

and is not a rental of only 1s. a week being charged?

Hon. C. B. WILLIAMS: Of course some people like to camp together; I do not know whether the hon. member would like to camp with someone in his room. You do not want George Miles and Charlie Williams in a camp together.

Hon. G. W. Miles: Not so much snobbery!

Hon. C. B. WILLIAMS: Working men like to be free and independent, and when together to be on friendly terms.

The PRESIDENT: The hon. member had better confine his remarks to the Bill.

Hon. C. B. WILLIAMS: I was merely replying to an interjection. Members should not run down the goldfields, which have lasted already for 44 years and which still have a bright future. I contend it is a good proposition for the Government to build workers' homes on the goldfields, but in the meantime I intend to give my support to the Bill.

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

BILLS (3)—FIRST READING.

Mining Act Amendment (No. 2).

Legal Practitioners Act Amendment.

Fremantle Municipal Tramways and Electric Lighting Act Amendment.

Received from the Assembly.

ADJOURNMENT—ROYAL SHOW.

THE CHIEF SECRETARY (Hon. W. H. Kitson—West) [5.30]: I move—

That the House at its rising adjourn until Tuesday, the 12th October.

Question put and passed.

House adjourned at 5.30 p.m.

Legislative Assembly,

Tuesday, 5th October, 1937.

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

QUESTION—RAILWAYS, COAL PRICES.

Mr. WILSON asked the Minister for Railways: As the price of Newcastle coal has increased from 33s. 10d. in 1906 to 36s. 10d. in 1937, is it the intention of the Railway Department to grant a pro rata increase to the suppliers of Collie coal to the railways, so that the miners at Collie coalfields may receive an increase comparable with that received by the Newcastle coal miners, owing to the increase in price paid to the Newcastle coal suppliers for coal supplied to the W.A.G.R.?

The MINISTER FOR RAILWAYS replied: No. The price of Collie coal is governed by the Davidson award.

BILL — FREMANTLE MUNICIPAL TRAMWAYS AND ELECTRIC LIGHTING ACT AMENDMENT.

Third Reading.

Read a third time and transmitted to the Council.

BILL—MUNICIPAL CORPORATIONS ACT AMENDMENT (No. 2).

In Committee.

Resumed from the 30th September: Mr. Sleeman in the Chair. The Minister for Works in charge of the Bill.

The CHAIRMAN: Progress was reported before consideration had been given to the proposed new clauses.

New clause:

Mr. DONEV: I move—

That a new clause, to stand as Clause 6, be inserted as follows:—"Section 38 of the prin-

cipal Act is amended by striking out the words 'no minister of religion and' in the first line."

Section 38 provides that no female, minister of religion, no uncertificated or undischarged bankrupt, and no person convicted of a crime or being of unsound mind shall be capable of being a mayor or councillor of any municipality. I hope, Mr. Chairman, you will be able to see some reason for giving the Committee an opportunity to discuss this very interesting section of the Act. My reference to this section shows in what unsavoury company females and ministers of religion find themselves with regard to disqualification from the position of mayor or councillor of any municipality. This proposal has been advanced at the request of the municipal association, and I believe the Committee will unanimously endorse the proposal. It could hardly be argued that the presence of a minister of religion would be in any way detrimental to the dignity or general standing of any municipality.

Mr. Sampson: Is there any objection to the female?

Mr. DONEY: By the amending Act previously passed, females were admitted to the right to stand as councillors or mayors, so they no longer really enter into the matter. There could be no one more competent to deal sensibly with public questions than a minister of religion. No one can gainsay that fact, or argue that a minister would be regarded as a disturbing element. As I see it, the presence of a minister of religion would be wholly helpful.

Mr. Sampson: It would make for placidity.

Mr. DONEY: In this democratic country the ratepayers should have an opportunity to determine whether or not a minister of religion should be elected to one or other of these positions. To list such a person with bankrupts and criminals is surely an absurdity. I am amazed that the Minister did not provide for this matter by way of a clause in his Bill, and without it, I presume the Minister shares in this strange prejudice. In addition to seeking to remove ministers of religion from this invidious association, I desire to offer the Minister a line of retreat.

The CHAIRMAN: I rule the amendment out of order as being beyond the scope of the Bill.

Mr. Doney: I presume, Mr. Chairman, you have good reasons for disallowing the amendment, so I shall not proceed further with it.

New clause:

Mr. DONEY: I move—

That a new clause, to stand as Clause 8, be inserted as follows:—"Section 52 of the principal Act is amended by inserting after 'before' in the first line the words 'the twentieth day of March and'."

The purpose of the amendment, which will involve consequential amendments, is to provide for supplementary rolls being compiled half way through the municipal year. Here again the alteration suggested has the hearty support of all municipal bodies. At present, rolls are completed in September for the annual elections to be held in November. That is all right for that purpose, but it is highly unsatisfactory with regard to extraordinary elections that may be held earlier in the year. The effect of the present arrangement is that many ratepayers are disfranchised owing to a change of occupancy of properties between the 1st September, when the previous revision took place, and the completion of the rolls during the following September. That means that the electoral rolls are almost always incomplete when extraordinary elections are held, and that has led to much dissatisfaction.

The CHAIRMAN: I rule this amendment out of order as being outside the scope of the Bill. It would make provision for two revision courts annually if it were allowed.

Mr. DONEY: Do you, Mr. Chairman, regard the second portion of your statement as having any bearing on the position, when you rule the amendment out of order?

The CHAIRMAN: I have ruled it out of order as being outside the scope of the Bill.

Mr. DONEY: And what about the second reason?

The CHAIRMAN: There is no provision in the Bill with regard to revision courts.

New clause:

Mr. DONEY: I move—

That a new clause, to stand as Clause 19, be inserted as follows:—"Section 96 of the principal Act is amended by deleting the words 'shall have a number printed on the back, and shall have attached a counterfoil with the same number printed on the face and' in the fourth, fifth, and sixth lines."

I regard this as an extremely desirable alteration of the Act. No member with any re-

gard for the privacy of the ballot can very well withhold his support, provided you, Mr. Chairman, enable the matter to be discussed.

The CHAIRMAN: This amendment is quite in order.

Mr. DONEY: Oh! I am very pleased to know that. I think it will be agreed that it is the duty of the Committee to set aside anything that will interfere with the secrecy of the ballot. People are constantly complaining that there is nothing to prevent a returning officer or scrutineer from noting the number on the ballot paper issued to an elector, and later on, when the votes are being counted, to check that number with the vote recorded to ascertain exactly how the elector exercised the franchise. I do not say that that does happen, but I do not think anyone can assert that it does not happen. It must be conceded that there are ample opportunities for mild corruption of that type to creep in. Already in the Federal elections and the State elections, and I think in the road board elections, this practice of so numbering the ballot papers has been discontinued, and I suggest the Minister will be glad of an opportunity to bring this into line in the Road Districts Act as a desirable change.

The MINISTER FOR WORKS: I have no objection to the amendment of the hon. member. The municipalities are not very keen on this amendment, but I see no reason why it should not be accepted.

Mr. WITHERS: The Committee have already passed Clause 23, which in Subsection 6 of proposed Section 109 provides that every ballot paper issued during any year shall bear a distinct number, and its counterfoil shall bear the same number. On a point of order, it seems to me that that provision will be overridden by this new clause.

Mr. Doney: But Section 96 is the place where this matter is referred to.

Mr. WITHERS: Well, it seems to me that the new clause will override what we have already passed.

The CHAIRMAN: The point raised by Mr. Withers is fatal. The Committee have already decided that every ballot paper issued during any year shall bear a number and that the counterfoil shall bear the same number. The proposed new clause will nullify that. I uphold the point raised by Mr. Withers and declare the new clause out of order.

Dissent from Ruling.

Mr. Sampson: I move—

That the Committee dissents from the Chairman's ruling.

[The Speaker resumed the Chair.]

The Chairman reported the dissent.

Mr. Sampson: The member for Williams-Narrogin moved a new clause to delete reference to consecutive numbering on ballot papers, the reason being that consecutive numbering means a ready identification of those ballot papers. On a point of order the member for Bunbury has pointed out that Clause 23 of the Bill, already passed by the Committee, provides for a distinct numbering of the ballot papers and their counterfoils. I respectfully urge that this is quite a different type of numbering. The proposed new clause refers to consecutive numbering which, as I say, permits of ready identification, whereas Clause 23 provides that each ballot paper shall bear a distinct number. That, of course, would not identify the voter, but would have the effect merely of ensuring that the ballot paper was a ballot paper for the year in which the election was held.

Mr. Doney: I support the dissent for a reason entirely different from that advanced by the member for Swan. I had already noticed this provision in Clause 23 but had made provision for it in the event of my new clause being agreed to. In that case the new clause would become a part of the Bill, and I have given notice to move for the recommittal of the Bill in order that four other amendments might be made. I sought advice on the matter and the nature of my advice was that I might at the same time, on the same recommittal, have an opportunity to delete the words that have been quoted by the member for Bunbury. So on those grounds I hope the objection raised by the member for Swan will be upheld.

Mr. Speaker: Will the hon. member point out where the word "consecutive" appears in his proposed new clause?

Mr. Doney: It may be implied, but it is not written.

Mr. Sleeman: In order to assist you, Sir, in coming to a decision, I find that Clause 23, deals mainly with absentee votes. That may have a distinct bearing on the case. At the moment it certainly looked to me that on the point of order raised by the mem-

ber for Bunbury the proposed new clause was out of order, but I point out to you, Sir, that Clause 23 of the Bill deals exclusively with absentee votes.

The Minister for Works: I had not an opportunity to point out that Clause 23 deals with Section 109 of the Act, which has to do with postal votes.

Mr. Sleeman: I think if I were in the Chair now, I would rule the other way.

Mr. Speaker: There is no objection to the Chairman withdrawing his ruling. I will take it that the Chairman does withdraw.

Committee Resumed.

The CHAIRMAN: I am prepared to withdraw my ruling and now rule that the proposed new clause is in order.

Mr. WITHERS: I should like to say I did not raise the point with any idea of objecting to the proposed new clause. It was only that I wished to point out that it was conflicting with Clause 23 already passed.

New clause put and passed.

New clause:

The MINISTER FOR WORKS: I have a consequential amendment to Section 108 of the Act which will take the form of a new clause. The section reads—

(1) An elector who has inadvertently dealt with any ballot paper in such a manner that it cannot be used as a ballot paper, may, on delivering to the returning officer or other presiding officer the ballot paper, and proving the fact of inadvertence to the satisfaction of the officer, obtain another ballot paper in the place of the ballot paper so delivered up. (2) The ballot paper so delivered up shall be cancelled and destroyed, and a memorandum of such cancellation and destruction indorsed on the counterfoil.

I move—

That the following new clause be added to stand as Clause 23:—

Section 108 of the principal Act is amended by deleting from Subsection (2) thereof all the words after "destroyed."

New clause put and passed.

New clause:

Mr. DONEY: I move—

That a new clause be added to stand as Clause 37 as follows:—"Section three hundred and forty-seven of the principal Act is amended by adding the following paragraph:—"For the erection and maintenance of camps or bungalows for letting or leasing on or near any beach or pleasure or health resort within the municipality."

The MINISTER FOR WORKS: I have no objection to the new clause.

New clause put and passed.

Title—agreed to.

Bill reported with amendments.

ANNUAL ESTIMATES, 1937-38.

In Committee of Supply.

Resumed from the 23rd September, Mr. Withers in the Chair.

Department of Minister for Justice
(Hon. F. C. L. Smith, Minister).

Vote—Crown Law Offices, £83,381.

THE MINISTER FOR JUSTICE (Hon. F. C. L. Smith—Brown Hill-Ivanhoe) [5.5]: The Estimates for this department are more or less of a speculative character. It is somewhat remarkable, nevertheless, that the activities of the law generally are more or less governed by a given set of circumstances. In consequence of that, although the Estimates are based on past experience, which may not be realised in the future, they are, generally speaking, very near the mark. It is estimated that the revenue that will be derived from all sources during the current year will reach £292,700, namely the Crown Law Department £214,700 and Licensing £78,000. The increases over last year's collections under the respective headings were £8,960 and £1,960, making a total of £10,920. The details of the estimated revenue are listed as follows:—Probate duty, estimate for this year, £100,000, last year's collections £93,320 (the estimate for last year was also £100,000). This is the major revenue item. The amount collected naturally depends upon the number of estates handled, and their value. It is difficult to say how much will be received in the way of revenue from these particular sources, but the estimate is based on the actual collections of the past few years and the amount estimated for the ensuing financial year should be realised. The estimated revenue from the law courts this year is £76,500, and last year the amount derived was £75,722. The revenue under this particular heading is derived from three sources—judicial fines, local court fees, and Supreme Court fees. The following figures disclose the actual collections for 1936-37

under the respective headings, and the Estimates for the current year:—

	Actual. 1936/37.	Estimated. 1937/38.
	£	£
Judicial fines	40,995	41,500
Local Court fees	8,646	9,000
Supreme Court fees	26,081	26,000
	<u>£75,722</u>	<u>£76,500</u>

The collections depend upon the activities in the respective courts. To the 31st August £8,197 was collected this year under the heading of judicial fines, compared with £7,700 for the comparable period of last year. If that rate of collection is continued, there is a possibility of the estimate being exceeded. It is noticeable in connection with the activities of the law courts that when a depression arises the revenue declines, but with prosperity there is greater activity and consequently greater revenue. In the case of the Crown Law Department last year the collections amounted to £9,568, and the estimate for this year is £10,700. This sum was made up of departmental reimbursements such as solicitors' profit costs, Commonwealth payments for rent and cleaning of bankruptcy offices, Commonwealth payments for savings bank work undertaken by clerks of courts, and transfer to revenue of trust moneys which have been held for the statutory period of six years. Of the total amount that comes under the heading of Crown Law, it is estimated that escheats will account for approximately £7,000, that is estates in which there are trust moneys which have been held for the statutory period of six years on account of no claim being forthcoming for them, when they are transferred to revenue. Subsequently, if a claim does arise and the claimant is able satisfactorily to prove his claim, the money is paid out. Under the heading of land titles the estimated revenue this year is £27,500, compared with £27,130 last year. The collections for the first two months of the financial year amounted to £5,424, which indicates that this estimate of £27,500 may be exceeded. Last year the actual collections exceeded the Estimates by only £130, and at the time the Estimates were framed there appeared to be little justification for the substantially increased amount. The results up to date suggest it is possible there will be a slight increase under this heading on account of the increased activity in the trans-

fer of land and sales of land owing to the improved economic conditions in agriculture. Under the heading of liquor licenses last year we collected £74,585, and the estimate for this year is £76,500. The revenue is derived chiefly from the minimum annual fees, the five per cent. and six per cent. additional fees, and the premiums payable on the granting of new licenses. The last-mentioned item is an unknown quantity. It depends on the number of licenses issued, but more particularly on the districts in which the licenses are granted. Premiums can only be collected from new licenses which are issued in those licensing districts in which the number of hotels is greater now than it was in 1922. The sum of £1,000 under the heading of premiums has been estimated for this year, compared with the premiums collected last year of £660. Under the heading of "Other Licenses" last year we collected £1,455, and this year we anticipate collecting £1,500. The revenue is merely from employment brokers and billiard saloon licenses, and does not vary greatly from year to year. On the expenditure side last year we spent £71,175 under the heading of "Crown Law"; this year's expenditure is estimated at £80,322. Under the heading "Licensing" last year the expenditure was £3,019; this year's estimate is £3,059. The total increase of £9,147 in the Crown Law division is attributable to increases under various headings—salaries £4,085, incidentals £685, elections £4,759, and native court administration £500. There are offsets in other items such as inquests and witnesses' and jurors' fees, reducing the total of increases to a net amount of £9,147. I submit these Estimates for the consideration of the Committee.

MR. THORN (Toodyay) [5.17]: I desire to bring under the Minister's notice the present position of the Western Australian wine trade. That trade, which is highly important to the viticultural industry, is to-day suffering severely by reason of unfair competition from the Eastern States. Could not the Government arrange for more licenses to be granted for the sale of Western Australian wines?

