in order to come within the section, will have to be a "wife" within the meaning of the Commonwealth Act, that is to say, she must have been married to the member before the 2nd October, 1931. Unless this provision is made, the section might be deemed to extend to wives or widows who married members of the forces after the 2nd October, 1931, and thus cause an inconsistency to arise between the proposed Section 3 and the Commonwealth Act. Briefly, the Bill merely excepts the pensioner or his wife or widow from the payment of municipal or road board rates, water rates and sewerage rates. As members are aware, this is a privilege extended to old-age and invalid pensioners. It was extended to service pensioners and was thought to apply to the wife or widow of a service pensioner. We find, however, that that is not so. The Bill will put the matter right.

Hon. C. G. Latham: It will be necessary to get the consent of the War Service Homes Commissioner.

The MINISTER FOR WORKS: The Crown Law Department has drafted this clause, which we are assured will meet the position. I move—

That the Bill be now read a second time.

On motion by Mr. Doney, debate adjourned.

House adjourned at 9.59 p.m.

Legislative Assembly.

Wednesday, 7th September, 1938.

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

QUESTION—DAIRYING INDUSTRY.

Marketing Board, Organiser, Expenditure on Advertising.

Mr. DONEY asked the Minister for Agriculture: 1, What is the name of the recently appointed organiser for the Dairy Products Marketing Board? 2, Were applications for this position sought in the usual way per medium of advertisements in the Public Press? 3, Is the organiser a member of the board? 4, What remuneration does he receive? 5, If any definite sum has been set aside for advertising purposes, what is that sum?

The MINISTER FOR AGRICULTURE replied: 1, T. H. Morgan to organise campaign to increase the sale of butter. 2, No. 3, Yes, and the appointment was recommended by the Dairy Products Marketing Board. 4, £4 4s. 6d. per week. 5, £750 set aside for the purpose mentioned in reply to (1).

BILL—HEALTH ACT AMENDMENT.

Introduced by the Minister for Health and read a first time.

NOTICE OF MOTION—EDUCATION SYSTEM.

To Inquire by Select Committee.

Notice of motion by Mr. Boyle called as follows:—

That a select committee be appointed to inquire into the educational facilities afforded by the State, with a view to formulating practicable recommendations for the institution of a more adequate system of education.

Hon. C. G. LATHAM: May I ask, Mr. Speaker, that this motion be postponed?

Mr. SPEAKER: I am afraid that would be out of order.

Notice of Motion thus lapsed.

NOTICE OF MOTION—TOWN PLANNING AND DEVELOPMENT ACT.

To Disallow By-laws.

Notice of motion by Mr. McDonald called as follows:—

That the by-laws or regulations purporting to be made under the Town Planning and Development Act, 1928, as published in the "Government Gazette" of the 8th April, 1938, and laid on the Table of this House on the 11th August, 1938, be and are hereby disallowed.

HON. N. KEENAN (Nedlands) [4.35]: I should like to know what steps may be taken to deal with this motion in the absence of the mover. The reason I ask the question is that the motion must be submitted within a certain period after the tabling of the by-laws to which the motion refers. The notice of motion was submitted within the required period, but if consideration of the matter is postponed it might be too late to secure the disallowance of the by-laws. I should like to know whether, in the absence of the member responsible for the motion, another member is at liberty to move it on his behalf.

Mr. SPEAKER: I am afraid that cannot be permitted. The motion will have to lapse. Notice of the hon. member's intention to re-submit the motion could be given to-morrow.

Hon. N. KEENAN: As I have pointed out, the difficulty is that if the motion is not moved within the specified time and thus lapses, it will be impossible to have the by-laws disallowed.

Mr. SPEAKER: Unless the hon. member is able to show me a means by which, under the Standing Orders, I can give effect to his wishes, I shall have to adhere to my ruling. I do not know how his desires can be met.

Hon. N. KEENAN: I notice that Mr. McDonald has just arrived and is in the corridor. If a few moments' grace can be allowed, he will be able to deal with the motion as soon as he reaches the Chamber.

MR. McDONALD (West Perth) [4.37]: I move—

That the notice of motion standing in my name be postponed.

Motion put and passed.

MOTION—MINING ACT.

To Disallow Reserves 1027H and 1028H.

MR. MARSHALL (Murchison [4.38]: I move—

That the approval and conditions of temporary reserves Nos. 1027H and 1028H granted in accordance with Section 297A of the Mining Act, 1904, and laid upon the Table of this House on the 30th August, be and are hereby disallowed.

