributers will then be properly treated. I was sorry to hear that some of the tributers had not participated in the advanced price of gold. They should be protected in this direction. If a tributer passes all his gold to the particular company that is handling it for him, he should get full value for the gold won. I will say no more at the present juncture, but will have a few remarks to make during the Committee stage.

Mr. MULLANY (Menzies) [9.48]: I am pleased that the Minister has introduced legislation to amend the Mining Act, and is attempting to do something to regulate the system of, tributing on our gold mines. I also trust that prospecting for oil will be carried out, and that some company or individual will be successful in finding oil in Western Australia. The system of tributing on gold mines has been responsible in many of the gold-mining centres of Australia for hundreds and thousands of ounces of gold being won from the ground, which, but for that system, would in all probability never have been recovered. It is, therefore, in the interests of the gold-mining community and the State in general that this system should be encouraged, and that as much gold as possible should be recovered and put into circulation. Unfortunately, in Western Australia but little attempt has been made to regulate the system of tributes. It is a very difficult subject to legislate upon, inasmuch as it is practically impossible to find in connection with the system two sets of conditions that are alike. The member for Claremont (Mr. Duff) has suggested the arrangement of a sliding scale, from a minimum of five per cent. on 10-dwt. ore to a maximum of 20 per cent., no matter what the value of ore may be. The hon. member, with his mining knowledge, will agree with me that this may possibly be impracticable in certain cases. Ore which is going only perhaps 10dwts. to the ton may be easily mined. The tribute party may be working upon a large body of ore, and may be making more per week than men who are working on a small, hard body of ore which would go as much as two ounces to the ton. Under the sliding scale suggested by the hon. member the tributer who is making £3 or £4 per week may be paying a higher percentage of royalty than are the men who are making £15 or £20 a week. This shows one of the difficulties in defining a sliding scale which will give general satisfaction all

round. I am particularly pleased with the clause which aims at making it obligatory upon those who make an agreement to work on a combination of what is known as the block system and the time system of letting blocks. This clause should suit admirably and give universal satisfaction. The crux of the Bill lies in the clause which appoints the warden of a particular centre the arbiter as to what is or is not an equitable tribute agreement. Because of his knowledge of local mining conditions, that official is undoubtedly the most suitable man to place in that position. Although I agree with the member for Claremont, the member for Hannans and others when they say that no more than 20 per cent. royalty should be charged, I think it is hardly a fair proposition for Parliament to place upon the warden the obligation of saying what is or is not an equitable tribute agreement, and yet refrain from giving him any guidance whatever as to what is considered to be a fair royalty to charge. The Bill should definitely state that not more than a 20 per cent. royalty should be exacted by any gold-mining company from its tributers. It would not be fair to ask the warden to continually step in and decide without any guidance from the department or Parliament what is or is not an equitable arrangement. I have a few figures here relating to the cash value of the output and dividends paid by some of the principal gold-mining companies in Western Australia, and I propose to quote a few to give hon. members an idea of what profits have been made by these companies. The total output of the Associated Northern Blocks to the end of 1919 was, in sterling value, £2,037,870. Upon that total cash value of output the sum of £726,250 was paid in dividends. The percentage on the dividends paid and the total output was 35. The total output of the Associated Gold Blocks was £4,216,921 up to the end of 1919, and the dividends paid amounted to £716,217, and the percentage on the dividends paid and the total output was 15. I have the figures for five other principal gold mines of this State, but will take them in the aggregate. The total profit of the Associated Northern Blocks, the Associated Gold Blocks, the Golden Horse-shoe, the Great Boulder Perseverance, the Great Boulder Proprietary, the Ivanhoe Gold Corporation Ltd., and the Menzies Consolidated Goldmines, up to the end of 1919, including dividends in proportion to the output, was 18 per cent. If we take away the highest percentage of profit or dividends made by the Great Boulder Proprietary of 45, and the lowest, two per cent., made by the Menzies Consolidated Gold Mines, and follow the widely adopted practice in mining of striking an average, we arrive at a percentage of profit on output of these mines of 28. These figures are quoted regarding mines that are fully equipped, and some of the most highly payable in the world. They have plants working on a big scale with