Mr. Marshall: Did you see the reply of the licensing bench to the application made at Wiluna?

Mr. THORN: Yes. It appears that at Wiluna, where we know a great deal of wine is consumed and the railway returns show

large consignments, our people are turned down when they apply for licenses.

Mr. Marshall: But what have you to say about the attitude of the bench?

Mr. THORN: I am rather surprised at that attitude. Apparently certain people who have interests in the liquor trade strenuously oppose these licenses, and in doing so meet with a certain amount of success.

Mr. Raphael: There is no doubt about that.

Mr. Marshall: The bench say that if they granted Western Australian wine licenses, these other people would buy the licenses and put in imported wines.

Mr. THORN: That is definitely incorrect, because we know there are Western Australian wine licenses. There is one in South Fremantle, one in Victoria Park, and one at the Metropolitan Markets, and all are operating quite satisfactorily.

Mr. Marshall: But if someone bought up those licenses, could he not substitute Eastern States wines?

Mr. THORN: It is not likely that the holders of such licenses would sell out. It is indeed disappointing that the bench should find excuses for refusing these applications. It has been suggested that the bench should make it a condition of granting licenses that a percentage of Western Australian wine be sold.

Mr. Marshall: There is no power under the Act to do that.

Mr. THORN: But the bench could use their influence in that direction, seeing that the renewal of licenses is in their hands. We cannot, of course, force people to sell Western Australian wine. They can say that there is no demand for our local wines. But when the bench will not grant licenses for the sale of Western Australian wine, it is most disappointing to the industry, seeing that there is a big opening for sales in Wiluna. We look to the bench to assist our industry. It is within their power to do so.

Mr. Marshall: I am extremely doubtful about that.

Mr. THORN: The bench could assist by granting licenses to the Western Australian Wine Growers' Association. I do not wish to speak disrespectfully of certain Eastern States wine firms—such as Penfolds and Yalumba, for instance—which do not cut prices here. On the contrary, they maintain payable prices. But a speculator buys large quantities of wine at a low figure in the

Eastern States and dumps it here. At Fremantle a man who is operating under the ordinary shop license is bringing large quantities of cheap Eastern States wines into Western Australia and selling it to hotels and wine shops at prices as low as 4s. and 5s. per gallon. That price is below the Western Australian cost of making wine, and also below the cost of making wine in the Eastern States.

Mr. Marshall: That wine represents excess production in the Eastern States.

Mr. THORN: Yes, and it is being dumped here. The figures of the tremendous gallonage of wine manufactured in the Eastern States imply a surplus to be dumped in Western Australia. We have challenged the man in question. He pays an ordinary wine license fee of about £5 per year. Our people holding wine and spirit licenses must pay about £35 a year. The position of our wine growers is becoming serious. They have introduced up-to-date machinery and the latest methods of manufacturing wine.

Mr. Marshall: And are producing an excellent article.

Mr. THORN: Yes, but they are continually faced with this dumping. As a result the people who have put their money into wineries here feel disappointed with their investment. More consideration might be extended to the wine industry of Western Australia by the licensing bench. Wiluna is a mining town where there are numbers of foreigners whose daily beverage is wine, and we know from the railway returns that great quantities of wine go to Wiluna. But when our wine growers apply for licenses at Wiluna, their applications are rejected. This is not the first time such an application has been turned down. When the Western Australian Wine Growers' Association applied for a license, they were refused it and an outside agency applied for it.

Mr. Marshall: The agent stated to the court that he would handle only Western Australian wines.

The Minister for Justice: When was the application made? None was made last year.

Mr. Marshall: One was made a few weeks ago.

Mr. THORN: The first application was made a few years ago. I think it was heard in Wiluna. I suggest that the Minister should give the whole matter serious thought. The industry is most important to Western

Australia. The only form of insurance available to grapegrowers is that they can look to wineries and distilleries. Appeals of this nature are often made in this Chamber, and apparently little notice is taken of them. However, I hope the Minister will extend some consideration to the Western Australian wine industry in future.

HON. W. D. JOHNSON (Guildford-Midland) [5.27]: I desire to bring under the notice of the Minister and of the Chamber the erratic decisions being given in regard to traffic penalties, particularly those associated with motor cars and motor driving and the results of accidents. It appears to me that some sentences are especially severe, while others are, in comparison, very lenient indeed. One particular case which occurred in my own electorate I consider very vicious. I use that term advisedly. I shall state the case to the House as I know it, having read the files and discussed the matter with the Minister. A young fellow whom I have known since his early childhood and who has now reached the age of 22 or 23 acquired a runabout truck. His father was employed at a timberyard, and the lad got work for his truck by delivering timber for A. T. Jones & Co., Ltd. Evidently being on holidays, he hired a sedan car, and in that sedan car he went to Mundaring. There he picked up some girl friends, and they went for a joy ride or holiday trip. They had an accident of some kind on the road. With regard to that accident there was no conviction, but it is a fact that they did have some kind of an accident during the jaunt. Arriving in Perth, after delaying for some time at a skating rink or some amusement of that nature, they decided to go to Cottesloe. In connection with the journey to Cottesloe the young fellow was charged with having struck a motor bicycle and sidecar and capsized them while he was turning a corner. It has not been conclusively proved, so far as I can gather, that the sidecar was seriously struck, if at all. The driver of the motor cycle had his wife in the sidecar, and he could not definitely swear that he felt the impact. However, he claimed that there was a mark where the impact took place; and I understand he showed a mark. The fact remains that he was capsized just as the motor car was alongside him. The allegation is—and probably it is quite sound—that he was struck by the car and capsized. There was no injury done. I

think there was a little gravel rash, but nothing serious. Those in the car swore that they felt nothing. They had no idea there had been an accident. Seeing somebody behind him, he foolishly speeded up and there was a chase. The one who chased him did so because the motor cycle and side car had capsized and this young man claims to have speeded up because the other fellow was trying to beat him. He was ultimately charged with having struck this car and capsized it. He had never been in trouble before. There was no previous charge against him but on this charge he was fined £10 and his mother had to scratch around to get the money to pay the fine. The young man was also sentenced to two months' imprisonment and his license was taken away from him for three years—a most vicious sentence. I went to the Minister immediately I read about it in the paper. I did not wait for representations to be made to me. Knowing the lad, I considered that it was an outrageous conviction compared with others of which we know. The Minister, to his credit, immediately took the matter up and the lad was released after having served a few days in the Fremantle gaol.

Mr. Raphael: Who was the magistrate?

Hon. W. D. JOHNSON: We need not go into that. I do not want to do more than explain to the House exactly how I feel. The lad was released through the action of the Minister after serving a few days. Had I known the circumstances before, I think I would have tried to prevent his mother having to pay the £10 fine, but she paid it, together with costs. I have been trying ever since to get the boy's license back. He has a job to go to because A. D. Jones & Company have written to the Commissioner of Police pointing out that they are prepared to re-engage him, but he has not his license and cannot fill the job. I have been to the Minister and the Commissioner of Police and representations have been made to the magistrate who sentenced him. Nevertheless I can make no progress in the matter. It is an absolutely cruel position. There was no reason for the magistrate to be so severe. I think I am right in saying that it was a vicious thing to do to a lad without any previous conviction. Of course he might be a hard doer. I do not know, but the fact remains that there is no police

record against him, and he had never before been in trouble.

Mr. Boyle: Was it a special magistrate?

Hon. W. D. JOHNSON: No, an ordinary magistrate.

Mr. Boyle: The ordinary magistrate who takes these cases?

Hon. W. D. JOHNSON: Yes. The Minister knows the magistrate. I understand that if one waits for another six months and representations are made about Christmas time, some consideration might be given to the matter.

Mr. Raphael: And it might not.

Hon. W. D. JOHNSON: I am hoping consideration will be given to the case because I consider that in the circumstances the penalty was over severe, and the young fellow should have an opportunity of getting back to work. After all, the imposition of a fine of £10, two months' imprisonment, and the denial of the right of the young man to follow his calling for three years is a particularly severe punishment.

Mr. McDonald: Was there only one charge against him?

Hon. W. D. JOHNSON: Only one charge. I want the Minister to go into the matter and see whether we cannot get that boy's license restored. He has been punished and he has had experience and knows exactly the risk he will be incurring if he is taken to court again. Seeing that it was his first offence, and that he has been without his license for four or five months, I think we have gone far enough in the punishment of this young man and he should be able to go back to work ready to profit from the experience he has had.

HON. C. G. LATHAM (York) [5.35]: I have listened intently to the remarks of the member for Guildford-Midland. While, as laymen, we might think that some of these decisions are harsh, I do not know that we can be too severe on a motorist who hits another person and runs away. There have been quite a number of persons in this State whose bodies have been left on the side of the road after having been struck by motorists.

Hon. W. D. Johnson: Do not exaggerate.

Hon. C. G. LATHAM: Yes, they have been found on the roadside and there might have been a chance of saving their lives if the persons who struck them had stopped and tended them. I do not know that this

Chamber should defend people who know very well the risk they take in hitting somebody else and running off. If this is one of those hit-and-run cases I am not going to allow any defence to be put up here without a protest. The case must have justified a severe punishment if he was both fined and sentenced to a term of imprisonment. My complaint is that sometimes magistrates are far too lenient.

Hon. W. D. Johnson: That is exactly my case.

Hon. C. G. LATHAM: The hon. member generally uses good, sound judgment, but in this instance I think he has a weak case. This House should not take up the defence of any man who hits another car—irrespective of whether he does or does not injure anyone—and does not stop to discover the effect of the collision.

Hon. W. D. Johnson: This man did not know he had hit the other vehicle.

Hon. C. G. LATHAM: Then all I can say is that he had no right to have a license, for he must have been deaf. My experience has taught me that no person can drive a motor car without knowing when he has hit another.

Mr. Raphael: You have never driven a car.

Hon. C. G. LATHAM: We must protect the people who use the roads. I am sure the member for Guildford-Midland must have experienced some of the hair-breadth escapes we have on the roads to-day. It does not matter how careful one is. A person may be the most careful driver it is possible to be, but that does not save him. Some harum-scarum will come along at a terrific speed, dodging in and out of heavy traffic and jeopardising the lives of other people. A magistrate is not doing his job properly unless he protects the general public from such people. If there is a case at all in the present instance I am prepared to leave it to the Minister. I am surprised that the Minister went so far as to release the man from gaol.

Mr. Raphael: What about your Government? They released a man who had murdered another fellow and let him dance with others at the Log Cabin, although the body of the man had not long been laid in the grave.

Hon. C. G. LATHAM: The papers in connection with any action which our Government took in any case of the sort may

be laid on the Table of the House. I do not say that our Government were infallible. All the same I do not know of any murderer whom we released from gaol. Like most of the interjections which the hon. member makes, this one is probably groundless. It is difficult to understand the member for Victoria Park. I am surprised at his voicing his opinions by interjection. I should like to ask him whether he would like to have to lie on the road slowly bleeding to death as others have had to do in this State, after having been knocked down by hit-and-run motorists. Is that the extent of his feeling for the general public?

Mr. Raphael: No, it is not.

Hon. C. G. LATHAM: By his interjections, one would be led to believe that it was so.

Mr. Raphael: Why, you released a murderer, and this instance was not nearly as bad as that.

The CHAIRMAN: Order! The member for Victoria Park will keep order.

Hon. C. G. LATHAM: We cannot treat such matters lightly. They are too serious. The public who use the roads are entitled to protection. The member for Guildford-Midland would have been better advised to move for the tabling of the papers, so that we could look into the matter. To bring it up in this way and condemn the Minister is, in my opinion, absolutely unfair. Wrongful decisions may be given, but there is always the right of appeal against the determination of a magistrate. We have passed legislation under which assistance can be made available to people who cannot afford to meet such legal expenses. That assistance can be obtained through the Supreme Court. We should be very careful in dealing with such matters. I am on the side of the person who is hit by a motorist, because the very fact that such a thing can happen shows lack of responsibility. If a driver displays lack of responsibility, then we should be very careful about his license. I do not know anything about this particular case; I do not know the man. I am not concerned about the case, but rather about the principle involved. I am sure the member for Guildford-Midland would be the sorriest man in the House if, as the result of his action, the life of someone else might be jeopardised subsequently. In such circumstances, he would certainly regret ever having brought this

question forward. I stand behind the magistrates in such matters. They hear the cases; they note the demeanour of witnesses and principals; they are able to determine the truthfulness or otherwise of statements made in court. The member for Guildford-Midland says the young man went to Mundaring. Why? To go to the hotel? Then he told us the man was a teetotaler.

Miss Holman: Do you not think that people can travel to Mundaring purely for the drive and not go to the hotel?

Hon. C. G. LATHAM: People generally go there for a purpose. The member for Forrest (Miss Holman) has had sufficient experience to know that when a few young people get together and go to Mundaring—well, we know what they do. They often get a drink or two too much.

Mr. Raphael: You are judging them by your own actions.

Mr. Thorn: Or by yours.

Hon. C. G. LATHAM: I do not know of anyone whom I would judge on the actions of the member for Victoria Park.

Mr. Raphael: That is quite correct.

Hon. C. G. LATHAM: I hope the Committee will not take any action without knowing exactly what caused the magistrate to arrive at his decision. I am content to leave the matter in the hands of the Minister. No one will say he is hard-hearted, whatever else we may say about him. I have not had to ask him to release any man from gaol, and if I did, I know at least that I would receive a sympathetic hearing. I do not always agree with the decisions arrived at by judges. On the other hand, I know I am not qualified to combat their decisions after they have dealt with cases and heard the evidence adduced. I hope nothing will be done to interfere with the course of justice. We should remember that others are entitled to consideration quite apart from those who feel they have a grievance.

MR. STYANTS (Kalgoorlie) [5.45]: I am not concerned about action taken by a magistrate to punish a man whom he has adjudged guilty. What I object to is the punishing of an individual who has been judged not guilty. There is a case on record at Kalgoorlie that calls for some comment. With a full knowledge of the circumstances, I contend that the action of the Crown Law Department in respect of that case was most extraordinary. The facts briefly are that a

young married man, who has three children, was driving a motor truck for the Kalgoorlie Municipal Council. Acting under instructions from the foreman of the works committee, he was carting gravel. Members are probably aware that the footpaths at Kalgoorlie are pretty well as wide as Hay-street. There is a strip of bitumen-surfaced path about six feet wide, and between that and the kerb is a width of gravel. It was for the purpose of filling in holes and leveling the gravelled portion of the footpath that this man was carting material. The young man concerned backed his truck on to the footpath. He had been working on this particular job for three weeks. Unfortunately a small girl, who had been playing about the street, was behind the truck, and the back wheel passed over her body and killed her. At the inquest, the coroner, after hearing all the facts of the case, returned a verdict of accidental death, no blame being attachable to anyone. Everyone at Kalgoorlie thought the matter was ended. After a period of three weeks, the truck-driver, under instructions from the Crown Law Department in Perth, was arrested and charged with the illegal killing of the child. One of the most remarkable features of the position that then arose was that the Acting Police Magistrate, who three weeks previously had heard the whole of the details and decided it was purely an accident, was the official called upon to commit this young fellow for trial on a charge of illegally killing the child. I do not blame the Acting Police Magistrate for that, because he was acting under instructions from the Crown Law authorities. At the time, I expressed the opinion to the Minister that no jury in the world would think of convicting the man on the charge preferred against him. The man was acting under instructions from his employers. He had been doing the work for three weeks. If anyone was responsible or neglectful regarding the unfortunate occurrence, it must be remembered that the driver backed his truck on to the footpath under orders, and therefore the municipal council should have been made responsible. The man was acting under the lawful and legal instructions of his employers. However, the young man was committed for trial. The proceedings cost him a lot of money for his defence. His wife and family were subjected to a great deal of anxiety and worry as to the ultimate outcome of the pro-

ceedings. The trial took place in Kalgoorlie at the sessions a few days ago, and, after a retirement of less than ten minutes, the jury returned a verdict of not guilty.

Mr. Cross: And he could not recover costs against the Crown.