I do not wish to detain the House for any length of time in submitting reasons to justify my asking members to disallow these reserves. Members who have followed the debates that have taken place in the past upon the rights and wrongs of the granting of reservations will be conversant with the attitude I have continually adopted towards the allotting of large areas at a peppercorn rental, to the exclusion of prospectors. I have been very consistent in my opposition towards either the granting or the extension of reservations. I do not intend to show hostility towards all reservations because, having regard to the altered law, I consider that the obligation to resist such reservations now rests upon those members in whose districts such reservations are granted.

The argument that is sometimes advanced to justify the granting of large reservations —namely, that new money, and particularly foreign capital, will thus be introduced into the country—does not hold good in the two instances under review. The mines conducted by the holders of the reservations in question are now being worked and, according to the latest returns I have seen, the company is receiving anything from 20 to 25 per cent. interest on its investment. Although

there are two reservations, and both are subject to disallowance—if that be the wish of the Chamber—both were originally comprised in one. Considering the date upon which the larger area was granted, one can only conclude that the holder of the two reservations has been fairly generously treated. When these reservations were submitted to the House for consideration, I elicited from the Mines Department details of the date and the areas originally comprised in the reservations. The letter I received from the Under Secretary of Mines explains the position fully, and I propose to read it in order that members may appreciate that no injustice can be done by passing the motion. The letter bears the date of the 2nd September, and states—

> As desired, I would advise you that temporary reserve 1027H was originally comprised in temporary reserve 654H which was granted on 1-2-32 to Mr. Morton Webber. It comprised 1,506 acres. It was subsequently taken over by the Mararoa Gold Mining Co. No Liability, and was increased in area, in September, 1933, to 2,786 acres.
>
> Subsequently it was transferred to the Western Gold Mines N.L. in 1934. The reserve was then split into two reserves, and an area comprising 1,920 acres under No. 768H was granted to the Triton Gold Mines N.L., and 654H, containing 1,056 acres, continued in the name of the Western Gold Mines N.L.
>
> Reserve 1028H now comprises portion of old reserve 768H.

It would be interesting to know what influenced the Minister to grant an extension of these reservations. The late Mr. Munsie, who was Minister for Mines for a good many years, usually advanced the argument that he granted reservations to protect the investing company from intrusion by outsiders upon land that might be ultimately required to secure a return on the investment. That, in itself, was a fairly sound argument. Although I would never endorse it, I confess there was something logical in it. The Triton Gold Mines Ltd. has been actively operating over a period of two to four years, and has had the whole of that time in which to determine the strike of its line and to ascertain which way the lode was dipping. The company knows the angle of dip and the length of the chute. In justice to the department, which has been very generous, the company long since should have taken up under leasehold tenure the area required, and should have abandoned the rest of the country to any who might desire it for prospecting. I am not saying that anyone else would take it up. What I contend is that the heritage of the people should not be locked up by companies that act the dog-in-the-manger, adopting the attitude, "We won't use it and you shan't."

By way of comparison, let me point out what the Premier Goldmining Co. did. That company, better known as the Big Bell, dealt honestly and fairly with the department and the Government. When first the decision was made to take over the Big Bell property, there was a reservation in it. As soon as the geographical position of the line proposed to be mined had been determined, and the dip and the length had been ascertained, the company surrendered all the land that was not required and took up, under leasehold tenure, the area that was required. That was a fair, honest and honourable way to treat the Government; it was the proper way. Seemingly, certain companies are quite prepared to continue to hold land indefinitely whether they need it or not, and they seek to hold it under the terms and conditions of reservations because of the infinitesimal cost. If they were obliged to convert to leasehold tenure, they would probably not retain so much of the ground. I admit that the reservations in question are limited in area to 300 acres each and, speaking subject to correction, I understand that the company gets the 300 acres for about £5 a year.

The Minister for Mines: No, £10 a year.

