

Legislative Council,

Wednesday, 3rd December, 1919.

	PAGE
Question: Sanitary conditions, Perth ...	1915
Bills: Legislative Assembly Duration, all stages ...	1915
Roads Closure, 1R. ...	1919
Ajansa-Geraldine Railway, 1R. ...	1919
Prices Regulation, Assembly's message ...	1919
Road Districts, Assembly's message ...	1919
Vermion Act Amendment, Assembly's message ...	1919
Droving Act Amendment, returned ...	1919
Fruit Cases, returned ...	1919
Industries Assistance Act Amendment, 2R., Com. ...	1919
Sand Drift, 1R. ...	1932
Appropriation, 1R. ...	1932
Wyalatchem-Mt. Marshall Railway, 1R. ...	1932
Traffic, Assembly's message ...	1932
Legislative Assembly Duration, returned ...	1932
Anglo-Persian Oil Company, Limited (Private), 2R., etc. ...	1932
Parliamentary Allowances, 1R. ...	1933
Electoral Amendment, 2R., etc. ...	1933
Wickopin Racecourse, 1R. ...	1936
Municipal Corporations Act Amendment, 2R., Com. ...	1936
Carnarvon Electric Light and Power, 2R., etc. ...	1937
Northampton Mechanics' Institute, 2R., etc. ...	1937
Shipping and Pilotage Consolidation Ordinance Amendment, 2R., etc. ...	1938

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

QUESTION—SANITARY CONDITIONS, PERTH.

Hon. J. CORNELL asked the Minister for Education: 1, Whether in his opinion as Minister for Health the uncleanly conditions now prevailing in the city of Perth are likely to create a serious outbreak of illness and disease? 2, Whether in his opinion articles of food, intended for human consumption should be so exposed for sale and delivery as to permit of their being fouled by the accumulation of filth which threatens to overwhelm the city of Perth?

The MINISTER FOR EDUCATION replied: 1, Yes. 2, No.

BILL—LEGISLATIVE ASSEMBLY DURATION.

All Stages.

The MINISTER FOR EDUCATION (Hon. H. P. Colebatch—East) [4.35]: At the request of Mr. Lovekin, I move—

That the Bill be now introduced and read a first time.

Question put and passed.

Bill introduced and read a first time.

Second Reading.

The MINISTER FOR EDUCATION (Hon. H. P. Colebatch—East) [4.36] in moving the second reading said: I deeply regret the fate of the Constitution Act Amendment Bill which was presented to this House, but of course it is not for me to question the wisdom of the decision of hon.

members. Most of the provisions of that Bill can be placed before the House at a future date, when members will have an opportunity, if they see fit, of taking a different view regarding the measure. But there was one provision of that Bill which, unless carried at once, would be entirely futile. That is the provision regarding the duration of the Legislative Assembly. It is, I understand, quite in order for this House, having rejected the Constitution Act Amendment Bill, to pass, and transmit for the approval of another place, a Bill making provision for the duration of the Legislative Assembly. The provision made in that respect by this Bill is identical with that which was contained in one clause of the Bill which it was found necessary to lay aside yesterday because the requisite majority could not be obtained. Regarding that particular clause the opinion of members on all sides of the House was so strongly favourable that I do not think it necessary to say anything more in support of this Bill. I move—

That the Bill be now read a second time.

Point of Order.

Hon. J. CORNELL: I rise to a point of order. I claim that, under Standing Order 180, a Bill to amend the Constitution must emanate from another place, and must when introduced into this Chamber bear upon its face a certificate from the Clerk of the Assembly that such Bill has passed its second and third readings in the Assembly with the concurrence of an absolute majority. I have no desire to oppose the Bill, but I rise to a point of order so that the position may be absolutely clear.

The President: I do not think that the point of order raised by the hon. member will stand. This Bill is quite in order in being introduced in this Chamber. My ruling is that the Bill is in order. I understand the hon. member's point of order is that the Bill cannot be introduced in the Council?

Hon. J. CORNELL: Yes.

Hon. A. LOVEKIN: This Bill does not propose to amend the Constitution. It only affects procedure.

The President: Quite so. Unless my ruling is disagreed with there can be no debate.

Debate resumed.

Hon. J. CORNELL (South) [4.39]: I of course bow to your ruling, Mr. President. I was merely desirous of clearing up a doubt in my mind. There are other points I could raise, but I shall not do so. I now desire to offer a few remarks on the second reading of the Bill. Yesterday evening, in speaking on the second reading of the Constitution Act Amendment Bill which has been laid aside, I said that this particular question which is now before us was primarily a question for the consideration of members of another place. It is they who will probably pay the penalty in the event of an appeal to

the electors. We are now faced with the unique position, unique in my experience here, of having rejected a Bill which contained a certain provision and then, within 18 hours of such rejection, finding another Bill introduced for the purpose of enacting one of the provisions contained in the rejected Bill. Though the first and second readings of this Bill have been moved by the leader of the House, it did not emanate from any inspiration of his. He made his position clear on the floor of this House. The Bill has emanated from the latest acquisition to this Chamber.

The PRESIDENT: The hon. member must not make remarks of that nature. They have nothing to do with the second reading of the Bill. I shall be glad if the hon. member will continue his speech on the second reading of the Bill and not refer to the conduct of other members.

Hon. J. CORNELL: I feel very strongly that we should be called upon to enact this necessary piece of legislation in such a manner, when the object could have been accomplished in a proper and reasonable way. I want to know what this Bill has to do with the Legislative Council. I want to know what attitude the Legislative Council would take up if another place had the temerity to say that the duration of membership of this House should be prolonged or curtailed. I can imagine the clamour and tirade which would emanate from some hon. members in such circumstances. I recognise that it is necessary to pass this Bill; but I also recognise that it was necessary to pass certain pieces of legislation which this House decided not to pass when they were coupled with the provision contained in this Bill. I shall not detain the House further than to say that this Bill does not redound to the credit of the Chamber. In the words of our leader last evening, many members of this Chamber, in the eyes of the general public and even of their electors, will stand condemned by their own acts. I understand that it is necessary that this measure should obtain an absolute majority. I would like the President's ruling on that point. I hold that this Bill proposes to make additions to Section 21 of the Constitution Act. Therefore I presume at least 16 members must be in favour of the Bill on both readings. Then we shall see what we shall see. Members may take their own view of the matter, but I consider that their conduct would have been more upright if they had not created such a position as has necessitated the introduction of this Bill. The difficulty could have been overcome. Members will see the error of their ways. Having got rid of the sword of Damocles in the shape of the soldiers' vote, they are now proceeding to legislate in the direction of shifting someone else. What view would they take if another place legislated for the curtailment of our political lives?

Hon. J. NICHOLSON (Metropolitan) [4.45]: I support the second reading. In view of the observations of Mr. Cornell, it

is only fair to explain my attitude towards the Bill disposed of last night.

The PRESIDENT: The hon. member cannot do that; the hon. member must speak to the second reading of this Bill.

Hon. J. NICHOLSON: Very well. No member need have any hesitation in supporting the Bill. We have had a full opportunity to consider the purport of the Bill from observations and suggestions made by the leader of the House a long time ago. Indeed, he announced at a very early stage of this session his intention to bring in such a measure. If it had been brought in, instead of the one we considered yesterday, I have no hesitation in saying that it would have received the approval of every member. In the Bill we considered yesterday, there were matters of a controversial character, and it was the Minister's desire that members should give the measure the fullest possible consideration. We were unable to give that proposal the fullest possible consideration. The Bill we considered yesterday was brought in at the eleventh hour and it contained matters so controversial that, as a protest, I voted against the measure, for I did not have time to fully consider it.

Hon. H. MILLINGTON (North-East) [4.47]: I regret I did not hear the Minister's speech in moving the second reading of this Bill. A remarkable position has been created. In a very cavalier fashion we have recently disposed of a Bill embodying at least six amendments to the Constitution. After the rejection of that Bill, would it be competent to introduce six different measures dealing with each of those amendments during the present session? If we are justified in dealing with one particular amendment, surely the Government would be equally entitled to introduce a separate Bill embodying the other five and claim that it was not the same Bill as had been rejected.

Hon. A. Sanderson: It would not be the same.

Hon. H. MILLINGTON: Then these matters can be dealt with two, three or half a dozen times in the same session, so long as there is some alteration of this description. If this Bill is in order, Bills might in future be introduced embodying more than one amendment to the Constitution or dealing with any other matters and, if one is dropped, the whole thing can be re-introduced. This is a new method by which those who favour one particular phase of a Bill can get their own way. In future if members disapprove of something in a Bill, they will only have to reject it and then introduce another Bill containing the part with which they agree. It is a remarkable procedure. On the second reading I stated that I had no objection to this principle because I considered it a matter for the Legislative Assembly. Now it appears that the Legislative Council is taking the initiative. I cannot vote against the measure, but I must protest

against the procedure of introducing such a Bill after the same matter was rejected yesterday and without too much explanation on the part of those who opposed it. If the session were long enough, we could deal with the other half dozen principles in the same way by introducing separate Bills on different days.

Hon. J. Cornell: Make the session long enough.

Hon. H. MILLINGTON: I was interested in one amendment and more than 50 people in the State were interested in it. It was an amendment vital to the community. We showed that the community had suffered on account of the bad workmanship in the present Constitution Act; yet that amendment was passed out without any apology. Now we have a matter affecting just 50 men who happen to be in a position to state their case and make a noise, and a special Bill is introduced for their convenience. I can quite understand that the general community are getting full of politicians. A start was made on the Labour men; there was a set against Labour men, State and Federal. Now this has extended and politicians whether State or Federal are generally discredited. The general public will now be able to say that the amendments to the Constitution which they desired were rejected by the Council, but that there was a twopenny-halfpenny amendment in the Bill which affected members of Parliament and lo, a special Bill was introduced to meet their convenience. On the score of favouritism or differentiation, the general public will be able to make out an unanswerable case. This Bill affects the convenience of 50 members of another place and we see that the attention thus given to their convenience quite meets with the approval of their brother legislators. No wonder members of Parliament generally are becoming discredited and that people are losing confidence particularly in State Parliaments. I should like to know if the leader of the House will introduce a Bill to amend the household qualification.

Hon. A. Lovekin: That would be out of order.

Hon. H. MILLINGTON: We have the ruling of an hon. member, with at least three days' experience, that such a Bill would be out of order. If I require a ruling, I know where to get it. Will the leader of the House be prepared to introduce such a Bill? Since he has met the wishes of the members of the Legislative Assembly, will he meet the wishes of the general community in regard to the other matter? I am sure the leader of the House realises his responsibility to the community as well as to a few members of Parliament whose convenience we are considering now. I have nothing to say against the principle of the Bill, but I object to the procedure adopted of rejecting the measure yesterday, and now at-

tempting to get one of the provisions by means of this piecemeal process. One cannot even say that the eyes of the Bill have been picked out. This is merely the tail of the Bill. Members objected to the head and shoulders and now are giving special consideration to the tag end.

Hon. J. Cornell: That is usually where the sting is.

Hon. H. MILLINGTON: And this tag end will soon possess the full dignity of an Act of Parliament. It appears that we are giving preferential treatment to those who have an opportunity to state their case and make a noise whereas, those who undoubtedly have just cause, have no chance to get their claims considered by the Council. I shall have to support this mean, little tag-end of a Bill—

Hon. J. Lynn: Not necessarily.

Hon. H. MILLINGTON: Yes, when I agree to a thing, I stick to it. This is a matter for the Legislative Assembly. I am prepared to give them an opportunity to deal with it, but I am justified in protesting against the methods adopted to introduce this caricature of an amendment to the Constitution.

Hon. J. CUNNINGHAM (North-East) [4.57]: I shall vote for the second reading. Like Mr. Millington, I recognise a friend that was disposed of and kicked out of this Chamber last night. In Committee, it is my intention to move an amendment in the direction of adding a new clause. I admit that the new clause is taken from the Bill that was slaughtered last night. I refer to the proposal to confer the franchise upon officers and soldiers who served in the war.

The PRESIDENT: I think the hon. member would be more in order if he discussed that clause when he moves it in Committee.