every possible labour saving device, and the figures are approximately the accurate figures of the percentage of output from these mines during the last 25 years. When we say that it would be unfair for any tribute party to be called upon to pay more than 20 per cent. royalty on the proceeds of the tribute, we are asking something that is very reasonable indeed. When a goldmining company is prepared to let its lease on tribute, it can fairly be accepted as evidence that it is impossible for the company to work the lease at a profit. The company is, therefore, willing to allow tributers to come in. In the circumstances, a company should not be allowed to make big profits out of the tribute parties. It would be unfair to place upon the warden the onus of dealing with the questions to which I have referred. He will have quite enough to do in dealing with the crushing charges, and the other terms of the agreements which cannot be decided by Parliament. We cannot legislate as to the charges for crushing, hauling, tool sharpening, etc. This can best be arranged by the man who possesses the most up to date local knowledge of the conditions. The House, however, should lay it down that the warden must insist that no higher tribute royalty than 20 per cent. is paid. I agree also that no tribute should be payable until a certain amount per week has been earned by each member of the tribute party. Here, again, I think the Minister might have gone further, and allowed something more liberal than £3 per week. I consider that no royalty whatever should be exacted from a tribute party until each member of that party has earned the full rate of wages ruling in the district where the mine is situated. After all, the difference in royalty would be a very small consideration to the company, though it would enable the tributer in many cases to obtain sufficient food and clothing for himself and his family, as against not obtaining a sufficiency of necessaries. I am not quite clear as to the effect of certain clauses of this measure, but I again congratulate the Minister on its introduction. I trust the House will give due consideration to the Bill and pass it into law promptly so that the gold mining industry may have the advantage of working under it during the year that is rapidly approaching.

[The Speaker resumed the Chair.]

Hon. P. COLLIER (Boulder) [10.3]: At this late stage of the discussion, and as possibly the last speaker on the Bill, I shall not traverse ground already covered by other members. The provisions of the Bill have been thoroughly analysed. Like the last speaker, I approve of the Bill generally. Subject to some amendments which I hope will be made in Committee, the measure should prove a workable one and should greatly conduce to harmonious relations between tributers and mining companies. Regarding that part of the Bill which deals with pros-

pecting for and working mineral oil, there appears to be much diversity of opinion. Some members holding that certain clauses amount to confiscation. I shall not take up the defence of the Bill in that respect, but shall leave the matter to the Minister, who I believe will be able to show that, after all, the measure is not so drastic as some members imagine it to be. I for my part am prepared to give a general support to Part II. of the Bill, dealing with oil. The member for Sussex (Mr. Pickering) has suggested that the provisions of that part are not sufficiently generous to remunerate those who may spend time and money in prospecting for oil, and that a lease of 100,000 acres should be granted as a reward. These suggestions show the extent of the diversity of opinion between the hon. member and the Minister, whose Bill proposes an area of 640 acres. Possibly the House may be able to agree on some mean between those two extremes.

Mr. Johnston: There is plenty of range.

Hon. P. COLLIER: The range is very wide indeed. However, I shall be found sticking pretty close to the area proposed by the Bill. The possibilities of reward for the discovery of oil in Western Australia, apart altogether from the area to be granted, are so great that no difficulty whatever is likely to be experienced in finding the necessary capital and people willing to undertake the work. Recently I read in an American magazine an article dealing with the discovery and the development of the oil fields of the United States, and from it I have extracted a few points which may be interesting, seeing that so much importance is attached to the provisions of this Bill relating to oil. Hon. members will be interested to learn that for the past 60 years America has led the world as regards a steadily increasing flow of oil. In those years it has contributed no less than 61 per cent. of all the oil that has been used. American experts now calculate that the point has been reached when the United States are consuming more oil than they are likely to produce. The discovery, as I have said, dates back only 60 years. Oil was first found in Pennsylvania during the year 1859, by a man whose name is famous in English history, and who, if an American, may probably be of British descent—Drake. When the oil was first discovered there was a flow of only 40 barrels per day. The increase is interesting as showing the enormous wealth America has drawn from its oil fields. The first flow was 40 barrels per day, and that was in 1859. After a decade, in 1870, the flow had increased to five million barrels per year; in 1880 to 26 million barrels per year; in 1890 to 45 million barrels; in 1900 to 63 million barrels; in 1910 to 209 million barrels, and in 1918—two years ago—to 336 million barrels. But even that great output does not meet the requirements of the United