Mr. MARSHALL: At £10 per year per reservation, the cost to the company would be something like 3s. or 3s. 6d. per acre. Another aspect deserves to be considered. The present system encourages companies to hold on to larger areas than they would otherwise hold. The labour conditions applicable to reservations are particularly light as compared with those prescribed for leasehold tenure. Under leasehold tenure, one man is required for every six acres held, though a company operating may apply for a concentration of labour and thus relieve itself of that responsibility. However, compared with the conditions imposed upon the prospector, the labour conditions applicable to a reservation are infinitesimal. I am definitely of the opinion that no distinction whatever should be made in the

granting of tenures to various individuals who may seek them, whether those involved are wealthy companies, prospectors, or ordinary people. My suggestion is that the law should apply similarly to all. The curse about these reservations arises from the fact that one was ever granted. Had no reservation been granted this Chamber would never have had to listen to the heated arguments that have taken place, for and against the principle. Once a reservation was given it was difficult for the Minister concerned to refuse to grant any more. At one stage people might well have been shocked at the number and area of these reservations. I do not intend to traverse all the pros and cons affecting the question at issue. In this particular case the company has had years in which to ascertain exactly what land was required to protect its investments, and yet at this juncture the Minister submits to us a regulation giving the company an extension of time. We should not grant further privileges to those who already have them, or deny those who have little right to any, but we should do something to assist the man that pioneers the industry. No company that I have heard of has done any pioneering. True, much capital has been brought into Western Australia, but invariably the companies have worked only well-known and clearly-defined ore channels that were discovered by prospectors. They are the men to whom we should be giving concessions, if we give any. When a person gets possession of a payable piece of ground we make him pay £1 per acre for every acre he utilises, limiting the holding to 24 acres. We should say to wealthy companies, especially when already they have been liberally treated, "You have had ample time in which to make up your mind, and even now you have time in which to take up the ground you want. You must be put on the same footing as is any other individual, including the unfortunate prospector." The companies should be informed that they have had time in which to take up the land they want, and that they can be given no further concessions. When can we expect the Government to cease giving privileges to those who are already privileged? I have nothing to say against the Triton Company. It is a bona fide organisation, employing a large number of men. Wealth does not count with me. I have none of my own, and do not place much value upon it. That which has been done was not the right thing to do. Whatever excuse I have been given for the granting of these reservations, and whatever excuse may now be advanced for the granting of still further reservations, surely this Chamber has a right to expect that once a company has secured the ground it requires, ascertained the dip and the line, as well as the range of the reef it desires to work, and knows from engineer's reports the extent of ground it requires, it should be informed that nothing further can be done for it. Apparently that is not to be the case, and we are to go on extending these privileges. I am not threatening the Minister for Mines.

The Minister for Mines: You would not have much hope if you did.

Mr. MARSHALL: The rules of this Chamber would not permit me to do that, nor would I threaten him, even if the rules of debate allowed me to do so. I assure him, however, that there will be no peace between his department, himself, and me while there is one reservation in existence in the Murchison electorate.

The Minister for Mines: That depends upon this House.

Mr. MARSHALL: I take no interest in any other part of the State. If other members are prepared to allow the privileges and concessions to be granted in their electorates, now that we have the right to challenge the extension of reservations under the amended Act, it is their affair. For my part I would grant no privileges or concessions to any individual or company. Each and every individual operating in the Murchison electorate should have to operate under one law. The company in question has two reservations. The ore deposit was discovered by prospectors many years ago. I understand that the company is not operating the actual ore-bearing lease, and never has done so, although it has held the area for a considerable time. The Chamber should closely watch what is going on. No logical argument can be advanced for a continuation of the two reservations that are the subject of the motion. The company has been actively working and paying dividends for several years. The mine is likely to last for the next half-century, and is one of the soundest small propositions in the State. Fairly good returns on the money invested are being paid. Surely a company that is

existing under such favourable conditions can pay at least £1 per acre for the ground it wants. What astounds me more than anything is that when public facilities, such as schools, water supplies, and so forth, are asked for, we are immediately confronted with the statement by the Minister concerned that the Government has no money.

The Premier: You have had money sometimes.

Mr. MARSHALL: I have had my share, but that is not the point.

The Premier: It is the point. We do not always say we have no money.

Mr. MARSHALL: A means exists of imposing something that cannot be described as either unfair or unjust.

Mr. Patrick: The company employs enough men to man a larger area.

Mr. MARSHALL: Yes, but that can be effected by concentration of labour. The original Wiluna company never had a reservation. A reservation, it is true, has existed at Wiluna for a considerable time, and is held by a group under the direction of Mr. de Bernales. That reservation, however, came into existence a considerable time after Wiluna had begun to operate. Wiluna mining began when gold was at its standard value, and the Wiluna company has never had a reservation. More foreign capital has been invested in that goldmining centre than in any other Western Australian goldmining centre. A million and a quarter sterling was put into Wiluna. And now I am told that a company needs these reservations notwithstanding that its proposition is in a state of productivity and paying dividends. I am asked to agree to a regulaton giving extension to reservations held by that company. No, Sir, I will not do so; and I hope the Chamber will agree with me.

