AYES.	
Hon. E. H. Angelo	Hon. G. W. Miles
Hon. L. B. Bolton	Hon. J. Nicholson
Hon. L. Craig	Hon. H. S. W. Parker
Hon. J. M. Macfarlane	Hon. C. B. Williams (*Teller.*)

NOES.	
Hon. J. A. Dimmitt	Hon. W. H. Kitson
Hon. J. M. Drew	Hon. W. J. Mann
Hon. J. T. Franklin	Hon. H. V. Piesse
Hon. G. Fraser	Hon. H. Tuckey
Hon. E. H. Gray	Hon. C. H. Wittenoom
Hon. E. H. H. Hall	Hon. G. B. Wood
Hon. V. Hamersley	Hon. E. M. Heenan
Hon. J. J. Holmes	(*Teller.*)

PAIR	
AYE.	NO.
Hon. H. Seddon	Hon. A. Thomson

Amendment thus negatived.

Clause put and passed.

Title—agreed to.

Bill reported without amendment and the report adopted.

House adjourned at 10.36 p.m.

Legislative Assembly,

Wednesday, 30th November, 1938.

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

ASSENT TO BILLS.

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

1, Supply (No. 2), £1,200,000.

2, Sailors and Soldiers' Scholarship Fund.

3, Basil Murray Co-operative Memorial Scholarship Fund.

4, Auctioneers Act Amendment.

5, Land Tax and Income Tax.

6, Returned Sailors and Soldiers' Imperial League of Australia, W.A. Branch Incorporated (Anzac Club Control).

7, Fremantle Gas and Coke Company's Act Amendment.

8, Local Courts Act Amendment.

QUESTION—RAILWAYS.

Newcastle Coal.

Mr. NULSEN asked the Minister for Railways: How many tons of Newcastle coal were used by the Railway Department between Esperance and Coolgardie, and between the sections Coolgardie-Leonora-Laverton, for the period from the 1st July, 1937, to the 30th June, 1938?

The MINISTER FOR RAILWAYS replied: Kalgoorlie-Esperance, approximately 2,500 tons; Kalgoorlie-Laverton-Leonora, approximately 1,200 tons.

BILLS (7)—FIRST READING.

1, State Transport Co-ordination Act Amendment.

2, Main Roads Act Amendment.

3, Municipal Corporations Act Amendment (No. 2).

Introduced by the Minister for Works.

4, Financial Emergency Act Amendment.

5, York Cemeteries Act Amendment.

Introduced by the Minister for Lands.

6, Life Assurance Companies Act Amendment.

7, Profiteering Prevention.

Introduced by the Minister for Labour.

BILL—TRAFFIC ACT AMENDMENT.

Leave to Introduce.

THE MINISTER FOR WORKS (Hon. H. Millington—Mt. Hawthorn) [4.37]: I move—

That leave be given to introduce a Bill for an Act to make provision in the Traffic Act,

1919-1935, for compulsory insurance against third party risks arising out of the use of motor vehicles and for other purposes incidental thereto.

MR. McDONALD (West Perth) [4.38]: I do not propose to object to leave being given to introduce this Bill, but cannot help feeling the measure should have been brought down before this time of the session. Much of the legislation before us is important, and I see that a profiteering Bill, as was announced in the Governor's Speech, will shortly be introduced. No doubt the Bill to amend the Traffic Act will gain the approval of members, but it requires careful consideration to ensure that the machinery shall be convenient, and to enable the House to compare it with what has been done in other States and countries. I feel I must express my regret that so important a measure as this should be introduced so late in the session.

THE MINISTER FOR WORKS (Hon. H. Millington—Mt. Hawthorn—in reply) [4.39]: The utmost difficulty has been experienced in getting together the information necessary for the preparation of a Bill of this nature.

Hon. C. G. Latham: You have had years in which to do it.

The MINISTER FOR WORKS: An Act is in operation in New Zealand.

Hon. C. G. Latham: And in England.

The MINISTER FOR WORKS: In South Australia an Act was passed about two years ago, but has been in operation only for seven months. We have had but little data to go on. There is also the difficulty of coming to an arrangement with the insurance companies. That matter has not yet been finalised. Before such a Bill can be brought forward, the insurance companies must have placed before them definite proposals so that they will be able to quote. Members will agree that it would be useless for me to bring this question before the House unless I were in a position to quote the terms the insurance companies were prepared to offer. The introduction of the Bill has been sought on all sides, and people expect much from third-party insurance. I now have an opportunity to introduce it, and I trust we shall be able to deal with it. I think the objection raised by the member for West Perth (Mr. McDonald) was merely to its late appearance.

Question put and passed.

Bill introduced and read a first time.

MOTION—TRAFFIC ACT REGULATION.

Ruled Out of Order.

Notice of motion by Mr. Cross (Canning) called as follows:—

That new Regulation 294 made under the Traffic Act, 1919-1935—Traffic Regulations, 1936—dealing with restricted parking in the City of Perth, as published in the "Government Gazette" on the 9th September, 1938, and laid upon the Table of the House on the 29th September, 1938, be and is hereby disallowed.

Mr. SPEAKER: This notice of motion has had to be ruled out of order because it was not given within the time limit prescribed in the Standing Orders.

PAPERS—AGRICULTURAL BANK.

Case of Charles Denham.

MISS HOLMAN (Forrest) [4.47]: I move—

That all papers, including files in the Lands Department, the Forests Department, the Public Works Department, and the Agricultural Bank, relating to land (Wellington Locations 2007, 2008, 2009, 2010, 2011, and 2012) held by Charles Denham and his predecessors in title be laid upon the Table of the House.

Matters in connection with this case have been proceeding for a long time, and in order that members may be in possession of the full details, the reading of a number of documents will be necessary. Briefly, Charles Denham bought land from the Agricultural Department in 1927. In that year, several of these blocks were for sale. The property had previously been in the name of L. C. Cooper, who was a former inspector of the Bank, and the institution sold the property in the exercise of its powers of sale. Charles Denham tendered for the property, which was then C.P. leasehold, and his tender was accepted. The letter from the Agricultural Bank, signed by W. Grogan as Deputy Managing Trustee and dated the 20th April, 1927, in which his tender was accepted, read as follows:—

Re Wellington Locations 2011, 2012, 2010, 2007, 2008, 2009, late L. C. Cooper:

I have to acknowledge receipt of your letter of the 13th inst. tendering to take over the abovementioned holding with an indebtedness of £1,300, plus arreas of rents and rates outstanding, and I have to advise you that your offer was considered by the trustees who have agreed to accept this amount for the place bare; no further assistance to be granted.

The terms of sale will be that £100 of the amount tendered, together with the arrears of rents and rates, and the costs of transfer will be payable as ingoing. The balance of the Bank indebtedness can remain on 25 years' mortgage, the first five years of which will be free of repayment of principal, and interest will be charged at the rate of 7 per cent. as from the date of this communication.

On this understanding, mortgage papers and transfer will be prepared and the former forwarded for your signature. These must be signed on presentation and returned to this office with the necessary fees; otherwise the trustees reserve the right to cancel the sale.

This letter is proof of the acceptance of Charles Denham's tender by the Agricultural Bank. There is nothing whatever in it to indicate the existence of any easement over the land. Trouble has arisen because Millars' Timber and Trading Co., Ltd., has obtained by various means, which I shall describe, the right to build a tramway through two of Denham's blocks. The argument that has been advanced is that the condition was attached to the blocks from the beginning. I have inspected the file and from it have ascertained that the concession was resumed from Millars' Timber and Trading Co., Ltd., in 1906, and the company asked him that its rights to erect a tramway through some of the blocks be retained. I have yet to learn that any person or company whose land has been resumed retains the right to stipulate conditions under which it shall be let or sold again. Even assuming the company has the right which it claims, there is nothing whatever in the letter from the Agricultural Bank to Denham to disclose the existence of the right or that any reservation was made with respect to any of the blocks.

In May, 1937, Denham paid the balance of his land rents, amounting to £64, and made application for a Crown grant for the land. Up to that time he had heard nothing about a right-of-way; in fact, he believed the land had been sold to him by the bank free of all encumbrances, except the amount due to the bank and rates and taxes, as set out in the bank's letter. He moved out to the farm on the 27th May, 1927, and early in June of that year Mr. D. Slavin, who was employed as a Forestry Department inspector at Mornington, called on him and said that locations 2011 and 2012 were to be forfeited to the Crown owing to non-compliance with improvement conditions, particularly boundary fencing. On being told this, Denham produced receipts for the balance of the land rents and the freeholding of the property, whereupon the inspector said the matter would be closed, as nothing further could be done. Shortly afterwards, he received from the Agricultural Bank a mortgage for his signature. He went to Mornington to have his signature witnessed by the J.P. at that place, Mr. H. Smith, who was the manager at Mornington for Millars' T. & T. Co., Ltd. During the interview, Mr. Smith informed Denham that he had received a document from his head office for signature by him. The document was an agreement drawn up by Stone, James & Co., solicitors for the company. Denham found it to be a deed of grant conferring on the company the right to construct a tramway through locations 2011 and 2012. He refused to sign. He told Mr. Smith that he was unwilling to assign any of his rights to the company.

Shortly afterwards, the bank got into touch with Denham and informed him that it had neglected to acquaint him with the fact that Millars' T. & T. Co., Ltd., held a registered right-of-way over location 2009. The bank asked his permission to have the right-of-way noted on the freehold title. Denham called on the bank, when it was suggested to him that, in consideration of the company foregoing its right over location 2009, Denham should grant the company a right to construct a tramway over locations 2011 and 2012. Denham consented to the endorsement on the title to location 2009; but refused absolutely to grant any right over locations 2011 and 2012. I have inspected the titles. The only endorsement is that on the title relating to location 2009, giving the company the right to build a tramway. Several documents were produced to Denham, but he refused to sign them.

Negotiations proceeded until 1930, when the company produced a further agreement giving it the right to construct a tramway through locations 2011 and 2012, but again Denham would not sign the document. In October, 1934, at the request of the company, Denham submitted an agreement for the company's approval. I shall read the agreement in a moment. In return the secretary

of the company made an unofficial offer of 1½d. per load royalty, but this was not acceptable to Denham. The agreement submitted to Millars' on the 20th October, 1934, reads as follows:—

I, the undersigned Charles Denham, senior, of Harvey Downs, Harvey, agree to grant to Millars' T. & T. Company, Ltd., St. George's-terrace, Perth, a thoroughfare through my property, viz., Lots 2011 and 2012, Wellington Location, for the period of ten years, with the option of renewal for a further three years. In consideration of my grant I require the sum of 4d. per load in round royalty on all timber taken on my property, also insurance against fire and loss of any stock injured through such grant. In granting this favour I, Charles Denham, senior, shall be given consideration at market rates and in no way debarred from carrying on as a timber contractor so long as the said company has contracts to fulfil in which I am interested, viz., beams, sleepers, poles and piles. Otherwise I agree to 6d. per load in round for a period of five years with the option of renewal for a further five years. Insurance against fire and loss of any stock injured through such grant, or I am prepared to sell the property for £10 an acre, walk-in, walk-out. If either of the royalty basis arrangements is acceptable to the company all moneys due are to be paid monthly to the Agricultural Bank on my behalf until such time as my indebtedness shall be finalised. In the event of operations ceasing during the work time of the agreement the sum of £20 per month to be paid to the Agricultural Bank during such period and later be deducted from royalty.

That was not accepted. Then, in May, the secretary of the company telephoned Denham offering to credit his account with the sum of £300 and asked if he would accept this amount as a lump sum for a right-of-way. Denham declined. The company's letter, dated 5th June, 1935, renewing the offer of £300, reads as follows:—

In reply to your letter of the 29th ult., with reference to above, our offer of placing £300 to your credit still stands on the understanding that the agreement is fixed on lines already suggested. Until we hear something of a definite nature from you we are not doing anything further meantime.

Denham wrote to Millars' offering to take £3,500. I am not making any remark about the amount of the £3,500; the whole of my complaint is first of all that there was interference by Government departments in the negotiations between a private company and a private individual, and secondly when the whole matter was finished, the Agricultural Bank refused permission to Denham to take the matter to law. I am not criticising the amount, nor am I saying whether it was too much, but there was no necessity for interference, and the man should have been allowed to get something for the right-of-way through his land. Denham wrote to Millars' Company on the 10th June, 1935, as follows:—

In reply to yours of the 5th inst. re right-of-way I am prepared to accept a lump sum of £3,500 payable on the assignment of the right-of-way to you. I do not wish to accept a small deposit as it would only bind me and it would not be convenient if I wished to sell the property. Personally I prefer the royalty basis of the terms I have already lodged with you.

The Minister for Lands: For the right-of-way.

Miss HOLMAN: Yes.

The Minister for Lands: What did he pay for the land?

Miss HOLMAN: I do not know. By taking the land from the man and putting Millars' right-of-way through it, Denham was under considerable disability as his property is now divided. The railway runs right across the block and further, Denham's property is in constant danger from fires. There have already been three fires on the property since the land was resumed, and it is stated definitely that the fires were caused by Millars' locomotives. Millars' refused to accept any responsibility whatever and so the man has had to put up with the inconvenience. The next step in this long chain of events was the action of the Lands Department. After Millars' refused to consider the amount he suggested, and further negotiations had proved fruitless, the Department of Lands on the 20th November, 1935, wrote to the Secretary of the Harvey Road Board as follows:—

A request has been received from the Forests Department that steps be taken to provide for a timber tramway through Locations 2011 and 2012, shown in green on the attached lithograph, to provide access from one part of the State Forest to another. It appears that along the brook is the only suitable route for a tramway.

When this land was held under conditional purchase lease, timber tramway rights were reserved. These rights, however, ceased on the issue of the Crown grants, and the owner of the land is now demanding an exorbitant amount for the right of access.

I consider it was not the business of the Lands Department what Denham was demanding. A private individual is per-

fectly entitled to negotiate for himself, and no Government should have interfered in the matter. Millars' Company is not a puny concern. It could fight for itself because there is plenty of money behind it. These people should have been allowed to fight the matter out between themselves. To continue the letter—

It is considered by this department that the only way out of the difficulty would be the survey and declaration of a road through the blocks, and for the board to authorise, under Section 162 of the Road Districts Act, the construction of a tramway along it, in which case it is, of course, considered that the timber company should agree to meet any claims for compensation that might be established. The improvements, I understand, are not great, and with careful consideration of the construction of the road, interference with existing improvements could probably be avoided.

I shall be glad, therefore, if you will place the matter before your board, and advise me if the board is prepared to approve of the resumption and declaration of a road along the most suitable route to be fixed by survey, and then to grant permission to the Forests Department for the construction of timber tramway along it, provided, of course, that your board is indemnified against any claim for compensation. Your early reply is requested.

No reply was sent to the Department of Lands and Surveys and a further letter was written by the department to the Harvey Road Board on the 12th December—

I shall be glad if you will kindly let me have a reply to mine of the 20th November with regard to the proposal to provide for a timber tramway through Locations 2011 and 2012 in the Mornington Permit Area, State Forest No. 15.

The next step was that the road board wrote to Denham on the 17th December, 1935, as follows:—

Dear Sir,—It has been proposed by the Lands Department that a road be surveyed through your Locations 2011 and 2012 in order that a tramway may be constructed connecting up the State forest on either side. My board understands that this proposal is the result of the failure of a timber company and yourself to come to satisfactory terms.

So that the position is clear to you, I would explain that my board has power to resume a road and give permission for a tramway along same. In this case you could only claim for the actual improvements on the area occupied by the new road, the value of which in this case would be very little.