States, for in that same year, 1918, when the United States produced 336 million barrels of oil, they used 430 million barrels—or 77 million barrels more than their production. The excess consumption was drawn entirely from the oil fields of Mexico. There are in the United States 200,000 oil wells, and no less than 30,000 miles of pipes. As hon. members know, oil is mostly conveyed in pipes to the towns where it is required and the ports whence it is shipped. There are over six million pleasure automobiles in America, and these consume annually 120 million gallons of oil. Then there are in the United States a third of a million of tractors, using 35 million gallons of oil per year. The first discovery of oil, it is interesting to note, was made at a depth of only 69 feet. In the light of that information it is doubly interesting to learn that the deepest oil well in the world, situated in Virginia, attains a depth of 7,589 feet. As showing that the Americans spend unlimited money in endeavouring to discover oil, I may mention that that deepest well in the world, that well 7,589 feet deep, proved a duffer, no oil whatever being discovered in it. The American geologists calculate that during the 60 years the United States have been drawing on their oil reserves they have used up 40 per cent. of the available supplies, so that America has nearly reached the top of its production and in a few years will have started on the down grade; that is to say, in a few years America will be consuming so much more each year than it is able to supply annually, that the exhaustion of its oil reserves is within measurable distance. It is calculated that in 1918 the United States used up one-twentieth of their estimated underground reserves. The member for Canning (Mr. Robinson) has said that he has not too much faith in the opinions of our geologists. Without in any way detracting from the qualifications of those gentlemen, I think one can say that, the age being one of specialisation, our mining engineers and geologists, though thoroughly qualified as to general professional knowledge, are possibly not sufficiently well equipped with the special knowledge relating to the possibilities of oil that is possessed by American geologists, and that therefore we cannot accept our engineers and geologists as final authorities with regard to oil. In this respect the United States expend money in a very liberal manner. There are at present no fewer than 750 geologists employed by the United States oil corporations—of course the whole of the American oil areas are owned privately. Those geologists are employed in selecting the most promising sites for new oil discoveries. Seven hundred and fifty geologists represent an army.

Mr. Pickering: And they are specialists at that.

Hon. P. COLLIER: Yes. Those geologists would, I suppose, not be men of general knowledge such as we have here, but men who have

specialised in the discovery of oil fields and the working of oil wells. The discovery of oil in Australia seems to me rather a matter for the Commonwealth and I think the Commonwealth might well expend £50,000 or £100,000, or more if necessary, in obtaining the services of some of the most expert oil men in America, because undoubtedly that is where the expert knowledge is to be found. The Commonwealth, I say, should obtain American experts to investigate this matter for the Australian people and advise them upon it. Some of the oldest civilised countries in the world have been the most backward in searching for oil. The development of the use of oil, and the appreciation of the value of oil, have been so rapid that even yet the need for investigating the possibility of oil discoveries within their borders does not seem to have dawned upon some of the older countries of the world. It is interesting to know that oil was discovered in England only last year—in Derbyshire. An examination was made there by an American geologist, and the site for the boring was also selected by an American oil expert. The drilling was done by an American engineer with American workmen and American machinery. In England, mainly through the patriotic attitude adopted by Lord Cowdray, who spent many thousands of pounds in carrying out the investigation with expert advice from America, oil was discovered at a depth of 3,078 feet, and a supply of 12 barrels of high grade oil per day resulted. That quantity was almost equivalent to the flow which resulted from the first discovery in America 60 years ago. From this it will be seen that there is a very great possibility of England developing and producing large quantities of oil. These are a few points extracted from the reports of the man who is director of geology in America. I hope that the result of this measure will be the discovery of oil in Western Australia. It is not beyond the bounds of possibility that such a result will be achieved. Should it be discovered, the presence of oil will confer an immense benefit not only to this State but to the whole British Empire. Regarding the tributings sections of the Bill, I agree that with the provisions which are included in the Bill, we will be able to do something which should prove satisfactory. Without dealing with the clauses *seriatim*, I will content myself at this stage with stating that I will give the proposals reasonable support and express the hope that the Minister will not take too determined an attitude regarding the Bill. I believe it can be improved. The Minister will agree that the question is a very difficult one to legislate upon. What is considered suitable for one tribute would be entirely unsuitable for some other mine or some other tribute and many matters will have to be left to regulations to be issued from time to time by the Minister or to conditions laid down by some authority. In that respect, it is proposed to appoint the warden as that authority and I think the Minister

has agreed to favourably consider a proposal that there shall be two assessors to act with him as a board.