Hon. J. CUNNINGHAM: It is only my intention to outline what I propose to do. I think it only fair to let the House know my intention. I am not afraid that the Bill will not reach the Committee stage. Only a few hours ago, there was a lively movement afoot, not only in the lobbies but in this Chamber, in connection with another matter. On this occasion, the majority of the members seem to be satisfied there will be no difficulty in passing the second reading of this Bill. I hope the good sense of members will prevail and that I shall have the support of Mr. Lovekin, the newest acquisition to the Chamber, in my proposed amendment. We know he did not take a very prominent part in the destruction of another Bill and, so far he has been silent on this Bill. No doubt he will speak at a later stage and give this House the benefit of his advice and also the experience he has had in connection with legislation of a similar nature, and where Bills have been destroyed in other Chambers in other States of Australia. It is my intention to vote for the second reading of the Bill and to move to amend it in Committee in the direction I have indicated.

Hon. A. LOVEKIN (Metropolitan) [5.3]: I have come in for a good deal of criticism in connection with this Bill, criticism which I do not think I deserve. Therefore, I desire to say a few words of explanation. I did not give notice of my intention to introduce this Bill yesterday to benefit, as Mr. Millington says, a number of members of Parliament. My object was for the benefit and convenience of the country. As I understand the practice of Parliament, it is that a Bill once having been disposed of, a like Bill cannot be introduced in the same session. There is, however, this exception, that where two Bills of like purport are concurrently before the House it is optional for the House to go on with whichever of the two it pleases. Last night it was very patent to us all that the Constitution Act Amendment Bill which we had before us would not be passed by this House, and in order to save the situation, and having the interests and convenience of the State in view, I tabled a motion for leave to introduce this particular Bill so that before it was too late there might be two Bills practically of the same purport concurrently before the House. Then the House having rejected one, it was competent for hon. members to go on with the other. I assure hon. members that course I took, although an unusual one, was entirely in what I conceived to be the best interests and for the convenience of the country.

The MINISTER FOR EDUCATION (Hon. H. P. Colebatch—East—in reply) [5.5]: I sympathise with the remarks made by the several hon. members who have spoken. I admit that the procedure is unusual but it is by no means irregular, and unusual circumstances demand unusual action. It is very unusual for this House, or any other Chamber, to reject a Bill because objection is taken to one or two clauses. I quite agree it would have been better if the clauses in the Constitution Bill to which objection was taken had been altered or thrown out. However, the Bill was lost, and the method now adopted is the only one by which the clause relating to the duration of the life of the Legislative Assembly can be carried into effect. It is suggested that the Legislative Assembly might take exception to the Council initiating a matter of this kind. The Council did not initiate this matter; it was initiated in another place, but it is not at the present stage competent for another place to revive it on its own initiative. Unless we move in this direction, what is desired cannot be carried into effect. As Mr. Lovekin has pointed out this is not for the purpose of conveniencing members of the Assembly, it is a matter of restoring order in Parliamentary procedure and to convenience the country. Mr. Millington asked me if I was prepared to introduce another Bill covering household franchise. I told the hon. member that I will do it at once if he will assure me a majority to enable me to carry it into

effect. Without that majority it would be futile to attempt to do it. I do not think however, it is any use banging one's head against a stone wall. Such a Bill will be introduced at a future date, but it would be hopeless to submit it now.

The PRESIDENT: I will ask hon. members to raise their voices when I put the question so that I may hear distinctly whether there is any opposition to the Bill. If I do not hear any "noes" I shall declare the Bill carried unanimously and by an absolute majority.

Question put.

The PRESIDENT: I declare the second reading of the Bill carried unanimously and by more than an absolute majority of the Council.

Question thus passed.

Bill read a second time.

In Committee.

Hon. J. F. Allen in the Chair; the Minister for Education in charge of the Bill.

Clauses 1, 2—agreed to.

New clause:

Hon. J. CUNNINGHAM: I move—

That the following new clause be added to the Bill to stand as Clause 3:—"Section 15 of the Constitution Act Amendment Act, 1899, is hereby amended by inserting the following words 'any person who was appointed an officer or enlisted as a member of His Majesty's Naval or Military Forces or the Naval or Military Forces of the Commonwealth, and served in such Forces in the recent war, and has resided in the electoral province for which he claims to be registered for a continuous period of one month immediately preceding his claim.'"

The CHAIRMAN: The hon. member is not in order. The new clause the hon. member desires to insist is not relevant to the subject matter of the Bill and therefore I cannot accept it.

Hon. J. CUNNINGHAM: The position is—

The CHAIRMAN: The hon. member cannot question the ruling of the Chair.

Hon. J. CUNNINGHAM: I have no intention of doing that. I merely want some advice, in order that I may be able to get the matter before the House. Will it be necessary for me to follow the course adopted by Mr. Lovekin and introduce this proposal in a separate Bill?

The CHAIRMAN: The hon. member must ask the President for a ruling on that question. It is not competent for me to discuss it.

Hon. J. CUNNINGHAM: Then the course to be followed is for me to get into touch with the President and ask his advice?

The CHAIRMAN: That is the position. Hon. J. CORNELL rose.

The CHAIRMAN: The hon. member cannot discuss the ruling of the Chair. If he takes exception to it he must do so in writing.

Hon. J. CORNELL: Then I will move Mr. Chairman that your ruling be disagreed with.

The CHAIRMAN: The hon. member will have to put it in writing.

Hon. J. CORNELL: No, I will withdraw it and move it perhaps at a later stage.

Title:

The CHAIRMAN: The question is that the title be agreed to.

Hon. H. MILLINGTON: I wish to amend the title so as to make it read "an Act to amend the Constitution Act, 1899, and to determine the duration of the Legislative Assembly."

The CHAIRMAN: The hon. member is not in order in moving an amendment to the title of the Bill, unless an amendment made to the Bill itself has rendered an alteration of the title necessary. The Bill before the Committee has not been amended.

Hon. H. MILLINGTON: I realise that the object we have in view is a most laudable one, and I am asking for assistance from the Chair.

The CHAIRMAN: The hon. member must submit his request to the President when the Bill is reported. The hon. member cannot raise any question at this stage.

Hon. H. MILLINGTON: I thank you.

Title—agreed to.

[The President resumed the Chair.]

Bill reported without amendment.

The MINISTER FOR EDUCATION: I move—

That the report be adopted.

Hon. J. CORNELL: I submit that the Bill as agreed to in Committee is not in conformity with Standing Order 173, which reads—

The title of a Bill shall coincide with the order of leave, and no clause shall be inserted in any such Bill foreign to its title.

Clause 2 amends the Constitution, but there is nothing in the title to say that it amends it.

The PRESIDENT: The Bill is in accordance with the order of leave.

Hon. J. CORNELL: Is Clause 2 foreign to the Title?

The PRESIDENT: In my opinion Clause 2 definitely expresses the object of the Title.

Hon. H. MILLINGTON: Seeing that this is an amendment of the Constitution, should that not be set out in the Title?

The PRESIDENT: Not necessarily.

Hon. H. MILLINGTON: Therefore we can have an amendment of the Constitution without its being contained in the Title.

The PRESIDENT: Quite so.

Question put and passed; the report adopted.

The MINISTER FOR EDUCATION (Hon. H. P. Colebatch) [5.16]: I move—

That the Bill be now read a third time.

Question put.

The PRESIDENT: I declare the third reading carried unanimously, and by more than an absolute majority of the Chamber.

Bill transmitted to the Assembly.

BILLS (2)—FIRST READINGS.

1, Roads Closure.

2, Ajana-Geraldine Railway.

Received from the Assembly and read a first time.

BILL—PRICES REGULATION.

Assembly's Message.

Message received from the Assembly notifying that it had agreed to make the Council's amendments Nos. 1, 2, 4, 5, 6, 7, 8, and had agreed to No. 3 subject to the modification set forth in the schedule to the Message.

BILL—ROAD DISTRICTS.

Assembly's Message.

Message received from the Assembly notifying that it had agreed to the amendments made by the Council.

BILL—VERMIN ACT AMENDMENT.

Assembly's Message.

Message received from the Assembly notifying that it had agreed to the amendments made by the Council.

BILLS (2)—RETURNED.

1, Droving Act Amendment.

2, Fruit Cases.

Returned from the Assembly without amendment.

BILL—INDUSTRIES ASSISTANCE ACT AMENDMENT.

Second Reading.

Debate resumed from the previous day.

The HONORARY MINISTER (Hon. C. F. Baxter—East—in reply) [5.22]: There has been a good deal of criticism of the Bill, but it is gratifying to find that apparently it is recognised by hon. members that the Industries Assistance Board has been carried on in a business-like manner. I say that because the board has not been criticised by any member of the Chamber.

Hon. J. Cornell: It is rather sharp practice.

The HONORARY MINISTER: I think the Government should feel gratified at this proof of the efficient management of the board. Mr. Lynn asked whether the Auditor General's report on the report and balance-sheet of the Industries Assistance Board had yet been received. On making inquiries I find it has been in the hands of the management for a little time. It contains a few queries, but nothing derogatory to the board. The hon. member also remarked that Wills & Co.'s account of £77,000 had been purchased at £23,000, while the board had taken over from the State Implement Works an account for which it paid 20s. in the pound. The two cases are very different. The hon. member, no doubt, was under the impression that Wills & Co. were not being treated as well as they might have been, and that the State Implement Works were receiving preferential treatment. That is not so. The debts taken over from Wills & Co. would cover the supply of goods and other commodities outside machinery, whereas the whole of the debts taken over from the State Implement Works represent machinery, and in consequence the board, in taking over those debts, would have assets worth 20s. in the pound. Such, however, is not the case in respect to the debts taken over from George Wills & Co., only a small portion of which represent machinery or other relatively permanent assets. Moreover, a number of settlers who contracted debts with Wills & Co. and other merchants have left their farms in the meantime, and so their share of the debts taken over is uncollectable.

Hon. Sir E. H. Wittenoom: What became of their implements and other assets?

The HONORARY MINISTER: They would have been taken over by the board.

Hon. G. J. G. W. Miles: Do you charge the farmer 20s. in the pound on the full amount he owed Wills & Co.?

The HONORARY MINISTER: Yes, certainly.

Hon. J. Ewing: Are you going to take that from him?

The HONORARY MINISTER: The Industries Assistance Board could not collect the whole of the amounts, because many of the settlers are no longer on the board. If there is a surplus the settler will get it. Other hon. members have inquired whether the value of the assets are there. I can assure those hon. members that the assets are there. The board went thoroughly into the question before purchasing, and made certain that the assets were there.

Hon. J. W. Kirwan: Then George Wills & Co. made a bad deal.

The HONORARY MINISTER: It is one of the risks of trading. Mr. Mills made certain remarks which he could not substantiate. I will not deal with them beyond saying it is hardly fair for him to charge reputable firms with adopting such tactics. In any case the board would have opportunity for making inquiries and finding out whether the accounts had been loaded, as suggested. One statement made by the hon. member I must take exception to, because it might

mislead others. He said the life of ordinary farming machinery was five years.

Hon. J. Mills: I said the life of certain machines.

The HONORARY MINISTER: I do not care what machine the hon. member has in mind, unless it be in the hands of a very careless person its life, at shortest should be 12 years.

Hon. J. Mills: Nonsense!

The HONORARY MINISTER: I can point to the most delicate farming machinery which has been in use for from 27 to 30 years.

Hon. J. Mills: Ploughs!

The HONORARY MINISTER: No, I am referring to reapers and binders. I do not want to lead hon. members astray. Most of the machinery included in this purchase would be five years old.

Hon. J. Mills: And all of it out in the wet.

The HONORARY MINISTER: There may be isolated cases where the machinery has only lasted five years. If a man gets on to the seat of one of these machines and drives straight ahead and lets it go to pieces, it certainly will not last longer than that time.

Hon. J. Mills: I did not say the whole of the machinery only lasted five years.

The HONORARY MINISTER: The hon. member said that some of it only lasted five years.

The PRESIDENT: I must ask hon. members not to interject. There is ample opportunity for arguing the question in Committee.

The HONORARY MINISTER: The hon. member said that the late Minister for Industries (Mr. Robinson) had made blunders in making these purchases. Mr. Robinson acted on the advice of the Industries Assistance Board. This is a board of competent gentlemen, and I think hon. members admit that they are doing good work in the administration of that board. At all events no great mistakes on their part have yet come to light.

Hon. J. Mills: I have every confidence in the board, but more in the Minister.