My board does not like to be drawn into such matters, but, of course, must see that the district is catered for in every reasonable manner and hopes that you can come to terms so that action on the lines indicated will be unnecessary. If you are in Harvey, I would be pleased to discuss the matter with you. The Lands Department, however, is pressing for a reply and the matter is urgent.

That is certainly a very illuminating letter. "My board does not like to be drawn into such matters, but must see that the district is catered for and hopes you will be able to come to terms"! All that was wanted was that permission be given to Millars' to put a railway track through this man's property and so save the company £15,000. Actually before the resumption was gazetted, Millars' had built their railway to the fence around this man's block.

Mr. Patrick: The man was too greedy.

Mr. Watts: He was not obliged to give anything.

Miss HOLMAN: The land was resumed over his head.

Mr. Watts: Before that?

Miss HOLMAN: Yes. Next the Harvey Road Board wrote to the Lands and Surveys Department as follows:—

In reply to your letter of the 20th ult., my board agrees that access must be given for the timber company through Locations 2011 and 2012.

It is understood, however, that the owner of this land and the timber company concerned cannot agree upon terms. My board has informed the owner that unless steps are taken immediately to meet the company reasonably the road will be declared. It is hoped, therefore, that in the course of the next few days finality will be reached.

The board did not like forcing the position without fully acquainting the owner and giving him a little time in which to consider the position.

You will be further advised before the end of the month.

The fact of the matter remains that no opportunity whatever was given Denham to carry on any further negotiations, because once the Forests Department and the Lands Department stepped in, Millars' refused to negotiate further. They knew that the land was going to be theirs on their own terms. Actually one of Millars' men saw Denham and sketched out in pencil a proposition for him to submit. It was as follows:—

With reference to the question of right of way for your bush train going through Lots 2011 and 2012 of my property, I am willing to finalise at a rental of £5 per week for ten years from the time of signing the necessary ar-

rangements. Trusting this will meet with your approval.

Denham then went to Mr. Ball, solicitor, to find out what his rights were. Mr. Ball wrote to the Under Secretary for Lands as follows:—

I have been consulted by Mr. C. Denham, of Harvey, with reference to the entry of officers of your department on to his property recently, for the purpose of making a survey.

Would you kindly let me know by return mail by what authority your department claims right to enter upon my client's land, and why no notice was first given to my client of your department's intention of so doing.

This letter was sent to Mr. Ball by the Department of Lands on the 31st July, 1936—

In reply to your letter of the 27th inst. I have to inform you that the authority for surveyors to enter upon private land is contained in Section 17 of the Licensed Surveyors Act, 1909, and Section 21 of the Land Act.

I have also to state that there is no obligation to give any notice of such entry, and quite often it would be impossible to give notice prior to such action.

Mr. Ball replied to the Under Secretary on the 3rd August, 1936, as follows:—

I am in receipt of your letter of the 31st ult. for which I thank you. While agreeing that powers of entry for the purposes of making surveys are reserved to the Minister and his officers by the Acts cited by you, I desire to stress the fact that such entry should be bona fide, paying due regard to the intention of these acts.

There are circumstances of which you are no doubt well aware, in relation to my client's property, which compel him to regard any action taken by your department with suspicion. Will you kindly let me know for what purpose the survey is being made?

The reply of the Under Secretary for Lands to Mr. Ball dated the 7th August, 1936, was as follows:—

In reply to your letter of the 3rd inst. I have to inform you that the position is that a private surveyor advised the department that he had instructions to carry out a survey for the owner of the land, and he could not do so pending the survey of a gazetted road which passes through the property.

That was entirely wrong. The letter continues—

The department accordingly had to define this road before the private surveyor could proceed with his own work.

Mr. Ball next replied to the Under Secretary for Lands on the 13th August, 1936, as follows:—

I am in receipt of your favour of the 7th inst. No surveyor has been requested by my client to make a survey of his land. It is presumed that the private survey was being made at the instance of Millars' T. & T. Co., of which fact your department must have been well aware.

Action has already been attempted by your department to encroach upon my client's rights as owner in fee simple of this land, in the interests of private enterprise. If any action, which is not bona fide, is taken by your department, to further private interests then action will be taken.

You speak of a gazetted road through my client's property. No notice of resumption has been received by my client. Will you kindly let me know by return mail the date of the gazette in which the resumption appeared, and also advise me why notice has not been given to my client. There is no need for a further road. The area is already well served with roads.

Then the Surveyor General wrote and said that a mistake had been made. In a letter dated the 17th August, 1936, and addressed to Mr. Ball, the Surveyor General stated—

On investigation it appears that your letter of the 27th ultimo and subsequent letters were placed in a file dealing with another road survey in the Harvey district, and that consequently the replies from this office conveyed a wrong impression.

It would appear that your inquiries refer to a road survey through Wellington Locations 2011 and 2012, and it was apparently your omission to quote these location numbers that caused the misapprehension.

With regard to this road survey through the blocks mentioned in the preceding paragraph, the Public Works Department wrote in March last, stating that the Forestry Department desired the establishment of a road through them in order to provide access to State Forest No. 15, and this department was asked to carry out the necessary survey.

The survey has been completed, and the diagram of same has been forwarded to the Public Works Department for lodging in the Land Titles Office.

This department has no further interest in the matter, and additional information required should be obtained from the Public Works Department.

It will be seen, therefore, that the Forests Department asked for this resumption. The Forests Department interfered in a private matter; it interfered in negotiations between Millars' Timber and Trading Company and a private individual, giving as the excuse that it wanted to build a road for itself. It may be that in years to come the bed of that railway will be used for a forestry road, but that was simply an excuse, and not

a legitimate excuse. Quite a number of other excuses were made. One was that the price of timber would be affected. Another was that the resumption would provide for fire control. All those excuses were made simply to cover the fact that the Forests Department was interfering and obtaining for Millars' a road to which the company was not entitled without paying legitimate money for it. I am not concerned as to whether the amount was £3,500 or what it was. The fact is that the department interfered and prevented this man from having any chance of securing compensation. The department interfered on behalf of Millars' and Millars' got the land at their own rate. The letter to the Harvey Road Board simply says that Millars' will indemnify the board against any compensation.

The Government should give an opportunity to this man Denham to test the case in law. He wants to do so and he should have the right. No Government department has any right to interfere in negotiations between two private people. Millars' are well enough able to fight the matter out for themselves. If the price asked was too high, I presume they would continue to negotiate until the price was more suitable to them, but it was entirely wrong for a Government department to interfere to save them from the necessity of spending from £15,000 to £20,000, which would have been involved in building a railway around the block, or of paying for the right-of-way at all.

I have looked at the documents in the Lands Department. On the back of the transfer there is something about a road for a timber company but no name is mentioned, and I understand that is entirely wrong. That particular item was typed on the back of the document. The title of the land itself has only one endorsement, relating to block 2,009, but Millars' have built their line on blocks 2,011 and 2,012. That land was resumed for them by Government departments and the railway was built up to the man's fence before the resumption was gazetted. The department owes it to this man to give him permission to take what legal action he likes. He should be given the ordinary rights of a citizen to protect the value of his own land. The interference by Government departments in this case was absolutely and entirely unwarranted, and if the papers are tabled, we shall be able to ascertain exactly from what quarter the interference originated.

Hon. P. D. Ferguson: Can he not sue without permission?

Miss HOLMAN: No. His land is mortgaged and he must obtain permission from the Agricultural Bank before he can take action in respect of the resumption of the land.

Hon. P. D. Ferguson: Permission from the Agricultural Bank?

Miss HOLMAN: Yes; and the bank definitely refuses to give permission. In the first place, the Forests Department interfered with negotiations between Denham and Millars', and asked the Lands and Surveys Department to resume the land. The Lands and Surveys Department asked the board to do so. Eventually, the Lands and Surveys Department effected the resumption and this man has gone to the wall.

Mr. Marshall: What authority did the Forests Department have to interfere?

Miss HOLMAN: That is what I want to know.

Mr. Marshall: I want you to tell me.

Miss HOLMAN: I do not know.

Mr. Marshall: Apparently every department has some authority over these blocks of land?

Hon. P. D. Ferguson: If Denham lost his case, he would probably have another £500 debt on his farm. Perhaps that is what the bank did not like.

Miss HOLMAN: He did owe money and the curious thing was that on several occasions the bank withheld action because it thought he would obtain money from Millars'. Notes are available to show this. There is a note from the bank saying, "We have withheld action on looking forward to your getting compensation from Millars' for the right-of-way," or words to that effect. But there is the man, with a debt on his land and Millars' with a line running through it. Already there have been three fires on the property since the land was resumed, and the company has refused to accept responsibility. He can be burnt out without any redress. His water is cut off. His land is divided up and his stock can get away. Anything can happen to him and he has no compensation whatever.

Mr. Cross: It is a case of the lion crushing the mouse.

Miss HOLMAN: It was entirely unfair in the first place for the department to interfere. As the letter from the Lands Depart-

ment says, when this man obtained his Crown grant, the rights of the Department ceased. He willingly signed for his right to be given up in respect of block 2,009, but his rights in respect of blocks 2,011 and 2,012 have also been taken from him. A great injustice has been done, in the first place through interference with the negotiations between Denham and Millars' and, in the second place, by the refusal of the bank to allow him to take legal action. If he were able to go to law, he would find out where he stood, whether he had a case or not; but he was hamstrung. The land was taken from him and the line was built and he was refused the right to take legal action. A big powerful timber company has been permitted by a Government department to be unjust to this man. I submit the motion standing in my name.

MR. McLARTY (Murray-Wellington) [5.25]: I intend to support the motion. In company with the member for Forrest, I interviewed the Conservator of Forests in the hope that it would be unnecessary to proceed with the motion. As the member for Forrest has pointed out, this dispute has been taking place for some years. The point I wish to make is that Denham wants only the right to sue, and that right is being withheld from him because the bank that holds the mortgage over his land will not agree to his taking action. The only reason I can see for the bank's refusing to give its consent is that at least one other Government department is concerned, and probably others are also involved. Surely, it is unjust that one Government department or the Agricultural Bank should deny the right to a client to appear before the courts of this country. The claim is made that Denham is asking for an excessive amount of money. I do not know whether he is or not. I do not think the House should be concerned with that aspect. If Denham is asking for an excessive amount, surely the court should be able to say that and give him the amount to which he is entitled.

The point made by the member for Forrest that I should like to repeat is that when Denham took over this country, he was not informed that a line was to be built through it. He said that if he had known that, he would not have taken up the land, but now the line has been put through his property, which is divided and he claims to have suffered—I have only his word for this—from having been burnt out by fires caused by the engine. Millars' say that is not correct, but I have been informed on what I believe to be reliable authority that Millars' men put out a fire on the property. They claim they extinguished it in order to save their forests. At any rate, Millars' men did extinguish the fire. As the member for Forrest has said, Denham's land has been subdivided. I know that there is a large forest, and that a great deal of timber has to be removed. The Conservator of Forests says that the only outlet is through this man's property. The Conservator has a duty to the State to get out that timber, but surely he should not adopt the attitude that this man must bear the whole of the burden. I am not pleading that Denham should be paid what he is asking for. I do not know what the land is worth. But there is a principle involved. For the Agricultural Bank to say, "You shall not have the right to go to the court, because there is another Government department involved," is wrong. If this man has been wronged, he should have the right to appeal to the law courts of this country, and for that reason I hope the House will agree to the motion moved by the member for Forrest.

On motion by the Minister for Lands, debate adjourned.

MOTION—TRAFFIC ACT.

To Withdraw and Amend Regulation.

MR. CROSS (Canning) [5.31]: I move—

That in the opinion of this House, the new Regulation 294 made under the Traffic Act, 1919-35—Traffic Regulations, 1936—dealing with restricted parking in the City of Perth, as published in the "Government Gazette" of the 9th September, 1938, and laid upon the Table of the House on the 29th September, 1938, should be withdrawn and amended with a view to permitting parking within certain city areas between the hours of 6.15 p.m. and 8 a.m.

I regret that I, possibly like some other members, was tricked when the new regulation was laid on the Table. Some days prior to my giving notice of this motion I made inquiries and was informed that the regulation had not yet been tabled It is surprising that the Leader of the Opposition, who is always so keenly interested in everything pertaining to country affairs

—and apparently always so disinterested with regard to city matters—has allowed the regulation to pass unchallenged. His lynx eye must have discerned the regulation. I was under the impression that the Opposition's duty was to watch the interests of the whole of the people, and not merely those of a portion.

This is one of the most ridiculous regulations ever drafted. The effect of its having lain on the Table for the specified number of days is that it now forms part of the law of the land. I understand that either the Commissioner of Police or the Chief Inspector of the Traffic Branch has stated that the regulation will not be enforced. To me it seems stupid that a regulation should be gazetted without there being any intention of enforcing it. The regulation is years ahead of Perth's traffic requirements. I do not know how many members are aware just how stringent the regulation is in regard to night parking. The regulation, which can now be enforced at a moment's notice——

Hon. C. G. Latham: It should not exist unless it is enforced.

Mr. CROSS: No, it should not. It can be enforced, I repeat, at a moment's notice, practically to debar the parking of a car for more than 15 minutes in a large portion of the city area. I desire to inform members of the extent to which the regulation can be carried. My remarks will be practically restricted to night parking, for I agree that in the daytime there is absolute necessity, in view of the increase of city traffic, for the enforcement of stringent parking regulations. Indeed, the Police Department would be doing its job somewhat better had it kept a lynx eye on people who are in the habit of parking out two cars' breadth from the kerb in main streets, sometimes holding up the traffic. It has been almost a common occurrence during the busy time of the day for drivers of cars to leave the engine running while they dash into a shop to deliver something. Only to-day I saw two cases of that. I have seen many such instances in Hay-street on Saturday morning—motor cars stopping on the tramline, especially between King-street and Milligan-street, while drivers deliver goods or perhaps a message in a shop. Such cases should be dealt with drastically. Surely others have seen that sort of thing besides myself.

After say, 6.15 p.m. practically the whole of the Perth business section has left, and the city is almost deserted. Nevertheless the new regulation imposes drastic conditions in regard to parking after that hour. The absolute maximum for parking in the city is now 15 minutes. A gentleman said to me that this coincides with the erection of the new parking area known as Crystal Court. I do not know where Crystal Court is, or who are shareholders in the enterprise; but I do know that the public will not tolerate the enforcement of the regulation. It provides that there shall be no parking at night-time from William to Pier-street in Wellington-street for longer than 15 minutes, and similarly no parking in Murray-street from Milligan to Irwin-street. If one goes along Murray-street west of King-street at night-time, one rarely finds more than one car parked there. Murray-street is a fairly wide street.

The Minister for Agriculture: Murray-street is wide, is it?

Mr. CROSS: Well then, wider than Hay-street. After 8 p.m. it cannot be said that the area between King-street and Milligan-street in Murray-street is congested. In Hay-street parking is limited to 15 minutes between Havelock-street and Irwin-street, If it is dangerous to park for a longer period than 15 minutes, it must also be dangerous to park for a quarter of an hour, and so parking in that locality ought to be prohibited altogether. However, I do not agree that parking there is dangerous at that time of night, there being reasonable space available and very little traffic in the city. In St. George's-terrace parking is barred from Milligan-street to Irwin-street, and in William-street from Wellington-street to St. George's-terrace. Parking is barred entirely in Forrest-place, except for 15 minutes. In Barrack-street it is taboo from Wellington-street to St. George's-terrace on both sides of the street for longer than 15 minutes. In Pier-street it is barred from Wellington-street to St. George's-terrace. In King-street parking is limited to 15 minutes at night, as in the daytime. I do not know that it would be dangerous to allow parking even in a narrow street such as King-street at night-time on one side; for if it is safe to park there for five minutes, it must be safe to park for a longer period. People going to the theatre merely take a short-cut through King-street in order to park in Murray-

street. I agree that in certain city streets parking should be drastically restricted to one side of the street all the time. King-street is one such street. Applying to Queen-street is a similar provision, and also to Howard-street, Sherwood-court and Irwin-street. I agree with the barring of one side of such streets.