I do not wish to traverse all the ramifications of the granting of these reservations. The principle itself is wrong. It is inequitable and unfair. It denies to individuals their natural heritage, and gives concessions to persons and companies well able to pay in full. Small men are deprived of the little privileges they ought to enjoy. I repeat, no mining reservation should ever be granted. Heated arguments for and against the principle have been the order of the day for years. As regards the Murchison, I hope this is the last time I shall need to ask members to support me in maintaining that all people on the Murchison field, whether wealthy or poor, shall live under one law. I have outlined the position as regards the two reservations with which alone I am concerned at the moment. However, I am deeply interested in all other reservations in the Murchison electorate. I trust I shall not again have occasion to protest against the granting or the extension of any reservation on the Murchison. I am prepared to take the consequences of doing so. One law only should prevail; or, if there are to be any concessions whatever, let them be granted to the under-dog, to the man who goes out to battle, possessed of only water bag and swag. He is the man who should receive concessions. Under no conditions should concessions be granted to companies obtaining good returns from their investments. I appeal to the Chamber to carry the motion. I object strenuously not only to the granting of reservations, but to the granting of extension in the case of these two reservations.

On motion by the Minister for Mines, debate adjourned.

PAPERS—MINING.

Loan to G. Simpson.

MR. MARSHALL (Murchison) [5.6]: I move—

That all papers relating to the granting of loans to Mr. G. Simpson, of Nullagine, by the Mines Department for (a) the erection of a battery, (b) the provision of a cyanide plant, and (c) for the purpose of exploring for water, be laid upon the Table of the House.

I understand there will not be any objection to this motion.

MR. WELSH (Pilbara) [5.7]: The battery mentioned in the motion is situated in my electorate. I have always understood that it is a principle of Parliament that one member should not intrude on another member's electorate and its affairs.

Mr. Marshall: You must disillusion yourself about that!

Mr. WELSH: I have no objection to the motion, which represents quite a good move, as it will clear up the situation which has existed at Nullagine ever since the battery was erected. I shall not enter into details.

The Mines Department has twice or thrice sent a responsible officer to investigate complaints against the battery, and no doubt the officer has made reports. I repeat, I have no objection whatever to the passing of the motion, and indeed am glad that it has been moved. However, I did not think that, having regard to parliamentary etiquette, it would come from the quarter from which it emanated.

Question put and passed.

The Minister for Mines laid the papers on the Table.

BILLS (2)—THIRD READING.

1, University Building.

2, Geraldton Sailors and Soldiers' Memorial Institute (Trust Property Disposition).

Transmitted to the Council.

BILL—MARKETING OF ONIONS.

Second Reading.

MR. FOX (South Fremantle) [5.10] in moving the second reading said: During the course of the Address-in-reply debate much was said regarding the precarious position of the wheatgrowers. Similar statements have been made elsewhere from time to time and the necessity has been stressed for the fixation of a home price for wheat and an export price as well. Many other suggestions have been advanced with the object of ameliorating the conditions that have prevailed among the wheat farmers for so long and have caused so much distress. Each member of this House agrees that the wheat farmer is entitled to a better standard of living than he has enjoyed in the past. I noticed in the Press recently that the Minister for Lands had returned to Perth from the Eastern States after attending a conference at which consideration was given to the necessity for stabilising the wheat industry. A scheme was also dealt with under which prices would be fixed for export wheat and for flour and bread, to be operative when the price of wheat fell below 3s. 8d. per bushel. Unsatisfactory as are the conditions confronting the wheat farmers, there is another section of primary producers labouring under even worse disabilities. I refer to market gardeners. Legislation is necessary to afford that class of grower an opportunity to enjoy a better standard of living. His production, unlike that of the wheatgrower, is practically all disposed of locally, and much of it represents a dead loss unless marketed promptly. While this State has no general marketing legislation, boards have been established, the members of which have carried out excellent work on behalf of the industries in respect of which they function. Several of these may be mentioned. There is the Dried Fruits Board. Growers operating in the Swan Valley realise the value that board has been to their industry, which before the passing of the necessary legislation under which assistance was rendered to the growers, languished to a considerable degree. I am given to understand that the industry, with the advantage of that legislation, now represents one of the most profitable avenues of primary production in Western Australia. Next may be mentioned the Apple Board, which regulates the export of apples and to a certain extent regulates the price of the fruit throughout the year.