The HONORARY MINISTER: I have just stated that the board recommended the Minister to purchase these debts. If the hon. member has confidence in the board he must have confidence in the deal that has been carried out. Mr. Sanderson referred to the proposed amendment last year, and stated that this Act should only be in force until November 30th. That would be futile. We could not balance under this Act until the end of March, when the harvest will be completed. That is the only date on which an Act of this kind can expire, as a business proposition. The hon. member drew attention to a discrepancy in the return of wheat for the years 1915-16 and 1918-19.

Hon. A. Sanderson: Not a discrepancy; it is a falling off.

The HONORARY MINISTER: I will take it in that way. We are now living under different conditions to those which ap-

pertained in 1915-16. In that year we realised a crop of four million bushels, but in 1918-19 one of only a little over half that quantity. The total area under crop in the State in 1915-16 was over two million acres, and in 1918-19 it was only $1\frac{1}{2}$ million acres. The year 1915-16 was a record year for this State. It followed on a drought year. With the assistance given by the Government and the prospects ahead of a good season every acre that was available was sown by the farmers. We had a good harvest that year, with the result that we had a good return of wheat. As a matter of fact, the State average for 1915-16 was 10.52 bushels to the acre. In 1918-19 when we only had $1\frac{1}{2}$ million acres under crop, our average was down to 7.44. That shows how the difference is made up. I am not giving this information in a criticising spirit at all. The hon. member also stated that the Industries Assistance Board had paid out of loan funds for Agricultural Bank interest £240,000, and for land rents £250,000. He stated that this was misleading and irregular. The hon. member is wrong in taking that stand. These amounts were paid by the Industries Assistance Board out of moneys advanced from Government loans under the authority of Parliament. Under the Land Act all rents had to be paid or the land would be forfeited. I have yet to learn that any of the farming community who have availed themselves of the Industries Assistance Board protection and assistance are in any way opposed to the payment of these rents. In return the Government were paid interest by these farmers on the money advanced to them, to enable them to pay their rents and Agricultural Bank interest. Mr. Greig said that the Government gave preference to merchants over local storekeepers. I would not like to be a Minister trying to pilot a Bill through this Chamber if the Government purchased the assets of the local storekeepers in the country. These are debts which in most instances carry no assets, and no Government would have anything to do with them. I sympathise with the country storekeeper. He has had a hard time, but the Government are working on business lines. They are purchasing debts of machinery firms which have assets to warrant that purchase being made, but cannot purchase the debts of the local storekeepers where there are no assets in existence. The hon. member opposes Clause 4. He said that the same power is sought as was sought in previous years. I agree, and will go further and say that some few years back I opposed this very amendment myself, but under entirely different conditions from those which hold good to-day. At that time we had the protection of the moratorium and the Postponement of Debts Act. That will expire at the end of December, and the Government have no intention of re-enacting it. If these free assets of the farmer are not taken over in this way he will be the one to suffer most, inasmuch as the creditors will certainly take the opportunity of enforcing the payment of the

money due to them. The result will be that these farmers would find that their assets would be taken away, their machinery and their horses, which were free, and these would be sold at a sacrifice no doubt, which would hamper them in their subsequent operations. I hope the hon. member will look at the matter from that point of view. Furthermore, this system will protect the creditors, inasmuch as if there are any farmers who desire to abandon their properties they will be unable to do so and dispose of the assets if the Industries Assistance Board holds a mortgage over such properties. If they are abandoned the Industries Assistance Board will dispose of the assets and the creditors will profit in their disposal. Mr. Kirwan referred to the interest charged to settlers. His query was as to whether the Government were losing money or not. The hon. member is very careful to see that the Government are not losing money. The moneys which have been borrowed to advance under this Act have cost the Government on the average 5.3 per cent., and the interest charged to the settler for that money is seven per cent. Several hon. members have expressed the opinion that this Act should cease. I trust these are in the minority. The Industries Assistance Board has done good and useful work. Had it not been for the Act and for the assistance given by the Government our farmers would have been forced off their holdings. All the land in which Government money was invested per medium of the Agricultural Bank would have gone back to its old state, just as in the case of many other holdings which have been abandoned. Timber would have grown almost as high upon it as it was before settlement took place.

Hon. Sir E. H. Wittenoom: Why were 900 farms abandoned?

The HONORARY MINISTER: That opens up a question upon which hon. members may desire some information. Many farms were selected by people who had no knowledge of the conditions. In some cases these were too small in area, and in other cases the land was too poor, whilst in others the settlers failed to get an adequate water supply. Further, there was frequently trouble with poison plant. Many of the farms were vacated because of lack of experience on the part of the settler.

Hon. J. Ewing: And want of a railway.

The HONORARY MINISTER: Certainly, a number of persons were affected because of the want of a railway. That fault can be traced back to the system of allowing persons to select land over a wide area.

Hon. J. Ewing: With the promise of a railway.

The HONORARY MINISTER: I believe railways were promised. It is unfortunate that people were forced off their

land. Some hon. members want information in regard to the purchase of these debts. The debts of the International Harvester Co. and of Harris Scarfe have been purchased, but those of Wills & Co. have not been purchased and this will not be done without the authority of Parliament. The debts due to Wills & Co. amount to £77,000, and they have been offered to the Government for £22,000, and the Government know that they have assets of that value.

Hon. Sir E. H. WITTENOOM: Have the board recommended that purchase?

The HONORARY MINISTER: Yes. Under that purchase any amount over and above the £22,000, that is after the department have been recouped, will be distributed amongst the settlers who have contributed to the reduction of the debt.

Hon. J. Mills: There is no fear of that.

The HONORARY MINISTER: That is so, but it does not apply in the other two cases.

Hon. J. Ewing: Why not?

The HONORARY MINISTER: All the settlers who were indebted to these two firms are enjoying the benefit of paying a lower rate of interest. The debts which have been purchased will carry a five per cent. interest, and that is all the farmers will be debited with. They are thus saving three per cent. interest, which will be very profitable for them. The Industries Assistance Board have been instrumental in saving two per cent. interest because it is always customary with machinery firms to charge ten per cent. interest on all outstanding amounts. The Industries Assistance Board have secured a reduction in that interest rate to eight per cent., and under the present system of purchase this interest will be further reduced to five per cent.

Question put and passed.

Bill read a second time.

In Committee.

Hon. J. F. Allen in the Chair; the Honorary Minister in charge of the Bill.

Clause 1—agreed to.

Clause 2—Power to acquire machinery, etc., for the purposes of the Act:

Hon. A. SANDERSON: What is the need in this clause for the words "and shall be deemed to have had authority to purchase"?

The HONORARY MINISTER: They are necessary because of purchases which have already been made.

Hon. A. SANDERSON: That means that the money has been spent without Parliamentary sanction. Is this likely to occur again? What was the reason for spending the money without Parliamentary authority? I move an amendment—

That the words "and shall be deemed to have had authority to purchase" be struck out.

The HONORARY MINISTER: I hope the amendment will not be carried. I have been perfectly candid with the Committee, and I do not know that I have much more information to give. These purchases were effected during Mr. Robinson's time, when I was a member of the Government; but I had no knowledge of them until recently. They are beneficial purchases from the point of view of the Industries Assistance Board.

Hon. A. Sanderson: What is the amount involved?

The HONORARY MINISTER: From the International Harvester Co. debts amounting to £25,800 were purchased for £8,700, and from Harris, Scarfe & Co. debts amounting to £18,581 were purchased for £7,000.

Hon. Sir E. H. WITTENOOM: Whilst quite wedded to the view that Ministers should not spend money without the authority of Parliament, I recognise that there are times when Ministers in their representative capacities may find it expedient, in the interests of the country, not to delay if they see a good opportunity of doing a stroke of business. The historic purchase of Suez Canal shares by Lord Beaconsfield is a case in point. Ministers would not be fit for their positions if they were not prepared to take such responsibilities.

Hon. J. A. GREIG: On principle I disagree with the expenditure of money except under Parliamentary sanction, but this was an exceptional case, and the Government were perfectly justified in the action they took. The machinery had been sold under hire purchase agreements; and under those agreements the firms could take the machinery back, and they were doing so, and they actually had done so to the extent of thousands of pounds. After the removal of the machinery, the clients of the Industries Assistance Board had no hope of making good. The board could have bought new machinery and supplied it to their clients. They had either to do that, or else buy the bad debts which the machinery firms were prepared to sell at so many shillings in the pound. I think the Committee should pass the clause as printed.

Hon. A. SANDERSON: I presume Sir Edward Wittenoom's reference to Lord Beaconsfield's purchase of the Suez Canal shares was a joke. If we pass this clause without a very strong protest, we are simply committing ourselves to what is going on. Hon. members have the Auditor General's protest against this business in the report on the Table. If it is necessary for a Minister to spend money without parliamentary sanction, the matter should be treated as a very serious one and immediate steps should be taken to place it before Parliament, instead of delaying to the very end of the session, when Ministers know everyone wants to get away, so that little notice is likely to be taken even of iniquities in the spending of public money. I want to devise some means by which we will compel the Government to bring down their Bills

and their accounts in the early days of the session.

Hon. Sir E. H. Wittenoom: That is right.

Hon. A. SANDERSON: But we have tried to do it, and no notice has been taken of our efforts. On the score of economy, the report of the Industries Assistance Board, dealing with a couple of millions of pounds, is not printed: the saving represents a ten-pound note. It is becoming almost parliamentary to spend public money, and then ask for parliamentary authority.

Hon. J. W. KIRWAN: I should have liked the Minister to be more clear regarding this clause. Under the parent Act the Industries Assistance Board have full power to purchase machinery.

The HONORARY MINISTER: I regret to say that I have been under the wrong impression that we are dealing with Clause 3. The whole of the discussion has been on the subject matter of Clause 3.

Hon. J. W. KIRWAN: I fail to see why Clause 2 should be included in the Bill at all, seeing that the parent Act clearly gives the board power to purchase machinery. I take it the only question is whether the board have power to purchase machinery which is the subject of existing hire purchase agreements. I can find no reason for the inclusion of the words which Mr. Sanderson desires to strike out, unless it be that possibly the board have purchased some of this machinery believing they had power to purchase it, and have subsequently discovered that they had not that power.

The HONORARY MINISTER: Some 2½ years ago the board entered into an arrangement whereby machinery firms could sell machinery to assisted settlers under hire purchase agreement and be protected by the board. The board now desire to purchase the rights of the machinery firms in that machinery, which rights extend over two, three, or possibly four years' payments. The board have not yet purchased those rights. I regret that I mistook the position previously.

Hon. J. W. KIRWAN: If the purchase has not been effected, there can be no object in retaining the words. Has the Minister any information as to the extent of the purchase?

The Honorary Minister: No.

Hon. J. W. KIRWAN: I am inclined to vote for the amendment as a protest against this sort of thing.

Hon. H. MILLINGTON: I have been waiting for a vigorous protest by advocates of constitutional practice. An Act that would be sufficient to put a Labour Government out of office is not only condoned but commended.

Hon. A. Sanderson: Hear, hear!

Hon. H. MILLINGTON: Sir Edward Wittenoom takes the view that because this illegal practice will turn out all right, there is nothing more to be said.

Hon. Sir E. H. Wittenoom: No, I said it might be expedient.

Hon. H. MILLINGTON: In times past such procedure was considered a very serious offence. The inclusion of the words implies that something has been done. They authorise the validation of an illegal act; otherwise the Minister cannot take exception to the amendment. Apparently the board have purchased the machinery subject to hire purchase agreements; in other words they have, without authority, purchased second-hand machinery. The Minister should state definitely whether such is the case.

Hon. J. NICHOLSON: I think Mr. Millington's surmise is correct and that the Minister wants this power in both Clauses 2 and 3. I protest against the Government committing these acts without giving us an opportunity to say yea or nay. It is obvious from the Minister's statement that transactions have been carried out, and we are here simply to ratify the bargain without having had an opportunity to say whether we would have agreed to it in the first instance. This clause is necessary, in addition to the power given under Section 9 of the Act, to safeguard the Government in transactions which have been carried out. Having voiced my protest, I shall oppose the amendment.

Hon. J. J. HOLMES: It is possible that a tremendous lot of machinery has been purchased.

Hon. J. Cornell: We do not know the value of the assets.