However, the operation of the regulation will impose a stringent restriction on motorists from the outer suburban areas who come to the city for the various amusements at night. It is remarkable that even in a city like Sydney, with 1,250,000 inhabitants, it has not been found necessary to bar parking in the central metropolitan area except out of one main street and Little King-street. Outside Little King-street and one main street, one can park anywhere in Sydney for as long as one likes at night-time. I venture to say Sydney has ten times the volume of traffic that Perth has. In Melbourne, again a very large city though certainly with some wide streets, traffic is kept out of only one main block, but one can park anywhere else. Even in the day-time, the Melbourne Municipality has numerous parking grounds where a motorist may park for 24 hours on payment of 6d. It is not so difficult to park in and around Melbourne as in and around Perth. I do not know the reason for the drastic restriction proposed, because I have no recollection of any fatal accident occurring——

Hon. C. G. Latham: You have already mentioned one or two good reasons for the regulation.

Mr. CROSS: I have never heard of any fatal accident in the city area itself.

Hon. C. G. Latham: Don't you see there are likely to be accidents? A fire nearly occurred recently.

Mr. CROSS: I shall have something to say about the fire aspect, of which I understand just as much as does the Leader of the Opposition.

Hon. C. G. Latham: It has nothing to do with me; I did not make the statement.

Mr. CROSS: The records show that the points where the greater number of accidents occur in the metropolitan area are in the outer approaches to the city, immediately outside the areas in which this drastic parking regulation is to apply. The regulation, if put into effect, will materially affect Government revenue, because, I venture to say, 50 per cent. of the amusement tax is collected in the city area. It will have a bad effect on the receipts of amusement houses in Perth. Undoubtedly the regulation amounts to a special imposition on the middle classes.

Hon. C. G. Latham: That is true. The middle classes.

Mr. CROSS: Many members of those classes can scarcely afford to run a car, but once a week they come into the city for a picture show or a dance. The regulation will have the effect of forcing them to park so far from the city that they will not come at all. I consider that before the regulation was gazetted reasonable parking facilities should have been provided for people in close proximity to the city. If parking is absolutely prohibited in the areas mentioned, no adequate parking spaces will be available near the city. This will mean much inconvenience to those large sections of the people who come into Perth for city amusements. This morning I discussed the matter of attendances at the theatres with some of the city managers. The manager of the Metro Theatre told me that at least 50 per cent. of his patrons came to the city by car. From my own observations I should say that at least 40 per cent. do arrive in the city by car and park within a half-mile radius of the city theatres. As we know, very few people reside in the city and at night, when the business houses are closed, many of the people who reside in the suburbs attend the city shows. It is reasonable to assume that 85 per cent. of the people who attend the city amusements at night arrive either in their own cars or by bus or Government transport, and perhaps 15 per cent. walk into town. The manager of Grand Theatres Ltd., Mr. Stiles, told me that at least 25 per cent. of his patrons visit the city in cars. The manager of the Piccadilly Theatre estimated that 40 per cent. of his patrons came to the city by car. Anyone can observe, on almost any evening of the week, that if a car arrives in the city later than ten minutes to eight, that car finds it exceedingly difficult to park anywhere, as all the available spaces are taken up. If the authorities compel approximately 4,000 cars to park outside the city radius at night time, considerable inconvenience will be caused to theatre patrons, to say nothing of the loss that will be sustained by the theatres. There is great danger in permitting the regulation to stand

as it is at present, that is, if there is no intention of enforcing it, because it will tend to make people ridicule the idea of having to observe our laws. When a law is framed, it should be enforced, and not permitted to remain as though it did not exist. I consider it will be at least ten years before there will be any real need to prohibit the parking of cars within the city block at night, as it is intended to do at present. I propose to give an indication of the opinions expressed by business people concerning the regulation. The views of theatre managers and others were published in the "West Australian" a few mornings ago.

The Minister for Employment: They are not reliable.

Mr. CROSS: They are most reliable, and are worthy of the utmost consideration. This appeared in the "West Australian"—

City Parking.
Restriction at Night.
Trenchant Criticism Expressed.

Strong condemnation of the "harsh" regulation under the Traffic Act prohibiting the parking of motor cars in the city blocks of Perth and Fremantle for more than 15 minutes at night was expressed yesterday by the president of the Royal Automobile Club (Mr. Hayes) and by picture exhibitors.

I think it was a surprise to everybody. Mr. Hayes continued—

The gazettal of the regulation had come as a complete surprise to the Royal Automobile Club. "I cannot understand the Traffic Advisory Committee's adopting such an attitude," he added, "especially in a city such as Perth. My committee will certainly oppose the enforcement of the regulation against which I cannot word a sufficiently strong protest. As the law stands now it is an offence to park for more than 15 minutes at night and motorists who do so are breaking the law, regardless of whether it is enforced or not. Why should they be put in such a position? I was in Sydney and Melbourne recently and there is no restriction on night parking in those cities."

The newspaper report continues—

Representatives of three theatre companies spoke even more strongly against the regulation. "I protest most emphatically against this further penalisation of our industry," said Mr. S. W. Perry, who is resident manager in Perth for Hoyts Theatres, Ltd. "We depend almost entirely on the people carried to the city by car for the patronage of our higher-priced seats. This further iniquitous imposition, if enforced, will have a very serious effect. Several theatres will certainly be closed. As far as Hoyts Theatres are concerned, I can say that many people will be thrown out of employment."

Mr. J. Stiles, managing director of Grand Theatres, Ltd., said that he was amazed and dismayed to learn of the new regulation. "If put into force," he said, "such a drastic restriction will be detrimental to the business of city picture houses in particular and will also react against any business which opens its doors at night. Cafes, hotels and fruit shops all will suffer. It is almost inconceivable that such a harsh rule should even be considered in Perth, when one realises the small amount of general traffic at night as against the volume in the daytime."

I will quote one more opinion expressed to the newspaper, that of Mr. G. Levy, manager in Perth for Metro-Goldwyn-Mayer Pty. Ltd., controlling the Metro Theatre, who was equally outspoken in his remarks. He said—

I was dumbfounded to learn of the regulations . . .

The Minister for Employment: How could he have said all that you are going to make him say if he was dumbfounded?

Mr. CROSS: That is how he expressed himself. He added—

City life at night is dominated by picture theatres and other forms of entertainment and people who come to these places of amusement do not keep driving round the city. The amount of moving traffic after eight o'clock, therefore, is small.

I am of the opinion that most members, like myself, slipped somewhat in that we did not notice that this particular regulation had been tabled.

The Minister for Employment: The Leader of the Opposition missed it, too.

Mr. CROSS: He is not as smart as he thinks he is. Anyway, he was lacking in his duty if he did know of its being tabled. The effect of the regulation will be to seriously affect city traffic at night, and every house of amusement will suffer in consequence. There are, of course, some people who are obliged to come to the city at night to work or complete their unfinished day duties, and perhaps they conclude that work at an hour when there is no longer public transport. I might draw attention to the staff of the "West Australian." Many have their own cars and they park those cars outside the newspaper office. How will they fare if the regulation is enforced remembering that their duties compel them to work until the early hours of the morning?

The Minister for Mines: I was under the impression that they parked their cars in an area provided by the newspaper office.

Mr. CROSS: Some do, and some do not. Anyway, it is a ridiculous proposition to say that when most people are in bed and asleep and when there is no longer any traffic at all, no person shall be permitted to park his car in any part of the city block for longer than 15 minutes. I agree that day parking should be subjected to considerable limitation. Night parking should not be interfered with, though I admit that no vehicle should park closer than 3 ft. to a pillar fire hydrant. A statement by the fire chief recently informed us that the fire brigade regulations provide that a vehicle must park at least 2 ft. 6 ins. from a hydrant. It is really absurd to apply the suggested restrictions to the city area at night, when the streets are deserted and are almost as bare of traffic as are the catacombs of Rome.

I would like the Minister to allow this discussion to go on so that the opinion of the House may be known this evening. It is ridiculous that after 6.15 p.m. a man cannot pull up for half an hour in the streets of Perth to get a meal. He must park his car half a mile away, and either catch some other form of transport or walk to his destination. I appeal to members to support the motion.

On motion by the Minister for Works, debate adjourned.

MOTION—HORSE-RACING.

To Inquire by Select Committee.

MR. HUGHES (East Perth) [6.1]: I move—

That a select committee be appointed to inquire into the incidence, management and control of horse racing in all its forms and into betting and other practices arising out of and incidental thereto and report upon the advisability of the revision, amendment and/or codification of the law in respect thereto.

I am prompted to move this motion mainly because of the debate in the House of last week when there was a good deal of conflict of opinion both as regards racing and the practices associated with it. Those who are interested in the subject from various aspects are full of complaints. Some say that racing is being crippled by off-the-course betting, others that it is crippled because of the lack of a progressive policy on the part of those who control racing, others that this industry is being injured because certain proprietary interests are allowed to take part, and so on. Every member of the House is, I think, agreed that proprietary racing should be abolished forthwith. The Government made an attempt to legislate for an amendment of the law. Such an amendment everyone, both inside and outside the House, agrees is long overdue. One disability experienced in this State that is not experienced in England is that we have no such thing as a statute revision committee. In the Old Country such committees exist. Statutes are passed to meet the requirements of the community at a particular time in respect of a particular matter. Fashions change and the relations of one section of the community to another alter. New ideas come into being. The statutes that were workable and served a good purpose at one stage become out of date and obsolete at a later stage. After they become obsolete they are frequently the cause of injustice and injury being done to someone. In Great Britain the statute revision committees bring the law up to date so that it shall conform to modern requirements. It is agreed in respect of racing that some of our statutes are ridiculously in conflict with each other. The law says definitely that betting is a criminal offence punishable by heavy fines, but no distinction is made concerning betting on a racecourse compared with betting off the course. Although it is criminal for people to bet, we find that bookmakers are taxed on the courses, just as persons pay an amusement tax when they want to go to a picture show. The bookmakers are taxed for the instruments with which they carry on their illegal operations. We say on the one hand, "You are engaged in a criminal proceeding," and on the other we say, "We hereby impose a levy upon you for each criminal act you commit." It has been suggested that by levying a tax on bookmakers the State is legalising betting on the racecourse.

Mr. Rodoreda: Merely tolerating it.

Mr. HUGHES: By charging stamp duty on a betting ticket it is suggested that the State has legalised betting on racecourses. I do not think it has, but that is the suggestion. No doubt a plausible argument could be put up on that score. The taxing measure is older than is the Criminal Code, and it

could be argued that the latter statute recognises the practice and makes it lawful. This point of view could be advanced in any court that would ultimately decide the question.

There is great conflict of opinion in respect of racing, and a good deal of acrimonious disputation about whether it is possible to make a bet in a public house in Queensland. We are more concerned with Western Australia than we are with the other State. In St. George's terrace and other parts of the city we meet many experts who are prepared to tell us how to rectify the trouble. They can tell us what is wrong with the racing clubs. I had a similar experience whilst serving on a Royal Commission recently. I was astonished at the number of men who were able to tell me what was wrong with the houses of ill-fame and how they ought to be conducted. Immediately I remarked, "You are the men we want; I will arrange for you to appear as witnesses before the Royal Commission," they faded into thin air and refused to give evidence. I do not know that that would happen in the case of racing. I look upon racing as an industry; something that supplies the people with amusement, just as is the case with picture shows. It is not altogether a sport, nor is it in the same category as football or cricket, in connection with which there is very little commercialism. Most footballers play the game for the love of it.

Mr. Withers: Oh!

Mr. HUGHES: Very few players in this State receive remuneration when they play.

The Minister for Mines: They get a lot of knocking about.

Mr. HUGHES: Yes. We have not many professional footballers, though some men receive a little for their play. Even members of the league are mostly amateurs. The bulk of footballers, if not all, in the lower grades are amateurs. The same thing applies to other sports as we know them. There are no amateurs in the racing game.

Mr. Rodoreda: Only the punters.

Mr. HUGHES: We are told that certain horse owners in this State race purely for the sport. I notice that one gentleman voiced his pleasure in the Press at the defeat of the Bookmakers Bill, and spoke of how the sport should be conducted. Evidently his memory is a short one, and he must have forgotten old "Czarovitch." Generally speaking, owners of gallopers or trotters in this State run their horses as a business or for a livelihood, though possibly some of them race purely for the love of the sport. Fully 95 per cent. of the money that goes into racing comes from its patrons, punters and so forth. Trainers, jockeys and many others earn their living in the industry. That is all right, because they supply the public need for that form of amusement. I do not see why a man cannot be allowed to spend 10s. on the races if he is permitted to spend a similar amount in going to a picture show.

Mr. Lambert: You said racing was a business.

Mr. HUGHES: Picture shows also are a business. It is quite legitimate that the public should be provided with various amusements. We should recognise that racing is a legitimate industry carrying on in a lawful way, and it should be protected from unfair competition. So long as the competition is fair, no one should complain. As a means of giving employment to large numbers of people the industry is entitled to protection. Some people allege that racing is being menaced by off-the-course betting. When a debate takes place or looms in the offing, I notice that racing clubs stand aloof and do not trouble to supply members with information upon a matter that greatly concerns them. I should imagine that those who control the industry, and whose operations affect the livelihood of many others besides themselves, would have sufficient enterprise to supply members with detailed information about the business, its internal workings, the money invested in it, the number of people who get employment in it, and the number of those who get amusement out of it. Apparently they are not sufficiently interested to do this. Much greater enterprise was shown by the starting-price bookmakers. They did not hesitate to have their opinions made known, as they had a perfect right to do. When any matter is discussed in the House the section of the community interested has a right to place its views before members so that they may possess the fullest information upon the question to enable them to cast their votes intelligently. The starting-price bookmakers set a good example to the Turf Club, and presented their case so that members knew all about it. The Turf Club, on the other hand, stood aloof and did not bother to make its side of the case known.

Sitting suspended from 6.15 to 7.30 p.m.

Mr. HUGHES: Racing is controlled under various Acts, including the Racing Restriction Act, the Totalisator Act and the Western Australian Turf Club Act. The permanent governing body is the W.A.T.C., which comprises a club none of the members of which derives any profits from the concern. No matter what profit may be made from the conduct of the ventures controlled by the club, those profits are reinvested in racing itself, and no person, by virtue of his membership of the W.A.T.C., derives any personal benefit. Any advantage from membership is of a communal nature. In addition to the W.A.T.C. there are a number of country clubs of a similar type, and then we have other racing clubs that are really not clubs at all. Those clubs have no members and are not corporate bodies. They represent the property of individuals, who, when they allow betting on their racecourses, merely conduct common gaming houses. I have never been able to believe it right that a man should be allowed to conduct a racecourse for his private profit and, with impunity, turn it into a common gaming house. I could not understand that it was right that he should not be prosecuted for breaking the law. Moreover, that individual is allowed the services of extra police officers to assist in maintaining order while illegal operations are in progress. If any member of this Chamber should go to one of the proprietary racecourses, he would notice quite a large number of extra police on duty there for the purpose of maintaining order on a common gaming house run for the profit of an individual. Moreover, those police are provided at the expense of the taxpayers generally.

Mr. Marshall: And the proprietor is allowed to charge a fee for the right to gamble there.