Mr. STYANTS: No. I contend the Crown Law Department should have taken particular care before instituting those proceedings, particularly in view of the fact that the coroner had previously returned a verdict of accidental death, with no blame attachable to anyone. It is cases of that description that particularly concern me. If a man commits a crime, he knows when he pursues that line of action that he is subject to the law and must suffer any penalty attaching to his misdemeanour. In the instance I refer to, if ever there was something purely accidental it was that happening. Although the coroner had returned a verdict of accidental death with no blame attachable to anyone, the Crown Law authorities saw fit to issue an indictment against the man on a charge of unlawful killing, causing the young fellow no end of expense. It seems as if the Crown Law Department, looking at it in a strictly legal sense and not from the viewpoint of a layman, could see some justification for their action. However, the jury quickly made up their minds that it was a case of pure accident and within ten minutes returned a verdict of not guilty. In some cases where it would appear to a layman that criminal negligence had taken place in an accident it has been found that, after the coroner has decided that there was criminal negligence and accordingly committed the offender on a charge of manslaughter, the Crown Law Department has withdrawn the charge. I realise that as a layman the Minister has to be guided by the professional staff in his office, but I do hope that in cases such as this he will give every care and thought to seeing that people are not put to expense and worry in a case of pure accident that, nevertheless, has brought them within the scope of the law.

MR. BOYLE (Avon) [5.52]: I have a case on all fours with that of the member for Guildford-Midland. I think the fault lies more with the person administering justice in these cases, and I do not subscribe to any popular cry of, "Hang the motorist, he is always at fault." Nor

have I any sympathy with the hit-and-run gentlemen. I think that in some cases the extreme penalty would not be too severe for them. However, this man of whom I am going to speak was 50 years of age and of unblemished character. He was proceeding from Perth to Tammin when he noticed a motor car bearing down upon him. He swerved his truck, and, as far as he knew, there was no accident. With his wife and another lady he drove home without noticing any damage to his truck. However, next morning he found the cap of his wheel was missing. A fortnight elapsed and this man heard that there had been an accident on a certain night in Bayswater. Honestly and honourably he visited the police station at Kellerberrin and submitted a statement. The result was that he was charged with negligent driving and with having failed to stop after an accident. I was present in the court when the case was heard. The magistrate acquitted this man of the charge of negligent driving, but convicted him on the charge of not having stopped and sentenced him to a month's imprisonment in Fremantle gaol. What an extraordinary finding! He was not guilty of negligent driving, as two witnesses, his wife and her friend, swore. The other driver had come along in most erratic fashion and 'apparently some projecting part of the truck must have caught him, and this man, after going to the police and admitting that some accident might have occurred, was taken before the magistrate. The magistrate admitted that he had not been negligent and was on his right side of the road, notwithstanding which he imposed a sentence of a month's imprisonment. Of course the man appealed against it, his appeal was allowed, and he was fined £35. In addition to that he paid £800 to the unfortunate person who lost his arm, and that without going to court about it.

Mr. Sleeman: If he were not guilty, why was he fined £35?

Mr. BOYLE: The judge agreed with the magistrate that the man in the truck had not stopped after the accident. The fact that that man did not know there was an accident did not seem to appeal to anybody. The result was that this man spent a very bad night in the Roe-street lockup, and to-day he is £1,000 out over the deal. Of course I sympathise with the unfortunate

car-driver on the loss of his arm—who would not?—but are all of us going to be in the hands of a magistrate who admits there has been no negligence, but nevertheless imposes a savage sentence of one month's imprisonment on an unfortunate man who was not aware that there had been an accident, and who on discovering it acted in accordance with every rule of honesty and honour? This continual cry of "imprisonment!" is not always fair. I would ask the Minister to make inquiries into that case and see to it that such magisterial actions are discouraged.

MR. RAPHAEL (Victoria Park) [5.56]: I had not intended to speak on these Estimates, but after listening to the remarks of the Leader of the Opposition in reply to the suggestion of an inquiry by the Minister regarding the allegations of severe sentences inflicted on one of the friends of the member for Guildford-Midland, and the implication by the Leader of the Opposition that I would perhaps be a friend to the hit-and-run motorist, I want to say that if it was a case of injury inflicted upon a person, and the motorist destroyed life or left a person grievously injured on the road, I would be the first to inflict the maximum penalty on such a man. But we find that many decisions of magistrates in drunken driving cases are not nearly as severe as they might be. If I had my way with a man for driving when under the influence of liquor, I would take away his license for life, no matter what hardship that imposed upon him. The Leader of the Opposition said that we must in no way try to influence the Minister to review a magistrate's decision. Let me take the Committee back to the case where the Government of which the Leader of the Opposition was a member released from prison a man who had taken another man's life, despite the fact that the convicted offender had served only a very short period of his sentence. That was the case of Dr. Johnson, whose life was cut off by Neil Rosman when proceeding west along Wellington-street. Rosman was convicted and sentenced to two years' imprisonment, but the Government of which the Leader of the Opposition was a prominent member, after Rosman had served only a short period of his sentence, released him. And Rosman with a party of his friends thereupon dashed off to the Log Cabin where

they danced in celebration, notwithstanding that the body of his victim was scarcely cold. Yet he stands up here hypocritically and castigates the member for Guildford-Midland by suggesting that there should have been no interference with the harsh decision of the magistrate that resulted in a young man's livelihood being taken from him for a minor offence. Should we give credence to any remarks of the Leader of the Opposition when he himself has stood behind a deed that involved the loss of a man's life? I hope the Committee will attach no credence to his remarks, and that members will not be influenced by his hypocrisy from time to time. I trust that heed will be paid to the plea of the member for Guildford-Midland, and that some effort will be made to get back the license for that young man.

HON. C. G. LATHAM (York) [6.1]: I do not propose to enter into an argument with the member for Victoria Park, but at the same time I am not going to allow his abuse—and I can describe it as nothing else—to pass unchallenged. He referred to the case of a young man—if it is the case I have in mind—who I understand was speeding.

Mr. Marshall: On a point of order, I ask your ruling whether a member is entitled to speak twice on the general discussion. The Leader of the Opposition might have another opportunity when the items are under consideration.

The **CHAIRMAN**: I thought the Leader of the Opposition merely intended to make an explanation.

Hon. C. G. LATHAM: Are you ruling, Mr. Chairman, that I have not an opportunity to defend myself? If that is so, and this personal abuse is permitted, you cannot expect to receive much backing from members.

MR. MARSHALL (Murchison) [6.3]: I regret the tone of the discussion on these Estimates. There may be some inconsistency between the decisions given by magistrates and judges from time to time, but I hope that when any application is made for review of a magistrate's decision, the Minister will weigh the evidence carefully. My experience is that whenever a particular case is presented to me, I am given the very best side of it. I am one who as a general rule

would hesitate to interfere with the decisions of magistrates because those men are competent, and though there may be some discrepancies between their decisions, I believe they endeavour to administer the laws justly and in accordance with the evidence presented to them. Some members say they would not show any leniency to a hit-and-run motorist, but who is to say that when one vehicle collides with another the driver knew that he had struck it? He is the only person in a position to say whether he knew there had been an accident. The records show that hit-and-run motorists invariably plead ignorance of the accident, which, of course, is the very best ground for them to take.

Mr. Rodoreda: If you hit a grasshopper you would know it.

MR. MARSHALL: One of those North-West grasshoppers, as the Australian informed the Yankee who saw a kangaroo for the first time and inquired the name of the animal? It may be that a miscarriage of justice occurs occasionally. In such cases it would probably be best to appeal to the Minister and let this Chamber know nothing about it. The laws governing motor transport in this State should be tightened up immediately and much severer penalties should be stipulated than are provided at present. Members find it easy to be sympathetic toward a party who commits a crime, but none of those who adopt that attitude has yet experienced the sorrow of having a child murdered by a motor car. Given that experience, any member would adopt a very different attitude. To have one's own little child killed by a motor enables one to realise how inhuman some people can be. Almost daily some unfortunate wretch is given a short-cut to Karrakatta through the negligence, indifference, or inhumanity of some motor driver. I know there are careful drivers and good magistrates. There are also good judges and some indiscreet judges. It galls me to find attempts being made to upset the decisions of magistrates after they have had all the facts and reviewed them. They see an increase in the number of these cases and attempt to deter people from repeating these offences. Notwithstanding that, members come along and endeavour to upset or criticise these decisions. The Commissioner of Police, who brings these traffic cases before the magistrate, is in a very invidious position.

Mr. Raphael: He does a good job. He is a good man.

Mr. MARSHALL: He is the finest man who has held that position, because of his enthusiasm and his desire to do something. With the limited facilities at his disposal he puts up a wonderful performance. When he takes cases to the court we would be well advised to leave them alone. What we should be doing is to follow the lead of other countries, where heavy penalties are imposed upon motorists in cases where they jeopardise the lives of innocent members of the community. I now wish to deal with the Licensing Board, though I have no desire to discuss the decisions of that board. It is, however, very difficult to understand some of their decisions. I do not think anyone can accuse me of taking members of the board to task on account of any decisions they have given.

Mr. Raphael: Only once a year.

Mr. MARSHALL: The hon. member, with his usual lack of understanding, is wrong again.

Mr. Raphael: I might have been wrong as to one year.

Mr. MARSHALL: I defy the hon. member to quote one occasion when I have made any reference to any decision given by the board.

Mr. Raphael: You have had plenty to say about the licensing bench.

Mr. MARSHALL: The hon. member is beginning to understand plain English, which is a rare thing for him to do. I have never attacked the board on the score of its decisions.

Mr. Raphael: You have attacked them in other ways.

Mr. MARSHALL: For goodness' sake, Sir, stop this individual who is making obnoxious noises which emanate from the hole in his head. My chief grievance regarding the existence of this board is on the score of efficiency and economy. That has been the usual basis upon which I have attacked this vote. Notwithstanding what other members may say I have done, let them look to my statements in "Hansard" and tell me if what I have just said is not the actual truth. Again I protest against the inaction of the Government in not bringing forward the necessary legislation to abolish the board.

Mr. Raphael: I would have been with you but you have now caused me to alter my opinion.

Mr. MARSHALL: I shall lose nothing by that. Members say that good work has been done by the board. The only justification for that contention is that hotels to-day appear to be more elaborate than they used to be. That is due in the first place to competition, and secondly to the new Act which was brought in at the time the board was created. Under the old Act licenses could be granted practically in any circumstances.

Mr. Thorn: On the recommendation of the police.

Mr. MARSHALL: The new Act created the machinery for a better type of hotel. The only argument members can advance as justification for the board is that hotels to-day are more elaborate and more up to date. No member can say that if we had the old administration working under the new Act the position would be any different from what it is to-day.

Mr. Thorn: There would be a big saving.

Mr. MARSHALL: Yes, far more than that. It would remove quite a lot of suspicion. Under the old Act the revenue that the Government received from the granting of licenses was made up of the annual rent fixed for such licenses. A departmental officer to whom an application for a license was made would say, "It does not matter whether these people get a license or not, but if they do it will mean another £20 or £50 to the Treasurer." The license was therefore granted. Under the present Act the aspect is entirely different. The license fee has a reservation attached to it.

Sitting suspended from 6.15 to 7.30 p.m.

Mr. MARSHALL: Apart from the aspect I dealt with before tea, there is another which presented itself somewhat as an invitation to magistrates to grant licenses haphazardly under the old Act. Under the new law it matters not so much whether there is an increased number of licenses or not, because the premium for the right to retail alcoholic liquor is now governed by taxation upon the amount of liquor sold. With certain reservations, therefore, it would appear that if a town has three hotels and a fourth is introduced, the Government will not get much more revenue per annum, because if the hotels are in close proximity to each other, it merely means that the

patronage will be divided into fourths instead of, as previously, into thirds. The Government do not get the taxation and the annual fee. In the case of a new hotel, of course, they get the premium straight out. The difference between the old measure and the new one lies in the direction of obtaining for the State the same amount of revenue from a smaller number of hotels. That principle is dangerous. I am not now arguing from the aspect of revenue. I want hon. members to note that where there is a limited number of hotels, a greater amount of drinking goes on. When the consumers of liquor are concentrated in a small space where everybody meets everybody, they drink far more than they would if they were scattered about the community and did not meet too frequently. Here is another aspect. The Licenses Reduction Board, which was brought into existence in 1921, was abolished in 1927, when the Licensing Board came into existence. Since then numerous hotels have improved in point of architecture, but it must be admitted that various hotels that have traded in Western Australia for a number of years have not been asked to improve either their architecture or their accommodation. I have in mind one hotel the proprietor of which, if the matter had been adjudicated upon by the magistrate for the district, would have been called upon to put up a much better building. Reviewing applications made for hotel licenses on the goldfields, we find that the fact of competition for a license usually inspires the applicant to submit a highly elaborate plan. That is the result of competition, not of the functioning of the Licensing Court. The applicant does his best to charm the board with a fine building. That would be the case even if a licensing magistrate adjudicated instead of a board. My principal point is that it is useless to contend that the board has done very much good work from the aspect of elaborate buildings. Comparisons cannot be drawn until another body of the same kind has been given the opportunity to show what it can do. In many city hotels the residential quarters are far below what they ought to be, and supervision of sanitation and ventilation is not what it should be. That applies also to some goldfields hotels. Until some other form of administration has been tried, the present board's operations do not call for

eulogy. If some worthy argument cannot be adduced for the retention of the board, the Treasurer can ill-afford £4,000 annually to keep the board in existence. If we reverted to the old form of administration and saved the State that expenditure, the £4,000 could go towards supplying free milk to school children, for instance; or it could be used to advantage in a hundred and one other ways. As things are, the expenditure renders no commensurate service. I will not stand by and hear members draw the inference that under the old system of magistrates certain influences were easily used to bring about haphazard granting of licenses.

The Minister for Lands: Did not justices adjudicate in some cases?

Mr. MARSHALL: I do not want any justices to adjudicate.

Hon. C. G. Latham: They were specially selected justices.

The Minister for Lands: Yes, they were.

Mr. MARSHALL: I suggest that one magistrate for a district is quite sufficient. No justices of the peace are needed to assist him. As a matter of fact, outside the cities to-day the conduct of hotels is practically controlled by the police and the magistrates. The magistrate renews licenses. The police report to the magistrate, and on their report he takes a certain line of action. He administers the liquor laws outside the city as it is.

Mr. Stubbs: But the magistrate does not renew licenses.

Hon. C. G. Latham: Yes, he does.

Mr. Stubbs: That is done by the Licensing Court.

Hon. C. G. Latham: The magistrates do that, too.

[Mr. Sleeman took the Chair.]

Mr. MARSHALL: The Licensing Court do not always renew licenses. View it which ever way we like, it will be conceded that it is not inconsistent to say that the magistrate or warden, who is always moving about his district, would appreciate the requirements of the public far better than three men who rush into a town to consider an application and then rush away again. How can the Licensing Court possibly understand the position as well as men who are constantly moving around their respective districts? They are not likely to get the information necessary as fully as men who enter the

towns two or three times a month. When applications are made for new licenses, the evidence submitted is often what might be regarded as "puffed-up" testimony, based on wrong premises, but suitable for the interests of the applicants. What do the people of Kalgoorlie think of the activities of the Licensing Bench? If the Kalgoorlie municipal authorities do not know what is required there with regard to the administration of the liquor laws, we should not regard ourselves as in a better position than they are. The local people should know whether the licensing bench, after operating since 1927, have been successful or otherwise. Here is an indication of what the members of the Kalgoorlie Municipal Council think about the success or otherwise of the licensing bench. Under the headings, "Rebuilding of Hotels Wanted," "Kalgoorlie Councillor to Submit Motion," a report was published in the "Daily News," in which the following appeared:—

Twelve months ago the issue was raised by Councillor Burton when he moved in the council a motion that the administration of Part IV. of the Licensing Act, which deals with the granting of new licenses and the renewals of licenses by the State Licensing Court, had been detrimental to the welfare and progress of the community, and that its jurisdiction should not extend to the licensing district of the gold-fields.