Hon. J. J. HOLMES: Unless the Minister can tell us to what extent the country will be committed, it is unreasonable to ask for this ratification of the board's purchases. We should hold up the clause until the information is given. If the Minister said frankly that ratification was required of the act of some other Minister for which he was not responsible, I should take a different view. Before we ratify the act of any Minister we are entitled to know the amount of money involved.

Hon. A. SANDERSON: If I can obtain sufficient support, I shall push the amendment to a division. At a time when the Government are launching out with soldier settlement schemes involving millions of money we should clearly indicate to the Government that they must deal with public accounts with the greatest possible care. I could quote a dozen references from the report of the Auditor General to justify my contention. We have protested dozens of times and not the slightest notice has been taken of our protests. Last year the Honorary Minister told Mr. Mills that if he had charge of the wheat scheme during the coming year, an early start would be made with these matters. Nothing of the sort has been done. I do not suggest that he wilfully evaded his promise.

The Honorary Minister: This Bill came to us from another place.

Hon. A. SANDERSON: The Minister and his colleagues should keep within the straight and narrow path. There is no question of a personal attack or an attack on this scheme. If we pass the amendment we

shall be able to get an opinion from our watch dog, the Auditor General, as to what has been going on. In connection with the £190,000 insurance money, we had a specific pledge by the Government that this sum should be set aside for a specific purpose, and the Auditor General says this money was used in other directions. The effect of the amendment will be that I shall have to wait until next year to get the Auditor General's reference to this matter, just as last year I had to wait 12 months to track the £8,000 in connection with the jam factory.

Sitting suspended from 6.15 to 7.30 p.m.

Hon. A. SANDERSON: I have had the advantage of looking up the report of the Industries Assistance Board which was recently presented to us and I can give the Committee some information. The amount involved during the last twelve months was £65,000. I am dealing with implements and machinery, and I have further verified this by looking up the original Act, and I find that the Board has power already to purchase implements. They therefore do not require any authority from this House. It seems to me that whether we pass the amendment or not it should not have the slightest effect on the policy of members of the Board. Unless we are told the exact amount that we are dealing with I will not be a party to ratifying anything. If we strike out the words referred to from the clause it will be an indication that this House is not prepared to give carte blanche to Ministers as apparently they think they have.

Hon. J. A. GREIG: It seems to me that this clause has been put in because probably the Minister has been in doubt as to whether what he has done has been done constitutionally. Personally I think the Minister was quite right in purchasing this machinery. The principal Act gives the Minister power to supply applicants or to cause them to be supplied with implements, machinery, etc. I presume when the Minister caused these people to be supplied with machinery the firms had already supplied machinery on the hire purchase system. The Minister then stepped in and said, "I will purchase it at so many shillings in the pound." The Minister acted in accordance with the law in what he did, but evidently his action has been challenged, and so that there shall be no mistake about it he puts this clause in the Bill.

The HONORARY MINISTER: The position is that on some farms which have been abandoned there is machinery on which a considerable sum of money has been paid by the settler, and the Government, instead of agreeing to the machinery merchants taking back the particular implements, pays the balance due on them, and passes the machinery on to another settler. The clause as it appears in the Bill is very necessary to legalise the purchases which have been made and also to deal with a few cases which may arise in the future.

Hon. J. W. KIRWAN: Can the Minister give any idea of the amount of the unauthorised expenditure?

The HONORARY MINISTER: It is very difficult to give any idea of the amount involved. It is merely a matter of transfer.

Hon. A. SANDERSON: If hon. members think this point is not worth discussing, I can assure them that so far as my investigations go they are mistaken. I would ask hon. members to remember the statement made by the Minister this afternoon, and the statement made by him this evening, that he hopes to see the Board permanently established.

The Honorary Minister: I did not say so.

Hon. A. SANDERSON: I am very glad to hear it. I certainly got that impression. Whether he does or not, we are going step by step in the direction of permanently establishing this Board, and unless we tie up this thing as tightly as we can, and indicate to the Minister that we require the strictest accounts of all these things, and at the earliest opportunity, we shall have this a permanent affair whether we like it or not. I do not intend to press the amendment.

Hon. J. CORNELL: I have been waiting patiently to vote for the amendment, and now I understand the hon. member will not press it.

Hon. A. Sanderson: I will not speak any more on it.

Hon. J. CORNELL: It is time this Council took definite action. The Minister has said that the greater portion of the expenditure was authorised two and a half years ago. Why was not the Act amended then to provide for the expenditure instead of asking the House to ratify it now. Another method is to bring down a validating Bill and by means of a schedule let members know exactly where they stand. We should then know whether or not the expenditure was justified. I think the sooner the Industries Assistance Board is turned into a trading concern and brought under the State Trading Concerns Act, the better. The Government cannot tell us when the operations of the board are to cease. Expenditure incurred by the board should be incurred in accordance with constitutional methods. Probably next session some new departure from those methods will be discovered, and another validating Bill will be required.

Hon. Sir E. H. WITTENOOM: During the discussion two outstanding questions have been raised, namely, how much money was spent and when was it spent? Each speaker has asked for that information. So far the Honorary Minister has not given it to us.

The Honorary Minister: I have not got the information.

Hon. Sir E. H. WITTENOOM: Well, the Honorary Minister should report progress until the information is available, or alternatively, go to a division and lose the clause.

Hon. G. J. G. W. MILES: I intend to support the amendment, unless the Minister can give us the necessary information. He would

be well advised to accept the suggestion made by Sir Edward Wittenoom.

Hon. H. CARSON: I hope the clause will be agreed to as it stands. The Minister has clearly set out the position. The clause will validate the payments already made and provide for the taking over of further debts.

Hon. H. STEWART: In spite of the two questions instanced by Sir Edward Wittenoom, there is another aspect of the position, which weakens the necessity for getting the information asked for. Under Section 9 of the principal Act the intention of Parliament was to give authority to the board to purchase machinery and implements for the settler. The board, in supplying machinery and implements, has been faced with certain peculiar conditions. Some settlers, who had already made certain payments on their machinery, afterwards left their farms. What was to be done with their machinery? The board turned it over to other more reliable clients. In other instances the board provided machinery by making arrangements with certain firms to supply it on the hire purchase system. Undoubtedly the board had power to purchase implements and machinery for the settlers. Now the irregularities involved in the hire purchase system have cropped up, and the clause is to deal with the exceptional condition which has arisen.

Hon. A. J. H. SAW: The greater includes the lesser. The provisions of the Act give the board the power to supply implements and machinery, and undoubtedly, had it been thought of, power would have been given to purchase that machinery on the hire purchase system. Whilst I intend to support the Government on this clause, I reserve discretion in respect of another clause.

Hon. H. MILLINGTON: The clause relates to machinery only, and is necessary because the board in their dealings have taken over second-hand machinery subject to hire purchase agreements. If this is not the case, there is no reason for the clause. We have not had much assistance from that quarter to which we are entitled to look for it. Seeing that it is Clause 3 which is really the crux of the Bill, I am prepared to support Clause 2.

Hon. J. NICHOLSON: The Act gives power to the board to supply applicants with machinery and implements. The board has supplied machinery and implements, presumably through the State Implement Works, but, owing to a change of conditions, the position now is that the board is taking over certain hire purchase agreements for machinery, and in order to do this it must have the power to purchase. The power given in Section 9 is merely to supply. In view of the arrangements made to purchase machinery subject to hire purchase agreements, as well as take over the debts of certain farmers, it is evident the power provided in the clause should be

given. We are entitled to information as to the amount involved, but I think there is a misconception in the mind of the Honorary Minister as to the full purport of the meaning of the clause. The object of the clause is to give power to purchase. I think the Honorary Minister has been under a misapprehension in the matter of the machinery which would be supplied. All that hon. members are concerned about is the amount involved in the purchase of the machinery. It was the custom in the past to supply machinery from the State Implement Works, but provision is now made to purchase machinery. There is a doubt as to whether the word "supply" also gives power to purchase. I cannot see that there is more involved than the actual purchase that the Honorary Minister has told us of, that is, the purchase from the International Harvester Co., Messrs. Harris, Scarfe & Co., and, I think it is also contemplated, from Messrs. Wills & Co. It is of importance to see that this power is given. If we are simply left with the power to supply we should not be able to take over the rights of property in this particular machinery.

Hon. J. J. HOLMES: This House is not responsible for the position in which the Honorary Minister finds himself.

The Honorary Minister: The position is all right.

Hon. J. J. HOLMES: The position is that these words "shall be deemed to have had authority to purchase" in effect represent a validating clause. If the purchase or transfer of machinery were made from one person to another the amount should be known to someone. If someone has this information we are entitled also to have it. In this Bill we are asked to sign a blank cheque. I cannot excuse the Honorary Minister from all blame in this matter. He finds that a previous Minister has authorised the transfer of machinery for which he had no legal authority. All the information I want is as to the amount involved.

Hon. J. MILLS: During the war machinery merchants were not anxious to supply machinery, unless they did so with the approval either of the bank or the board. Many farms have been abandoned and the machinery left there after one or two instalments have been paid, and the bank or the board are committed to these. They have had either to take them over or allow them to revert to the machinery merchants under the hire-purchase agreement system. In cases where they could make transfers to other persons who required the machinery this was done. I intend to support the clause.

Amendment put and negatived.

Hon. V. HAMERSLEY: I wish to draw attention to the wording of the first line of this clause, which reads, "In the exercise of the power conferred by the board." I think the word "by" should be struck out and

the word "on" inserted in lieu; or else the words should be "by the principal Act." Power is not conferred by the board, but by Parliament, to supply applicants with implements and machinery.

The HONORARY MINISTER: This reads as it should read. It confers power on the merchants to make a hire-purchase agreement.

Hon. J. NICHOLSON: I quite agree with Mr. Hamersley. The principal Act has been so frequently amended that the amendments are hard to follow. Under Section 9 the person who has power to supply is the Colonial Treasurer. I move an amendment—

That in line 1 the word "board" be struck out and the words "principal Act" inserted in lieu.

Hon. H. MILLINGTON: I think another view can be taken of this clause. Certain firms have received authority to supply machinery to certain purchasers, and I think this is the power referred to.

Hon. J. W. KIRWAN: This seems to me to be an obvious error in the drafting of the Bill, and I trust the Honorary Minister will accept the amendment. The word "by" is manifestly absurd and the amendment will make the clause quite clear.

Hon. V. HAMERSLEY: I am inclined to think that we should insert the word "on" instead of the word "by," because this amending Bill will become a portion of the original Act.

Hon. Sir E. H. WITTENOOM: I suggest that the Honorary Minister refer the question to the Parliamentary Draftsman, and bring it up again.

Hon. G. J. G. W. Miles: It would be better to insert "on the Treasurer" than "by the principal Act."

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

Clause 3—Power to acquire debts of settlers:

Hon. J. KIRWAN: In speaking on the second reading I indicated an intention of opposing the passage of this clause, but on reconsideration I think it advisable first of all to propose an amendment validating what has actually been done, but preventing any further purchase of debts without the matter being first brought before Parliament. Some hon. members consider—and I am not prepared to say that their view is wrong—that even what has been done should not be validated. Such members could still vote against the clause if my amendment were carried. I now move an amendment—

That the words "may purchase and," in line 1, be struck out.

Parliament has for some time been losing all control of the finances. Again and again money has been spent without Parliament having an opportunity to do more than protest against the expenditure. Each year the Estimates come before us after the greater part of the money has been spent. While members of Parliament are constantly blamed for the condition of the finances, they really

have no control over them. This clause embodies an entirely new and most objectionable departure—that the board's powers should be extended so as to permit of their acquiring the debts of settlers. We have been protesting for years past against the enormous extension of the functions of the board. The clause reduces the Government of this country almost to the position of pawnbrokers. Do the board consider themselves better judges of debts than such firms as Harris, Scarfe & Co. and the International Harvester Co.? Are we to believe that the Government and the board are smarter financially than these firms? If the thing is not stopped now, one does not know where it may end. My amendment will reduce the clause merely to a validating clause, validating what has actually been done.

Hon. J. EWING: Last night I asked a very pertinent question regarding the profits likely to be made out of the purchase of the debts. In my opinion the Industries Assistance Board are doing good work in purchasing the debts on behalf of the farmers. But if debts totalling £77,000 are purchased by the Government for £22,500, will the individual farmers get the full benefit of the reduction? The explanation given by the Honorary Minister this afternoon has not satisfied me. Is the individual farmer to have the full benefit of the purchase? If so, I will vote for the clause. Mr. Greig has said that the individual farmer will have to pay 20s. in the pound. If that is the intention, I shall vote against the clause.