Mr. HUGHES: Yes, and a very substantial fee. He is permitted to charge 11s. for the mere right of entry to the enclosure. Thus we have the sorry spectacle of members of the police force being made available to assist a man in conducting a common gaming house and permitting that individual to charge heavy fees for entry to his course. That is what happens on one side of the river, whereas on the other side the police arrest people and prosecute them for conducting common gaming houses. I have always taken the stand that the law, whatever it may be, should be enforced. Should the law become unworkable or obsolete, Parliament should amend or rescind it.

To my mind the Commissioner of Police missed a wonderful opportunity on Saturday last. During the week he had received a definite declaration from Parliament that the existing law was satisfactory and did not require amendment. Parliament gave a definite mandate to the Commissioner, and no one could have cavilled had he chosen to administer the law impartially. On the contrary, we find that on the western side of the river the police officers arrested 12 or more people on charges of conducting common betting houses, while on the eastern side of the river police officers were assisting a private individual to conduct a common betting house in an orderly fashion. Truly, the Commissioner of Police missed the opportunity of his life! He could have sent a posse of police across the river to arrest those who were conducting a common betting house there, while other officers were acting similarly on the western side. What a wonderful answer he would have had to any criticism that might have been aroused. He could have said, "That is the law, and I am paid to administer it. Parliament has decided that the existing law must stand." Who could have questioned the action of the Commissioner of Police if he had carried out his duty in the impartial manner I have indicated. The unfortunate part is that only some who were conducting common betting houses were arrested and will be prosecuted, while others were not interfered with. Surely members will agree that it is grossly unfair for those who were arrested to be presented in the police court next Monday when they will be fined £50 each for doing what another citizen was permitted to indulge in with impunity and with the assistance of the police. Those that are to be prosecuted will assuredly have just cause for complaint when the law is enforced in that manner.

The proprietary racecourse owners could not operate were it not for the fact that they are provided with dates allocated by the W.A.T.C. The three leading proprietary courses divide 24 racing dates per annum between them. They could not operate were it not for the right to run the totalisators. There again they are permitted to make use of the machines by virtue of the

allocation of dates by the W.A.T.C. If the governing racing body had the interests of the sport seriously at heart, it could tell the proprietary racecourse owners that they must cease conducting operations, and it would re-allocate the 24 days, giving a proportion to country racing clubs. In fairness to the proprietary racecourse owners, it has to be admitted that, as they have been permitted to conduct operations for so long, some consideration would have to be shown to them if their right to continue racing were concluded. Some of them have entered into onerous leases for the renting of land that has no economic value apart from racing. When those leases were entered into, there was a distinct understanding on both sides that the land would be used as racecourses associated with which, betting operations would be permitted that would convert them into common gaming houses. If the right to run races on those properties were determined, then we should abrogate the leases and say to the landlords, "As your leases were entered into on the distinct understanding that the areas were to be used for racing purposes, in consequence of which rentals were charged that were in excess of an economic figure, therefore we must abrogate your leases." It would not be fair to the proprietors of those courses to allow the landlords to continue demanding their high rentals and yet deprive the racecourse owners of their right to continue their illegal business. Parliament would be justified in interfering with private contracts in such circumstances. That is all that can be said for the proprietors of these particular courses.

Mr. Sleeman: Some own the land.

Mr. HUGHES: In that event, no harm would be done.

Mr. Marshall: Which proprietor owns racecourses?

Mr. HUGHES: Two or three of them do.

Hon. N. Keenan: No, only one.

Mr. HUGHES: I thought two or three owned their courses, but it may be that only one is in that position. The W.A.T.C. is a close corporation and is supposed to carry out certain functions for the benefit of the sport. Certainly it is a non-profit making concern, but any ordinary member of the community would find it difficult to join the W.A.T.C.

Hon. N. Keenan: Do you know of anyone that has been blackballed?

Mr. HUGHES: Yes, I think some people have been.,

Hon. N. Keenan: I do not know of any.

Mr. HUGHES: The club has such a high reputation that I do not think 99 persons out of a 100 would dare to apply for membership.

Hon. N. Keenan: That is a different question.

Mr. HUGHES: If the W.A.T.C. wishes to increase its membership and garner in some nimble guineas, a thousand new members could be obtained in a month or two The club should open its membership list, and allow everyone willing to pay the necessary fee to join up.

Mr. Rodoreda: But then the W.A.T.C. would not be select enough.

Mr. HUGHES: No, if that were done there would be an infusion of new blood that is badly needed.

Mr. Fox: The desire is to keep it blue-blooded.

Hon. N. Keenan: The outlook is pretty blue at present.

Mr. HUGHES: That is largely because many of the committeemen are always talking about racing being on the decline. Naturally, attendances at race meetings will decline unless the racing clubs go out after new business. In order to get business, it is necessary to go out for it, otherwise the business itself will die away. Look at the picture industry. Let members note the extent to which the American and English interests go to no end of trouble to attract people. Think of what the entrepreneurs do in order to gain support for their undertakings.

Mr. Marshall: Look at our hotels with their beer gardens!

Mr. HUGHES: Yes, one almost feels as though one were in Berlin. Speaking about beer gardens reminds me that for many years we had to do with a poor old bridge across the Canning River. Then a beer garden was established, and a new bridge was quickly erected.

Mr. Marshall: The beer garden took the hump off the bridge.

Mr. HUGHES: I do not think the W.A.T.C. has done anything at all to popularise racing. It has not provided any form of cheap transport to the courses. Perhaps the club cannot help the railway charges, but surely some representations could have

been made to provide cheaper facilities. Even if it took steps to wipe out the proprietary clubs, something would be achieved. Then, again, the W.A.T.C. could do something to provide a racecourse nearer to the people. At Inglewood there is a fine area that is held by the Football League on a long lease. A splendid racecourse could be provided there to which access could be gained by trams from all over the city. Persons could reach a course there at a cost of not more than a shilling from any part of the metropolitan area.

Mr. Raphael: That would be a bad thing.

Mr. Withers: Bad for Victoria Park.

Mr. HUGHES: For the expenditure of £20,000 a splendid racecourse could be made at the Inglewood site and if established there, people who now congregate in and around betting shops on Saturday afternoons could attend the races.

Hon. P. D. Ferguson: The trotting grounds cost ten times that much.

Mr. HUGHES: The trouble was that the bottom fell out of the course. The foundations were erected but they subsided and went on subsiding. That sort of thing would not occur at Inglewood. It should not be difficult for the W.A.T.C. to show that much enterprise, or, at any rate, to form a new club by attracting 2,000 members at 10 guineas each. By that means a ground could be provided where people could attend races without incurring much expense. If the W.A.T.C. is to control and manage racing in this State, it has certainly left itself open to many complaints from the standpoint of its judicial functions.

[Resolved: That motions be continued.]

Mr. HUGHES: As I have said, many people are engaged in racing as a business and must conform to a set of rules. Frequently some person is brought before the committee of the club and charged with some offence against the rules. Many complaints have been made about the method of trial. If a man is charged with some trivial offence, such as using bad or insulting language, he must be tried in open court and is allowed such representation as he desires. The most that can happen to him is that he may be fined perhaps £2. He is, however, given a fair trial; he has every opportunity of producing witnesses and can employ counsel to defend him. On the other hand, when a man is tried by the committee of the Turf Club for a breach of some rule, he is not in danger of being mulcted in a fine of £2, but is in danger of having his livelihood taken away for 12 months or more. Sometimes the penalty inflicted on him may run into hundreds and even thousands of pounds. He is not allowed to engage anyone to defend him, as he could do if he were charged in a court for some trivial offence. I should like the Turf Club to be deprived of that judicial power altogether. If a man is charged with a breach of the rules and is likely to suffer a severe penalty—even to the extent of being deprived of his livelihood—he should be tried before a magistrate in open court, where the public could hear the evidence and where he would have an opportunity to defend himself. He would then be assured of a fair trial. If he were found guilty, he could be punished in the same way as persons engaged in the racing business are now punished. He might be warned off, as are certain people who are convicted of traffic offences. They have their licenses suspended, sometimes indefinitely, sometimes for a specified period. What I have said applies also to the Trotting Association. That association has recently made an innovation by having a public inquiry.

One of the most reprehensible practices connected with racing in this State is the sale of the totalisator. I am told—by those who profess to know—that country clubs obtaining the right to run the totalisator sell the right to a private individual instead of running the totalisator themselves. The private individual conducts the totalisator and, of course, takes all moneys over and above the amount that he has paid for the right. Surely that is a complete negation of the spirit of the totalisator, which is that the people shall have returned to them, by way of dividends, the money they invest in the totalisator. Yet we find that a private individual can come in and farm the tote.

Mr. Sleeman: Would not country clubs like those at Northam and York have their own totalisator?

Mr. HUGHES: I do not know whether they farm the totalisator, but some of the clubs in the South-West sell the right for a fixed sum to a private person, who runs the totalisator and garners the difference between what he pays and the amount invested on the tote. The totalisator should be run

upon the condition that it cannot be leased to a private individual.

Finally, associated with racing is the problem of betting. Some of the complaints made by those interested in racing about off-the-course betting are warranted, especially the complaints about concession doubles, which undoubtedly tend to bring about malpractices and so injure the sport. We must face this fact, that we have racing dinned into the ears of people morning, noon and night by the wireless, while the Press disseminates the latest information, day in and day out, regarding races and betting. This propaganda is stirring the people to bet on the races. I fail to see how we can stop people from betting when everything is done to encourage them to bet. It is not good for the community that extensive betting shops should be established, because that business is sure to develop. The people controlling the shops will go after business, so, instead of betting being curbed, it will flourish. I think it within the bounds of possibility that in the big centres a totalisator could be established which could be linked up with the totalisators on the courses. If the city tote closes five minutes before the tote on the racecourse, the receipts of the city tote could be incorporated with the receipts of the totes on the racecourses. That could be done in all big centres. The race clubs, if they are non-proprietary, should get the benefit of the totalisator money. Off-the-course betting could be limited to small towns, where it is not possible to conduct a totalisator. I think the Licensing Court is the authority that should control racing. The profit made from off-the-course betting should be paid to the race clubs ; I do not think the Government should take any of it. If the fact can be established that racing is an industry providing legitimate amusement for the people, it should not be subjected to special taxation.

Those are some opinions I hold on the vexed questions of racing and betting. I am aware that the subject can be viewed from different standpoints, but it is one to which every legislator in the State should apply himself, in the hope of finding a solution of the problem. Parliament could serve the community well by appointing a committee composed of five members of this House to make the fullest investigation into all the ramifications of the racing industry. If such a committee be appointed, everybody interested in racing can appear before it, give evidence and adduce arguments in favour of their views. The widest opportunity should be given to every person to attend before the committee and supply facts connected with the industry. I realise that such a committee could not function before Christmas; but last year we had an innovation. A select committee was appointed to inquire into certain matters and later was converted into an honorary Royal Commission. The members of that Royal Commission spent their leisure hours during the recess in informing their minds on various subjects connected with the inquiry.

Members interjected.

Mr. Marshall: There is an election this recess.

Mr. HUGHES: Why are members so scared about the election?

Mr. Marshall: We all have not got a safe seat like yours.

Mr. Fox: Why bring up that question?

Mr. HUGHES: Well, we are all hoping for the best.

Mr. Marshall: Individually, we would be.

Mr. HUGHES: I suppose some of us will be returned. The position is not so bad as all that. Suppose someone were appointed to act on this proposed honorary Royal Commission and, through unforeseen circumstances, or because of backing the wrong horse, he lost his seat, that would not prevent the Royal Commission from functioning and completing its work.

Mr. Marshall: There is nothing to stop anybody from issuing a writ against them for receiving profit from holding an office under the Crown.

Mr. HUGHES: But it would be an honorary office.

Mr. Marshall: I can see the hon. member arguing the constitutional aspect in the court.

Mr. HUGHES: No member would jeopardise his seat by accepting an honorary office. If the five members were appointed an honorary Royal Commission, they could proceed to the Eastern States during the recess and make investigations there into racing matters. They would have to go at their own expense, but they must live; and, as they would travel free on the railways, they would not be put to any great expense. After all, they would garner a mass of information that would more than compensate them for any trouble they might take.

Finally, the problem I would like to see solved———

Member: Is how to ensure that the horse will win when you back it!

Mr. HUGHES: The members of the Commission should get some return for their labours. To have a Parliamentary committee acting during the recess I consider is a good idea, as the members would have ample time to gather information that would be useful to them as members, as well as to the House. We need not worry about the election, which I suppose will be over midway through the recess. Two or three months would still remain for the members of the proposed committee to make their investigations. Should any member of the committee fall by the wayside, that is, should he not be returned, he can tender his resignation, and the Government can appoint another member in his stead. That was done recently in the case of the select committee that was converted into an honorary Royal Commission. A member of that committee was relieved of his position, and a substitute appointed. That is not a very serious obstacle.

I submit the motion to the House. The subject is one that warrants investigation: an opportunity will be given to those interested in racing to present their case and to contest the case put up by those in conflict with them. On the understanding that if the motion is carried and a select committee appointed, representations will be made to convert it into a Royal Commission, I have much pleasure in moving the motion standing in my name.

HON. N. KEENAN (Nedlands) [7.58]: I move—

That the debate be adjourned.

It is obvious that this matter requires consideration. It cannot be decided after a simple statement. Certain phases of the question must be put forward.

The Premier: The select committee could not act during the recess.

Hon. N. KEENAN: Then that is the answer to be made by the Government, if the Government wants to make it.

Motion (adjournment) put and negatived.

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

Ayes	15
Noes	24
Majority against ..	9

Ayes.	
Mrs. Cardell-Oliver	Mr. Sampson
Mr. Doust	Mr. Stubbs
Mr. Ferguson	Mr. Thorn
Mr. Hill	Mr. Warner
Mr. Hughes	Mr. Watts
Mr. McLarty	Mr. Willmott
Mr. North	Mr. Doney
Mr. Patrick	*(Teller.)*

Noes.	
Mr. Coverley	Mr. Panton
Mr. Cross	Mr. Rodoreda
Mr. Fox	Mr. Seward
Mr. Hawke	Mr. Sleeman
Mr. Hegney	Mr. F. C. L. Smith
Miss Holman	Mr. Styants
Mr. Lambert	Mr. Tonkin
Mr. Leahy	Mr. Troy
Mr. Mann	Mr. Willcock
Mr. Marshall	Mr. Wise
Mr. Millington	Mr. Withers
Mr. Needham	Mr. Wilson
	(Teller.)

Question thus negatived.

ANNUAL ESTIMATES, 1938-39.

Report of Committee of Ways and Means adopted.

STATE TRADING CONCERNS ESTIMATES, 1938-39.

Report of Committee adopted.

BILL—JURY ACT AMENDMENT.

As to Re-instatement.

Mrs. CARDELL-OLIVER: May I at this stage, Mr. Speaker, move for the reinstatement of the message from the Legislative Council which was received last night applying to the Jury Act Amendment Bill, and which was rejected by this House, when a motion was moved that the Council's message be considered at the next sitting?

Mr. SPEAKER: I am afraid that cannot be done at this stage, and I am very much afraid it cannot be done at any stage. The message from another place which came before this House last night was definitely destroyed.

Members: Murdered!

Mrs. CARDELL-OLIVER: Then I shall move that your ruling be disagreed with.

Mr. SPEAKER: The hon. member will put that in writing.

The Premier: The House has already given its decision on the message from another place, and we cannot go back on it.

Mr. SPEAKER: I am afraid the hon. member is definitely out of order. At this stage it is impossible for her to move in the direction she desires, and if it were possible to do so, it would be necessary for her to give notice of her intention to move. But, as I have already said, it is too late to take the action that she wishes the House to follow. She can, however, give notice of her intention to submit a motion at the next sitting of the House.