The Minister for Mines: That is so.

Hon. P. COLLIER: That body will define the terms and conditions of tributing. If these two assessors, one representing the mine owners and the other the tributers, with the warden as chairman, consider the various problems, they should be able to arrive at conditions fairly satisfactory to all concerned. I agree with the members for Claremont (Mr. Duff) and for Menzies (Mr. Mullany) that it would not be fair to place upon any such tribunal the responsibility of deciding such a question as that of royalty. The maximum amount to be paid should be placed in the Bill and that would be the guiding principle for the board, who would determine according to circumstances and conditions operating regarding each mine or tribute, as the case may be, what amount of royalty should be paid. Parliament should accept the responsibility of saying what the maximum amount of royalty should be and I propose to submit an amendment when in Committee to deal with that point. I hope the Minister will favourably consider it. Other points which I desire to discuss can be left to the Committee stage. In the meantime I support the second reading of the Bill and hope we shall secure something workable as the result of the consideration of the measure in Committee.

The MINISTER FOR MINES (Hon. J. Scaddam—Albany—in reply) [10.20]: I appreciate the references made by most members who have addressed themselves to this Bill, but at the same time I take the strongest exception to the utterances of the member for North-East Fremantle (Hon. W. C. Angwin). I should probably take stronger exception to them if I thought he meant them seriously. I think it is a case of Cornish contrariness which enabled him to make some of his comments.

Hon. W. C. Angwin: You do not know anything about the characteristics of the Cornish race.

The MINISTER FOR MINES: At any rate I have learnt a good deal as this debate has gone on. The member for North-East Fremantle made the strongest attack not merely upon myself but upon the Government and the members on this side of the House. He attacked us because of certain things which, he asserted, were provided for in the Bill. In point of fact, no such provisions are included in the measure at all. In order to clear the atmosphere, I propose to reply to his statements first. At the outset I want to make a definite declaration that there is no provision contained in the Bill which confiscates anything granted by the Crown in the past. The hon. member will insist that Clause 3 provides that the Government can confiscate oil which may exist under the land which has been granted under an old title, such, for instance, as that

granted in connection with the Midland Railway Company's lands. As a matter of fact, Clause 3 does not state anything of the kind. It is merely a declaration that the oil under private lands in Western Australia is the property of the Crown. Gold in every part of the State is the property of the Crown and yet we do not take away the gold by reason of that declaration. We provide for leases for owners of private land under the Mining on Private Property Act. We provide power for the owner to take out a lease and secure the gold. That is what we provide in the Bill here. We may have our own opinions regarding what the State should do respecting oil. I am simply dealing with the statement that there are provisions in the Bill which would enable the Government to confiscate something which has already been given to persons in Western Australia. When I introduced the Bill, I declared emphatically that no clause in the measure was intended to confiscate anything. It was simply intended that oil under private, as well as Crown, lands, should be the property of the Crown for the purpose of enabling the Crown to take control of the development of oil-fields.

Mr. Johnston: Do not the titles cover oil in some cases?

The MINISTER FOR MINES: In some cases, yes, and I am not taking it away from them.

Mr. Pickering: Cannot it be construed as such?

The MINISTER FOR MINES: Certainly not. All that it provides is a declaration that the oil is the property of the Crown. The clauses which follow have to be read in conjunction with Clause 3.

Mr. Johnston: The next clause is worse than Clause 3.

Hon. W. C. Angwin: Do not set yourself up as a legal adviser.

The MINISTER FOR MINES: I am not setting myself up as any such thing.

Hon. W. C. Angwin: I have a K.C. with me.