Later on in the report it stated—

The motion criticising the State Licensing Court was forwarded to the Premier's Department, and was acknowledged by the secretary of the department, who informed the council that the matter would receive consideration; but Councillor Burton said to-day that nothing further had been heard of the matter by the council.

The Kalgoorlie Municipal Council is a very active body, and administers matters affecting the health of the community.

The Minister for Lands: Was there not some other resolution moved?

MR. MARSHALL: That had nothing to do with the administration.

The Minister for Lands: What was it?

Hon. P. D. Ferguson: That motion dealt with one or two hotels.

MR. MARSHALL: So that the Minister for Lands may understand the position, I shall read it to him. The motion he refers to was as follows:—

That pursuant to the power conferred by Section 63 of the Licensing Act, which gives the council the right to object to the renewal of licenses, the council object to the renewal of

the licenses of the Victoria Hotel and the Commercial Hotel for any period longer than is necessary to enable the premises to be rebuilt with suitable accommodation in keeping with their respective positions in the town and the present requirements of the public.

That motion when it came up for discussion was lost. However, that is quite apart from the attitude of the council towards the Licensing Court. In conclusion, I wish to point out that this is the first time since I have attempted to achieve some reform in this direction, I have made the statement that many of the decisions of the court have created a great deal of suspicion in the public mind. There is now rapidly developing an idea that all is not clean. I will agree that the public are frequently over-critical and over-suspicious, but there is always a little fire where there is any smoke. Personally, I think that the practice of having men appointed to adjudicate upon important matters such as the granting of licenses, when those individuals are merely appointed to their positions for three years and have little or nothing to look forward to when their terms expire, is such as to afford the public some reason for their doubts as to whether all is well. I protest bitterly against the expenditure of money to keep the Licensing Court in existence. I am still of the opinion that if magistrates were empowered under the new Act to do the work that the Licensing Court carry out, we would be relieved of extra expenditure and probably get just as good results. In fact, I am of the opinion that we would get better results. Therefore, while there are any families hungry, children in want, and malnutrition evident, I will refuse to allow money to be expended in that direction until more humane considerations are provided for out of State finances and assistance rendered to those concerned rather than maintain in existence a tribunal that could be substituted with something more economical and equally efficient.

MR. McDONALD (West Perth) [7.47]: I want to make reference to cases that have been mentioned during the course of the debate to-night regarding decisions of magistrates. I do so for the purpose of saying that it is very difficult for the Committee to come to any just decision as to whether there has been any error in the administration of justice. We have not all the facts before us. The parties concerned have had no opportunity to put forward their rea-

sons for what they did, except through the Minister; and in the short time at his disposal he has not been able to find out what the courts or the Crown Law officers have to say. The first case referred to by the member for Guildford-Midland (Hon. W. D. Johnson) was that of a young man who was concerned in a collision. The other vehicle was upset, together with its passengers. The driver went on without stopping and was apparently chased, although it is suggested he did not appreciate he was being chased in connection with an accident. I asked the hon. member if there had been more than one charge or conviction, and he replied that there had been one only. The lad was fined £10, ordered two months' imprisonment, and his license was to be cancelled for three years. I agree with the hon. member that, on the facts as told to him, that would appear to be a very severe sentence. Actually, the facts could not have been as the hon. member was led to understand, because all those penalties could not have been inflicted unless there were at least two convictions. One of the convictions must have been for failing to stop after a collision. In that case, after imposing a penalty of £50 or six months' imprisonment for failure to stop, the Act goes on to say that if in the opinion of the court the offence of failing to stop is of a serious nature, the court may order the license of the defendant to be suspended. So the magistrate must have come to the conclusion, rightly or wrongly, on the facts before him, that the offence for which this young man was convicted was of a serious nature. Otherwise the magistrate would have had no power to suspend the license. It is clear that all the facts of the case have not been conveyed to the member for Guildford-Midland. The other case referred to by the member for Avon (Mr. Boyle) was one in which the penalty seemed to be severe also; but instead of the magistrates being to blame for the severe sentences in these cases, I am not at all sure that the blame does not rest with Parliament, because magistrates have to administer the law, and the severity of the penalty is determined by the magistrates according to the view which Parliament has taken as to what penalty should be imposed. For this offence of failing to stop, the penalty is £50 or imprisonment for six months. When that is compared with the penalties set out for other traffic offences, it

is clear that Parliament meant that this particular offence of failing to stop after a collision should be subject to severe penalties by the courts. The other peculiarity about the section is that Parliament has said that any person driving a vehicle shall, if an accident occurs to the vehicle under the care of such person, stop the car, but the Act does not say that the person driving a vehicle who does not stop shall be liable to a penalty if he knows that an accident has occurred and fails to stop. It appears to impose a penalty regardless of whether the person concerned in the collision knew of the accident or not.

Mr. Marshall: How is anybody to say whether a man knew he had been involved in an accident or not?

Mr. McDONALD: Someone has pointed out that nothing is easier for a person who goes on without stopping to say that he never knew there had been an accident.

Mr. Marshall: Who is going to say otherwise?

Mr. McDONALD: Parliament might well have said, "We will impose an absolute obligation on any person involved in an accident to stop, and we are not going to listen to any defence that he was not aware he had been concerned in a collision."

Mr. Marshall: Anyone going at a reasonable speed will know when he touches anything.

Mr. McDONALD: That may or may not be so. That section has been discussed by lawyers. They wonder whether Parliament meant a person to be liable to this heavy penalty if he was concerned in a collision but honestly never knew that he had been in contact with another vehicle. The courts have held that the wording is such that if the person fails to stop, he becomes liable to the penalty, and it is no defence to say, even honestly, that he was not aware that his vehicle had been in a collision. When we find a severe sentence being imposed in the circumstances detailed by the member for Avon—and we must have sympathy with the man of whom he speaks—we will discover upon analysis that the court had no alternative but to impose that sentence, and being obliged to do so, was obliged to have regard to the severe penalty Parliament had laid down for dealing with what is called the hit-and-run driver. I mention these facts to show that it is really impossible for us to sit as a court of review on these cases, unless

we have a full knowledge of the facts. When we have that knowledge, we might find that the real circumstances are very different from those that have been placed before us.

Mr. Marshall: It is well for us to leave these matters in the hands of the magistrates.

Mr. McDONALD: It is very hard for anybody not present at the actual hearing of a case to criticise the decision, because the magistrate sees the whole picture. He sees the witnesses and hears what they have to say, and he is cognisant of a lot of facts that are brought before him but of which we do not know; and any member told of the case afterwards does not know the full facts.

Mr. Boyle: I was present at the hearing of the case to which I referred.

Mr. McDONALD: In the case mentioned by the member for Avon, who was present at the hearing, unfortunately the defence of the man, however meritorious from the ordinary point of view, was not of much use in view of the terms of the Act, because the Act says that such a defence may not be accepted. That may be hard but salutary in the end as a general principle. I know that those engaged in the administration of the present law feel the responsibility which is theirs and experience some anxiety in administering the law. It is quite a new law and we have not learned exactly how to deal with it. The high-powered car of to-day is an instrument, in the hands of some drivers, of such enormous capacity to do harm and destroy life that many think we will have to form a new technique for the purpose of dealing with offenders who cause damage through this medium. We have to approach the subject from a somewhat new angle.

Hon. C. G. Latham: A man may be involved in an accident but he need not run away.

Mr. McDONALD: Exactly, but we are in a transition stage with these vehicles potentially more dangerous than firearms, explosives or poisons, vehicles that are travelling on our streets all day and manipulated by hundreds of people. We are in a transition stage when we are formulating our laws respecting the treatment of those committing offences in which cars are involved. In that stage of transition it may be understandable that there is possibly some variation in the views that different courts and magis-

trates may take of the circumstances upon which they are called to adjudicate. We are not really in a satisfactory position to say in this Chamber whether they have been right or wrong.

MR. WATTS (Katanning) [7.59]: We have heard a lot about accidents at various times this evening but I propose to refer to something which appears not to be an accident but a regular occurrence, and that is the excess of receipts over expenditure which has been made at the Titles Office for the last 50 years or thereabouts as disclosed by the report of the Commissioner for Titles. In that report he shows that since 1880 the total fees collected excluding stamp duties and assurance fund contributions has been £944,000 and the total expenditure has been £555,000, leaving a balance of £388,000. I make reference to those figures because it seems to me the time is long past when steps should have been taken to improve the facilities and the buildings and the office accommodation at the Lands Titles Office. Some years ago it was alleged that there was insufficient accommodation for the title deeds and records of that office, and I understand that the position to-day is not any more satisfactory than it was at that time. In those circumstances it is hardly fair that the records and documents, which are of considerable value, I have no doubt whatever, not only to the State for record purposes, but also to the individuals whose lands and properties are concerned, should be left in those unsatisfactory conditions when the office itself has been making a very substantial showing of receipts over expenditure during all that long period. In my opinion from that point of view consideration should be forthcoming as this balance of receipts over expenditure is not diminishing but rather increasing, particularly during recent years, and bears a favourable comparison with the prosperous years before that; so it seems to me that consideration should be given to improving the conditions under which the records in the Lands Titles Office are kept, and also to improving the conditions provided for the officers. Those of us who know the Lands Titles Office must realise that the conditions there at the present time are practically no better than those that existed many years ago, and cannot be classed as satisfactory. The so-called vaults have been ventilated, it is true, but I do not think they can be

regarded as satisfactory places for people to work in in view of the conditions that exist there; multitudes of files and records and so forth and, above all, conditions that in many respects resemble those of a rabbit warren.

The Premier: Every bit of space is occupied.

Mr. WATTS: I am with you there, Sir. I think that as this institution is one that is making a considerable margin above expenditure, as its records are of great value to the State and to those concerned in land and other transactions that go on in the office, its conditions are worthy of consideration as are also the conditions under which the employees work. So I ask the Minister to say that an effort shall be made to improve the conditions and either to provide the Lands Titles Office with a separate building or to put the existing building into a more satisfactory state.

MR. DOUST (Nelson) [8.4]: Like the member for Murchison, I wish to add my measure of criticism of the methods adopted by the Licensing Court in regard to applications for new hotels. In the town of Manjimup in my electorate we have a population of 5,000 people, and within five miles of that area we have three large timber mills and some 300 tobacco labourers, together with 250 sleeper hewers, many of them of the class that, generally speaking, patronise hotels to a fairly considerable extent. During the last three years two applications have been made for a second hotel at that place. In the first instance no opposition was raised by the police, but after taking voluminous evidence at Bridgetown, 20-odd miles away, where the people were not at all interested, the Licensing Court refused the application. Twelve months later the second application was made, and whilst the court was occupied for three days in taking evidence they finally decided that they were content with the existing conditions and that further accommodation was not desired in Manjimup. That was in last November. Conversely in another instance the owners of an hotel have been instructed to have completed by the end of November of this year 22 new bedrooms. That means that the accommodation has been increased by something like 50 per cent. When the application was made for a new license, plans were prepared for buildings at an estimated cost of £20,000,

and additions to the existing hotel are to cost something like £8,000. Not only the people of Manjimup, but residents of the district are feeling very sore that they could not stage the cricket association's carnival at Manjimup because there was not sufficient accommodation available for the influx of visitors; and we have been refused permission to hold the South-West football carnival in Manjimup on the same ground. It seems strange that while the Licensing Court will refuse an application on the score that there is sufficient accommodation in Manjimup, they force existing hotel proprietors to provide additional accommodation. The result is that people who do not live in the town and are not interested in it, are demanding £4,000 per annum rent for those premises. Had the new hotel been erected it would have provided work in the district for a number of people and would have made for the advancement of the town generally. I think the methods adopted by the Licensing Court in refusing licenses are most unjust and unfair. I am not making any charges of bribery and corruption; any suggestion of that kind would be farthest from my mind. It is, of course, very difficult to understand the workings of the Licensing Court, but I do not want to suggest that bribery and corruption enter into them. I would not go so far as to urge a reversion to the old method of magistrates and justices adjudicating upon an assessment for a license, because I know personally that that led to a lot of ill-considered proposals. But I feel certain that the present Licensing Court should take considerably more steps in ascertaining the true position instead of listening to a lot of evidence from both sides which, as one member said to-night, is all puffed up. In Manjimup, to a great extent, it was totally untrue, and so the members of the Licensing Court were not in a position to judge of the true state of affairs. I think they should be compelled to travel the district and find out for themselves very much more about the facts than they are doing at present.

THE MINISTER FOR JUSTICE (Hon. F. C. L. Smith—Brown Hill-Ivanhoe—in reply) [8.10]: The question raised by the member for Toodyay (Mr. Thorn) regarding the Licensing Court granting a wine license exclusively for the sale of Western Australian wines is possible neither under the

Licensing Act nor under the provisions of the Commonwealth Constitution. I suppose it is because of the Commonwealth Constitution and the impossibility of circumventing its provisions that the Licensing Act provides for the granting of Australian wine licenses. Applications have been made upon that basis, and it has sometimes been said in support that the particular wine shop would confine itself to the sale of Western Australian wines, but if the Licensing Court were prevailed upon to grant a license because of that statement, they could not lose sight of the fact that the license could be sold later and the new licensee would not be subject to that condition.

Mr. Thorn: South Australia has done it, but I know that its action could be challenged.

The Premier: There was a case in the courts here.

Mr. Marshall: Could we insert a provision in the Act to grant a license for the sale of Western Australian wines?

The MINISTER FOR JUSTICE: That would be contravening the Commonwealth Constitution in that it would be an attempt to restrict trade.

The Premier: Yes, it would be restraint of trade.

Hon. P. D. Ferguson: The board could say they would give a license to an applicant who undertook to sell a certain percentage of Western Australian wine.

The MINISTER FOR JUSTICE: That would be restraint of trade, too. The matter raised by the member for Guildford-Midland (Hon. W. D. Johnson) regarding the penalties imposed by magistrates and the apparently erratic way in which they differed in severity is a complaint as old as the law itself. The administration of the law must rest on mental processes, and we cannot hope to get the same accuracy as we secure in mechanical processes. There must be a difference of opinion, or at least an apparent difference of opinion, revealed in the decisions in various cases. Another aspect that has to be considered is that while a newspaper report may appear to make such cases possible, there is probably a vast difference between the facts as related by the Press and the facts as disclosed to the presiding magistrate. Judges and magistrates, through long experience, have an excellent capacity to judge, and they have something more before them than mere evidence on which to base their decisions. They have the manner in

which the evidence is given to guide them. They are present and they hear all the evidence, and all the evidence is never contained in a newspaper report. I do not know that it would be profitable to enter into the details of the case mentioned by the hon. member, but there was more than one charge. Actually there were three charges. The accused, after having hit the motor cycle with his car, raced down Hampden-road in Nedlands and doused his lights on several occasions because he was being pursued, evidently in an attempt to evade his pursuers. The pursuers in a car followed him to Stirling Highway and along Stirling Highway until they were close enough to get the number of the car. Then they ran out of petrol and could go no further. Still, they got the number of the car. That was not all the evidence before the court on the charge of failing to stop after the accident, but it gives some indication of the nature of that evidence. I felt somewhat sympathetic towards the young man concerned. Certain representations were made to me on his behalf. I was influenced in my decision to some extent by the fact that the person driving the motor cycle and side-car struck by this motorist had no right to be on the road because he was driving without a license. When the question of remitting the penalty of disqualification as a motor driver arose, I could not refrain from taking into consideration the fact that not only was he concerned in the accident with a motor cycle and side-car, but that he had previously had an accident at Mundaring, as the hon. member pointed out. Consequently, he indicated twice on the one day that he was not a fit and proper person to drive a car. There is another aspect bearing on the question of remitting that portion of a penalty. Up to a month or so ago, if I were to remit a penalty of that kind in connection with a sentence, the Commissioner of Police still had reserved to him the right to decide whether he would issue a license or not.

Mr. Marshall: At the end of the year?

The MINISTER FOR JUSTICE: Yes.

Mr. Patrick: The courts have upset that decision.