Mrs. CARDELL-OLIVER: May I draw attention to Standing Order 308, which reads—

> When a Bill shall be returned from the Legislative Council with amendments, the message, with such amendments, shall be ordered to be printed and a day fixed for taking the same into consideration.

Mr. SPEAKER: Unfortunately for the hon. member, the House at yesterday's sitting decided to fix no date for the consideration of the Council's message, and therefore there is nothing to be done. The Bill was finalised yesterday.

Mrs. CARDELL-OLIVER: At any rate, I shall give notice of my intention to move to-morrow in the direction I have suggested.

Mr. SPEAKER: The hon. member is at liberty to do so, but I am afraid it will not avail her very much. The matter cannot be further discussed at this stage.

MOTION—LIGHT AND POISON LANDS.

Royal Commission's Recommendations.

Debate resumed from the 26th October on the following motion by Mr. Nulsen (Kanowna):—

> That in the opinion of this House, the recommendations of the honorary Royal Commission on light and poison-infested lands should receive the earnest consideration of the Government.

MR. PATRICK (Greenough) [8.8]: I desire to speak briefly in favour of the motion moved by the member for Kanowna (Mr. Nulsen). Unfortunately, I did not have the opportunity of travelling around the same extent of country as did the other members of the Commission, but I agree with those that have spoken that the work of the Commission was a liberal education. There is no doubt that this is a very big problem: it concerns no less than 12,000,000 acres of land along the existing railways, with all facilities that have been provided by the Government, such as education and other amenities, and it would be of great advantage to the State if by some method the land could be brought into production. There are no less than 7,000,000 of the 12,000,000 acres alienated, but this, as far as the Commission could see, is largely in an undeveloped state. I consider that the report presented by the Commission is a very good summary of the evidence. It is a pity that members have not had time to go through the evidence, because there is no doubt it is of a very interesting nature. Of course we had a great amount of conflicting testimony: in fact, there was great conflict of opinion. That is only what is to be expected with regard to land of this type. For instance, this season, which has been a light rainfall season, was particularly suitable to the light land in certain districts. There are areas this year where light land gave a much better return than did the heavy land. In fact, there are some districts where the heavy land has given practically no return at all, while the light land has yielded profitable crops. Even from this, it is almost impossible to deduce any fixed opinion, because the probability is that in a very wet season some of this land which has given a good return this year would be too cold to give a profitable yield. Then there are some districts where there are purely light-farm propositions, and other districts where it is necessary to have a certain area of heavy land mixed with the light land, and that is particularly so in the light rainfall districts. The Commission came to the conclusion that the best proposition was to have a proportion of light land mixed with heavy land. Of course, the evidence showed that there is a great variety of light land in this State, and probably this will justify the division of the State into districts. Taking one or two examples, I think one of the best we saw of purely light land farming was at Ballidu, the farm being owned by a man named Scotney. This farmer has no illusion regarding the fertility of the land. He is a very good farmer, and he believes in working the

land on a six-year rotation with wheat and oats. I know of many instances where light land has given a profitable return in the first year, and the farmer has persisted in cropping it and found that in a year or two the land has gone back to nature. Naturally this land will not stand continuous cropping. The farmer who has gone in for six-year rotation with wheat and oats has been very successful. He stated in evidence that he would not exchange his land—which is entirely a light land proposition—for the best heavy-land farm in the same district. Personally I consider that the growing of lupins will assist to build up this type of country. Members may not know that a country like Germany agriculturally was very poor, and it was largely built up with lupins—the type of lupin we have in this State. A very good example of the value of lupins is to be seen this year on the main road between Perth and Geraldton. A few years ago on the property belonging to Irwin Burges, the sand drifted to such an extent across the road that the Main Road Board bushed up the fence to prevent it from going right across. Any member can now see for himself that the sand drift has been stopped completely by lupins, and those lupins are valuable feed. One of our difficulties with the big area of light land that we have is undoubtedly our want of population. If we had a large population in Western Australia, much of the light land would be brought into development. Even in an old country like England there is a large area of land that has been found, under present conditions, to be too poor for cultivation. In that connection I would like to read an extract I came across the other day dealing with the remarks of a well-known English authority. He said—

> Going about England, those of you who care to notice and think about it, will find that the best land is being farmed as well as ever it was, and no part of the world can show better farming. It is the second-rate land that has gone out of cultivation. The thin gravels over chalk, the heavy clays and the like are not now producing so much food for man or beast. The one outstanding fact in the story of British farming since the war is the deterioration of thousands of acres of second-class land which used to be fully cultivated and are now little more than exercise ground for cattle and sheep fed on imported oil cake and maize. What should be done about it? The answer lies in the market prices that the farmer can expect to get for the produce of the land if he cultivates it to full advantage.

Thus we see that even in England problems are experienced in connection with the second-class type of land. Probably the same facts given in that extract apply to much of our second-class land. If the market price for commodities were high, no doubt, as before, much of that land would be brought under cultivation. I mentioned the experience of a farmer at Ballidu operating on a purely light land farm. West of Northampton we came across an entirely different class of country belonging to a settler named Alan Drage, who is carrying out an interesting experiment. In that area the rainfall is good and there is no doubt that that type of land is well worth examination, especially if there is such a large area of it as was stated by those giving evidence. That is an entirely different type of land. It is not really light land at all, but is a sort of clay flat thickly covered with York-road poison. Elimination of poison is one of the great difficulties. The land grows very prolific crops of wheat and oats, and subterranean clover appears amongst the crops, but once the land is broken up the big problem is to eradicate the York-road poison. All through the crops there was a thick growth of poison; but the land is well worth examination because it has a good rainfall.

Then we saw another entirely different type of land at Gutha on the holding of a settler named Ludgate. There the land is not of good quality and even if there were a good season I question whether it would yield a very heavy return. In my opinion that land is entirely too highly priced for the rainfall. Not only is the quality of the land only fair, but the rainfall also is very uncertain. It is interesting to compare the yield from an area like this where drought conditions obtain, with the results secured in 1914, which was probably the worst drought year the State has experienced and the worst drought year in Australia. In that year the State average was under two bushels an acre.

The Minister for Lands: This is a worse year.

Mr. PATRICK: No, it is not: not on the country cropped in 1914. That is what I was going to point out. In that year only 1,500,000 acres were under crop. Probably that area will this year average 11 or 12 bushels to the acre. There was no

drought on the greater portion of the land under cultivation in 1914. We have pushed a long way east since then, and this year we are cropping over 3,500,000 acres. Some years we have cropped over 4,000,000 acres. I question whether very much of the land that was cropped in 1914 is under drought conditions this year.

The Minister for Lands: This is a much worse year.

Mr. PATRICK: Not in the same type of country that was under drought conditions in 1914.

The Minister for Lands: I live there, so I know.

Mr. PATRICK: I think that if we were to calculate the average for that 1,500,000 acres we would find it returning 11 or 12 bushels to the acre this year. It will have to do so if we are going to get the crop anticipated. It will have to return 11 or 12 bushels to the acre on the average as against two bushels to the acre in 1914.

Hon. P. D. Ferguson: My crop is three times as good as it was in 1914.

Mr. PATRICK: And mine is twice as good as it was in 1914. I think that obtains in all the older settled parts of the State which were under cultivation in 1914. Of course, this year a lot of the additional land that has been opened further east is enjoying good crops. Further out still drought conditions are prevailing, and the result is not so good. In the classification of our lands we have not paid sufficient attention to the rainfall. Personally, I am inclined to class all lands with less than a certain rainfall as light lands. As a farmer, I prefer the average type of light land with a good rainfall to some of the better class of land we have in this State with a very uncertain rainfall. For that reason I am inclined to enthuse with the member for Kanowna over the possibility of the Esperance country which has a very reliable rainfall and has no difficulties with regard to water supply. In that district only 40,000 acres are alienated out of 2,240,000. A certain area has been set aside for experimental work and the Commission has recommended that this area be reserved and the experiments be continued under reliable settlers. A feature of this area is that it appears to be more of a stock proposition than a wheat-growing proposition. That makes it all the more worth favourable consideration because undoubtedly for a year or two at least the prospects for wheatgrowers are not very good. The same remarks concerning rainfall might be applied to the country west of the Midland Railway line. Much of that country will require a bigger population before it will be brought into production. It is not very high-class sandplain.

Hon. P. D. Ferguson: The Esperance country is better.

Mr. PATRICK: I am glad the member for Irwin-Moore admits that the Esperance country is much superior to the country west of the Midland line. The Commission has recommended that land boards be created to include a farmer with a knowledge of the district and of the land. There is nothing new in that. Boards have been appointed in the past to allocate the land. I remember years ago when there was more demand for land a board was established in Geraldton with a Government representative as chairman and two local farmers as members, one of whom was the Hon. T. Moore, M.L.C., and the other Mr. Geo. Sewell.

The Minister for Lands: They did not classify the land.

Mr. PATRICK: They allocated the land. It is no new proposition. Only recently we have had local boards, with the Surveyor-General as chairman and two local farmers as members, revaluing repurchased estates. So far as I can judge there has never been uniformity in this State in surveyors' valuations. I remember that years ago the property I held was classified. There were two surveyors, one with local knowledge, and the other a new arrival from South Africa. The values placed on the blocks by the surveyor who came from South Africa were more than double those placed on them by the local surveyor. Personally I had no objection to that at the time because I considered that even the newcomer's values were low enough for my purposes. The point is, however, that there were two different valuations, the local surveyor's valuations being only half of those of the new surveyor's valuations.

Variations in taxation values have been experienced. The man who came on to my property was a very good man at valuing land. He went over the whole country and picked out one block of lupins and oats. It was originally half sandplain and half poison country. He placed the highest unimproved value on that particular block. He put something like 35s. an acre unimproved value

upon it. Originally it was a block valued at 3s. or 4s. an acre. It was not worth more. He was deceived by the state of production to which that block had been brought when he saw it with a good crop of lupins and oats.

I am not so much concerned about the price factor with regard to light lands. I do not consider that anything like as important to this State as the utilisation of the land. The price factor should not enter into the consideration of this matter very much at all. After all, a tremendous amount of money has to be spent on this type of land to bring it into production. The cost of improvements, of fencing and all that sort of thing is as great as for the heavy type of land and in order to build up the fertility of the light land very much heavier dressings of fertiliser are necessary than are required for heavy country. The most successful light land farmers in my district are men that have put on their holdings a minimum of 150 lbs. of superphosphate to the acre. They have obtained good results. I think the Minister for Lands knows of one farmer in the Binnu district—I refer to Mr. George Turner—who has always put dressings of 150 lbs. on his land and has had very profitable returns. The same results can be obtained with much lighter dressings from the heavier type of country. A tremendous expenditure is required to develop light lands and as it is important to the State that such lands should be utilised the price asked for them should be very low. As I remarked earlier, the present economic conditions are not very encouraging for the further development of settlement, especially for wheatgrowing purposes, and we should therefore look rather to the improvement of pasture land. I understand from the member for Kanowna that the land at Esperance has been very successful from that point of view. I would not favour opening that land to wheatgrowing, although, as I mentioned earlier, a farmer at Ballidu has been very successful as a wheatgrower on scrub land entirely. I commend this very valuable report to the attention of members and trust that it will not be lightly thrown aside.

MR. McLARTY (Murray-Wellington) [8.29]: I wish briefly to express appreciation of the report which has been presented to the House. We should be grateful to the members of the Commission for having submitted such a report, which clearly indicates that a great deal of travelling was undertaken and a good deal of work was done. I wish it were possible for members of the House to see more of the State so that they might form a better idea of its capabilities. I am sure the report will prove a valuable document for future reference. I agree especially with that part of it which declares that those who are already on the land should have the benefit of existing markets; but we have to look to the future and we should know what our unoccupied lands are capable of producing. Only this evening in the reading room I happened to look at the Coolgardie "Miner," and that issue, in the latest edition, stated there was a proposal to start a settlement of selected settlers on what is known as the Scaddan sandplain. The paper said that plant and machinery would be provided. Perhaps the Minister for Lands will tell us whether that is a Government scheme.

Unquestionably the future of our light lands is bound up with our marketing problems and with our need for population. With the question of colonies looming so large on the international horizon, it is necessary that we should have the fullest possible knowledge concerning the lands throughout our State. Undoubtedly our lands everywhere can carry a much larger population than they are carrying to-day. There is every indication that numbers of people would come to Western Australia if inducements were offered.

Now I desire to touch briefly on light lands in the South-West. The Commission did not inspect the lands in what I may term the south-western portion of the State.

The Minister for Lands: The Commission inspected the Peel Estate.

Mr. McLARTY: We will include the light lands on the Peel Estate, and all other lands in those areas that can be classed as light lands. The South-West has the same light lands problem as other parts of the State have. It applies particularly to our coastal lands. I wish the Minister for Agriculture would have experiments of some nature carried out on the coastal lands. I am aware that something is being done to help us in regard to coast disease, which prevents us from carrying cattle or sheep on those lands for any lengthened period. The question

warrants further investigation, and I feel sure that science will ultimately help us in that respect.

The Royal Commission's report mentions soil erosion. Some of us recently had the opportunity to attend a lecture on that subject. The lecture, which was illustrated, was delivered by an American scientist. I was impressed with what I saw in the pictures, and also with what the scientist told us. I feel that that portion of the Commission's report which deals with soil erosion is highly valuable. The member for Greenough (Mr. Patrick) referred to the fact that light lands can be built up by the planting of lupins. He said that many lupins were growing along the roadside in those districts, and I wonder whether it is practicable to gather the seed on the roads and on Crown lands and distribute it on areas which need building up. I rose merely to express my appreciation of the valuable report which has been presented, and a hope that the Commission's recommendations will be acceptable to the Government. I regard them as of great value.

On motion by the Minister for Agriculture, debate adjourned.

MOTION—MARKETING LEGISLATION.

As to Unsaleable Surpluses—Discharged.

Order of the Day for the resumption from the 2nd November of the debate on the following motion by Mr. North (Claremont):—

That in the opinion of this House marketing legislation should be amended to provide power for the various boards to organise the distribution of their unsaleable surpluses.

On motion by Mr. North, order discharged.

BILL—INTERPRETATION ACT AMENDMENT.

Second Reading.

Debate resumed from the 16th November.

THE MINISTER FOR JUSTICE (Hon. F. C. L. Smith—Brown Hill-Ivanhoe) [9.36]: As the member for Katanning (Mr. Watts) stated in moving the second reading, there is likely to be little objection to the amendments proposed by the Bill. If the measure is enacted, regulations will be disallowed if they are not tabled within 14 days of their publication when the House is sitting, or within 14 days of the next sitting of the House after their publication. I quite agree, too, with the hon. member that the proposed alteration of the Interpretation Act will conform to what seems to have been the intention of Parliament in passing the relevant section. The Act, while providing for the laying on the Table, as prescribed, of regulations which have been published, does not say what will happen if that condition is not observed. Therefore the Bill introduces a kind of penalty clause which provides that if the condition is not observed, the regulations will be automatically disallowed. The hon. member further said that the Bill would preserve in an unmistakable way the right of Parliament to disallow any regulation.