The MINISTER FOR MINES: That may be so, and the K.C. may still be wrong. To use the K.C.'s own words in regard to the geologists in the Mines Department, that when they expressed an opinion he was more than ever convinced that they were wrong, so I say that, when I heard his expression of opinion to-night I was more than ever convinced that the K.C. was wrong. When the member for Irwin (Mr. Gardiner) was speaking to this clause, I stated that if there was an impression that we were confiscating the rights of anyone, rights which were granted under the old British Constitution before we had responsible Government, I would undertake on behalf of the Government, because I knew the feeling of Ministers, that we would honour all rights to the very letter. Nothing will be done under this Act that will rob any person of any right he has under any title granted since we have

had responsible Government. We will make that point quite clear in the Bill. I want members to appreciate that point, because under the Imperial Act which gave us responsible Government, Section 4 repealed the then existing powers to make land regulations and provided—

Nothing in this Act shall affect any contract or prevent the fulfilment of any promise or engagement made before the time at which this Act takes effect in the colony of Western Australia on behalf of Her Majesty with respect to any lands situate in that colony, nor shall disturb or in any way interfere with or prejudice any vested or other rights which have accrued or belong to the licensed occupants or lessees of any Crown lands within that colony.

To attempt to do anything but that would be a violation of the Imperial Act which gave us responsible Government and, as such, would be *ultra vires*. In view of the discussion and the possibility of an impression being gained outside Western Australia that we are doing something of a confiscatory nature, I will agree to insert some provision in the Bill, which I consider is absolutely unnecessary, in order that the position may be made quite clear.

Hon. W. C. Angwin: You realise that it is wrong and promise to put in an amendment.

The MINISTER FOR MINES: I recognise that the statement of the member for North-East Fremantle is wrong that there is a confiscatory clause in the Bill.

Mr. Johnston: Other titles were issued up to 1898.

The MINISTER FOR MINES: And they were given by a Government which had power to give and take. That is the difference. I have no objection to that, and I declare that it was never intended that these titles were to give them the rights to oil. I will not be accused of being a party of anything of a confiscatory nature. As Minister in charge of the Bill, I intend to ask the House to insert in this clause some provision for sufficient power to enable the Government to control the mining for oil on private or Crown properties. We have read lengthy articles in the Press—

Hon. W. C. Angwin: Are you referring to the "Daily News"? I never read them.

The MINISTER FOR MINES: The hon. members knows nothing about it unless he read those articles. They said all there was to be said about the subject. If the statements contained therein are correct, there is a huge basin of oil commencing somewhere in the Leopold Ranges in the North-West and extending beyond Cape Leeuwin. How far it extends into the Indian Ocean I do not know. If that is the case, by tapping the surface at any point and not employing proper scientific methods of drilling, although it may be done on private land, unless the State has control, we may damage the oil basin as a whole. And, moreover, taking the 640 acres, which

is declared to be too small an area; that 640 acres, it may be, is quite adjacent to private land. The owner of that private land, knowing there is oil on the 640 acres, may begin to bore on his own land, and unless we have the power to control him, not only will he not get anything on his own land, but he may destroy the oil on the adjacent Crown land. Nobody will dispute the fact that there is on record undeniable evidence that where there has been no authority of control many a good field has suffered severe loss, and some have been even destroyed in a mad rush to get results. It is essential, therefore, for the protection of oil under Crown lands that we shall get control over the private lands. Having made that point, I ask the member for North-East Fremantle (Hon. W. C. Angwin) would he suggest that the power I am seeking, not for myself but for whoever may be responsible for controlling these matters if there should be a strike of oil, that he shall have power to direct the methods by which the basin shall be opened up is too much? The Bill deals with two matters, namely, prospecting and mining for oil. The issue of a prospecting license gives an exclusive right to go over all Crown lands and endeavour to find indications of oil. But once the prospector obtains definite indications of oil he shall report it, and from that moment there must be a guiding hand to see that there is not a mad rush to get money, and perhaps do irretrievable damage, but that somebody in responsibility, the Minister, shall be empowered to come in and direct that the discoverer while he is only a licensee shall carry on his future operations in a certain manner. Once he has found payable oil he becomes a lessee, and the powers of the Minister shall not any longer exist, but the lease shall afterwards be governed by regulation and by certain provisions in the Mining Act. I do not think the member for North-East Fremantle deliberately intended to accuse me of attempting to get undesirable powers. I think he had in mind that those powers would remain, even after the discovery of payable oil. Nothing of the sort is intended. The clause provides that every licensee, when he discovers indications of oil, shall report it, and that from the time he reports it until he discovers payable oil he shall observe the directions of the Minister.