The CHAIRMAN: I will ask hon. members to confine themselves to the amendment before the Committee.

The HONORARY MINISTER: The amendment means that purchases already made will be ratified by Parliament but that the Government shall not make a purchase of the debts offered by George Wills & Co. It has been stated that the board's expenditure is ever increasing. The figures, however, show the contrary. Outstanding advances on the 31st March, 1919, totalled £1,209,000. I have every confidence that the results of this season's harvest to the settlers on the board will reach one million pounds. If that amount is realised, the balance on the 31st March, 1920, will be £759,000—a reduction of something like one-half in 12 months.

Hon. J. W. Kirwan: But that is a mere estimate. The balance has not been reduced so far.

The HONORARY MINISTER: I have every confidence that the estimate will be realised.

The CHAIRMAN: Is the Honorary Minister speaking to the amendment?

The HONORARY MINISTER: I have made a very conservative estimate. It rests with the Chamber to say whether the Government shall purchase the debts offered by Wills & Co. In reply to Mr. Ewing, as regards the debts purchased from the International Harvester Company and Harris, Scarfe & Co., no arrangement has been made for the distribution among the settlers concerned

of any amount realised over and above the cost to the Government. Regarding the proposed purchase from Wills & Co., it is proposed to distribute among the settlers contributing to the liability any profits over and above such cost.

Hon. J. Ewing: Are you going to collect the whole of the debts from the farmers?

The HONORARY MINISTER: If there was any prospect of collecting the whole of the debts, the firms concerned would not sell at such a reduction. However, these deals are very good ones for the Government. We were careful to see that we got good assets. It probably suits Wills & Co. to make the sale in order to avoid further liability and worry. Whatever profit is made over and above the cost to the Government will go to the farmers.

Hon. J. Nicholson: By what right?

The HONORARY MINISTER: That is the understanding. If there is a profit it will be distributed amongst the farmers.

Hon. J. Nicholson: The taxpayer is the party entitled to it.

Hon. J. J. HOLMES: Is not this the position? Wills & Co. have distributed machinery and goods to the value of £77,000. Some farmers are solvent, some went to the war and have not returned; some have abandoned their farms. Wills & Co. have offered their debts for £22,000. I presume the solvent farmers will pay full value when they can. The surplus is the property of the Government, and why should the solvent farmers participate in this Government deal? If there is a loss, who is going to stand it? The taxpayers of the country will have to stand the racket. The storekeepers throughout the agricultural areas have distributed stores to the farmers to the value of about half a million of money. If Wills & Co. remained the possessors of the machinery and goods, they would have to wait until other Government advances had been satisfied before they could get their money. They do not know how long they will have to wait, and that is the reason they wish to get out. The Government, by purchasing the machinery and goods, will become preferential creditors. Is not that an injustice to the storekeepers?

Hon. J. NICHOLSON: I agree with Mr. Holmes. The view of the Honorary Minister that any profit on the deal will be distributed amongst the farmers is one of the most astounding propositions put forward by any Government. One would think the Government were a charitable institution for the benefit of the farmers. If a loss is made, who is to bear it? The taxpayer. This is on a par with the extraordinary manoeuvres of the Government as disclosed by the Auditor General's report. The Government received £195,000, representing insurance deposits and used £190,000 of it for the ordinary purposes of the State. If a profit is made on this deal with Wills & Co., the Government should handle it in a business way. Assuming that in the case of abandoned farms the Government put the machinery in good order its value should be assessed, and it

should be sold to another farmer at the assessed value. Whatever profit there is should be the profit of the Government for the benefit of the country and not for the benefit of one section of the community. The suggestion of the Honorary Minister makes me think the Government have become lunatic in their financial arrangements.

The Honorary Minister: The matter rests with this Chamber.

Hon. J. W. HICKEY: The storekeepers stood by the farmers right through the piece and were practically cut out by the moratorium. The Government should state their attitude towards the storekeepers. In my province, there is up to £10,000 standing on the books of storekeepers, and it is only a small locality. The Government have been absolutely callous towards the storekeepers. At least three of them are tramping the country and, to use a sporting term, they have not a "bob." This is due to the attitude of the Government. One of these men has between £3,000 and £4,000 standing on his books. He has repeatedly appealed to the Government for consideration and has offered to take less than 30 per cent. for a settlement. When we view the larger amounts which have been paid, we find that more than 6s. 8d. in the pound has been offered. The small men who have assisted the farmers in the past should receive consideration. While the Industries Assistance Board deserve to be protected, we should not overlook the men who carried the baby in earlier years. The Minister should certainly give us an explanation of the position.

Hon. J. A. GREIG: Clause 3 gives power to acquire the debts of storekeepers in common with those of other creditors.

Hon. A. H. Panton: Can you get an assurance that the Government will use that power?

Hon. J. A. GREIG: I feel sure they will. This shows where we are likely to land when we start State trading concerns. The Industries Assistance Board has resolved itself into a State farming concern.

Hon. A. Sanderson: Hear, hear!

Hon. J. A. GREIG: To put the clause in plain language, the board want the power to buy up half a million of storekeepers' debts. If we are going in for State trading and State farming—

The Honorary Minister: Are you opposed to the Industries Assistance Act?

Hon. J. A. GREIG: No, it has been started and we must continue it. We must see this Board through. The Government cannot allow those storekeepers to be ruined when the moratorium is lifted.

Hon. A. Sanderson: When is it to be lifted?

Hon. J. A. GREIG: At the end of this year.

Hon. J. J. Holmes: Does not this Bill reimpose it on this particular section of the community?

Hon. J. A. GREIG: I do not think it does. I cannot agree that that is the position.

Hon. H. CARSON: This clause will make the Government the first mortgagee, and it will mean, as Mr. Hickey has pointed out, that the storekeepers who have been waiting for years will have to wait still further. I know that this Chamber desires to have the Board done away with, but I hope that the clause will be passed as printed, giving the Board to power to take over these debts. In common with Mr. Hickey I know of a number of cases where small men and others will be seriously affected. In one place a merchant is owed something like £5,000 by clients of the board, and he is prepared to take 5s. in the £. It would be a good proposition for the board to take over such debts, and it would make it very much easier for the farmers of Western Australia to get away from the board and get away from their debts. The interests of the small storekeepers should most certainly be conserved, seeing that they have stood by the farmers in years past.

Hon. J. W. KIRWAN: When I proposed my amendment I did not anticipate that speeches would be made such as those by members who have just spoken, and which indicate clearly the necessity for such an alteration in the clause. If we do not delete the particular words I propose to strike out, bad as the financial position of the State is now, the position will become considerably worse, for the Government will be called upon to take over the debts of all the farmers throughout Western Australia. Moreover, if this position is allowed to continue those who contract debts will have a tendency to be without any sense of responsibility. The fact that debts could be offered for a low price would be used as an argument for the Government to purchase them. There is a powerful party behind the Government, which party has done a great deal for the farmers, with the additional advantage of having a sympathetic Minister in charge of that industry. The work of that party and the doings of that particular Minister deserve to be watched very closely, and, if we give the unrestricted power contained in this clause, it will be a very serious thing for Western Australia, and will make our financial position far worse.

Hon. A. SANDERSON: I support the amendment. Every line of this Bill really raises important questions dealt with in the course of the discussion. The question of the storekeepers served to arouse immediately those people who say they are looking after the small man, leaving the big man to look after himself. The only sound position will be to treat everyone, small and big alike, in a reasonable manner, although, at the same time, I admit it may be difficult to carry that principle out. There is no attempt on the part of the Ministry or the Industries Assistance Board to do so. The Minister is out to look after the farmers, and the board is out to look after their section.

The Honorary Minister: I am not in control of the Industries Assistance Board; Parliament is in control.

Hon. A. SANDERSON: The Minister has very considerable influence with his party, and with the board. If we support this measure, how is it going to affect the question of the postponement of debts, and why does this report on the Industries Assistance Board say that about 50 per cent. of the farmers who are on the board, and who could be paid off, ask the board to keep them on? It is simply in order to put them in a good position. The Postponement of Debts Act runs out at the end of the year, and this report tells us that the board desires to impress upon the Minister the need for adopting a substitute. I consider that this, and another clause in this measure, simply constitute an attempt to deal with the postponement of debts regarding these creditors of the board. It is a most dangerous position we are drifting into. I support the amendment, and hope it will have some effect on the operations of the Board.

Hon. J. W. HICKEY: I am sorry the Minister has not so far had any word to say on this clause, and I specially invite him to do so because, before I cast a vote on it, I desire an assurance from him that it covers the matters I have previously referred to. I am prepared to support the clause if it means that the Government will give consideration to the small traders.

Hon. J. NICHOLSON: Will the Minister reply to the query I put to him as to the distribution of the profits which might arise from the sale of these articles?

The HONORARY MINISTER: In reply to Mr. Hickey I would say that the clause will give the Government power to purchase the debts of the machinery-merchants, storekeepers, or any other person.

Hon. G. J. G. W. MILES: Do you propose to purchase the storekeepers' debts?

The HONORARY MINISTER: I am not prepared to give an assurance that that will be done. Where we purchase machinery we have the assets there. I cannot give an assurance that other debts will be purchased.

Hon. J. Hickey: Will you give them the same assistance that you are giving to the other people?

The HONORARY MINISTER: I am not going to give any such assurance. I cannot say whether the board will agree to purchase those debts. If they are a good proposition and are likely to prove profitable, the board may desire to purchase them. I have no desire to mislead hon. members. With regard to Mr. Nicholson's query, the Government are not very strong on the point.

Hon. H. CARSON: I ask the Minister how the purchasing of this machinery will affect the third schedule of the principal Act where a full proportion of the returns has to be paid in several directions. It seems to me that the machinery man will get all the advantage and the others will be shut out unless there is some method of adjusting the matter.

Hon. J. J. HOLMES: The more I look into this question the more satisfied I am that the words should be struck out. The whole of the traders of the community have supplied stores and merchandise to the farmers. When the Government scheme is satisfied, surely the whole of the traders are entitled to participate in any surplus there may be, but if we give the Government power to purchase all these debts what will be the position? Immediately the Government purchase one of the debts they become preferential creditors and all the others will have to stand off until this scheme is satisfied. If these words are allowed to remain in I think there will be a general stampede to the Treasury.

Hon. H. MILLINGTON: The storekeeper who does a retail business and who had his liabilities to meet when the Act came into force was in a very bad position. He was secured in regard to his trade done during the year the Act was in operation, but he was in a bad position with regard to the debts he had incurred before the Act came into operation. During the operation of the Act some of the storekeepers have done fairly well on account of the payments from the board, and as they became solvent they paid off their liabilities to the bigger firms. So that in every instance the wholesaler has had an advantage under the Act. I should say the intention of the board is to deal mainly with machinery, and, as the Minister states, there will be some security for the advance made. The Honorary Minister could easily relieve the feelings of those who are doubtful as to what class of debt it is intended to take over. I understand the intention of the board is to deal in matters only in regard to which they have absolute security. Now there appears to be a fear that the board may make money out of the debts purchased, and there is squabbling as to how the surplus is going to be distributed. I confess I cannot understand the Honorary Minister's promise of a dividend. I should say if the board are going to take the risk, they have a perfect right to enter into business deals to take over liabilities from various firms. But considering that they take a risk I want to know what right any particular individual dealing with the board has, to any separate and distinct advantage out of any deal the board may make.

Hon. J. W. KIRWAN: Mr. Millington does not seem to realise that the Bill is asking that the board may be permitted to make an entirely new departure. The board without the authority of Parliament, or the authority of anyone so far as we know, took over certain debts that involved an expenditure of £25,000. It was an unconstitutional proceeding that this House should not approve of, but the amendment I have proposed will simply say that whilst we sanction the proceeding in respect of the two particular debts, at the same time we say that this objectionable procedure cannot be allowed to take place in the future. Hon. members have

asked for an assurance from the Minister. I would ask hon. members to take no notice of any assurance given by the Honorary Minister.

Hon. A. Sanderson: Hear, hear!

Hon. J. W. KIRWAN: I do not think the Honorary Minister is perfectly genuine in giving an assurance.

The Honorary Minister: I have given no assurance.