The MINISTER FOR JUSTICE: Yes. If I remit a sentence of that kind to-day I have to take upon myself the obligation of judging whether the person is a fit and proper one to have a license.

Hon. W. D. Johnson: There was no suggestion of drink in this case.

The MINISTER FOR JUSTICE: I know that. The drinking driver it is said is more dangerous than the drunken driver. This young man demonstrated on this particular day that he was of a wayward disposition. He was going down Hampden road, when other cars were also proceeding along that thoroughfare. One of the other cars was a parlour coach. There was a man driving a motor cycle and side-car, and that man held out his arm indicating that he was about to turn into Onslow-road. He had put both hands to the handle of the motor cycle and was just about to turn when the young man came out from behind the parlour coach and swept by him. Those are the circumstances of that case. There has now been taken from the Commissioner of Police the right to withhold licenses in the cases where he thinks they should be withheld for a period.

Mr. Patrick: The law should be amended to restore that right to him.

The MINISTER FOR JUSTICE: That may be so, but it is not the matter we are now discussing. The difficulty of my position with regard to applications for remission in respect to this kind of a penalty is increased. The member for Kalgoorlie referred to punishment that had been inflicted upon an accused person when that person had been adjudged not guilty. He referred to a young man who, in the course of backing a truck across the footpath where he had a right to be at the time because he was working for the council, had the misfortune to run over a little girl and kill her. At the coroner's inquiry the verdict was one of accidental death. Whether the verdict is that of accidental death or manslaughter at coronial inquiries of that character the case does not finish there. All the evidence taken at the inquiry is submitted to the Crown Law Department for the officers there to consider whether the verdict given by the coroner was justified by the evidence, and whether the evidence disclosed that a prima facie case had been made out against the accused. To make a correct decision upon points of this kind it is necessary that one should be a man who is well versed in the law and has a legal training. It would not be proper for me as Minister for Justice to make a decision in cases of that kind, or to determine whether a

prosecution should be proceeded with or dropped. Although the Minister for Justice is known as such because he is not a legal man, the position would be the same as if the office were held by one who was known as Attorney General because he belonged to the legal fraternity. The Attorney General does not make decisions of that kind when holding the Ministerial office that I hold to-day. This practice has been in operation for many years. So far as I am concerned it operates because I have not the necessary knowledge of the law. So far as an Attorney General is concerned it was established because he might be the member of a firm which was already dealing with the case under review, or may have something to do with it. These cases are therefore referred, whether an Attorney General or Minister for Justice holds office, to the Solicitor General, who gives a decision as to whether a prima facie case has or has not been made out. If he thinks a case has been made out, despite what the coroner's verdict was, it goes forward, and if he does not think so, irrespective of the verdict, the prosecution is dropped.

Mr. Styants: The Crown Law Department made a terribly poor decision in this case. The jury found the man not guilty in a few minutes. Whoever was responsible ought to be sacked as incompetent.

The MINISTER FOR JUSTICE: It does not follow that because the jury finds a man not guilty a prima facie case has not been made out. The Solicitor General does not determine the guilt of an individual, but whether the weight of evidence is sufficient to justify a prosecution. I have never before heard of the case brought forward by the member for Avon. I think he might have brought it under my notice before.

Mr. Boyle: That was not the wish of the defendant.

The MINISTER FOR JUSTICE: That would have been the proper thing to do. If any person thinks an injustice has been done he should certainly bring the matter before me for consideration, when it will be considered. The member for Murchison again raised the question of the Licensing Bench. I respect his opinion on this matter, although I do not agree with him. The bench has had a new Act under which to function, a different Act from that under which magistrates and justices who previously comprised the Licensing Court had to function.

But in those days they called a certain amount of evidence with regard to plans of the building and the suitability of the applicant. They were required to go into the merits of the application in detail. Unfortunately it would appear that local influences were such that far too many licenses were granted in various districts, as compared with the requirements. Because too many licenses were granted, unhealthy competition sprang up amongst the licensees. Some of the hotels were not able to make a living on a decent basis, and they resorted to questionable practices for the purpose of attracting trade. I remember when there were 31 hotels in Hannan-street alone. There were seven hotels on the acre of land comprising the Boulder block. There were far too many hotels in Boulder City for the healthy condition of the trade. In my opinion the licensing bench have done excellent work not only in bringing about better conditions as the result of reduction in the number of licenses—

Mr. Marshall: That was done by the Licenses Reduction Board. I was not talking of that board at all.

The MINISTER FOR JUSTICE: The licensing bench improved the position in respect of the licenses which they allowed to remain. It is because of the fact that in the first instance they reduced the number of licenses and gave the remainder of the licensees an opportunity to live decently, that they were able to impose conditions which made for improvement not only in the interests of those who used hotels for the purpose of drinking, but also for the purpose of those who used them as boarding or lodging houses.

Mr. Marshall: The last Act did that.

The MINISTER FOR JUSTICE: The hon. member admitted that under the old Act licenses could be granted anywhere.

Mr. Marshall: But there were no compulsory provisions in the other direction.

The MINISTER FOR JUSTICE: It is stretching the argument a little too far to suggest, as the hon. member did, that the magistrates and justices—

Mr. Marshall: I am not bringing in justices.

The MINISTER FOR JUSTICE: That was the position. The hon. member was talking about the old Act.

Mr. Marshall: I shall soon make myself clear.

The MINISTER FOR JUSTICE: Under the old Act, the hon. member said, licenses were only granted because it meant additional revenue to the State. As the member for Mt. Magnet (Hon. M. F. Troy) pointed out, under the old Act it was possible for the two justices to override the decision of the presiding magistrate.

Mr. Marshall: Do not split straws.

The MINISTER FOR JUSTICE: Now the hon. member says that the State gets the same revenue from fewer hotels, and that this is especially dangerous. The member for Nelson (Mr. Doust) made some references to Manjimup. This is the first time I have heard the argument that the fewer hotels, the more people drink.

Mr. Marshall: It is a fact.

The MINISTER FOR JUSTICE: I always thought the more hotels, the more people drank.

Mr. Marshall: Ask the Commissioner of Police what he has to say about it.

The MINISTER FOR JUSTICE: The more charming barmaids there were in the hotels—this applies particularly to young fellows, and I am looking back a long way now—the more hotels would be visited and consequently the more drink would be consumed. The member for Murchison says that the applicant does his best to charm the board by submitting elaborate plans of buildings. If that is the effect, it is an excellent effect. It is far better to see at the Big Bell an elaborate hotel for the use of the townspeople, than to see the kind of shanty that would have been there years ago under the conditions existing then. Evidently, while the Act is being administered as it is to-day, there is some security for the man who is prepared to put his money into a hotel, some security against opposition and competition provided he puts up a hotel of a good standard for the benefit of the community. The member for Murchison further says that we cannot praise the board at all for any of these improvements, that we cannot give them any credit for improvements effected in hotels generally throughout the State, until we have some other form of control whereby we can make a comparison. I do not think it necessary to have some other form of licensing for the mere purpose of gratifying a desire to make comparisons, while the existing system is operating so well and bringing about such great improvements as have been brought about. The best thing

is to let the existing system continue. Let well alone. The hon. member refers to the work of the existing board and says it could be done by a magistrate. One would think the magistrates were the personification of a bottomless well of time and energy. Does the hon. member think magistrates have not enough to do? If they did this work, would not additional magistrates be required? Magistrates have plenty to do now, though some people appear to think they have nothing to do.

Mr. Styants: Some people think politicians have nothing to do.

The MINISTER FOR JUSTICE: Some people think that work can be piled on magistrates and that there will be no additional cost. The member for Murchison visualises a saving of £3,000 or £4,000 on these Estimates by handing certain work over to others. The members of the licensing bench have a full-time job. If the work is done, it will be just the same whether it is done by the present board or is distributed: there will be that extra work to do, and extra men will be required to do it. Simply to say "We will wipe you out of existence" does not wipe the work out of existence, nor does it furnish the time required to do that work. There will be just as much work, and it will take up just as much time. I am of the opinion that it is not a question so much of what a magistrate knows about the requirements of a town as of how much the licensing court, the magistrate or the person dealing with the matter understands of the requirements of the people. Those requirements do not differ very greatly throughout the State. The individual desires the best drink under the best possible conditions wherever he may be, and he wants the best bed or the best meal that can reasonably be expected.

Mr. Doust: And we want more competition so that prices will be more uniform, in which case we would not have to pay 33½ per cent. higher for service in some centres in my electorate.

The MINISTER FOR JUSTICE: There may be something in the desirability of competition but, without going into the whole of the facts, one could not express a definite opinion on that point. I will admit that there must come a time when the Licensing Court should say that another license is required here or there. They should not try to avoid granting another license by making

the existing licensee extend his premises to meet the demand for additional accommodation.

Mr. Doust: I agree with you.

The MINISTER FOR JUSTICE: That is certainly desirable. Possibly in some towns it would be better to have more than one hotel. However, when the time arrives for the additional license to be granted, it must be a matter for decision upon the evidence before the Licensing Court. The member for Murchison (Mr. Marshall) referred to the position existing at Kalgoorlie and quoted from a report in the "Daily News" regarding some objection that had been raised to the licensing bench by the local governing authority in connection with two hotels there.

Mr. Marshall: That is positively not true; I did not do that, but you can go on.

The MINISTER FOR JUSTICE: That is what the hon. member read from the newspaper clipping.

Mr. Marshall: No, I quoted the motion dealing with the two hotels in answer to the Minister for Lands. My remarks had reference to the attitude of the council to the Licensing Court.

The MINISTER FOR JUSTICE: I thought the hon. member referred to those two hotels.

Mr. Marshall: No, only in reply to the Minister for Lands.

Mr. Styants: That was another motion, and it was defeated at the council meeting.

The MINISTER FOR JUSTICE: But that was the basis for the objection.

Mr. Marshall: No, not at all.

The MINISTER FOR JUSTICE: Yes, it was; and that was indicated by the fact that the councillor who brought forward the proposition that the Licensing bench were not doing their duty properly moved the resolution referred to by the hon. member. The local authorities already have power under the Act to raise any objection they may have to a license.

Mr. Marshall: That is what was indicated in their motion, but it was to their attitude towards the court that I particularly referred.

The MINISTER FOR JUSTICE: If a municipal council have any objection to raise, they can go before the court and lodge their objection to any new license or the renewal of any existing license. There is nothing to stop them doing that,

nor yet to prevent any individual lodging an objection. Neither is there anything to stop the court from giving consideration to any objections so raised. Not only are a number of grounds mentioned in the Act as the bases for possible objections, but the Act also empowers the court to have regard to "any other objection" that may be raised. That course is open to any local authority throughout the State. The member for Katanning (Mr. Watts) referred to the necessity for improved accommodation for the Titles Offices. It will be remembered that prior to the depression some consideration was given to the housing of all Government departments in one big building. As a result of the depression, however, we have had to put up with what we have at present. Nevertheless, the question itself has not been lost sight of. While I will not say it will be possible for us to revive that proposition at an early date, or to start on a plan to bring all public departments under the one roof in the immediate future, I can promise that early consideration, possibly this year when the Loan Estimates are before members, will be given to remedying the position that exists at the Titles Office.

The Premier: And at the Agricultural Department.

Mr. Patrick: That is the worst of the lot.

The MINISTER FOR JUSTICE: At any rate, something will be done in that direction.

Item. Magistrates and District Allowance, £2,832:

Hon. C. G. LATHAM: I am going to take this opportunity to correct a statement made by the member for Victoria Park.

Mr. Raphael: You cannot correct something that is true.

Hon. C. G. LATHAM: The hon. member can wait.

The CHAIRMAN: The member for Perth desires to deal with an earlier item.

Item, Solicitor-General, £1,500.

Mr. NEEDHAM: I listened with a great deal of interest to the reply of the Minister for Justice to the case quoted by the member for Kalgoorlie (Mr. Styants) who stated that a man who had been declared innocent suffered a penalty. The Minister for Justice described his own position as a layman and the practice that obtained. He

also explained the attitude adopted by the man who happened to be Solicitor General, with quite a knowledge of the law. The statement so far as it went was interesting and informative, but as a mere layman I would like to know a little more about the power of the Solicitor General. In reply to the member for Kalgoorlie, the Minister stated that the case was reviewed by the Solicitor General, and he decided whether or not on the weight of evidence adduced the verdict arrived at was correct. He said this was necessary because coroners at these inquiries might not have a knowledge of the law. It is true that sometimes at an inquest the acting coroner is a layman and has not had legal training. I understand that in the case to which the Minister was replying it was an acting police magistrate sitting as a coroner who returned a verdict of accidental death.

The Minister for Justice: It was the mining warden.

Mr. NEEDHAM: I understand that that man at least would have some knowledge of the law, and some idea of sifting evidence. At the September sitting of the Criminal Court a verdict of not guilty was returned by the jury. Surely the man presiding over the Criminal Court had a knowledge of the law. Surely he was able to charge the jury so as to permit of a proper verdict being given. Yet I understand from the Minister's remarks that in cases like that the Solicitor General can be set up as a court of review and can impose a penalty even when the coroner has said that the occurrence was accidental and when a jury in the Criminal Court has said the man was not guilty. I merely seek information as to whether that is so. I may have misconstrued the Minister's statement. I want to be satisfied in my own mind whether or not the Solicitor General can be a court of review and determine a case like that, without there being any chance of the aggrieved person appealing. If we are going to give the Solicitor General that power, I hope both sides will be heard. But I think it is going a bit too far and giving the Solicitor General too much power if he is to be able to review evidence despite the fact that the case has been determined by a jury. I can understand the Solicitor General reviewing a case where the coronial inquiry was conducted by a man not trained or versed in the law. I can understand the Solicitor

General reviewing cases such as that where he, the Solicitor General, is a man trained in the law, but it is not right that he should review cases decided by a judge and jury. I have no objection to the Solicitor General being in a position to do what the Minister says he does, provided he is not overriding the decision of the court where the case has been presided over by a legal man, and where the person, as in the case suggested by the member for Kalgoorlie, was declared innocent on two occasions, but still had to submit to a penalty as a result of a review by the Solicitor General.

THE MINISTER FOR JUSTICE: I do not know how the member for Perth got the idea that the Solicitor General can interfere in cases after they have been determined by a judge and jury. I referred to the coronial inquiry. A coroner is charged with the task of finding out the cause of death. He has to investigate the circumstances which led up to the death upon which he is making an inquiry.

Hon. C. G. Latham: He can bring in a verdict of wilful murder or manslaughter.

THE MINISTER FOR JUSTICE: He can recommend someone to be charged, that is all; he cannot convict anybody.

Hon. C. G. Latham: He cannot convict anyone, but he can bring in a verdict of wilful murder, and commit a man for trial.

THE MINISTER FOR JUSTICE: This provision works both ways. It may be that the evidence would not support a charge, despite the fact that the coroner may have decided that in his opinion the person accused should be charged with murder or manslaughter.

Mr. Styants: In that case, no harm is done.

THE MINISTER FOR JUSTICE: I know that.

Mr. Needham: That does not compensate these people.

THE MINISTER FOR JUSTICE: The person who decides whether the evidence submitted justifies a charge being laid has a better knowledge of the facts than the person who has investigated the cause of death. The Solicitor General may have more facts brought to his notice after the coronial inquiry to enable him to make a decision. The system operates quite fairly. We have a man in the position with a sound legal training and knowledge, and one who is able to decide whether a case should be proceeded with, or the prosecution dropped.

Hon. C. G. LATHAM: A little while ago in the Committee stage we were discussing the powers of magistrates when the member for Victoria Park charged me with hypocrisy because I had suggested to the Committee that we should be careful what decisions we made as to magistrates. He referred to a case that was tried while we were in office, and I want now to point out the facts so as to remove any misunderstanding. The matter was not referred to me as Minister, but was left entirely with the Attorney-General.

Mr. Raphael: On a point of order. Under a general discussion the matter that I discussed was the Minister for Justice, a matter that in Committee I was entitled to discuss. But the Leader of the Opposition is now trying to make a general discussion—

THE CHAIRMAN: What is the hon. member's point of order? He cannot deliver a speech on it.