Mr. Money: The trouble will be the qualifications of the Minister.

The MINISTER FOR MINES: The hon. member knows that the Minister does not do it. If there are indications of oil of any value, we shall have to import a man with a thorough knowledge of the subject; but until we start out in a practical way I say those powers in the Minister are essential. The power of direction remains only so long as the discoverer is merely a licensee; as soon as he becomes a lessee that power no longer remains. Surely, after that the hon.

member will not assert that I am attempting to usurp powers which are not essential. I admit that if I happen to be Minister for Mines when such a discovery is made, I shall much prefer to be relieved of the responsibility and to be able to say, in the event of damage being done, that the damage was done because I had not the power. If the hon. member takes the responsibility of asking the Chamber to delete that clause the responsibility will be his. Certainly if I happen to be here when such a discovery is made, I will not complain of having been relieved of responsibility. But I should be failing in my duty if I did not tell the Chamber that in my opinion it is essential to retain that clause. The Minister who deliberately looks for responsibility of this nature in a matter of which he knows nothing except what he has read, would be an ass, and I do not think I am that just yet.

Hon. W. C. Angwin: If you were to say that in Cornwall they would know what you meant.

The MINISTER FOR MINES: They would know where to look for it. I want to deal with the question of the area which it is proposed to grant as a reward claim. Several members have taken exception to the area being 640 acres, and the member for Sussex claimed that it should be 100,000 acres. I am afraid the position has not been properly placed before the English company which is negotiating with the local company for the taking over of their rights. Let me explain my own position in the matter. Mr. J. J. East has published in the "Daily News" several articles dealing with the Bill. I take strong exception to some of his remarks. I do not know that he is altogether an authority, but granting that he is, he ought to be able to state what he desires in language not objectionable. He talks about the Minister being stupid, but, after all, it is not always the Minister who suffers from stupidity. So far as my information goes, Mr. J. J. East has been employed by the local company as a geologist, I suppose with a knowledge of geology sufficient even to tell them where the oil is. He has been moving about. What he has been doing I do not know, but I suppose I shall know because, under their permit, the company are supposed to thoroughly prospect their area, and are under bond that they shall not hold it for speculative purposes. So I suppose in due course I shall be informed that Mr. East has been doing certain work. The company employing him hold certain areas larger than any other company or individual in the State. They were granted by my predecessor in office. Just after I came into office I decided that better evidence must be given that these huge areas held by these persons or companies would be legitimately prospected and not held against other people who might desire to prospect for oil. To compel this I

framed a new condition, and provided that a bond should be put up that the permit holders would carry out the conditions and do the prospecting work as stipulated. Before I renewed the permits, representations were made by the local representative of the Anglo-Persian Oil Company that if we would preserve to the Crown all the oil in the State of Western Australia, they were prepared to prospect this State from end to end and enter into an arrangement satisfactory to themselves and to us for working any oil discoveries. This was a far better proposition than anything else that has been put up in this State.

Mr. Pickering: They would have had the whole of the State to operate on.

The MINISTER FOR MINES: If I were a private individual, and had merely to consider the proposition from the standpoint of a private individual, would I not have jumped at the opportunity to get the Anglo-Persian Oil Company, a company with millions at their back, to come here instead of renewing permits to those who had at their command only a few pounds or a few pence? I adopted the attitude that the local people were entitled to our best consideration because they had produced evidence that by moving about and employing certain individuals they had obtained fair indications that oil existed in this State. They were honest in their admissions that they had not sufficient capital to prospect in a way which was essential to the discovery of payable oil. After they had made certain investigations, however, I considered that they were entitled to be given at least a fair opportunity to find the capital even if they had to go elsewhere for it. I declined the Anglo-Persian Oil Company's proposition largely because of the work of the company who employ J. J. East to talk about stupid Ministers. I excuse the "Daily News" because these articles were contributed.

Mr. Pickering: Do you think that he was speaking for the company?