I agree that Parliament needs the power to deal with regulations, which, as we know, have the force of law if they are not disallowed. It is necessary that members of Parliament should have an opportunity to review regulations, and to move for their disallowance if in their opinion such disallowance is justified. But I feel that whilst we should preserve the privilege and define it in an unmistakable way, to use the words of the member for Katanning, the privilege is one which should be exercised with considerable care and common sense; since it is a privilege conferred for certain purposes, the main purpose being to give members an opportunity to ascertain whether regulations conform to and are consistent with the provisions of the relevant Act. That privilege, or power, invests members with a kind of reserve force by which they can oppose legislation already passed by Parliament. When measures are being discussed in this Chamber, it often happens that a provision of a Bill meets with strong opposition from members, possibly on both sides of the Chamber. As the result of a vote ultimately taken on the particular provision, there is a majority in favour of it; and so the provision finds a place in an Act of Parliament. Such a provision often requires a regulation to be gazetted for the purpose of implementing the terms of the provisions, which, as I say, may have been opposed by a considerable number of members when it was debated here. This leads me to the conclusion that sometimes members who have bitterly opposed a certain

provision exercise the reserve power they possess in regard to regulations to continue the opposition which they evinced when the measure was under discussion here, and thus attempt to nullify the Act. Only recently notice was given in another place for the disallowance of a regulation. The disallowance would have almost nullified all the provisions of the Act under which the regulation had been made. That is why I feel that members of this Chamber should use this power with a great deal of discretion, and should test the regulations tabled under an Act of Parliament on the basis of their consistency and their reasonableness in respect of their conformity with the provisions of the Act which they seek to implement. It very often happens in connection with regulations, that they have to be amended from time to time. Amendments of a particular Act will make necessary, amendments to regulations. These amendments to regulations that are necessary because of certain amendments to a particular Act have to be placed in the general set of regulations in their proper order; that is, if we are going to have any reasonable degree of order in connection with the regulations that will operate in association with any particular Act of Parliament. That desire and necessity for order sometimes dictate the wisdom of repealing existing regulations and introducing a new set in connection with the Act as it stands in consequence of amendments that have been made to it. It sometimes happens that out of some 50 regulations that are tabled in the new set of regulations, 25 of those regulations will be word for word with the regulations that have existed prior to the amendment of the Act. But they have to be brought down in the new set of regulations and then, as a result, members of this Assembly are given an opportunity, if they are so unwise as to exercise it, to oppose the regulations that have been in force for many years. Regulations that have been tabled in due conformity with the provisions of the Interpretation Act and have not been challenged in accordance with the provisions of that Act, and have operated for many years consistently with that Act may be consequential provisions of the new set of regulations, and members of this Chamber probably will take the first available opportunity to oppose them by bringing forward motions for disallowance. Yet, all the time, exactly similar regulations have been in operation for perhaps 12 or 15 years. So I think it is a very unwise exercise of this particular privilege in connection with regulations. Whilst I agree with the member for Katanning that the amendment he suggests is desirable and that it conforms to what he thinks, and to what I think, has been the intention of Parliament in connection with the Interpretation Act, I certainly do not consider that opportunity should be taken of the privileges given to members in connection with regulations under this section of the Interpretation Act to seek to move for the disallowance when they have been in operation for many years. Further than that it has happened that some regulations, for which motions have been moved for disallowance, have been almost word for word with the provisions of the Act, and as they are almost word for word with those provisions what can be the objective of members?

Hon. N. Keenan: What is the necessity for the regulations if they are word for word with the provisions of the Act?

The Premier: To put things in the prescribed way.

Hon. N. Keenan: But every Act puts things in a prescribed way.

The MINISTER FOR JUSTICE: I said, almost word for word. I can quote one now that is almost word for word with the provisions of an Act and for which a motion for disallowance has been tabled in this Chamber. No exception could be taken to the slight alteration necessary between the wording of the provision in the Act and the wording of the regulation that has been objected to. When we get cases of that description it clearly indicates that members are opposing the regulation because they are opposed to the provisions of the Act to which Parliament has already agreed. In connection with many other regulations dealing with matters which we know members of Parliament opposed when the Act was being dealt with as a Bill, we find later on that they are opposing regulations that are similar to the provisions contained in the Act. Thus we are entitled to assume that they are opposing the regulations because they are opposed to the provisions of the Act. Whilst I agree with the provision of the Bill which seeks to amend a section of the Interpretation Act, the reserve power given to members of Parliament

under this section of the Interpretation Act, should, in the interests of the prestige of the Chamber, be exercised with a great deal of discretion.

HON. N. KEENAN (Nedlands) [8.53]: The Minister has delivered an interesting but wholly irrelevant speech to the House because we are not discussing possible amendments of the Interpretation Act or indeed any amendment at all of the Act, but only the question of resolving a doubt that exists respecting a certain section of that Act. The section that is dealt with follows on another section which sets out how the regulations are to be made under an Act which empowers the regulations to be made, and I call attention to that section. It is Section 36 and sets out that when by any Act it is provided that regulations may or shall be made, four different conditions will have to be complied with. First of all the regulation must be made by the Governor, secondly it has to be published in the Government Gazette; thirdly, it must, subject to Sub-section 2 of Section 36, take effect and have the force of law from the date of such publication, or from a later date fixed by the order making such regulation; and then it is provided that the regulations shall be laid before both Houses of Parliament within fourteen days after publication, if Parliament is in session, and if not, then within 14 days after the commencement of the next session of Parliament. This Bill will serve a very useful purpose, because if a regulation is not laid on the Table of the House within fourteen days after it has been published—if Parliament is in session—and within fourteen days after the meeting of Parliament if the regulation has been issued while Parliament has not been in session, then ipso facto it becomes invalid. But there may be a doubt and so the member for Katanning very properly wants to resolve that doubt and that is all the Bill will do if it is passed. It does not resolve a doubt that has been entertained possibly by those most qualified to lay down the law, but it does resolve a doubt entertained by a good many, and for that reason there can be no possible objection to the Bill being agreed to. The Minister has taken the occasion to deliver a lecture on the evil that may be produced by the provisions of the Interpretation Act which require that regulations shall be laid on the Table of the House in the manner I have described.

The Minister for Justice: Our experience of the last few weeks has justified my remarks.

Hon. N. KEENAN: But the Minister's remarks were not relevant to the Bill. If the Minister felt that the Interpretation Act as it stands did not meet the position he should have brought down an amending Bill, and if such a Bill had been submitted I would have given consideration to any proposal for not accepting regulations that in many cases had been made under an Act that Parliament has passed, regulations that Parliament never imagined could have been framed.

Mr. Patrick: Regulations outside the Act.

Hon. N. KEENAN: As for instance the particular regulations that have been the subject of discussion here. Can anyone suggest that those regulations are such that the House would want them to be brought into force?

Mr. Patrick: They are all irrelevant now.

Hon. N. KEENAN: If a Bill were brought down by the Minister to give effect to the purport of his speech, there would be strong reason for opposing it. As for the Bill now before us there can be no opposition to it by anybody, so I hope the House will immediately pass it.

Question put and passed.

Bill read a second time.

In Committee.

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

BILL—NATIVE FLORA PROTECTION ACT AMENDMENT.

In Committee.

Resumed from the 16th November. Mr. Sleeman in the Chair; Mr. Sampson in charge of the Bill.

Clause 2—Amendment of Section 6:

The CHAIRMAN: Progress was reported after this clause had been partly considered.

The MINISTER FOR AGRICULTURE: I move an amendment—

That paragraph (i) be amended by inserting after the word "amended," in line 10, the following words and paragraphs:—

(a) by inserting after the word "who" in line one the words "on any road or";

(b) by deleting the word "four" in line two and inserting in lieu thereof the word "five";

(c) by deleting the word "subsection" in line six and inserting in lieu thereof the word "section"; and

(d)

It will be seen from the Act that this amendment will amend Section 6, so that it will read "Any person who on any road or in any locality, area or part of the State specified." The words proposed to be inserted mean that any person who on any road or in any locality, etc., wilfully picks flowers shall be subject to the penalty prescribed. The alteration referred to in paragraph (b) of the amendment is necessary because the Act wrongly refers to Section 4 when it should refer to Section 5. Paragraph (c) also deals with an error in draftsmanship.

Amendment put and passed.

The MINISTER FOR AGRICULTURE: I move an amendment—

That the following proviso be added:—"Provided further that notwithstanding anything contained in this Act this section shall apply where such wildflower or native plant is picked on any land comprised in a pastoral lease granted under the Land Act, 1933, or any Act thereby repealed or in a forest lease granted pursuant to section forty of the Forests Act, 1918-1931, and such land shall be deemed not to be private land for the purpose of this section."

The object of this proviso is to preserve wild flowers on land vested in the Conservator of Forests or land comprised in pastoral leases.

Mr. MARSHALL: Will this proviso mean that wild flowers on pastoral holdings on the Murchison will be brought within the scope of the Act, and that persons who pick them without the authority of the pastoralists will be guilty of an offence against the Act? I would point out that some pastoralists live 50 miles from where the wild flowers are, or may even be living in Perth.

The MINISTER FOR AGRICULTURE: The proviso was suggested by the Conservator of Forests with a view to excluding pastoral leases from "private land." This proviso will clarify the position, and ensure that the section shall not apply to pastoral leases or land held under forest leases.

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

Clauses 3 to 7—agreed to.

New clause:

The MINISTER FOR AGRICULTURE: I move—

That a new clause be inserted as follows:—Subsection (1) of Section 5 of the principal Act is amended by adding the following words:—"or that on any specified Crown lands or in any State forest or specified portion thereof or on any specified land reserved for a public purpose under the Land Act, 1933, or any other Act or on any road, all wildflowers or native plants are protected under this Act."

Notwithstanding that certain wild flowers may be proclaimed as being under the protection of the Act, it may be necessary to protect all wild flowers on certain specified land.

New clause put and passed.

Title—agreed to.

Bill reported with amendments.

MOTION—LOAN COUNCIL.

Verbatim Reports of Meetings.

Debate resumed from the 16th November on the following motion by Mr. Marshall (Murchison):—

That in the opinion of this House proceedings at Loan Council meetings should be reported verbatim and such reports should be made available to the various Houses of Parliament; and that the Western Australian representative on the Loan Council should vigorously endeavour to have such proceedings reported and submitted as stated, for to treat such matters as are discussed at Loan Council meetings as confidential is a direct negation of democratic principles.

MR. MARSHALL (Murchison—in reply) [9.14]: Apparently, members are not interested in this question. The Premier did explain his point of view. I thought possibly members might have displayed some interest in discussions that are so vital to the welfare of the community. It is obvious that they are prepared to drift along and without demur sacrifice the rights that have been conferred upon this sovereign State. I am not inclined continually to urge members more closely to watch these things, or to interest themselves in the proceedings at Loan Council meetings which have such a material effect upon the welfare of Western Australia. The Premier said there was nothing much to hide, that very little discussion took place, and that if the discussions were made public this might have some

effect upon the money market. I would like to know what he meant by the publication having an effect upon the money market. One would think that money was really a commodity for trading, instead of being a token of exchange that is utilised by people solely for the purpose of facilitating the distribution of wealth. True, the banks have made it a commodity, particularly for gain to themselves. I have no fear of what would happen to the money market if my motion were agreed to, and publicity were given to the reports of the proceedings of Loan Council meetings, for I know what money really is, and to what purposes it has been put. To me it is mystifying how any such publication could have an adverse effect upon the money market. Much of the money is subscribed allegedly by individual members of the community, but the Commonwealth Treasurer has not the courage to inform the public as to exactly what proportion of loans has been so subscribed. In answer to a member in the House of Representatives recently, the Federal Treasurer (Mr. Casey) said quite frankly that it would not be in the public interest to state how much of the recent loan had been underwritten by the Commonwealth Bank. To me that is a serious state of affairs. Here we have, quite frankly, executive control of the functioning of money and credits. Yet there is no protest! When members of Parliament ask for information, their request is not satisfied. The public are kept in complete ignorance of the real position. Anyone who gives close attention to this problem knows that a huge proportion of the last loan was underwritten by the banks, principally the Commonwealth Bank. That being so, how could we possibly affect the Commonwealth Bank by the issuing of a report of the discussions of a Loan Council meeting? However, I shall not press the matter. Members are not interested, and as they are prepared to allow matters to drift, it is useless wasting further time. I shall not fare any worse than others when the calamity falls, which I anticipate will be at no far-distant date. Obviously the present methods of Governmental finance cannot continue much longer. Sometimes we hear talk of the flight of capital, as though the capitalisation of any particular country, in the form of bricks, mortar, machinery, and even subsoil could be stacked on motor lorries and conveyed to some other country. Anyone would think that was a possibility, in view of the fear of some monetary reform. We have a fertile country, and the community need have no fear, because money must be found to enable the distribution of the wealth so produced. No country can afford to starve. When the worst comes to the worst, it will be all the better for the people, because we shall get back to our proper position as a sovereign State. We shall have complete control of our own money and credit, without any interference by private individuals for their own gain. I do not desire to proceed further with the motion, which I ask leave to withdraw.

Mr. Sampson: Is it competent for a member to speak on the motion?

Mr. SPEAKER: No.

The Premier: The member for Murchison asked leave to withdraw the motion.

Mr. SPEAKER: I do not know whether the member for Swan realised that the member for Murchison moved the motion and, having spoken in reply, the debate is closed.

Motion, by leave, withdrawn.

BILL—VERMIN ACT AMENDMENT.

Second Reading.

MR. PATRICK (Greenough) [9.21] in moving the second reading said: The Bill is a very small one, but deals with an important problem confronting the agricultural industry, namely, what is known as the grasshopper menace. The pest is not only a menace to agriculture in Western Australia, but throughout the Commonwealth. The Council of Scientific and Industrial Research has devoted considerable attention to investigating the habits of the pest, and claims to have collected much valuable information. It appears that in Western Australia and South Australia, a type of grasshopper exists different from that in evidence in New South Wales and Queensland. Bad as the pest is in this State, I find that we are fortunately circumstanced in that our type has one brood only per year, whereas the grasshoppers in Queensland and New South Wales have three generations in one year.

Hon. P. D. Ferguson: No race suicide there!

Mr. PATRICK: Members will readily appreciate that the pest can be brought under control more effectively here than in

the Eastern States. According to a statement recently made by the Federal Treasurer (Mr. Casey), research work in connection with grasshoppers has elicited the information that there are parasitic wasps and flies that may multiply sufficiently rapidly to bring the outbreak to an end. I certainly hope there is something in that claim.

The Minister for Agriculture: There is one species in this State.

Mr. PATRICK: I am indeed glad to know that. I am aware that much useful work has been carried out by the Government by means of ploughing areas where the eggs were known to exist, and also in the distribution of poison baits. Naturally, when such distribution is made through a number of vermin boards, those boards must be in a position to control the situation. The distribution of poison baits in those circumstances would be futile unless the vermin boards had power to compel owners to lay the baits over their holdings. A number of settlers will avoid their responsibilities and thereby nullify the actions of those who are prepared to undertake the essential work. Probably it was for that reason that the Government saw fit to declare grasshoppers to be pests within the meaning of the Vermin Act. Concerted action by farmers will enable the pest to be controlled. I would cite the experience in the Carnamah district last year. The settlers were well organised and distributed an enormous quantity of bait. The result was that the grasshoppers were brought completely under subjection, and this year little trouble has been experienced throughout the Carnamah road board area, except possibly in the southern end. On the other hand, at Mingenew and other centres the pest was entirely out of control. A combined meeting was held at Mingenew recently, representative of practically all the vermin boards along the Midland railway and portion of the Wongan Hills line. The object was to discuss methods of dealing with the pest. Experience showed that something more was necessary than the Vermin Act provided, in order properly to carry out the work that was essential. Hence the introduction of the Bill.