Mr. Raphael: I want to know if the Leader of the Opposition is in order in discussing my remarks under the heading of "Stipendiary Magistrates." It was purely a matter of salary.

THE CHAIRMAN: The Leader of the Opposition is quite in order in discussing magistrates.

Mr. Raphael: Well, I disagree with your ruling, Mr. Chairman.

THE CHAIRMAN: I ask the hon. member to resume his seat.

Hon. C. G. LATHAM: I just wanted to point out certain things so that there would be no misunderstanding. I say the case went to the Attorney-General and was referred by him to the trial judge.

THE CHAIRMAN: The hon. member is now getting away from the Vote.

Hon. C. G. LATHAM: I am only referring to the power of magistrates. A charge was laid against me, and this is the only opportunity I shall have to meet it. Certain remarks that were made about me were very objectionable, and it suggested to me that the tone of this Committee was lowered by the discussion.

THE CHAIRMAN: The hon. member must not reflect on the Chair.

Hon. C. G. LATHAM: I was charged with hypocrisy. Surely I have the right to answer that charge.

THE CHAIRMAN: Under this Vote or subdivision the hon. member is not entitled to discuss anything but magistrates.

Hon. C. G. LATHAM: The case in question was referred by the Attorney-General

to the trial judge, and a decision was arrived at as a result of that reference to the judge. I have no desire at any time to interfere with the decisions of magistrates, and I think that such remarks as were made by a certain member of the Committee can only discount the matter. Sometimes I disagree when I think that an unfair decision has been given by a Minister, but if I want to make a complaint I go to the Minister and make it. I never charge a magistrate with having done something unfair or wrong. I think the course of justice is as fairly administered in this State as in any other part of Australia. I have merely referred to this matter to discount the remarks of the hon. member.

Hon. W. D. JOHNSON: I should like to say—

The CHAIRMAN: On which item?

Hon. W. D. JOHNSON: The same one. I wish to refer to members being justified in commenting on the decisions of magistrates. I claim the privilege of voicing public opinion here, and there is a good deal of that public opinion behind my contention that there is no consistency in the punishments inflicted by magistrates for traffic offences. They vary greatly. I have made all the representations I can make in reference to a particular case, but magistrates sometimes do their work in such a way that there is a margin of inconsistency in the punishments they inflict. If I feel that a magistrate is not doing his work in a proper way, this is the place where I have to raise my complaint. It is my job. We are here to pass salaries and to confirm positions, but if the salary is not earned, and the position is not filled as we think it should be, then we are lacking in our duty if we do not comment upon it. I am not attacking any magistrate: I did not attack the magistrate in person, I simply said that in this case the sentence was out of proportion to numerous other sentences. Having that opinion I come here, not altogether to ventilate that case, but to exercise my right and duty, where I feel that in these traffic offences there is not consistency in the punishments inflicted, and that therefore the magistrates are not living up to their responsibilities.

Hon. C. G. Latham: I thought they were very good.

Hon. W. D. JOHNSON: I say otherwise. All I ask is that magistrates should exercise

a little more sane judgment in the infliction of punishments. I offer no apology for raising this question, for this is the only place where it can be raised.

Vote put and passed.

Vote—Licensing, £3,059:

Item, Magistrates, £2,250:

Mr. MARSHALL: I frankly confess that I am now prepared to believe what I was told from the public platform many years ago by a man who to-day holds a very prominent position in the life of this State, when he said that politics were particularly dirty. And that is quite obvious. You dare not express your opinion, because if you do all those that do not agree with you will attempt to side-track you by raising trails of the proverbial red-herring.

Mr. Styants: That is good tactics, not dirt.

Mr. MARSHALL: If a person wants to present a case he should present it on its merits. Now I will challenge the Minister for Justice to quote the old Licensing Act in support of his opinion.

Hon. C. G. Latham interjected.

Mr. MARSHALL: But he would lead this Chamber to believe otherwise, just the same. He would lead us to believe that the old administration could have imposed all sorts of obligations upon licensees. It was optional what they did.

The Minister for Justice: It assisted them.

Mr. MARSHALL: That is not what the Minister led us to believe.

The Minister for Justice: That is what I meant.

Mr. MARSHALL: I am concerned with what the Minister said, not with what he meant. He led us to believe that everything was precisely the same then as now, which was entirely wrong. All that the applicant had to do previous to the present Act coming into operation was to place a notice on the door of the premises for which he was applying for a license and advertise it. The Minister in his statement either consciously or unconsciously led us to believe that the same practice prevailed under the old Act as prevails under the existing Act. That is entirely wrong. Now take the other point. The Minister proceeded to speak of the work done by the Licenses Reduction Board. What has that to do with this matter? The Licenses Reduction Board finished their work in

1927. Their work ended when they had finished reducing licenses.

The Minister for Justice: No, it did not.

Mr. MARSHALL: For the edification of the Minister, who was not present in 1927, let me say that the Act was amended to abolish the Licenses Reduction Board and create a licenses board for the whole of the State. The compensation of 7 per cent. payable into the fund was abolished and the increase of taxation to the State was raised from 5 per cent. to 6 per cent. When the Licenses Reduction Board went out, their work as such ended. No one disputes the good work that the Minister said they had done, but nobody mentioned anything about the reduction of licenses in Kalgoorlie, Boulder or anywhere else.

The Minister for Justice: But you should have mentioned it.

Mr. MARSHALL: I am not challenging the board on their operations to reduce licenses. True, the Minister tried to make some capital out of their work in that direction by pointing out what they had done in the way of closing up unsuitable buildings. I do not disagree with that. I advanced the argument that he could not say that the present board had done such wonderful work because there had been no other form of administration with which to compare it, but he says that is useless and that it would be dangerous to remove the board and give the work to a magistrate. I would not have any justices of the peace sitting with the magistrate. I have said this in season and out of season. I am sick of having the Minister trying to misrepresent what I did say, and I hope this will be the last time I shall have to protest on that score. I object to this misrepresentation to mislead us. Surely the Minister can put up his case in the proper way. I am not seeking to mislead anyone.

The Minister for Justice: I said it would be foolish to make a change.

Mr. MARSHALL: Next the Minister tried to link up the motion defeated in the Kalgoorlie Council with the case presented by me against the board. Let me read the report again.

The Premier: Oh no.

Mr. MARSHALL: I shall not submit to my case being misrepresented by anyone. This occurred somewhere near the Minister's own electorate.

The Premier: That will not make it in order on this item.

Mr. MARSHALL: Even now the Minister has no conception of the motion. The report read—

Twelve months ago the issue was raised by Councillor Burton when he moved in the council a motion that the administration of Part IV. of the Licensing Act which deals with the granting of new licenses and the renewal of licenses by the State Licensing Board had been detrimental—

The Minister for Justice: You do not know what preceded that.

Mr. MARSHALL: All I know is what is here reported.

—to the welfare and progress of the community, and that its jurisdiction should not extend to the licensing districts of the gold-fields.

That was moved 12 months ago. I am going to assume that Mr. Burton, whom I do not know, would not have rushed into the council to move a motion of such importance without having had at least one year's experience.

The Minister for Justice: He has been there a couple of years.

Mr. MARSHALL: I am not concerned about that. The council, at Mr. Burton's instance, carried a motion and forwarded it to the Government, but no reply has been received. This grievance must be several years old.

Hon. C. G. Latham: He has been there five years, anyhow.

Mr. MARSHALL: That being so, it would mean that the board had been in operation for the four previous years.

The Minister for Justice: And they have been interested in an application meanwhile.

Mr. MARSHALL: That might be so. I am prepared to accept the Minister's word for it. One member of the board succeeded in getting a license for himself.

Hon. C. G. Latham: Not a member of the present board.

Mr. MARSHALL: I am not speaking of the personnel of the board. Surely members understand.

Hon. C. G. Latham: But the public might not understand.

Mr. MARSHALL: I do not give the public credit for being such big fools as some of us are.

Mr. Sampson: That is rather unkind.

Mr. MARSHALL: I am getting tired of all this. We have Ministers continually

telling us that they cannot provide water supplies, roads, schools and other necessary and urgent facilities simply because they have no money. If any more money is spent as unnecessarily as is this amount, it is time we protested emphatically. The Minister talks about magistrates and their work. Probably some of them have had to work at high pressure, but the men who produce the revenue from which the magistrates are paid work even longer and harder. They start early in the morning and finish late in the afternoon. If the licensing magistrates were dispensed with, I do not think any increased expenditure would be needed to get the work done. I want to see a trial made to determine whether there would be any difference in the administration. In the old days any battler could get a license and make a living, but to-day only the most influential people can get a license, principally the owners of breweries. Public opinion does not endorse the existing system, and the sooner we get rid of it the better. I take exception to the attempts that have been made to put a wrong construction upon my remarks. I hope I have made myself clear on this occasion.

Hon. C. G. LATHAM: The licensing magistrates are appointed for three years, and cost the State about £2,750 annually. The Treasurer will have to save all the money possible if he wishes to reach his estimated deficit. I regard the licensing bench, as at present constituted, as an unnecessary luxury.

The Premier: It is worth more than that to us.

Hon. C. G. LATHAM: All the licenses fall due at the end of every year. The licensing magistrates cannot possibly deal with them all and therefore delegate their authority to other justices. The new licenses could also be dealt with by other magistrates in conjunction with the police. It is really the police who exercise supervision over the licenses and carry out the administration required.

The Premier: Even during the depression the Government of which you were a member carried on the same system.

Hon. C. G. LATHAM: Had we known what financial difficulties were ahead of us, I doubt if the licensing magistrates would have been reappointed. It should be possible to have all their work carried out by other magistrates, just as efficiently as it is

now being done. I have heard many complaints against the existing system.

The Minister for Mines: In which direction?

Hon. C. G. LATHAM: As to the conduct of and accommodation at certain hotels.

The Minister for Mines: Some are not up to the standard.

Hon. C. G. LATHAM: Generally speaking, they are well conducted, and will compare with most other country hotels in Australia.

The Minister for Mines: They are superior to country hotels in other States I have been in.

Hon. C. G. LATHAM: We have to thank the police courts for the maintenance of that high standard. I do not know how the licensing magistrates keep themselves fully employed.

Mr. Nulsen: Would it make any difference to the revenue if they were not continued in office?

Hon. C. G. LATHAM: All the fees go into Consolidated Revenue. For a long time the license fees of hotels have been used for revenue purposes.

The Minister for Mines: I should think so.

Hon. C. G. LATHAM: I quite agree. Magistrates should give just as effective a service as the licensing bench gives.

Mr. RAPHAEL: I move—

That the Vote be struck out.

I support the suggestion of the Leader of the Opposition that magistrates would be quite capable of carrying out the functions of the board. From time to time changes have been made in the personnel of the board, men with no knowledge of existing conditions have been appointed by various Governments. The board is no longer needed. My district has had two applications for additional licenses, and I have come to the conclusion that there are far more urgent needs for the money. For instance, there is the dire need of some of the unemployed. Again, the Child Welfare Department has cut down allowances to some women and children from 9s. per week to 7s.

The CHAIRMAN: Order! This is not a Vote for the unemployed. The hon. member must confine his remarks to the present members of the board.

Mr. RAPHAEL: I am attempting to show what better uses the money could be

put to if the Committee should agree to the deletion of the vote.

The CHAIRMAN: I have given the hon. member a good deal of latitude, and I will not give him much more. The hon. member cannot move to delete the Vote; he can vote against it.

Mr. RAPHAEL: I move—

That the Vote be reduced by £2,250.

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

Ayes	13
Noes	22
Majority against	9

AYES.	
Mrs. Cardell-Oliver	Mr. North
Mr. Doust	Mr. Patrick
Mr. Ferguson	Mr. Raphael
Mr. Hill	Mr. Shearn
Mr. Latham	Mr. Thorn
Mr. Marshall	Mr. Doney
Mr. McLarty	

(Teller.)

NOES.	
Mr. Boyle	Mr. Nulsen
Mr. Coverley	Mr. Sampson
Mr. Cross	Mr. F. C. L. Smith
Mr. Fox	Mr. Styans
Mr. Hawke	Mr. Tonkin
Mr. Johnson	Mr. Troy
Mr. Maun	Mr. Warner
Mr. McDonald	Mr. Watts
Mr. Millington	Mr. Willcock
Mr. Munie	Mr. Withers
Mr. Needham	Mr. Wilson

(Teller.)

AYE.	PAIR.	NO.
Mr. Stubbs	Mr. Wise	

Motion thus negatived.

Vote put and passed.

Department of the Chief Secretary (Hon. W. H. Kitson, Minister; Hon. A. R. G. Hawke in charge of the Votes).

Vote—Chief Secretary, £16,264:

THE MINISTER FOR EMPLOYMENT

(Hon. A. R. G. Hawke—Northam) [9.39]: I have pleasure in introducing the Estimates of the departments controlled by the Chief Secretary. The Registrar-General's Department is one of the several departments under the administration of the Chief Secretary, and among the most important functions carried out by the department is that dealing with the statistical side. The statistical side is engaged in the collection of data covering most of the activities of the State. Statistics are compiled and published relative to the whole of our industries, relative to population, industrial affairs, local government, and oversea and interstate trade. Information is also obtained and tabulated regarding the volume of employment avail-

able in different industries, and also in connection with their activities. Another important function of this section of the department is the collection of information relative to retail prices and house rents from which index numbers are computed and subsequently used extensively by the Arbitration Court and other bodies. The Prisons Department is also under the control of the Chief Secretary. The daily average number of prisoners at the Fremantle gaol during the financial year was 194, plus an additional 50 at the Pardelup Prison Farm. The systematic classification of criminals has been maintained and every care has been taken to safeguard the youthful and first offenders from those of the habitual class. The efforts to reclaim prisoners are not confined to first offenders only, but encouragement is extended in every case where any desire is shown by the prisoner to improve himself. A great number of prisoners seek to become efficient workmen in trades and activities that are carried on within the prisons. The introduction of an increased scale of gratuities to prisoners has had beneficial results. It has had the effect of making prisoners take more interest in their work and avail themselves of the opportunity to become proficient in tailoring, carpentering, bootmaking and printing. The Pardelup Prison Farm has been making steady development. Approximately 50 prisoners are maintained there and they have carried on very useful work at that institution. The acreage of cleared property and pastures has increased. The drainage of the lagoon has been further proceeded with. When that work is completed, it is hoped to supply ample vegetable requirements to a number of Government institutions. The flock of sheep there has been further increased, and the wool produced is considered to be of a very high standard. The cheques received from the sale of the wool have been satisfactory. Last year the proceeds from wool were just over £900, and from the sale of skins £150.

Hon. C. G. Latham: What about the surplus sheep? I suppose they are killed for food.

The MINISTER FOR EMPLOYMENT: They are mostly used at the home as rations for the men, and also for distinguished visitors who attend the institution from time to time for the purpose of inspections.

Hon. C. G. Latham: That is rather a doubtful proposition.