The MINISTER FOR MINES: I understand that he was associated with the paper, but I am not sure whether he is still in their employ. It is interesting to know that in connection with the tentative agreement made between the Anglo-Persian Oil Company and the local company, it will not be finalised unless the local company can get a guarantee of 100,000 acres in the event of oil being discovered. I want to tell the House and the company that I shall not be forced into a position which I think is unfair. I shall not ask the State even for such a company as the Anglo-Persian Oil Company, with all their millions behind them, to finalise an agreement which will bring into this State £50,000 or 50 million pounds if the interests of the State are not being conserved. The interests of the State will not be conserved by giving them a reward claim of 100,000 acres. It would amount to a monopoly. The arrangement states that they shall be able to take leases to the extent of



100,000 acres as a minimum. If they discovered oil in any part of the State, the whole of the basin might not exceed 640 or 1,000 acres. Even if the area were 10,000 acres, they could find 10 such basins and monopolise the whole of the territory of Western Australia, and we would be unable to grant any person a single acre until they had their 100,000 acres. We are not entitled to do that, and it is not necessary to do it. I am sorry for the local company and I say this genuinely. If the House feels disposed to encourage that £50,000 to be brought here, plus £25,000 representing the interest of local holders, it may do so. Members will not do so with my encouragement or vote, because it is not a fair proposition. There are scores of fields where millions of pounds worth of oil has come out of 640 acres. I have a picture of a section of the West Colombia field showing that two acres of land had produced a million barrels of oil, and yet forsooth we are told we shall never encourage anyone to look for oil here unless we give 100,000 acres. The proposition is absurd. If members are not satisfied with my statement they can look up the records. I have been told that the statement I made to the effect that 640 acres is the generally recognised area of a lease is not correct.

Mr. Duff: How would that be calculated?

The MINISTER FOR MINES: The length would be twice the breadth. We give a huge area up to 60,000 square miles with the exclusive right of prospecting, and under this Bill I am asking for authority to allow up to 10 years subject to the party doing work which I consider necessary. Once oil is found on that huge territory the discoverers are not to be interfered with—perhaps a stupid Minister might interfere with them—until such time as they located the actual basin and took their pick of it to the extent of 640 acres, not two acres which has given the huge quantity of oil I mentioned. When they are satisfied they are on the basin and on the best basin, they will have the right to select their 640 acres plus two 48 acre blocks, with the exclusive right to take the oil therefrom. If the Anglo-Persian Oil Company will not operate under these conditions, I do not know that there is any need to show haste in the matter. The oil position of the world is such that if there is oil here, and if the Anglo-Persian company or any local company will not find the capital to procure it, others will do so. If to-morrow we offered these conditions, I am sure we would have no difficulty in getting American capital. The Americans are chasing every opportunity to get foreign sources of supply because their own sources are giving out.

Mr. Robinson: We do not want Americans here.

Hon. W. C. Angwin: The Anglo-Persian Oil Company consist chiefly of the British Government, and the Commonwealth Government are also shareholders.

Mr. Robinson: Cannot the Minister buy some shares too.

The MINISTER FOR MINES: If the House desires to do what J. J. East advocates, to nationalise the oil supplies of the State and enter into an arrangement with the British Government, the Commonwealth Government and the Anglo-Persian Oil Company, I shall raise no objection. I think we could make an infinitely better deal with the Anglo-Persian Oil Company to prospect the State thoroughly from end to end, but I tried to keep in mind, as I have already explained, that a certain set of individuals had made preliminary investigations and were entitled to some consideration. I did not think it right that they should be robbed of the results of their labours. May I say that I am prepared to leave this matter entirely to the House. I shall accept whatever decision is arrived at. I profess to know no more than other members except that I have tried to read up the subject from every standpoint and obtain all possible information in order to get a proper understanding of it. When I was accused of delaying, I was deliberately withholding action until I was satisfied on every point. I had nothing to do with the actual drafting of the Bill. I set out my own ideas, but whether in the drafting of the Bill the wording means something different from what appears in cold print is a matter for which I am not responsible. I will ask the parliamentary draftsman to put into cold English what we intend hon. members to understand, namely, that there shall be nothing of the sort suggested by the member for North-East Fremantle. We shall not confiscate one pennyworth of any person's property in the State. I shall insist, and ask the House to insist, on such provisions as will give control over the production of any oil which may be discovered in Western Australia. If any member wishes to bring forward amendments which are considered desirable and an improvement on the provisions contained in the Bill I will offer no objection to their inclusion, but I warn hon. members that in introducing amendments they may be doing more harm than good to the tributer. I know the difficulties under which tributers are working and have had placed before me all the figures in regard to exorbitant royalties. I have also had information from the departmental officers of what it means from the standpoint of the State to permit conditions to apply that prevent gold being taken out of the ground, which but for these harsh conditions would be won. If a man cannot take out less than 14dwt. dirt because of the conditions that apply, it is injurious to the landlord, that is the State. We have to see, therefore, that the lessees amend the conditions of working, but in doing this I do not want to see the tributer get into a worse condition than he is in to-day. In Committee I hope we shall make the Bill such that will preserve the interests of all the parties that are so much concerned in the