The first amendment embodied in the measure affects Section 4, which deals with interpretations. After the definition of "district," the following definition of "eggs" is sought to be included in the Act:—

> "Eggs" means the eggs of any insects which are vermin within the meaning of this Act and also includes such insects while they are in the larval or other immature stage;

I shall explain later on why it is necessary to include that definition. The second amendment also applies to the same section by adding "and insect" to the definition of "vermin." As the Act stands now, it refers to "animals or birds," but with the amendment it will refer to animals, birds and insects. In my opinion, and in that of others, the Government rather strained the application of the definition section to cover grasshoppers. I have looked up various dictionaries to discover the meaning of the word "animal," and in one I found the following: —

> "Animal": an organised being, having life, sensation and voluntary motion, as distinguished from a plant, which is organised and has life, but not sensation or voluntary motion.

I suppose under that definition practically anything could be included as an animal, but if so, why have birds been classed separately under the Act? The information given to me is that it is very doubtful, if the matter were taken to law, whether the interpretation section could be regarded as covering birds, and, in the circumstances, I have provided for the inclusion of "insects," as I have indicated. The third amendment provides for the addition of a proviso restricting the operations of the Act in relation to any insect mentioned in the Third Schedule by proclamation "to any district or defined portion of the State." It is not intended that this legislation shall apply to the whole State but only to certain defined districts or portions of the State. For example, it will be competent for any vermin board to apply to the Minister to have a district proclaimed under this measure.

Mr. PATRICK: The third schedule contains the names of the vermin, such as rabbits, foxes, dingoes, sparrows, etc. To these have been added the word "grasshopper." Amendments to Sections 92, 93, 94, 95, 96, 98, 99 and 100 are consequential, so as to bring in the eggs of vermin. To show how necessary it is to deal with the eggs of some of these pests, I shall quote from an agricultural article that appeared in a recent issue of an American Journal—

> Grasshoppers were there by the million . . . A united campaign of two weeks by farmers would have destroyed the eggs.

Evidently in other countries the destruction of eggs is a means of controlling these pests.

What the farmers are hoping for, and have hoped for during the past two or three years, is a normal winter, because undoubtedly normal winter rains would destroy the eggs of the grasshopper pest. It is necessary to have authority to deal with all phases of these pests under conditions as they exist to-day. I move—

That the Bill be now read a second time.

On motion by the Minister for Agriculture, debate adjourned.

BILL—LOAN, £1,396,000.

Message.

Message from the Lieut.-Governor received and read recommending appropriation for the purposes of the Bill.

Second Reading.

THE PREMIER (Hon. J. C. Willcock—Geraldton) [9.34] in moving the second reading said: The purpose of the Bill is to authorise the raising of money necessary to carry out the programme of works set out in the Loan Estimates. The amount asked for is £1,396,000, which, with the unexpended balances of previous authorisations, will enable the works to be carried on until the 31st December, 1939. The provision of loan authorisations to cover expenditure for six months beyond the end of the financial year is a customary procedure and is necessary in order that current authorities may not become exhausted before fresh ones can be obtained. The amount set down in the Loan Estimates for expenditure this year is £1,807,845, including £37,466 charged to Loan Suspense last year; the amount required for each item is provided for by this Bill, after taking into consideration the unexpended balances of previous authorisations and the amount available from loan repayments. Last year's Loan Act included provision for £250,000 for advances to the revenue fund for the purpose of financing the unfunded deficit, but as we finished the year with a deficit of only £10,693, instead of the estimated amount of £128,855, the whole of this sum was not required.

The position now is that authorisations by previous Loan Acts total £5,723,000, while the actual unfunded deficit to the 30th June last is £5,610,044, so that we can still draw on the Loan Fund to the extent of £112,956 to meet future deficits; and, as we expect to get through this year with a shortage of only £19,346, no further provision is required at present. The Financial Agreement places on the Commonwealth the responsibility for arranging the borrowing of the States' loan requirements. For several years past the policy has been to float two loans each year, the proceeds of which are divided between the Commonwealth and the States in accordance with the respective loan programmes approved by the Loan Council. The States are also permitted to borrow locally from Savings Banks and other funds or institutions, constituted under State law; and the amounts so available form part of the State's borrowings for the year. This is a very useful provision in the Financial Agreement. It not only reduces the amount to be placed on the market, but also affords an avenue of investment for the funds of various semi-governmental bodies, and other trust and reserve funds under the control of the Treasurer.

Of the two loans floated last year, the first was issued in November for £8,000,000 at the price of £99 15s. with interest at 3¾ per cent. and a currency of 14 years, giving a return to the investor of £3 15s. 6d. per cent. Our share of this loan was £701,110. The net proceeds, after allowing for discount and flotation expenses, were £693,786. The second of the loans was issued in May last, the amount being £10,250,000 at £99 10s., with interest 3¾ per cent. and a currency of 16 years, the Government having the option to redeem in 14 years. The return to the investor was £3 15s. 10d. per cent. for the 16-year period and £3 15s. 11d. per cent. for the fourteen-year period. Western Australia's share of this loan was £526,510; discount and expenses amounted to £6,893, leaving net proceeds at £519,617. In addition to the proceeds from these two loans, we raised locally £257,400, principally from our share of the Commonwealth Savings Bank funds, and a further £212,800 was issued in London to complete the purchase of the new State ship, the M.V. "Koolama." Shortly after the last loan, there was a slight hardening of the market. The recent war scare in Europe caused a sharp setback which, however, was only temporary, as, with the easing of the tension overseas, the recovery was as rapid as the decline had been, although the whole of the lost ground has not quite been regained.

Owing to the pending conversion of £68,000,000 of debt maturing in December next and the Commonwealth requirements for defence purposes, the Loan Council at its recent meeting decided not to approach the market on behalf of the States until the new year. It was agreed that the Commonwealth would in the meantime make advances to the States out of its loan money not immediately required for defence purposes, such advances to be repaid when a loan for the States is eventually raised.

Hon. N. Keenan: What proportion shall we get in advance?

The PREMIER: Under the Commonwealth guarantee we will get sufficient to carry us on until the new loan is floated in February or March next. Altogether, our allocation is £1,750,000.

Hon. N. Keenan: We shall get one-twelfth of that amount each month.

The PREMIER: Yes, until the new loan is floated. The Commonwealth will have no difficulty in making the advances, because it has a fairly large amount earmarked for defence which it will not require to expend for five or six months. That money will be available to the State in the meantime.

A year ago I expressed the hope that this conversion could be carried out on an interest basis of 3½ per cent., but unfortunately for us that hope has not been realised. We shall have to pay an interest rate of ¾ per cent. in excess of the rate which we expected to pay about twelve months ago. However, this conversion will result in our receiving £2,500,000 at 4 per cent. and about £300,000 at 3 per cent. The net result to the State will be a saving of about £1,000 a year. It is satisfactory to note also that when the big conversion loan was floated seven or eight years ago the interest rate was 4 per cent., whereas the rate now is £3 17s. 6d. per cent. Members can work out what the saving of one-eighth per cent. on £68,000,000 will mean to the people of Australia.

Hon. N. Keenan: About £80,000.

The PREMIER: Yes. Our total public debt on the 30th June last was £93,711,941, of which £46,182,408 is held overseas and £47,529,533 in Australia. The amount of sinking fund money held by the National Debt Commission on our behalf was £307,211 leaving a net public debt of £93,404,730. Section 6 of the Bill authorises the re-appropriation of certain moneys as set out in the second schedule and which are not now required for the original purposes. These moneys will be applied to the various items enumerated in the Third Schedule. I have set out the position of the Bill which is really a formal measure inasmuch as it authorises the raising of loan money, the expenditure of which is provided for in the Loan Estimates which were dealt with by the House last night. I move—

That the Bill be now read a second time.

HON. N. KEENAN (Nedlands) [9.47]: The Commonwealth Bank makes provision for underwriting the conversion loan in the event of its not being fully subscribed. The bank, however, would not underwrite it to the extent of 100 per cent.

The Premier: The bank will underwrite a good deal, but it is expected that public subscriptions will amount to about 90 per cent.

Hon. N. KEENAN: It all seems unnecessary expenditure because the bank has to receive consideration for every penny it underwrites. If it were assumed that 100 per cent. had to be underwritten, the maximum amount would be taken away from the loan by way of commission. The Loan Council would not assume that the Australian public were not likely to subscribe a single penny. It must make certain, however, that the loan will not be extensively underwritten. If the loan is a failure a certain percentage would have to be underwritten. Underwriting to the extent of 20 per cent. would be a colossal failure. I cannot conceive that there would be no subscriptions at all. It has been offered to the public on the terms that if there is no wish to convert, holders of the stock will be paid off. With regard to the Bill, the Premier correctly states that the Loan Estimates, having been dealt with, this is really to some extent merely a formal matter, a chapter that has to be added so that there will be money available for the expenditure on works set out in the Loan Estimates. In those circumstances there is no necessity to ask for time to consider the matter, although I should like to have heard what the Premier actually said. I do not say it was his fault, but I shall have an opportunity of seeing the figures that he quoted.

MR. SAMPSON (Swan) [9.50]: It would have been gratifying to read the report of the argument that was indulged in by the

Premier of this State and the other Premiers on the subject of the amount provided by the Loan Council for the different States. Of particular interest to me are the questions that have been decided dealing with electricity supply.

The Premier: You cannot discuss that on this Bill. Moreover, you dealt with that question on the Loan Estimates last night.

Mr. Cross: You are distinctly out of order.

Mr. SAMPSON: I do not mind being told by the Speaker that I am out of order, but I object to being told by the member for Canning. It is gratifying to find that there is provision for electricity supply.

Mr. SPEAKER: Will the hon. member connect his remarks with the Bill?

Mr. SAMPSON: The Bill deals with loan money and loan money definitely is to apply to electricity supply. I did desire to take the opportunity to thank the Premier for providing in the Loan Bill £15,000 for electricity supply in addition to the £90,000 already provided but not spent.

Mr. SPEAKER: The hon. member dealt with that question on the Loan Estimates.

Mr. SAMPSON: But I did not have the present Bill before me then.

Mr. Patrick: Yes, he dealt with all this on the Loan Estimates.

Mr. SAMPSON: I hope, Mr. Speaker, you are not going to rule out of order that which I have said. Anyway I shall not proceed further with the figures except to thank the Premier.

Mr. SPEAKER: There is no need for the hon. member to repeat what he has already said. Will he please confine his attention to the Bill.

Mr. SAMPSON: The Premier has referred with apparent satisfaction to the reduction of interest and the fact that the conversion was proving satisfactory. In one sense it is satisfactory, but in another it is not as satisfactory as might appear on the surface. Every citizen should participate in the conversion loan, but I am not going to believe that it is an indication of general prosperity.

The Premier: You will be able to put your £15,000 into this loan.

Mr. SAMPSON: If the Premier is prepared to receive money for the purpose of carrying out electricity extensions, I will get him a good deal of capital, for if there is anything that will enable me to throw off the weight of years it will be the carrying out of that work and the relief that I will experience from anxiety. I think I can promise the Premier £30,000 for the extensions and I believe that the investment of that sum of money in the manner I suggest will produce a wonderful result.

Mr. SPEAKER: The hon. member must not continue in that strain.

Mr. SAMPSON: Very well; I have given the Premier the assurance that he wants and I hope he will advise very shortly that inscribed stock or bonds may be taken up by those people in the State who desire to invest their capital in the direction of providing electricity extensions.

Question put and passed.

Bill read a second time.

In Committee.

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

BILL—McNESS HOUSING TRUST ACT AMENDMENT.

Second Reading.

The PREMIER (Hon. J. C. Willcock—Geraldton) [10.1] in moving the second reading said: This is quite a small Bill. Members will recollect that last year we altered the title of this Act from the Housing Trust Act to the McNess Housing Trust Act. Since that time the man after whom the Housing Trust was named, and whose memory will thus be perpetuated, has died, and left half the residue of his estate to the trustees of the Housing Trust. It is estimated that £50,000 will be made available for investment for the purposes of the Housing Trust. While, of course, that was not the object of the amendment made last year, I did know at that time that Sir Charles McNess was extremely interested in the housing of people in indigent circumstances, and while I was not certain of the amount, I knew that he had made provision in his will for some money to be left to this most deserving trust. I did not expect, nor do I think did anyone else, that he was so interested in this object as to leave half the residue of his estate to the Trust, but he did so, and we shall receive at least £50,000, and perhaps £60,000.

Hon. N. Keenan: What is the total amount in the Trust Fund?

The PREMIER: I could not tell the hon. member offhand. I have not the figures, but I think it is about £20,000. The Trust was inaugurated when the Commonwealth made available money for the purpose of finding employment at the time of the depression. The Government of the day, of which I think the member for Irwin-Moore was a member, allocated some of the money to what was termed a housing trust. Not much money was allocated—about £4,000 or £5,000, I think. The money was allotted with a double object, first to provide employment, and secondly to provide housing accommodation for indigent people. Since that time other amounts have been allotted. I cannot say offhand how much is in the fund, but I do not think there will be more than £20,000. There are about 60 or 70 homes built by the Trust, all scattered throughout the State. The money available to the Trust will be more than doubled through the beneficence of the late Sir Charles McNess.

Mr. Cross: There are a lot of applications, too.

The PREMIER: There is no doubt about that. The first amendment proposed by the Bill is the changing of the name of the Housing Trust to the McNess Housing Trust and the Housing Trust Fund to the McNess Housing Trust Fund. The previous amendment to the Act altered the name of the Act from the Housing Trust Act to the McNess Housing Trust Act, but the alteration in the name of the Trust and the Trust Fund was not included in the amendment, and it is now desired to make this alteration in order that there may be no confusion at a later date in dealing with the documents in the Titles Office. This amendment will place the Act, the Trust and the Fund on the same basis.

The second amendment is intended to give the Trust the power to invest any surplus moneys it will have in its fund so that such surplus moneys will become income-earning while the Trust is not able to use them, and thus increase the funds available to the Trust. I do not think the most optimistic of us would expect the Housing Trust to be able to finalise plans for the distribution of £40,000 in any one year. The Trust desires, and it was Sir Charles's desire that a fund should be available so that in years to come, when there are some particularly distressing cases, money will be available for the Trust to provide homes for the people concerned. As I suggested to the member for Yilgarn-Coolgardie, the circumstances of the widow of the late Paul Casserley are such that the Housing Trust might consider her eligible for a home, and an application on her behalf might appropriately be made to the Trust. Under the very generous terms on which houses are provided by the Trust she may derive considerable benefit by securing such a home. We do not desire all this money to be spent at once. As the member for Canning has said there are numbers of applications for these homes. If the Trust proceeded to distribute all the money at once, many people entitled to obtain a house under the Trust would secure one, but in a year or two there would be no money available to provide for other people who might be in more unfortunate circumstances. The intention is that this fund shall be spread over a number of years, and that the most eligible persons in each year shall be catered for. In the meantime the desire is that some of the money should be held in trust for that purpose. The Trust has no power except to build houses, but the amendment proposes to give the Trust authority to invest money under the Trustees Act of 1900.

Hon. N. Keenan: Does not the principal Act give them power to invest money?

The PREMIER: No; money was made available to the Trust, and immediately it was provided the Trust proceeded with the construction of houses. Unfortunately, not much money was available, but even if there had been there would have been no power to invest it. The only power the Trust has is to erect cottages under the statutory authority conferred on it by the Act. If the amendment is passed the Trust will be able to invest money and when funds are required to erect buildings in accordance with the terms of the Trust, income earned by way of interest from invested money will be available. The measure is very desirable. With the consent of the Treasurer the Trust will invest money from time to time under the Trustees Act. If the Trust wanted to invest all the money I do not think any Treasurer would agree to its doing so. A certain proportion of the available fund will be invested. Sums will be allocated each year to provide accommodation for those eligible to receive it, and the remainder will

be invested so that a sum may be built up to provide accommodation for more people in future. I move—

That the Bill be now read a second time.