Hon. J. W. KIRWAN: Whether he gives it or not I would simply say that when the Honorary Minister or any other Minister gives an assurance it is perfectly genuine, I am sure, but Ministers are only creatures of the day, and it is what is in the Act that we should take into account and not promises as to how the Act may be administered. They are asking for extraordinary powers to purchase debts of farmers all over the country, and we have no idea what it will involve us in. Therefore any assurance given by Ministers do not count. I trust the amendment will be carried.

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

Ayes	11
Noes	14

Majority against .. 3

AYES.

Hon. J. Cornell	Hon. J. Mills
Hon. J. Duffell	Hon. J. Nicholson
Hon. J. J. Holmes	Hon. A. Sanderson
Hon. J. W. Kirwan	Hon. A. J. H. Saw
Hon. A. Lovekin	Hon. G. W. Miles
Hon. R. J. Lynn	(Teller.)

NOES.

Hon. R. G. Ardagh	Hon. J. W. Hickey
Hon. C. F. Baxter	Hon. C. McKenzie
Hon. H. P. Colebatch	Hon. H. Millington
Hon. J. Cunningham	Hon. A. H. Panton
Hon. J. Ewing	Hon. E. Rose
Hon. J. A. Greig	Hon. H. Stewart
Hon. V. Hamersley	Hon. H. Carson
	(Teller.)

Amendment thus negatived.

Clause put and passed.

Clause 4—Amendment of Section 15:

Hon. J. A. GREIG: I want to see the clause defeated. This is practically the same clause as was contained in the first amendment of the principal Act. On that occasion this Committee struck out the clause. Once since then a similar clause was included in another amending Bill, and was again thrown out by this Committee. The clause may impose a hardship on those men who are making good. Such settlers can go to stock firms and buy sheep and cattle on a three months bill. If the clause is agreed to, the stock purchased automatically becomes the property of the board. It is a most dangerous provision. The settler should have some

freedom in transacting his own business and should not be subject to the pressure of the board.

The HONORARY MINISTER: The hon. member was quite right in his recounting of the history of the clause, but the conditions are now entirely different. In the past the settlers have enjoyed the protection of the Postponement of Debts Act, which will cease to exist on the 30th inst., after which the free assets of the settler will be available to private creditors. The clause will protect the board and the creditors alike, while it will not impose any hardship on the settler. It is well known that the stock firms will not supply stock to Industries Assistance Board settlers, unless they have the protection of the board. I move an amendment—

That after "applicant" in line 7 the following be inserted:—"Provided that the board in its discretion may allow the whole or any portion of the proceeds of the sale of pigs and poultry to be retained by the settler."

Hon. H. STEWART: The board in its report for 1917-18 shows that the settlers resented the proposition that they should pay towards the settlement of their accounts with the board proceeds from the sale of pigs, poultry, etc.; and that the board, in order to enforce that condition, threatened that unless it was complied with the board's advances would be reduced or, if necessary, stopped altogether. From this it is seen that the position put up by Mr. Greig is quite correct. The board could bring pressure to bear by reducing or withholding advances. The board points out that it has been able to give this very relief which the Minister asks for, and that it has enabled the board to save money in the payment of sustenance.

Hon. J. CORNELL: I move an amendment on the amendment—

That the words "in its discretion may" be struck out and "shall" inserted in lieu thereof.

If this is carried I will move that after the word "poultry" there be inserted the words "eggs, milk, cream, butter and cheese." The Honorary Minister claims that those settlers who are in a tight position should receive some consideration, but the consideration he proposes to give is that the board "in its discretion may" do certain things. In most instances the wife of the farmer is not taken into account at all. If, however, the wife can sell such commodities as I have mentioned, and assist in making both ends meet on the farm, this will be of great help to the farmer and will also, in a sense, relieve the board of certain responsibility. I do not think the settler should have to go to the board for permission to sell a pig, or a fowl, or a few eggs.

The HONORARY MINISTER: I hope the Committee will not agree to Mr. Cornell's amendment. The board can be trusted to do the right thing. It is not intended that permission should be given to settlers in general to dispose of a pound of butter, a fowl, or a pig. A reliable man would be given general permission to dispose of these products, but there are some settlers upon whom the board have to keep a tight rein.

Hon. V. HAMERSLEY: Assistance might be given by the board to those persons who trade in only these particular lines. I must oppose the deletion of the words, because it is wise that the board should retain this discretionary power.

Hon. A. SANDERSON: I sympathise with the object of the hon. member but I think the discretion of the board is bound to be good, and I suggest that he should leave the matter alone.

Hon. J. CORNELL: I am only actuated by one motive and that is to assist the wife of the settler. It appears from the amendment of the Honorary Minister that we have settlers who must not even sell a few eggs without getting permission from the board. If that was not so there would be no need for his amendment. If we can lighten the burden of the wife of the settler in the manner I have suggested, so much the better.

Hon. J. A. GREIG: The clause itself says that the board shall allow the whole or any portion of the proceeds to be disposed of, but does not refer to the whole of the proceeds. The board can fix that portion which they will allow a settler to sell. A person may go in for pigs and poultry, and pocket the money without paying the board anything. I support the amendment.

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

Ayes	7
Noes	13

Majority against .. 6

AYES.

Hon. H. Carson	Hon. J. A. Greig
Hon. J. Cornell	Hon. J. W. Hickey
Hon. J. Cunningham	Hon. C. McKenzie
Hon. J. Ewing	(Teller.)

NOES.

Hon. R. G. Ardagh	Hon. A. H. Panton
Hon. C. F. Baxter	Hon. E. Rose
Hon. H. P. Colebatch	Hon. A. Sanderson
Hon. J. Duffell	Hon. A. J. H. Saw
Hon. V. Hamersley	Hon. H. Stewart
Hon. J. W. Kirwan	Hon. J. Mills
Hon. J. Nicholson	(Teller.)

Amendment on amendment thus negatived.

Hon. J. CORNELL: I move an amendment on the amendment—

That after the word "poultry" there be inserted "dairy produce."

I move this for the sole purpose of enabling the wife of the settler to have a little more to come and go on.

Hon. J. A. GREIG: I support Mr. Cornell's amendment on the amendment. Recently the Premier said in public that he was prepared to allow the farmers' wives to keep cows and have the proceeds of those cows, and also the proceeds of the fowls, for their own use.

The HONORARY MINISTER: There is no need for the amendment. What it proposes will be done.

Amendment on the amendment put and passed.

Amendment as amended put and passed.

Hon. J. DUFFELL: I have again to express a doubt which arose in my mind when we were discussing a similar clause to this in the closing hours of last session. I am still inclined to believe that movables under this clause would include furniture, sewing machine, beds, and everything else of that kind.

The HONORARY MINISTER: I can assure the hon. member that the clause does not cover personal effects.

Hon. R. J. LYNN: The Postponement of Debts Act is not to be re-enacted this session. That measure was originally passed with the object of giving relief from being sued to every section of the community. But when its operation expires at the end of this year, the only section remaining immune will be the farmers on the Industries Assistance Board. That seems hardly reasonable, because many of those farmers owe considerable sums to local storekeepers, who can be sued by the merchants after the close of this year. On the other hand, those storekeepers will not be able to sue debtors who are on the Industries Assistance Board. If the farmer remains immune, the storekeeper who is affected by the farmer's immunity should also remain immune. Will the Industries Assistance Board come to the assistance of the storekeeper, who will otherwise be forced into liquidation?

Hon. A. SANDERSON: In support of Mr. Lynn I wish to quote from the Industries Assistance Board's report the following, which refers to this very clause:—

Postponement of Debts Act. This measure automatically ceases at the end of December next. Having been introduced as a war measure, the wisdom of continuing its operation is doubtful; but we wish to impress upon you (the Minister) the need of adopting a substitute with the object of continuing to protect board settlers against outstanding creditors' claims. We have considered this matter from its many aspects, and desire to emphasise that in our opinion the best interests of all concerned—settlers, board, and creditor—can best be met by a provision in the board's Act making a charge in favour of the board, subject to prior encumbrances, if any, upon all live stock, machinery, etc.

This is from the report which I say ought to have been printed. I hold in my hand the one typewritten copy which has been furnished to this House. I venture to say that if copies of the report had been in the hands of members generally, Clause 3 would never have been passed. I wish to fortify Mr. Lynn's opinion by reference to this report. Is there any end to the rapacity of the Industries Assistance Board? Apparently, the State is "in" to such a terrific extent, that unless the board gets special protection the financial loss to the country will be more than we can stand. I hope Clause 4 will be knocked out altogether.

The HONORARY MINISTER: Mr. Lynn's view of the clause is quite correct, but the debts in question are old debts. When the Industries Assistance Board first operated, they guaranteed the accounts of farmers at the local storekeepers; but current accounts only, and not old debts.

Hon. G. J. G. W. Miles: You want the storekeepers now to be prevented from suing for the old debts?

The HONORARY MINISTER: Yes. The storekeepers will benefit, in common with other creditors, under the distribution at the end of each financial year.

Clause as amended put and passed.

Clauses 5, 6—agreed to.

New clause:

Hon. A. SANDERSON: I move—

That the following new clause be added: "A printed report and balance-sheet of the operations of the board shall be laid before both Houses of Parliament, by the Minister in charge of the department, on or before the thirtieth day of September, 1920."

In the amending Act of last year, at my instigation, a new clause was inserted that the report and balance sheet of the operations of the board be laid before both Houses on or before the 30th September, 1919. This has been done. According to "Hansard" the then Colonial Secretary, the present leader of the House, stated on that occasion—

I sympathise with the desire of the hon. member to have these reports printed as quickly as possible, and I have given an undertaking that the present report shall be printed.

That was last year's report—

I have also informed hon. members that it is the intention of the Government to print all these reports in future.

This is not a matter of first class importance, but it is one of those minor matters of which we should take notice. When we passed a clause stating that the report and balance sheet should be laid on the Table of the House, we naturally assumed that it would be printed. I have no hesitation in saying that if this report had been printed and placed in the hands of members, Clause 3 of this Bill would not have been passed in its present form.

The MINISTER FOR EDUCATION: Mr. Sanderson is quite correct in saying that during the debate last year, I gave an assurance that the report would be printed and that it was the intention of the Government to have all the other reports printed. I made that statement with the authority of the Government, and the matter was passed on to the department. Since then there has been a change of Ministers, and I had no idea until last week that this report had not been printed. I immediately brought the fact under the notice of the Minister in control of the department and he expressed regret at what had happened and gave immediate instructions that the report be printed. It is now in the printer's hands. I regret it was not printed before.

Hon. A. SANDERSON: I would accept that statement with a great deal more alacrity if the Minister's colleague had not told us the other day that the report was not printed on the score of economy.

The MINISTER FOR EDUCATION: That is quite so. The department did not print it because they thought it economical not to do so. Had they not overlooked the assurance which was given, the report would have been printed.

Hon. A. SANDERSON: Here is a department dealing with two millions of money and, if it is the opinion of the board that their report should not be printed and put into the hands of members, they ought not to be in charge of affairs.

The Minister for Education: Your new clause will make them do it.

Hon. J. J. HOLMES: I move—

That the new clause be amended by inserting before "balance sheet" the word "audited."

Hon. A. Sanderson: I quite agree with that.

The HONORARY MINISTER: What I stated was quite correct; the report was not printed on the score of economy. I accept the new clause and the amendment.

Amendment put and passed.

Hon. H. STEWART: The Honorary Minister in furnishing the report next year should bear in mind several things. This year's report is interesting and valuable and, if members had had an opportunity to read it, there would have been much less adverse criticism and debate and the printing would have been fully warranted. The report, however, is lacking in information given last year. There was a tabulated statement showing the number of clients on the board and classifying them as good, fair, doubtful and bad. That is not given in this year's report. I hope it will be restored next year. Tabulated statements of the results of different years, of the amount of capital involved and the amounts advanced, the area under crop and the harvest reaped should be given. These particulars would be helpful to members and would save time in debate.

Hon. J. CORNELL: I should like to add to the proposed new clause—"penalty £100." The intention last year was that a printed report and balance sheet should be laid on the Table of the House. Next year we may find ourselves in a similar position. This is a deplorable state of affairs. It is all very well for Ministers to attempt to explain it away; the responsibility is theirs. I am getting tired of passing clauses which the Ministers drive over rough-shod or unshod, or any way they like.

New clause as amended put and passed.