THE MINISTER FOR EMPLOYMENT: The area at Pardelup under orchard has been increased, and it is expected that the fruit proceeds this year will be in the vicinity of £250. Work in connection with pine planting at the institution for the Forests Department is not now so extensively carried on, and is practically confined to maintenance work over the existing planted area. The activities of the Harbour and Light Department include the control of the various ports; the State navigation lights, beacons and buoys; the working of the jetties at Carnarvon, Onslow, Cossack, Broome, Derby and Hopton; the pilot services at Albany, Bunbury, Geraldton, Wyndham and Esperance, and the administration of the State Navigation Act and the Boat Licensing Act. The new jetty at Point Samson will be completed and open for traffic at the end of this year. As a result, the lightering of cargo will be obviated, as well as the rebate of the lighterage charges granted to assist settlers who have been under disabilities because of the demolition by cyclone of the old jetty at Point Samson some years ago. Recently a fire broke out on the Broome jetty and several bays were completely destroyed. Other methods had to be quickly adopted for the purpose of handling cargo, and those methods that had to be completed to meet this unexpected difficulty were very expensive to the department. The revenue and expenditure of the department is governed to a great extent by the fluctuations of production in the North-West, mainly in respect of cattle, sheep and wool. Consequently the revenue of the department in respect of its activities in the North-West was severely affected as the result of the recent drought in that part of the State. The following institutions are under the control of the Mental Hospitals Department:—The Claremont Mental Hospital, Greenplace Mental Hospital, the Whitby Mental Hospital, Lemnos Hospital and the Heathcote Reception Home. As at the 31st December last, 1,451 patients were in the various hospitals for the insane, representing an increase of 44 compared with the number during the year ended the 31st December, 1935. The deaths during the year totalled 98 and the number discharged was 62. Of the latter 26 were discharged as recovered, and two were deported under the Commonwealth Immigration Act. During the year ended the 31st December,

1936, the admissions to the Heathcote Reception Home totalled 319, of whom 41 were re-admissions; 105 cases were discharged as recovered or relieved, and 18 cases were discharged as not improved. The number transferred from the Heathcote Reception Home to various hospitals for the insane was 125. I did intend to make quite a long statement regarding the activities of the Observatory. However, I notice that the member for Yilgarn-Coolgardie (Mr. Lambert) is not present at the moment, so my remarks regarding that institution will be very brief.

Mr. Coverley: Do not make them too brief.

Hon. C. G. Latham: If you are not careful, we will bring the member for Yilgarn-Coolgardie along.

THE MINISTER FOR EMPLOYMENT: Copies of the seismographical charts are distributed to various co-operating countries, and during the financial year 174 separate registrations occurred, of which 33 were large earthquake registrations. The seismograph gave warning of the approach of the cyclone that occurred on the North-West coast early this year. Tide-tables are compiled by the officers of the Observatory and these are of particular value to shipping on our North-West coast. During the year, celestial objects were viewed—

Hon. C. G. Latham: In King's Park?

THE MINISTER FOR EMPLOYMENT:—through the big telescope on 126 nights.

Mr. Sampson: Is that the Minister's special work? Who would not be the Chief Secretary?

THE MINISTER FOR EMPLOYMENT: During the year the number of visitors totalled 2,831. I understand the officer in charge of the Observatory would be glad on any evening to give members of this Chamber or of the Legislative Council an opportunity to observe those celestial objects. Under this heading the interest of schools, societies and the general public in this form of education is still remarkably great. The electrical and wireless apparatus enables the Observatory officials to speak direct to any part of Australia and report on the weather and forecasts. I have much pleasure in introducing these Estimates.

MR. SAMPSON (Swan) [9.51]: I was very glad that the Minister did not allow the vote to pass without some comment because the matters dealt with by this depart-

ment are exceedingly important. They represent many of the difficulties of life and the problem with which the department is faced in meeting those difficulties must be considerable. It is interesting to note that steadily the number of prisoners is decreasing, but I think that the hope of the Minister that those who are in Fremantle may qualify to become tradesmen is more or less futile. How is it possible for them to become efficient tradesmen seeing that the equipment is obsolete and the work insufficient? I could never see any virtue in preventing the prisoners from having such work as they might be able to carry out. But always there seems to have been the thought that the less work a prisoner did the better it would be for him. That is absolutely wrong. The more work a prisoner has to do, the sooner the time passes, the more efficient he grows, and the more capable he becomes of earning a living when he leaves gaol.

Mr. Raphael: What are they doing to improve the prisoners' knowledge of printing?

Mr. SAMPSON: There is an opportunity to improve their knowledge in regard to printing, harness making, blacksmithing, and various other trades, and the namby-pamby idea that prisoners must do as little as possible in order to secure the greatest advancement is entirely out of date. In other countries a different view is taken. I am in sympathy with the prisoners and am anxious that those in control should give them all the work it is possible for them to carry out, efficient tuition, and modern equipment. Unless that is done, it means that when their time is up—and all the prisoners who do this work are long-term prisoners—they will be unable to hold down a job after they have left the prison, and consequently will live in a condition whereby their life will be rendered extremely difficult. Ever since my inspection of Pardelup I have been greatly interested in the work done at that institution. There is a wonderfully good spirit, and I can commend the Minister for anything that may have been done; yet it seems that even there the proposition is that less shall be done by the men, and the forestry activities are diminished. Afforestation at Pardelup has been one of the principal activities at that settlement, and I would urge that greater consideration be given to the matter. It may be that that part of the State is somewhat un-

suitable for the growth of pines, but I do not think so. We have running up and down through Western Australia from time to time salesmen who are endeavouring to sell bonds in Eastern States and New Zealand forestry propositions, and in Queensland tobacco, but neither of these is of any great advantage to Western Australia. It would be a good thing if the department, or those in charge of Pardelup, encouraged afforestation, and did what they could to develop the different softwoods that are grown there. Last year in respect to the export of fruit there was a great difficulty in getting wood for fruit cases. It is quite possible at Pardelup to show that fruit case wood, or rather softwood—that is pine-wood—may be produced as a business proposition. The farm could in that respect be treated as an experimental farm and good would result. I ask that greater consideration be given to prisoners, that they should have more work, better equipment, and be enabled to learn a trade so that when they leave prison they will no longer be a menace to the rest of the community, but will be able to keep their wives and families and enjoy the satisfaction of earning a living in the particular vocation in which they are engaged. There is much to be said by way of complimenting those who are concerned with our mental homes, but again there is a lack of consideration in respect of the funds necessary to care for the mentally sick at the Hospital for the Insane. This is a subject also in which I am very interested, and I suggest to the Minister that he should use his persuasive eloquence to secure on behalf of the After-Care Mental Association a bigger grant from the Lotteries Commission. There are approximately 1,500 mental defectives in this State, and they represent a big problem. Admittedly, the Salvation Army do much to care for backward boys, and I believe other religious institutions do something. The Salvation Army have been notably successful. Apart, however, from the backward boys cared for by the Salvation Army, there is a large number of boys at the Hospital for the Insane and outside the institution. The After-Care Mental Association are doing everything possible to care for those who, while not sufficiently sick to be retained at Claremont, are not sufficiently well to care for themselves when they come out. If instead of a mere £100 for the year, which is a comparatively small

amount, the Lotteries could be induced to find, say, £500 or thereabouts, great assistance would be rendered, and the Minister would find that those unfortunate people at the Hospital for the Insane would become less numerous. They could be cared for by this body of altruists who are striving to assist the mentally sick. The Minister, I regret, gave us no information in respect to the recent internal trouble at Heathcote. I hope that when replying he will be good enough to advise the Committee what happened and whether the matter was finally settled. We should know how the Heathcote Mental Home is progressing and how the recent trouble was treated, whether it was possible to deal with it fully and satisfactorily. As to the Hospital for the Insane, there is opportunity there for the provision of work for the inmates. I am not saying the work would be of very great value, but it is wrong to keep people in idleness if they are physically fit. I suggest that consideration might be given whereby a home farm on some suitable land might be provided to supply the requirements of that home and other mental institutions. There is a large number of chronic yet safe cases amongst the mental patients, and those cases would find life a less burdensome matter if they had some interesting work to perform. I have taken up recently with the department the question of the fig trees that were established at the hospital in 1922 or 1923. Unfortunately those trees were not cared for as they should have been and some that died out have not been replaced. There has been a lack of care because of the existence of fruit fly, but surely there are sufficient patients at the institution interested in this work and who would readily care for the trees. The fig trees do provide fresh fruit for the patients. Since it has been decided in all civilised countries to look after those who are mentally sick, why is it that the greatest difficulty should be experienced in securing sympathetic consideration in the provision of fruit locally grown? The mental case is a very sad case, and although I have realised the great difficulties surrounding the care of the patients there are certain things that are fundamental; one of those is that they should be given work to do, and another is that they should be given fruit in their food ration. I do not know if there is any need to dilate further upon that. The subject is

an important one, and before leaving it I repeat that the Minister might well approach the Lotteries Commission and endeavour to obtain a bigger grant on behalf of the After-Care Mental Association. Those controlling that association are doing wonderfully good work the effect of which is to bring some of the patients back to normal, thereby proving the commercial value of giving wise care to those who are mentally sick. I do not propose to deal with Harbours and Rivers, nor with the Observatory, but I will leave with the Minister the suggestions I have already made. I should like to know whether any consideration has been given to the provision of land for prisoners who have gone through Pardelup—necessarily good conduct prisoners—and whether it is practicable under any scheme to provide them with an opportunity to establish farms. After all, there is not much use in learning various forms of husbandry if they are to be given no opportunity in the future. It is profitable to take from the ranks of the prisoners some who can be brought back into everyday life.

MR. CROSS (Canning) [10.8]: I notice in the Estimates an increased expenditure of £2,000 for mental hospitals. I should like to know how much of that increased expenditure is going to be allocated to the Point Heathcote Reception Home, for I think some increased expenditure there is fully warranted. When that institution was first opened they had accommodation for a large number of patients and a certain number of staff were appointed. On the 12th August last I went over there and had a look through the institution. As a matter of fact, they had in the main ward about 30 patients more than beds in which to accommodate them. I was informed that those unfortunate individuals had to sleep on mattresses on the floor and that every evening the staff had to carry those mattresses into the reception room, where those patients had to sleep. The staff that has to deal with this increased number of patients is totally inadequate. When I visited the institution there were two men on duty in the male ward, and I understand that those men are allowed three-quarters of an hour for meals. On that morning there was one special case which was supposed to be under constant supervision in that one of the attendants was required to stay with

him all the time. I do not know what happened to the rest of the patients, but when I was making inquiries as to who relieved the attendant when he went off duty, I was told that they fetched one of the nurses and put her to watch the male cases. There is a shortage of bed linen and towels, and I saw a list of articles, including towels, sheets, etc., that the male attendants had had to wash because the laundering was done only once a week. More money is needed to increase the stock of linen so that the male staff will not have to do that work. I took quite a lot of notes, but unfortunately I have left them at home. Otherwise I would have been able to give additional details. It is high time that increased accommodation was provided for patients, particularly more bedsteads. The attention given to the patients by the limited staff is remarkably good. I have heard complaints about some sub-normal boys in the institution, and the Minister should make inquiries with a view to placing them in some more suitable institution. I should like the Minister, when he replies, to indicate whether any of the increased expenditure is to be devoted to providing additional accommodation and to providing extra staff commensurate with the increase in the number of patients. If he can promise that additional funds will be made available for those purposes, he will satisfy many people who feel concerned about the overcrowding at Heathcote, particularly in the male ward.

MRS. CARDELL-OLIVER (Subiaco) [10.13]: After having listened to the remarks of the member for Canning (Mr. Cross) I should like to inform members that I visited the Heathcote institution last Sunday, and I not only found it in perfect order but I thought it a wonderful institution. I asked the matron and others whether the institution was over-crowded. I reiterated some of the statements that I heard here last year, and I was told that the statements were absurd, and that there was no overcrowding. I asked whether there was sufficient linen, etc., and the matron assured me that there was. It did not appear to me for one moment that the position is now as was stated by the member for Canning.

Mr. Thorn: Did you see the warders doing the washing?

Mrs. CARDELL-OLIVER: No. The patients in the wards seemed to be well attended to, but I believe that some sub-normal young people, as mentioned by the member for Canning, had been removed from the Fairbridge Farm School to the institution, and I agree with him that some more suitable place should be found for them. Let me add that the patients in the institution did not appear to me as being at all mental; they impressed me rather as being sick people. Again I say that I consider the institution one of the best of its kind I have seen in Australia.

MR. RAPHAEL (Victoria Park) [10.15]: I support the remarks of the member for Canning regarding the overcrowding at Heathcote. We have heard the remarks of the member for Subiaco about going into another member's district and consulting the staff for a few moments during one short visit as to the conditions prevailing there, and might I be pardoned for saying that we have heard of the garbage she collected there.

Mr. Sampson: You do not regard Heathcote as an electorate, surely!

Mr. RAPHAEL: I say definitely that doctors have complained to me of inability to get patients into Heathcote. Sergeants of police have rung up the doctor in charge of the institution and have been told that they could not get entrance for patients. My sister brought a patient from Geraldton at her own expense, and when I took him to the institution I was told by the doctor that the only bed available would be a mattress on the floor.

Mr. Cross: Every night patients have to sleep on the floor.

Mr. RAPHAEL: From time to time I, as a justice of the peace, have been asked by medical men to certify persons, and on a number of occasions I have been asked to drive them to the institution. During such visits I have been told, not once but half a dozen times, that beds were not available for patients except on the floor; yet the member for Subiaco in her usual bright way, after one visit, tells us she is quite satisfied there is no overcrowding at the institution.

Mrs. Cardell-Oliver: On a point of order. I did not say I was quite satisfied. Those were not my words.

Mr. Thorn: He is a word-twister.

Mrs. Cardell-Oliver: I said I was so informed by the matron.

Mr. RAPHAEL: The hon. member might have carried her investigations further before attempting to describe the conditions or to belittle the efforts of the member for Canning in his endeavour to improve the conditions of the poor devils in the institution.

Mr. Thorn: Her word is as good as yours.

Mr. Cross: I can prove what I said.

Mr. RAPHAEL: I do not think her word is as good as that of the member for Canning and my own. He is the representative of the district and should know the conditions prevailing there, while I have quoted cases that I have taken there. The facts I have given could be substantiated by medical evidence. If that is not sufficient for the member for Toodyay, it might be well if he were made an inmate of the institution.

Mr. Coverley: He ought to be.

Mr. RAPHAEL: I will not go so far as to say that, though probably the member for Kimberley is right.

Mr. Thorn: It puzzles me how you got away.

Mr. RAPHAEL: If the hon. member is correct no doubt it would puzzle him. I hope the Minister will accept the castigation by the member for Canning in the spirit in which it was meant. His only object was to improve the conditions at the institution. I hope, too, that if the finances permit some extensions will be made to the building in the near future.

MR. McLARTY (Murray-Wellington) [10.20]: I am sorry the report of the Director General for the Insane is not available, because without it we cannot discuss this Vote as fully as we would like. In one respect no doubt it will follow many other reports of the kind that I have seen. They have all complained about the overcrowding of the Claremont Hospital for the Insane. If there is one section of the community which should not be overcrowded it is the section comprising those who are mentally afflicted. Year after year the director has appealed for assistance in this direction, but he has been told by successive Governments that no money is available for extensions. I regard this as a blot on our civilisation. There is no hope that many of these patients will recover

from their mental afflictions if overcrowding is allowed to continue. I do not desire to use this Vote as a means of attacking the Government. I know that Ministers are sympathetic and would like to improve the position. Perhaps the Minister in charge of the Vote will tell us what opportunity is likely to occur in the near future to enable something to be done in this direction.

The Premier: It is going to be considered in connection with the Loan Estimates.

Mr. McLARTY: That is a very important announcement. The Royal Commissioner, Mr. Moseley, who inquired into conditions at the Hospital for the Insane, says in his report that the place is hopelessly overcrowded. He also pointed out that certain persons who were criminally insane were allowed to mix freely with the ordinary patients.

The Premier: That has been altered.

Mr. McLARTY: I am glad to hear that. I appreciate the good work that is being done at Whitby Farm. The Government's policy is to improve that establishment.

Hon. C. G. Latham: Who started it?

Mr. McLARTY: It was started by the Government of which the Leader of the Opposition was a member, but the good work is being carried on by the present Government. People travelling along the main road must be considerably impressed by the improvements which have been effected. The work must be helping considerably to reduce the expenditure on foodstuffs for the institutions. I should like to hear what is to be the future policy for Whitby. A number of harmless inmates there are able to wander in beautiful surroundings, and for several who are inclined to do useful work occupations have been found there. The inmates of Claremont, however, have no such opportunity. They have only drab surroundings and overcrowded accommodation to contend with, and their outlook must be very dismal. I am glad to know that steps are being taken to overcome the difficulty of overcrowding at Claremont.

MR. NORTH (Claremont) [10.25]: I should like to know how many inmates there are in the Fremantle prison. The cost for the year is £28,000. What would be the cost of running the institution per head compared with the cost of sustenance for a similar number of persons outside the institu-

tion? Quite a number of people have broken windows to get inside from outside. It would be interesting to know the figures.