operation of our gold-mining leases. If the House will take the Bill into Committee up to the third clause I am prepared to report progress. In the meantime I will have certain clauses drafted in such a way that they will plainly meet the wishes of hon. members. At the same time I would point out that the Imperial Government can always step in and make our actions ultra vires.

Question put and passed.

Bill read a second time.

In Committee.

Mr. Stubbs in the Chair; the Minister for Mines in charge of the Bill.

Clauses 1 and 2—agreed to.

Progress reported.

House adjourned at 10.55 p.m.

## Legislative Assembly,

Friday, 26th November, 1920.

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

### MOTION—STANDING ORDERS SUSPENSION.

*Close of Session.*

The PREMIER (Hon. J. Mitchell—Northam) [4.35]: I move—

That for the remainder of the session the Standing Orders be suspended so as to enable Bills to be passed through all their stages in one day, and Messages from the Legislative Council to be taken into consideration on the day on which they are received, also so far as to admit of the reporting and adopting of resolutions of the Committees of Supply, and Ways and Means on the day on which they shall have passed those Committees.

Hon. P. COLLIER (Boulder) [4.36]: I must express my surprise at the Premier moving this motion without giving any reasons whatever why it should be carried at this stage of the session. I intend to oppose the motion, and to oppose it strenuously. My desire is to meet the Government as far as possible in regard to the despatch of the business of the session, so that we may close down in a reasonable time; but I do contend that it is unreasonable to ask for the suspension of the Standing Orders when we have a Notice Paper with 36 Orders of the Day on it, 17 of them being Government Bills which have not yet entered upon the second reading, except for having been introduced and explained by Ministers. In addition, there are five Government Bills which have only just reached the Committee stage. Thus there are 22 Bills, Government Bills, which this House has yet to deal with practically from beginning to end. It is not fair to ask the House to deal with those Bills while the Government have power to push them through all stages in one sitting. Further, we have no guarantee that if to-day the Standing Orders are suspended as asked, new Bills may not be brought down next week. Indeed, there is on to-day's Notice Paper a motion, standing in the name of the Minister for Mines, which asks for leave to introduce "An Act to establish a Council of Industrial Development." To ask the House to suspend the Standing Orders before members know even the contents of some Bills yet to be brought before it during the next week or two, is altogether unfair. I know it has been the practice to suspend the Standing Orders as the close of the session draws near, but usually that request is made by a Government only during the last week or two, when the work of the session, that is to say the Bills on the Notice Paper, have advanced to such a stage that members know their contents and are in a position to judge of their importance. Under such conditions one is fairly safe in agreeing to a suspension of the Standing Orders. But with 17 Bills awaiting their second reading debate, and with five others awaiting the Committee stage, it is not right to ask that the Standing Orders be suspended. Included in this list are some Bills to which I am strongly opposed, and it is not fair to ask me to yield up some of the methods at my disposal for enforcing my opinion. If I am opposed to a Bill and have an opportunity of making that opposition felt at various stages in the passage of the measure through this Chamber, my chances of achieving my purpose, namely, the defeat of the measure, are better than they would be if the Government were empowered to force the measure through in one sitting. I am not prepared to agree to any proposition which would assist the Government to pass through this House as rapidly as may be Bills which embody principles to which I object. Moreover, there are on the Notice