On motion by Mr. Patrick, debate adjourned.

BILL—INDUSTRIES ASSISTANCE ACT CONTINUANCE.

Message.

Message from the Lieut.-Governor received and read recommending appropriation for the purposes of the Bill.

Second Reading.

THE MINISTER FOR LANDS (Hon. M. F. Troy—Mt. Magnet [10.6] in moving the second reading said: This is a continuance Bill and will not require much discussion. The continuance of the present Act is necessary for the following reasons:—(a) To allow finance up to harvest for those settlers who experienced drought conditions last year; (b) to enable finance considered necessary to be made available for settlers who may experience similar conditions this year; (c) to maintain the commissioners' security for advances made to those settlers whose debts remain unfunded and for the maintenance of security for advances made in the past, under the Finance and Development Board Act. Apart from drought relief, the number of accounts under the Industries Assistance Board at the 30th June, 1938, totalled 969. Of these 281 represented foreclosed properties, 596 represented accounts that have been funded, and 92 that are non-funded. The position of these accounts at the end of the year showed the following:—Principal outstanding, £671,189; interest outstanding £157,094, making a total of £828,283. Since the present Commissioners took control, the Auditor-General has certified to lost capital amounting to £905,496; the capital losses written off prior to that date being £885,465.

For the three years ended the 30th June, 1938, the Treasury advanced money for the purpose of drought relief to settlers for distribution under the Industries Assistance Board Act, and the Commissioners' approvals for the year 1937-38 amounted to £125,101. For the three drought seasons ended the 30th June, 1938, £349.274 14s. was advanced. The bad debts written off amounted to £36,419, and at the end of the year 1,025 settlers remained; the amount outstanding being principal £189,488, and interest £7,840. It has often been urged here that the Industries Assistance Act should cease and continue no longer. Nevertheless, we do not ever seem to arrive at a time when we can do without the Act. As members are aware, the amounts advanced by the Agricultural Bank are limited under the Act; and so in a case of drought, where no security can be given except security over crop, recourse must be had to the Industries Assistance Act in order to enable the farmer to get an advance. I regret that this year it appears as if the number of farmers requiring assistance will be much greater than the number in any previous year. This drought has affected a larger area of country and a great many more settlers, and in addition there is the low price of wheat and the unsatisfactory price of wool. Hon. members know that this year the harvest will not bring the country much money, even when the wheat is sold. Therefore the difficulties of the farmer will probably be greater than in any previous year, even than in the year 1914.

The continuance of the Act is necessary for the reasons I have given, and for another reason—the necessity for financing a large number of farmers this year. Hon. members submit representations from farmers as to their needs: but although those needs may be pressing, the funds of a State Government are always limited, and therefore there is never a possibility of meeting the needs of settlers as fully as the Government desires. The Treasurer recently applied to the Loan Council for an advance of £150,000 to finance settlers over the year ensuing, but nobody knows yet how that appeal will result. Victoria is making application for £800,000. That money is not entirely for the purpose of assisting farmers. Portion of it is for financing the ordinary activities of the Victorian Government. The Victorian Government has said that its loan moneys and revenues will not be sufficient.

Mr. Patrick: The Victorian Government said it had received applications from only 500 farmers, and expected a total of 2,000.

The MINISTER FOR LANDS: Then Victoria is very lucky. The Victorian legislation provides only for supplying seed, super and chaff. When I was in the Eastern States, the extent to which the Victorian

Government had advertised its intention to assist the farmers was the purchase of seed, superphosphate and chaff. I do not think the Victorian Government will be called upon to make advances nearly as large as this Government will have to make. So when members note that the Premier of Victoria has applied for £800,000, they must bear in mind that is not entirely for drought relief, but also for the ordinary activities of government. I do not think there is any need to urge the passing of the measure. I move—

That the Bill be now read a second time.

HON. P. D. FERGUSON (Irwin-Moore) [10.20]: I move—

That the debate be adjourned.

Motion put and negatived.

Hon. P. D. FERGUSON: The short Bill introduced by the Minister for Lands is designed merely to continue the operations of the Industries Assistance Act for another year, and of course is entitled to the support of every member. The original Act was passed in 1915; and if I remember rightly, Mr. Speaker, you were the Minister who piloted it through this Chamber as Minister for Lands. Unquestionably the Act has been of very material assistance to a section of the wheat-growing community which was badly hit by the 1914 drought. The position of the farmers at that time, after the worst drought ever experienced in Western Australia, was indeed parlous. Very few farmers had got on their feet from the time they had taken up the land. With the exception of the very early settlers, the rush of new settlers that had occurred as the result of depression in the mining areas had not got on its feet when struck by the 1914 drought. That was the worst drought Western Australia has ever experienced, notwithstanding what the Minister for Lands has said to the contrary this evening. Most of the areas that were cropped in 1914 and then harvested crops of one, two, and three bushels, this year have quite good crops. I know of three farmer members of this Chamber who in 1914 had crops of two, three and four bushels, but have 20-bushel crops this year. The present drought is in the eastern and north-eastern areas, which were not settled in 1914.

The Act has been continued year by year from 1915 until now. After four years of indifferent production, and one year of particularly low prices, there is greater need now for the continuance of the Act than ever there was before. The Minister for Lands has said some people are of opinion that this legislation should be brought to an end. I do not think there can be many of those people; if there are, they would not use this time to bring the statute to a close, because there now is greater need for continuance of the measure than there has been for some years past. I imagine that as the result of this year's drought there will be approximately twice as many wheatgrowers requiring assistance of some sort or another. More of them will have to approach the Government for aid than has been the case in any previous year.

In my opinion the Act has been the best means of keeping farmers on the land and producing. Now that the statute is under the control of the Agricultural Bank, the Commissioners of which have collected around them a very excellent staff and a very excellent manager, I believe that that institution is in the best position to judge of the worthiness or otherwise of farmers who will be calling upon the Government for assistance under the Act this year. I believe there must be nearly 100 per cent. of those farmers requiring assistance this year in whom the Bank and the Government and the country can place confidence It is not likely that very many men would remain on the land, after going through what those men have gone through, particularly in the north-eastern area, of whom it could be said with justification that they were not worthy to receive the assistance of the Government. The Minister for Lands said there were 969 accounts at the 1st July of this year, and that outstanding principal and interest amounted to roughly £828,000. It seems to me that that amount will have to be considerably increased this year. The Minister need have no fear as to the wisdom of assisting those men who will be calling upon the Government this year to enable them to remain on their properties.

In the worst of our drought-stricken areas this year, in those particular districts that have had consistently poor returns over a period of years, a percentage of the farmers would be wise to accept a transfer to other districts. Further, it would be wise to allow the farmers who remain, to change their operations from purely wheat growing to

sheep as their main line, with wheat as a subsidiary farming activity. Those who transfer to other districts should not be saddled with the enormous debts that some of them have incurred on their present holdings, due to bad seasons and low prices. Again, those farmers who remain should have some abandoned properties linked up with their own, and should be granted them at valuations based upon their sheep-carrying capacity—not on the present valuations. I know that the Minister for Lands, in his cautious way, will say that this will require a lot of additional expenditure. Of course it will, to provide sheep and in many instances provide fencing. Furthermore, in some cases there may not be sufficient water supplies. However, where there are reasonable water supplies and three or four farms can be linked up, as has been done in certain areas already, I believe that policy can be extended. I do not think that many of our districts which are settled and have been producing wheat over a period of years can be abandoned altogether. The State, through its Government, and individual settlers have put too much money and too much labour into those areas to abandon them altogether. I consider that the Government would be well advised to encourage farmers desirous of going to safer rainfall areas to do so. Those who want to remain should be given the necessary assistance. In many instances I do not think there would be great risk in liking up several farms into one and providing sufficient sheep to enable the farmers to make a living. With the £100,000 to be made available to our Government from the tax levied on the home consumption price of flour, and with the amount the Treasurer hopes to receive through the Loan Council—I understand it is £150,000 he has asked for this purpose—a considerable amount of help can be rendered to the settlers who will require it most this year. I take it the assistance will be rendered under this legislation, and because of that there is greater need for its retention on the statute-book at this period than ever there was in its history. I hope the Bill will pass.

MR. WARNER (Mt. Marshall) [10.30]: I wish to say a few words on the Bill. Three years ago, when the continuation measure came before the House, it was considered that it would be only another year or two before finality was reached. Unfortunately, bad seasons have followed, and it has become necessary for the Government to do a great deal more through the Agricultural Bank than it was expected would be necessary. My reason for saying a few words is principally to thank the Minister for Lands for the fight he put up when he was in the Eastern States endeavouring to get a further grant in addition to the amount on the bushel basis for farmers in the drought-stricken areas. Having slipped on that, the Minister arranged to obtain the £100,000 out of the £500,000 that has been made available on the bushel average basis. It is pleasing to note that the Premier is again making an application for a further grant which will no doubt be necessary before it will be possible to provide sufficient to keep the farmers producing. We know it is absolutely essential that the farmers be kept on the land. The £150,000 for which the Premier has made application does not look very promising. The Premier may not get very far with that request, but I hope all the same that his arguments will prevail, and that some assistance will be rendered. We know how difficult it is to get anything at all from the Commonwealth, but I trust that he will be successful and that when prosperity returns it will be possible to repay the amount that has been advanced.

Question put and passed.

Bill read a second time.

In Committee.

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

BILL—PARLIAMENTARY DISQUALIFICATIONS (DECLARATION OF LAW).

Third Reading—Defeated.

Debate resumed from the 9th November.

THE PREMIER (Hon. J. C. Willcock—Geraldton) [10.35]: The Government is anxious to clear up the position with regard to the question of the qualification of members of Parliament. Everybody is aware that three or four years ago there was a great deal of discussion on the subject. The Legislative Council dealt with it exhaustively, and sent a Bill to this Chamber. Unfortunately that Bill came along in the dying hours of the session, and there was no possi-

bility of dealing with it. Thus the position of members of Parliament has remained obscure ever since. The Government considers it is time that Parliament had an opportunity to deal with the matter. The Government takes the responsibility for introducing the Bill. It is not in any way a party Bill, and members will be able to vote just as they think fit. It is felt that the position requires to be cleared up. The Government has looked at the position in other parts of the world to get information where Parliaments have constitutions that are similar to ours. In the investigations it was ascertained, as the Minister for Justice explained on the second reading, that the British Parliament was placed in a similar difficulty, and an Act was brought in to declare precisely what the Constitution meant. A measure was passed through the British Parliament, and as our conditions are similar it was felt that that measure could appropriately be copied by us. The only difference is that in this country the governmental activities enter much more largely into the lives of the people than they do in the Old Country. In Western Australia so many enterprises are conducted by the State that in almost every direction a member of Parliament impinges on something that is handled by the Government, such for instance, as the State railways, water supplies, electricity, banking, workers' homes, and many other amenities. It is doubtful how far members of Parliament can go in dealing with the Government activities, and at the same time be able to take their proper place in the political life of the community. The Government desires that Parliament should have an opportunity to deal with the question and decide where we stand The Government felt it was its duty to clarify the position as it was clarified in Great Britain, and if Parliament agrees to the Bill there will no longer be any doubt where members of Parliament stand. At the present time everyone says there are grave doubts, and therefore it is the duty of someone to resolve those doubts. This is by no means a party measure. I know that a number of members on each side of the House desire to see the measure passed. On the other hand, there are some members on both sides of the House who feel that the matter should be tackled in a different way. If it should be tackled differently, that is the business of Parliament. The Government, however, felt its responsibility in the matter and brought down this Bill. The Bill represents a sincere attempt to rectify the existing anomalous position, but the Government leaves it entirely to members to vote just how they wish and whatever the vote is it will be accepted by the Government. If the Bill is passed, the law will be absolutely clear. Everybody will know where he is. But if the Bill is not passed, the same doubts and fears that have been expressed over many years concerning dealings with the Government will be uppermost in the minds of members and they will not know what to do. The Bill is a very good one. We cannot be on very dangerous grounds when we follow the constitutional position established by the Parliament of Great Britain. That Parliament passed a similar Bill almost unanimously. We will be very wise to follow its example and put this Bill, which is an attempt to clarify the existing law, on the statute-book so that everybody will know where he stands.

MR. RODOREDA (Roebourne) [10.42]: I intend to oppose the third reading, although I voted for the second reading. When I cast my vote I was somewhat unprepared and I do not want to vote against the Bill now without giving my reasons. In spite of the assurance of the Premier and the Minister for Justice that we are following the precedent of the House of Commons in England, I think that we are well enough able to decide upon a measure to suit our own conditions, without worrying about any precedent created elsewhere. The Bill certainly leaves the door wide open to any member of Parliament to have business dealings of every kind with the Government of the country except only in relation to Government contracts for goods which are used in the service of the public. The other provision concerning the supply of moneys to be remitted abroad might just as well have been left out of the Bill for all the effect it will have here. The disqualification of a member for having business dealings with the Government in respect of getting contracts may so easily be evaded that that might have been left out also. Every member knows that all that is necessary is to form a limited company of 20 members and then anyone can deal with the Government to his heart's content, in

spite of the fact that he may hold nineteen-twentieths of the shares of the company. That provision may so easly be evaded that it was not worth while including it.

Mr. Hughes interjected.

Mr. RODOREDA: The framers of the constitution decided on a membership of 20. I could quote an example to members. A member of the Upper House was agent for the State Shipping Service. A few years ago, when the question came up for discussion, he formed a limited company, probably holding the majority of shares in it himself, and he still carries on that business. The company is merely camouflage but the Constitution allows that and he is quite entitled to do it. An action against him would never succeed in any court of law. The provision is, accordingly, so easily evaded that it is not worth while worrying about. The measure under discussion allows a member of Parliament to contract with the Government in his professional capacity. There is no question about that. It also allows a member to be concerned in the sale of land to the Government. That is a provision of which we should be careful. If we are going to disqualify members of Parliament for having business dealings with the Government, and then allow them to deal in land with the Government, we are being inconsistent. Apart from that, I do not believe in declaratory measures. Any person should be able to go to any measure and find from that Act alone what it means, and not have to refer to two or three other Acts to ascertain the meaning of the first one. Furthermore, in the present Constitution Act in the sections following the disqualifications are given the exceptions. Therefore, if we want to clarify this position, I do not see why we could not have adopted the same procedure. Section 35 of the Constitution Amendment Act states that the foregoing provision is not to extend to so and so. I see no reason at all why we could not have taken the same action in connection with the question that has now arisen. Further sections could be set out in the Constitution Amendment Act stating that the provisions of disqualification do not extend to so and so. The position needs clarifying but in my opinion the Bill goes altogether too far and the wrong procedure has been adopted. On those grounds I intend to vote against the third reading.

Question put and a division called for.

The House divided.

Mr. SPEAKER: I have counted the "ayes" and find there is not a Constitutional majority voting in favour of the Bill. The measure is, therefore, defeated.

DISCHARGE OF ORDER.

On motion by the Premier, the Bookmakers Betting Tax Bill was discharged from the notice paper.

House adjourned at 10.51 p.m.

Legislative Council.

Thursday, 1st December, 1938.

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

BILL—MORTGAGEES' RIGHTS RESTRICTION ACT CONTINUANCE.

Third Reading.

THE CHIEF SECRETARY (Hon. W. H. Kitson—West) [4.35]: I move—

That the Bill be now read a third time.

HON. H. SEDDON (North-East) [4.36]: Before the consideration of the Bill is finalised, members should be given an opportunity to discuss the Mortgagees' Rights Restriction Act Amendment Bill, which Mr. Nicholson is sponsoring, and which is No. 18