Mr. Sampson: One hundred and ninety-four.

Mr. NORTH: Great Britain has announced in the Press the complete reform of her gaol system. The authorities are going to do away with the so-called penal aspect, and establish more humane treatment. I should like to hear from the Minister whether our institution is already being run along those lines, or whether there is a chance of moving in the direction that I have indicated is being taken by England.

MR. McDONALD (West Perth) [10.27]: I should like to know whether an opportunity is being taken to obtain a report from Dr. Ernest Jones, who is relieving the Inspector General for the Insane during the absence of that officer. Have any recommendations been obtained from Dr. Jones concerning steps we might take for the benefit of those institutions which come under the Lunacy Act? I wish also to refer to the extraordinary suggestion of the member for Victoria Park that it is irregular for a member to go into the constituency of another and visit a public institution there. If it is irregular, I should like to know what he is doing in this particular public institution in my constituency. If he proposes that it should be proper, ethical or legal for us to get a passport when wishing to go into the constituency of another member, that will reflect upon him. He may even find himself confined to his own constituency for the rest of his life. Furthermore, when the hon. member goes to the Heathcote Hospital and someone tells him there is no bed for the patients except on the floor, that is good information to give to the Committee. But if a member for some other constituency goes to the same institution and is given information by the matron or some other responsible person, it is entirely wrong for that member to convey that information to the Committee! His attitude is too absurd. Debate along those lines is not calculated to advance the real object we have in hand, namely, the consideration of the position of these unfortunate people and the best means we can devise to improve their lot.

MR. COVERLEY (Kimberley) [10.29]: I am sorry the Minister has in his statement overlooked the native community. I

have been waiting for the annual report of the Commissioner to be laid on the Table of the House, but it has not yet been placed there. I know of many innovations that have been made in the department which are the direct outcome of the report of the Royal Commissioner who inquired into the whole position. For that reason I thought the Minister in introducing these Estimates would have given some information concerning the report of the Commissioner of Native Affairs, or at least told us when we might expect it. I know that a great deal has been done for the welfare of the natives, and I would like the Royal Commissioner who inquired into the subject to receive credit for the good work he has done. I notice that there is an increase of nearly £3,000 in the appropriation for clothes and food and generally the welfare of the natives. I am aware also that a great deal of good work has been done in the way of hospitals and innovations of that description. On that account I looked for some explanation from the Minister in charge of these Estimates. I hope that in his reply the hon. gentleman will not omit to give the Committee such information, and especially to let us know when the report of the Commissioner of Native Affairs will be laid on the Table of the House.

MR. WATTS (Katanning) [10.32]: In these Estimates, as mentioned by the member for Swan (Mr. Sampson), there appears the item of Pardelup Prison. That prison, curiously enough, is in the Katanning electorate, but I shall not castigate the member for Swan for having had the impertinence to go down there and have a look at it and make some references to it in this Chamber. I entirely agree with the member for West Perth (Mr. McDonald) that such restrictions on the individual liberty of members are entirely unnecessary. I am more inclined to commend the member for Swan for having looked at a portion of the district I represent and having told the Chamber what are the facts. I wish to congratulate the responsible authorities on the Pardelup Prison. I have taken opportunities of going down there, the last time being in company with the Minister for Health, when he was at Mt. Barker last year. All we saw at the farm indicated to us the great care and attention devoted not only, so far as possible, to the welfare of the prisoners but also to the management and up-

keep of the premises themselves. I have not the figures by me at present, but I was advised of them by the Pardelup authorities and I was astounded at the very low cost of maintenance per head at the prison farm. The result of the careful attention paid to the livestock there, the increase in the number of sheep that are being carried, the increased production in consequence, and the very fine system in operation to get the most out of the property—it is a large farming property—have resulted in the maintenance cost being cut as far as that can possibly be done. On that account those responsible are to be congratulated on having conceived a very good idea—I do not know who it was that proposed the Pardelup Prison farm in the first instance. Those who have been in charge of the farm have, in my opinion—and I think that opinion is shared by the Committee generally—carried on very well indeed. There is one matter that I have during the year brought under the notice of the Controller of Prisons, and I would like to make some reference to it now. Circumstances have arisen in the past when there have been escapees from the prison farm. During the last few years there have been at least four instances of prisoners taking the opportunity to escape. It is realised, no doubt, by hon. members that there are no prison walls at Pardelup. The men are housed mostly in huts, and there is only a limited number of warders; and thus it is possible occasionally for prisoners to escape.

The Minister for Employment: Quite possible.

Mr. WATTS: I do not for one moment blame the authorities for the fact that there have been escapees; but one escapee in particular, the country there being fairly closely settled, took the opportunity, when making his escape, to enter upon a neighbouring farm and rob it of a considerable amount of goods, including a suit of clothes and other things. There seemed to be a lack of co-operation between the prison authorities and the Police Department in pursuing this escapee and bringing him back. I have placed the facts before the Controller of Prisons. I have been informed that notice was given to the Police Department as to the possible whereabouts of the man very shortly after his escape, but that it was some days before he was actually captured and brought back to confinement. It will be

realised that a happening of that nature, taking place in a district which although fairly closely settled is not by any means settled like a town or a village, is liable to occasion considerable alarm and worry to the womenfolk in the neighbourhood, and indirectly, because of the worry occasioned to them, alarm to their husbands and their male relatives. The representations I wish to make I will confine to this, that every effort should be made to have the closest co-operation with the police officers, and not only the solitary police officer stationed at Mt. Barker, which is the nearest town, some 18 miles away, but also other police officers within reasonable distance of the place, so that immediately there is an escape every effort may be made to take the prisoner back at the earliest moment, and thus prevent a recurrence of the happening to which I have made reference.

THE MINISTER FOR EMPLOYMENT

(Hon. A. R. G. Hawke—Northam—in reply) [10.39]: On behalf of the Chief Secretary I desire to thank the member for Swan (Mr. Sampson) for the reasonable and helpful remarks made by him in connection with this particular set of Estimates. I will bring under the notice of the Chief Secretary the remarks made by the hon. member, and I am sure they will receive earnest consideration at the hands of the Minister. Other hon. members have made reference to the need for additional accommodation at Claremont and at the Heathcote Reception Home. I desire to assure those members, and other members also, that the Chief Secretary has been giving a great deal of consideration to the problem of providing additional accommodation at both institutions. The Chief Secretary has been most earnest in his consideration of the problem. He has worried a great deal concerning it. He has made representations to the Treasurer; and as a result of those representations and of the Treasurer's own interest in the matter, I understand the whole question of providing additional accommodation at both institutions is now receiving close consideration, and will be decided before the Loan Estimates are introduced. Members will realise that the question of providing additional accommodation is one to be covered by the Loan Estimates and cannot be dealt with under the Revenue Esti-

mates we are now considering. The question of additional staff at the Heathcote Reception Home is covered by these Estimates to some extent. Three additional attendants and one additional nurse are provided for, and a considerable amount of extra money is set aside for an increased number of beds, extra bedding and clothing, and additional diet for the inmates. It will be seen, therefore, that the Chief Secretary, as Minister controlling this particular department, has been giving close and effective attention to the staffing, as well as the accommodation, difficulty. It is true that a number of subnormal youths were placed in the reception home. As a result of a recommendation made by Dr. Jones who is acting as controller for the present, some of those youths have been taken away from Heathcote and placed in other institutions or else returned to their parents where it was considered action of that description should be taken. Dr. Jones, while acting in control of the mental institutions of the State, will doubtless place numerous recommendations before the Chief Secretary, and I have no doubt that before the doctor returns to Victoria he will place a comprehensive report in the hands of the Minister covering his impressions of our system. Any recommendations made by the doctor, together with his report, will receive consideration first by the Chief Secretary and later, doubtless, by the Government. In reply to the member for Kimberley (Mr. Coverley), I am afraid no information is contained in the notes made available to me by the Minister in respect of the particular points he raised.

Mr. Marshall: Then we will move a vote of censure.

Hon. C. G. Latham: And we will support you.

THE MINISTER FOR EMPLOYMENT: I have the Chief Secretary's assurance that he will be only too pleased to discuss personally with any member of this House points not covered by the notes he has provided. I am sure that the member for Kimberley and others who may desire additional information will not hesitate to accept the Minister's invitation to discuss matters with him personally.

Vote put and passed.

Votes—Natives, £25,210; Registry and Friendly Societies, £11,815; Prisons, £28,113; Harbour and Light and Jetties, £27,260; Mental Hospitals and Inebriates, £111,297—agreed to.

Vote, Observatory, £1,783:

Mr. NORTH: Reference is made to an astrographic observer and mechanic. Has that officer been engaged for long?

The Minister for Employment: Yes, for a long time.

Vote put and passed.

Progress reported.

BILL—ROAD TRANSPORT SUBSIDY.

Second Reading.

THE MINISTER FOR WORKS (Hon. H. Millington—Mt. Hawthorn) [10.42] in moving the second reading said: The object of the Bill is to provide authority for the better utilisation of funds derived by the Western Australian Transport Board from fees for licenses and permits. Section 59 of the Act provides that after the cost of administration is deducted from any fees received by the board, the balance remaining shall be divided into two portions, namely, fees received from licenses issued in respect of omnibuses; and fees received in respect of commercial goods vehicles. It is also provided that after those portions have been arrived at, the balance at the disposal of the board shall be divided equitably amongst the various statutory authorities concerned, which include the Main Roads Department. No reference is made to the method of treating moneys provided by aircraft license fees. The total amount of commercial goods vehicle license fees distributed during the year ended the 30th June, 1937, was £1,594 8s. 2d. This total was allocated as follows:—

	£	s.	d.
Main Roads Department ..	531	9	4
Class "A" authorities— (11 road boards)	318	17	8
Class "B" authorities— (74 road boards, £10 15s. 11d. each)	680	5	8
Class "C" authorities— (12 road boards, £6 4s. 9d. each)	63	15	6
Total ..	£1,594	8	2

The total amount of omnibus license fees distributed to 48 authorities was £12,562 13s. 9d., of which the Main Roads Department received £4,909 5s. 4d. and the Perth City Council £3,349 5s. 4d. In making allocations according to the existing provisions, it is found that the majority of the local

authorities received not more than £11 or £12 per annum. While limited benefit is derived by expending these small amounts on roads, the experience of the Transport Board has shown that they could be put to far better use in subsidising road transport services in isolated or sparsely populated areas. Efficient services could be inaugurated in districts where they are most needed but are impracticable without financial assistance, and where the construction of railway lines is not justified by the probable financial results. Certain subsidised services have already been brought into operation, but in these few instances funds were made available by the Treasury Department on representations made by the Transport Board in each case, the amounts paid during the year ended the 30th June, 1937, being—

	£	s.	d.
Cranbrook-Boyanup Brook service	500	0	0
Hopetoun-Ravensthorpe service	170	0	2
Ongerup-Needilup service (six months only)	76	4	1

These sums were provided as a temporary expedient only, pending some provision being made as is included in the Bill now before the House. At the present time the Western Australian Transport Board have in view the provision of services in other country areas where, through their long distance from railway facilities, settlers have been handicapped by lack of facilities at reasonable rates of freightage. Consideration will have to be given to transport services where railway lines have been authorised but not yet commenced, or where existing lines may be closed or the service suspended. For instance, the Ravensthorpe-Hopetoun railway has been closed and the board were under the necessity of providing an alternative subsidised road transport service to Hopetoun. The Government are now called upon to decide whether there is economic justification for the expenditure of a considerable sum of money in restoring the Hopetoun jetty and, if the decision is in the negative, the Transport Board will be under obligation to call tenders for the transport of produce and goods between Ravensthorpe and Newdegate, a service that will have to be subsidised. It is considered that no objection will be raised by the local authorities concerned to the small amounts mentioned being used for subsidised transport services. The Bill does not seek to deprive

local authorities entirely from receiving fees from the Transport Board, but only to authorise the board to expend such sums as are necessary for subsidies. Any balance then remaining will be distributed in the usual manner. In regard to bus services it may be mentioned that some local governing bodies are giving subsidies for the encouragement of passenger transport to areas in the early stage of development. The Perth City Council are subsidising a bus service to City Beach, and the Mundaring Road Board a service from Midland Junction railway station to Swan View. Practically the whole of the moneys expended would be used to subsidise road transport services to inland areas isolated from existing railways, where the value of products from such areas is low, relative to their bulk, and therefore there is a distinct limit to the burden they can bear in transport charges. In some areas payable production is dependent upon a liberal use of fertilisers, a bulky commodity whose use, if transport cost is too high, is limited, with consequent economic loss. Generally speaking, the proposed amendment will come nearer to satisfying the public and carrying out the purpose for which the board was appointed, namely, "providing for the improvement and for the co-ordination of transport in the State." In regard to air services, the Bill seeks to provide that revenue from aircraft license fees may be utilised for the provision of landing grounds. This appears to be the most equitable method of dealing with those fees. The amount held by the Western Australian Transport Board at the 30th June, 1937, was only £194. This amount, of course, would be of no value in establishing regular landing grounds, but it is proposed to utilise it in providing emergency landing grounds along the main air routes, which is very desirable, both from a safety and from a developmental viewpoint.

Hon. C. G. Latham: Very little will be done with the money in that respect.

The MINISTER FOR WORKS: The work will be confined mainly to clearing and, if short sections of road were widened at intervals, the cost would not be excessive. In any case, it is anticipated that the revenue from aircraft license fees will increase with the passage of time. The question of subsidising transport services is becoming increasingly important and those who have the advantage of rail transport facilities

should not begrudge the subsidising of routes in country districts where it is not now an economic proposition to build railways. I think it is a recognised principle in respect of transport that the strong should help the weak. I move—

That the Bill be now read a second time.

On motion by Mr. Watts, debate adjourned.

ADJOURNMENT—ROYAL SHOW.

THE PREMIER (Hon. J. C. Willecock—Geraldton) [10.56]: I move—

That the House at its rising adjourn until Thursday, the 7th October.

Question put and passed.

House adjourned at 10.57 p.m.

Legislative Assembly.

Thursday, 7th October, 1937.

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

QUESTIONS (2)—RAILWAYS.

Freight on Express Trains.

Mr. STYANTS asked the Minister for Railways: 1, What is the freight on one ten-gallon drum of milk from Perth to Kalgoorlie by express train? 2, What is the freight on a new ten-gallon drum sent,

empty, from Perth to Kalgoorlie—(a) by express train, (b) by goods train?

The **MINISTER FOR RAILWAYS** replied: 1, 3s. 2 (a) 5s., (b) 1s. 6d.

Narrow and Broad Gauges.

Mr. NORTH asked the Minister for Railways: 1, Is any portion of the State railway system laid with a view to easy conversion to the Australian standard gauge in due course? 2, What is the difference in cost between a jarrah sleeper suitable for the 3ft. 6in. gauge and one for the Australian standard gauge (4ft. 8½in.)?

The **MINISTER FOR RAILWAYS** replied: 1, No. 2, Approximately 2s.

STATE GOVERNMENT INSURANCE OFFICE BILL SELECT COMMITTEE.

Report Presented.

The Minister for Employment (Hon. A. R. G. Hawke) brought up the report of the select committee.

Report received and read and ordered to be printed, and the Bill as amended reprinted.

On motion by the Minister for Employment ordered: That consideration of the Bill as amended be made an order of the day for the next sitting.

BILLS (2)—FIRST READING.

1. Financial Emergency Tax Assessment Act Amendment.

Introduced by the Premier.

2. Jury Act Amendment (No. 2).

Introduced by the Minister for Justice.

BILL—MUNICIPAL CORPORATIONS ACT AMENDMENT (No. 2).

Recommittal.

On motion by the Minister for Works Bill recommitted for the purpose of further considering Clauses 33 and 62.

In Committee.

Mr. Sleeman in the Chair; the Minister for Works in charge of the Bill.

Clause 33—Amendment of Section 179:

The **MINISTER FOR WORKS**: When the Bill was in Committee before, the member for West Perth moved an amendment dealing with the planting of lawns, gardens,