Title agreed to.

[The President resumed the Chair.]

Bill reported with amendments.

BILLS (3)—FIRST READING.

1, Sand drift.

2, Appropriation.

3, Wyaleatchem-Mt. Marshall Railway.

Received from the Assembly and read a first time.

BILL—TRAFFIC.

Assembly's Message.

Message from the Assembly received and read notifying that it no longer disagreed to the amendment of the Council.

BILL—LEGISLATIVE ASSEMBLY DURATION.

Returned from the Assembly without amendment.

BILL—ANGLO-PERSIAN OIL COMPANY, LTD. (PRIVATE).

Second Reading.

Resumed from the 27th of November.

Hon. J. F. ALLEN (West) [10.18]: It is my intention to support this Bill, but at the same time to point out a certain amendment that I think is desirable. This Bill is for the purpose of granting to the Anglo-Persian Oil Company certain powers to erect storage tanks, buildings, and other works on the hills at the back of Fremantle and to lay down certain pipes and conduits from these premises under the streets of Fremantle to the Fremantle wharves and under the wharves to connect with the shipping. The Bill in its present form provides that they will have the power to erect, construct, lay down, establish, and fix all necessary works and do and perform all other acts and things as may be thought necessary for storing, supplying, and distributing oil and liquid fuel in or under any street, and so on. The Bill provides for these works for the purpose of handling liquid fuel or oil, but we were given to understand when the measure

was introduced in another place, that it was the intention of the company to handle only crude oil for use in ships. As this was the intention of the company and the Bill in its present form confers powers to store and distribute oil of any character, I am of opinion that the Bill as at present printed does not provide proper protection for the people living in the vicinity of those works, or for premises adjacent thereto. Although the plans for laying the mains in the streets under the wharves, etc., have to be approved by the respective Ministers controlling these departments of public affairs, there is no provision in the Bill that the plans for storage tanks shall be approved by anyone. As there is an element of danger underlying the establishment of a work of this magnitude, I think it is necessary that further protection should be provided. I understand, however, that Mr. Panton, who is charge of the Bill, has an amendment to the third proviso of Clause 4, giving the Minister for Works power to approve of the plans not only for the reticulation works but for the oil storage. I think that if that is done, the Minister will see that the buildings are so constructed that the public will have that protection which I desire. I understand that Mr. Panton will move in that direction in Committee, and if that is done, I will have pleasure in supporting the second reading.

Hon. R. J. LYNN (West) [10.20]: I intend to support the measure, because I realise the necessity, if we are to have an up-to-date port in this State, for the establishment of an oil fuel depot. It is well known that oil fuel is here to stay, and the percentage of oil-driven boats of recent years is much greater than during previous years. It is certainly in the interests of the State, therefore, that we should have an oil depot at our principal port. Members will realise that if oil-driven steamers are to come to Australia, and we know that many companies are building them, it is essential that Fremantle as the chief port of the State should be maintained at a high standard of efficiency, necessitating the provision of an oil depot. I understand that the Fremantle municipality took exception to some of the clauses as originally intended, but as a select committee have gone into the matter, secured evidence, and amended clauses objected to to protect the interests of the people, I have pleasure in supporting the Bill. There is one small amendment which it is proposed to move, and which will be of advantage.

Question put and passed.

Bill read a second time.

In Committee.

Hon. J. F. Allen in the Chair; Hon. A. H. Panton in charge of the Bill.

Clauses 1 to 3—agreed to.

Clause 4—Power to construct works:

Hon. A. H. PANTON: I move an amendment—

That after the word "or" in line two of the last proviso to paragraph (b) the words "construction of necessary works and" be inserted.

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

Clauses 5 to 17—agreed to.

Bill reported with an amendment.

Read a third time and returned to the Legislative Assembly.

BILL—PARLIAMENTARY ALLOWANCES ACT AMENDMENT.

Received from the Legislative Assembly and read a first time.

BILL—ELECTORAL ACT AMENDMENT.

Second Reading.

Debate resumed from the previous day.

Hon. J. CORNELL (South) [10.33]: In offering a few remarks on the second reading of this Bill I desire to say that there is only one portion of it that I intend to touch upon. I am in total accord with the other features and many of them are only minor matters. The proposal set out in Clause 2 is to make enrolment for the Legislative Assembly compulsory. That is, the obligation to enrol is to be solely on the electors. Hon. members will agree when I say that this is a new departure and it is a matter that could have been brought down earlier in the session. I am aware that to-day a similar provision applies in the Commonwealth Electoral Act. I am also aware that whereas that provision has been in existence for over nine years, the State Government have only seen fit to move in the direction of applying compulsory enrolment within the last few days. There is no reference to this matter in the Governor's Speech to lead the electors to believe that the present Parliament was to be asked to pass such a measure. I have never agreed with compulsory enrolment unless it is accompanied by its natural corollary, compulsory voting. To compel an elector to enrol and then not compel him to vote does not serve any particular useful function. At the present time compulsory enrolment is confined to the Federal arena, but if we search the records of the Commonwealth elections, I venture to say that we will find that the number of votes recorded since the introduction of compulsory enrolment is no greater than the votes cast prior to the time when it was introduced. Therefore I cannot see the utility of making enrolment compulsory unless we compel an elector to cast his vote on polling day. As one who has taken a considerable interest in the various electoral systems throughout the world, I have yet to find the country, where compulsory enrolment

is part of the law, which does not take on the natural corollary of making it obligatory on the part of the elector to cast his vote. At any rate he must present himself at the polling booth where a record is kept of his attendance, and he is liable to a penalty if he does not attend. The elector, however, is not pledged to vote, but he can place his unused ballot paper in the ballot box. The leader of the House stated that one reason for introducing the Bill was that the Commonwealth had done so. But our Constitution in regard to the two Houses of the State Parliament is totally different, whereas an elector if he is compelled to enrol under the Commonwealth law, automatically gets his name on to the one roll and is entitled to vote for both Houses of the legislature. The Bill provides that the obligation shall be cast on the electors of the Assembly to secure enrolment, and they will be liable to a penalty if they do not do so. But there is no attempt to cast a similar obligation on the electors for the Legislative Council. It has been pointed out that owing to the difference in the franchise of the two Chambers, an elector would not know whether he was entitled to be on the roll or not. That is not the elector's business. If every man has reason to assume that his name should appear on the roll for the Council, it is equally right to say to him that the obligation is cast upon him to render a claim and, having rendered that claim, it then becomes the function of the authorities to say whether or not he should be enrolled. In Committee I intend to move that the same obligation be cast on the Legislative Council elector as it is proposed to impose on the electors for the Assembly. If I can secure the passage of that amendment, I shall be prepared to vote for the clause, but I expect very little actual result from it. After all, the important thing first of all may be to get the elector on the roll, but the question of paramount importance is that the elector should go to the poll and record his vote. As one who stands for Constitutional government, the best safeguard for its continuity is that whenever an election takes place all the electors if possible shall record their votes. Then the full force of the community is felt, because an expression has been secured by means of the ballot box. If that is done, I shall have no time for, and will give no quarter to those who say that we are not being governed by constitutional means. If I cannot secure the passage of the amendment, the lines of which I have indicated, I will vote against the clause.

Hon. H. MILLINGTON (North-East) [10.43]: In the past we have had experience of the difficulty of getting people to enrol, and when a right is conferred upon a citizen it is the duty of that citizen to see that his name is placed upon the roll, rather than allow the State to have the obligation and be compelled to undergo the expense of continually inducing that person to have his name placed on the roll.

With reference to the arguments advanced in favour of compulsory voting, I do not say that that and the question of compulsory enrolment are inseparable. I would not object to compulsory voting, but the fact remains that it is necessary, as a first step, to see that there is compulsory enrolment. It is not out of place to consider this measure, which brings us into conformity with the Federal law, and whilst on this subject I would again draw attention to the importance of having mere uniformity in connection with the electoral laws. The average citizen is considerably worried to-day. His name appears on the municipal roll, the State Assembly roll, the Legislative Council roll and on the Federal roll, and there is no doubt about it that all this entails a good deal of worry in the direction of seeing that his name is kept on all these rolls. The time must come when a system will be in vogue whereby a citizen will possess an electoral right setting out his claim to vote in connection with municipal, State or Federal elections. Surely some means could be devised under which a man would be enrolled and a record of his qualifications inscribed on his electoral right, on which he would be entitled to vote. However, that is a matter for co-operation. There would be nothing like the difficulty that is experienced to-day. Also the electoral boundaries are a constant source of irritation, and an attempt should be made to secure uniformity as far as possible, not only in regard to enrolment, but also in regard to boundaries. The Bill proposes to amend Section 188 of the Act, which deals with the making of untrue statements. Under the amendment it will be necessary to prove that the untrue statement was knowingly and wilfully made. Even that will not do away with the difficulty. The ruling in recent cases on the Eastern goldfields was that if a man makes a false statement, it is to be assumed that he did it wilfully. Many of the charges were worded, "Wilfully making a false statement." On the prosecution should be placed the onus of showing that the statement was wilfully made. It should not be assumed that because a statement was false it was made wilfully and knowingly. The amendment will not get over the difficulty. Still, I welcome it, for it will differentiate between the man who makes a false statement and the man who knowingly and wilfully does so. The Bill will have a good effect; it will save a good deal of expenditure to the Electoral Department and also to the various political organisations. I will support the second reading.

The MINISTER FOR EDUCATION (Hon. H. P. Colebatch—East—in reply) [10.50]: In reply to Mr. Cornell, I may say I regret that the Bill was not introduced earlier; but the House has been sitting for

four months, during which over 50 Bills have been brought down, many of them of great importance. The Bills have been brought forward as quickly as possible and, both in this House and in another place, put through with all possible despatch. The other points raised by the hon. member can be dealt with in Committee. In respect of the amendment referred to by Mr. Millington, under the Act if a man is proved to have made an untrue statement the court has no option but to indict a fine. Under the amendment it will be for the court to decide whether the untrue statement was made knowingly and willfully. If the court decides that the statement was made bona fide, the court will not be compelled to convict, as at present.

Question put and passed.

Bill read a second time.

In Committee.

Hon. J. F. Allen in the Chair; the Minister for Education in charge of the Bill.

Clause 1—agreed to.

Clause 2—Repeal of Section 38 and substitution of new section:

Hon. J. CORNELL: I move an amendment—

That after "the" in line 9 the words "Council or the" be inserted.

The clause as it stands relates only to the Assembly. I have already given reasons why I think the electors for the Council should come into line with those for the Assembly.

The MINISTER FOR EDUCATION: On the second reading I explained that the intention was to substitute compulsory enrolment for the electoral canvass which is now carried out. No electoral canvass is attempted in connection with the Council. The Council qualification is regarded as a privilege, and if a man holding that qualification cannot look after himself, nobody looks after him; but in respect of the Assembly elector the practice has been to make a house to house canvass. The cases are not analogous at all. I think it would be inadvisable to agree to the amendment.

Hon. J. CUNNINGHAM: I support the amendment. We have compulsory enrolment of electors for the Commonwealth Parliament and the Bill is for the purpose of providing compulsory enrolment for the electors for the Assembly. Many of the Assembly electors believe they are qualified for enrolment as electors for the Council. The amendment provides that there shall be compulsory enrolment for the Council, which would bring all three classes of electors into line. If we have compulsory enrolment for the Commonwealth Parliament and for the Assembly, but not for the Council, it must result in a great deal of confusion among the citizens. Mr. Cornell's amendment is within reason, for it aims at

relieving the position. The Electoral Department should take the responsibility of deciding whether claims for enrolment are eligible or not. If the amendment is carried it will relieve the electors of a great amount of inconvenience and uneasiness. If we compel people to enrol for the Commonwealth, and for the Legislative Assembly, but not for the Legislative Council, they are bound to make mistakes. It cannot be the desire of this Chamber to make criminals of people, on the ground that they have made a false declaration through their confusion in this matter. There are those persons who would be very ready to take advantage of the ignorance of others and to suit their own purposes endeavour to prove that false declarations had been made. If we are to have compulsory enrolment I want to see it applied all round.

[Hon. W. Kingsmill took the Chair.]

Hon. H. MILLINGTON: I favour the idea embodied in the amendment, but think it might be confined to those persons who actually reside in the provinces. It is better that the resident elector should be compelled to enrol rather than that the present system should be continued. The onus should be placed upon the Electoral Department of determining who is entitled to be enrolled, and whether a person's claim is valid or not. Under the system proposed we shall have a full roll for the Assembly but a continuance of the present unsatisfactory state of affairs so far as the Council is concerned. Where franchise rights exist we should do our utmost to see that the people avail themselves of them, otherwise there will be a greater disparity than ever between the rolls for the two Houses. The clause itself is not mandatory. I am afraid there is a general loss of interest on the part of the electors in Council elections, and it would be a good thing if some means could be devised whereby they were compelled to exercise their rights as citizens. I am particularly interested in the resident elector, who should be compelled to carry out his duty as it relates to the Council just as much as in the case of the Assembly.

Hon. J. CORNELL: The leader of the House stated that the franchise for the Legislative Council was a privilege. Is the franchise for the Assembly a right or a privilege? The elector for the Assembly becomes an elector for the Council when he amasses certain wealth and holds certain property. He is compelled to exercise his right in the case of the Assembly, but is not to be compelled to exercise the right that has become his in the case of the Council. It is an extraordinary state of things. I venture to say that this will not be the last protest that is heard about the matter. There will be a very vigorous protest in the near future—a protest aimed more especially at another place. The effect of non-compulsion of enrolment for the Legislative

Council will be to cause people to neglect getting on the roll; and thus this Chamber will not be a true reflex of its electorate.

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

Ayes	8
Noes	11

Majority against .. 3

AYES.

Hon. H. Carson	Hon. J. Nicholson
Hon. J. Cornell	Hon. A. H. Panton
Hon. J. Cunningham	Hon. J. W. Hickey
Hon. C. McKenzie	(Teller.)
Hon. H. Millington	

NOES.

Hon. C. F. Baxter	Hon. E. Rose
Hon. H. P. Colebatch	Hon. A. Sanderson
Hon. J. Ewing	Hon. A. J. H. Saw
Hon. V. Hamersley	Hon. H. Stewart
Hon. R. J. Lynn	Hon. A. Lovekin
Hon. G. W. Miles	(Teller.)

Amendment thus negatived.

Clause put and passed.

Clauses 3 to 7—agreed to.

Schedule, Title—agreed to.

Bill reported without amendment, and the report adopted.

Read a third time and passed.

BILL—WICKEPIN RACECOURSE.

Received from the Assembly, and read a first time.

BILL—MUNICIPAL CORPORATIONS ACT AMENDMENT.

Second Reading.

Debate resumed from the previous sitting.

Hon. A. LOVEKIN (Metropolitan) [11.25]: I moved the adjournment of the debate in order that I might consult the mayor and the town clerk of Perth regarding the measure. Having consulted the town clerk, I find that there are no substantial objections to the Bill, and at this late hour I propose to say nothing more on the second reading, except that I reserve to myself the right to move, in Committee, a reduction in the maximum rate under Clause 5.

Question put and passed.

Bill read a second time.

In Committee.

Hon. W. Kingsmill in the Chair; Hon. A. H. Panton in charge of the Bill.

Clauses 1 to 4—agreed to.

Clause 5—Amendment of Section 392:

Hon. A. LOVEKIN: I move an amendment—

That after the words "one shilling," in line 2, there be inserted "and sixpence."

The jump from 1s. 6d. to 2s. 6d. is too great. Two shillings will be sufficient. At the present time, I think, money is not wanted in any municipality—certainly not in Perth. There is no occasion to give powers the exercise of which is not necessary.

Hon. A. H. PANTON: The proposed increase of 1s. does not mean necessarily that the additional shilling will be imposed. I trust the amendment will not be pressed. There is no danger in allowing local authorities to strike a certain rate if it is found necessary. I doubt whether Perth is not in need of money at the present time: the state of Perth streets is lamentable, and the mayor of Perth has said that the council are in rather a fix because of their inability to strike the necessary rates.

Amendment put and negatived.

Clause put and passed.

Clause 6—agreed to.

Clause 7—Amendment of Section 497; allotments shown on plan not to be further subdivided without consent of council:

Hon. A. H. PANTON: I move an amendment—

That the second proviso to the clause be struck out, and the following inserted in lieu: "The amendment made by this section shall not apply in respect to any portion of an allotment upon which a building was erected before the commencement of this Act."

The proviso which my amendment proposes to strike out is not very clear, and it is thought better to insert that which the amendment proposes to substitute.

Amendment (that the words proposed to be struck out be struck out) put and passed.

Amendment (that the words proposed to be inserted be inserted).

The MINISTER FOR EDUCATION: I move an amendment on the amendment—

That in line 1 "the amendment made by" be struck out and "provided also that" be inserted in lieu.

Amendment on the amendment put and passed.

The MINISTER FOR EDUCATION: I move a further amendment on the amendment—

That in line 1, "section" be struck out and "subsection" inserted in lieu.

Amendment on the amendment put and passed.

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

Clause 8—agreed to.

Clause 9—Amendment of Section 109:

Hon. J. NICHOLSON: I think the clause should be deleted. At present a member of a local authority can exercise his proxy vote within one month, but the clause proposes to restrict it to a period after the nomination of the candidate. In a country of great distances this is not practicable.

The MINISTER FOR EDUCATION: It is absurd that a man should be allowed to vote for someone not yet nominated. Moreover, the amendment is necessitated by the previous clause; it becomes imperative that the voter should know who the candidates are.

Clause put and passed.

Title agreed to.

[The President resumed the Chair.]

Bill reported with an amendment.

BULL—CARNARVON ELECTRIC LIGHT AND POWER.

Second Reading.

The MINISTER FOR EDUCATION (Hon. H. P. Colebatch—East): [11.40] in moving the second reading said: The necessity for this short Bill is easily explained. In 1914 the Carnarvon Municipal Council granted to the Carnarvon Electric Light and Power Co. a concession for the exclusive right to supply electric light and power within the limits of the municipality. The company acquired land, erected buildings, installed machinery, laid its mains and proceeded to supply light and power according to the terms of its concession. Two years later, in 1916, the municipal council bought out the company for £3,000. The council has since carried on the business. I am not in a position to say whether the council gave too much for the concern, but I know it frequently happens that when a concession is given in this way and the local authority subsequently steps in and acquires the concession, the local authority finds itself with a concern somewhat over-capitalised. In this case the council borrowed the necessary £3,000 and levied the maximum rate for the payment of interest and sinking fund. In accordance with the provisions of the Municipal Corporations Act, it is necessary for the council to impose such a rate as will produce sufficient money to pay interest and sinking fund after taking into account the profits earned by the undertaking. Consequently, when the undertaking earns interest and sinking fund, there is no obligation to impose a rate. In this instance, that does not appear to be the case. After imposing the rate permitted under the Act, the Carnarvon Council find that, although the undertaking will pay interest, it will not pay sinking fund. The purpose of the Bill is to enable the municipality to impose a lighting rate in order that this deficiency may be made good. Clause 2 ratifies the purchase of the undertaking and the raising of the loan. Clause 3 exempts this sum of £3,000 from

inclusion in arriving at the amount the municipality is entitled to borrow under the Municipal Corporations Act. Clause 4 permits of the striking of a special lighting rate of 1s. 6d. in the pound to pay interest and sinking fund, but the following clause stipulates that, if there is an excess, it shall be credited to the next year. This would mean that, in the following year, a reduced rate would be struck. The effect of this measure will be that the corporation will be able at once to strike a lighting rate of 1s. 6d. in the pound and, when the time arrives that the concern more nearly pays its way than at present and the profits are sufficient to meet interest and portion of the sinking fund, the lighting rate will be gradually reduced and the authorities hope that in time it will be entirely eliminated. The Bill is brought forward at the request of the Carnarvon municipality and it is obviously necessary that the council, having entered in to this venture, should have means to finance it. I move—

That the Bill be now read a second time.

Question put and passed.

Bill read a second time.

In Committee, etc.

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

Read a third time and passed.

BILL—NORTHAMPTON MECHANICS' INSTITUTE.

Second Reading.

The MINISTER FOR EDUCATION (Hon. H. P. Colebatch—East) [11.47]: This is a simple little Bill in regard to which there can be no room for difference of opinion. The institute and the land on which it stands were vested in trustees many years ago. Some of the trustees have died and the building is now neglected and is rapidly falling into a state of worse and worse disrepair. I understand that two trustees only are left. One is anxious that the property shall be handed over to the local authority and the other, for some reason which I have not been able to ascertain, is not prepared to agree to this. Consequently, there is no one to look after the place or exercise authority over it. A largely signed petition of residents of the district has been received by the Government, asking that the property be vested in the road board. There can be no question that it is very much better to vest such property in a permanent local authority than in trustees, some of whom may leave the district and all of whom must, in the natural course of events, pass away. The object of the Bill is to discharge the present trustees from their trust and vest the property in the road board. The road board would then assume possession of the property and repair the

building and no doubt make the best possible use of it. I move—

That the Bill be now read a second time.

Question put and passed.

Bill read a second time.

In Committee, etc.

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

Read a third time and passed.

BILL—SHIPPING AND PILOTAGE CONSOLIDATION ORDINANCE AMENDMENT.

Second Reading.

The MINISTER FOR EDUCATION (Hon. H. P. Colebatch—East) [11.50] in moving the second reading said: This is a short measure but a necessary one. It is intended to amend the Act to alter and extend the provisions of the Shipping and Pilotage Consolidation Ordinance, 1885. The necessity for this Bill arises from the fact that under that Act the maximum amount chargeable for the pilotage of a vessel is £12. The need for it arises particularly in the case of the port of Wyndham. Wyndham is situated on a dangerous coast, and pilotage is sometimes necessary over distances of from 20 to 30 miles. The cost of such services is in excess of the maximum amount that can be charged under the Act as it stands, and without this amending Bill it would be necessary for the services to be carried on at a loss, which is undesirable. I move—

That the Bill be now read a second time.

Question put and passed.

Bill read a second time.

In Committee, etc.

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

Read a third time and passed.

House adjourned at 11.54 p.m.

Legislative Assembly,

Wednesday, 3rd December, 1919.

	PAGE
Questions: Agent General's office, secretary ...	1938
Teredo attacks, tests of timber ...	1938
Wyndham Freezing Works: 1, Disposal of tallow. 2, Disposal of hides ...	1939
Wheat: 1, Bulk handling. 2, Storage silos ...	1939
Geraldine, town site ...	1939
Railway project, Yorkrakine-North Bannock Select Committee, State Children Department, ex- tension of time ...	1939
Standing Orders suspension ...	1940
Bills: Land Act Amendment, 1A. ...	1940
Ajapa-Geraldine Railway, 3A. ...	1940
Factories and Shops, 2A. ...	1940
Legislative Assembly duration, 1A. ...	1944
Sand Drift, 2A., etc. ...	1944
Zoological Gardens Act Amendment, 2A., etc. ...	1945
Appropriation, all stages ...	1949
Land Act Amendment, 2A. ...	1952
Traffic, Council's message ...	1955
Legislative Assembly, duration, 2A., etc. ...	1956
Wyakatchem-Mt. Marshall Railway Extension, all stages ...	1956
Parliamentary Allowance Act Amendment, all stages ...	1959
Wickepin Racecourse, all stages ...	1961
Public Education Acts Amendment, 2A., etc. ...	1962
Anglo-Persian Oil Co., Ltd. (Private), Council's Amendment ...	1964

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

QUESTION—AGENT GENERAL, SECRETARY.

Mr. SMITH asked the Premier: Will the Government comply with the requirements of Section 44, Subsection (3), of the Public Service Act, and furnish Parliament with the reasons for not approving the recommendation of the Public Service Commissioner, and for requiring a further recommendation in the matter of the appointment of the Secretary to the Agent General and Immigration Officer?

The PREMIER replied: The requirements of Section 44, Subsection (3) have already been complied with, the file containing the reasons for not approving of the recommendation of the Public Service Commissioner having been laid upon the Table of the House on the 14th October, 1919.

QUESTION—TEREDO ATTACKS, TESTS OF SPECIFIC.

Hon. W. C. ANGWIN asked the Minister for Works: Will he lay on the Table of the House, before the close of the session, the engineer's report on the tests made of Mr. W. H. Haddy's specific for the preservation of timber from the attack of teredo?

The MINISTER FOR WORKS replied: Yes, I have the report here and will lay it on the Table now.