Mr. Sampson: That board operates voluntarily.

Mr. FOX: Recently a potato pool was inaugurated and that has proved of considerable advantage to the potato growers. I have not lost sight of the fact that last season the potato crop in the Eastern States was a partial failure which obviously had its effect in determining the prices obtainable by our producers. Notwithstanding that fact, I believe the growers would not to-day receive the prices they obtain were it not for the existence of that pool. Again, there is the Milk Board which has fixed the prices payable to the producers and has eliminated much of the unnecessary competition that entered into the distribution of milk to householders. As a result of the board's activities, the industry has been built up and those who enjoy a quota of the business realise that they have real vested interests to safeguard. If an attempt were made to secure a new milk round in the metropolitan area, it would be found impossible, and certainly not less than £10 a gallon would have to be paid to purchase a quota from any person holding one. Members will agree that the board has been of great assistance to the milk producers, while it has also raised the quality standard of the milk supplied. The Transport Board, although it

functions somewhat differently, has eliminated much of the competition that prevailed respecting bus services and has enabled proprietors of that form of transportation to provide a fair standard of wages and living conditions for their employees. Before the State Transport Co-ordination Act was passed, the employees of one company worked unnecessarily long periods, sometimes 16 hours a day, and at the same time did not earn as much as the basic wage. Those conditions are now changed, and so it will be seen that the establishment of the boards I have mentioned has proved of advantage to the industries concerned. Another little board will not do much harm, more especially seeing that if the Bill be agreed to, its provisions will have no appreciable effect on the cost of living. The Bill will enable the growers to control their own produce. I have attended a number of meetings of growers in the Spearwood and Fremantle districts and I know they are desirous of the establishment of a board. Upwards of 75 per cent. of the onions grown in the State are produced in the Spearwood, Coogee and Fremantle districts. The production per acre in those areas is twice as much as in any other part of Western Australia. Onions are grown in the Albany district and the returns there are about four tons to the acre. In other districts the production would not average more than that return. On the other hand, at Spearwood the onion crops sometimes range from 9 to 10 tons to the acre.

The Western Australian consumption of onions represents between 2,600 and 3,000 tons per year. Thus it is necessary to import annually fairly large quantities. Supplies grown within the State are sufficient to cope with the local requirements of about five months per year. As the growers, under existing conditions, are in a chronic state of impecuniosity, they cannot afford to hold their onion supplies but must unload them on the market as soon as possible. They have to incur heavy expenditure in production costs and credit has to be extended to them for that purpose. When creditors clamour for their money, the growers are naturally anxious to put their crops on the market as soon as possible. That results in prices slumping, and speculators are able to buy at cheap prices. They are in a better position to hold the supplies and place them on the market gradually. In consequence, as the speculators can deal in large quantities, they are able to make more out of the industry than are the growers.

Mr. Thorn: The producers are forced to sell.

Mr. FOX: Yes. If the growers had control of the market and were able to establish a board, they could be financed for their fertiliser supplies and so be enabled to continue in the industry. The board could regulate the flow of onions to the market, thereby enabling the growers to secure a reasonable return for their labours. That could be achieved without any exploitation of the consumer. The growers consider that a reasonable return would be between £9 and £10 a ton and surely no one would object to paying 1d. a lb. for onions. About 12 years ago a voluntary pool was established in the Spearwood district and it operated for three years. The weak link proved to be the grower who stood aside from the pool, yet took all the benefits derived from its establishment. When there was a shortage of supplies and prices were favourable, he dumped his supplies on the market and reaped the advantage at the expense of the growers who operated through the pool. One man, who was an ardent supporter of the movement, was approached by the merchants who offered him £17 a ton if he would sell his onions direct and not put his crop through the pool. At that time the offer represented more than the ruling price for onions. I suppose it was in the interests of the merchants who deal in that commodity to break the pool down as quickly as they possibly could, so that they might have a better chance of exploiting the growers. Notwithstanding their efforts, the pool continued for three years and was, in the opinion of those associated with it, of great benefit. As I have said, Western Australia consumes between 2,600 and 3,000 tons of onions annually. After March, the price in Western Australia is regulated by the Melbourne price. Victoria nearly always has a surplus of onions, and quite a large part of the surplus is exported to this State. In effect, Melbourne controls the Western Australian price after March. The price here would be the Melbourne price, plus £3 per ton for cost of shipping, and handling into store in Western Australia. From November to April it is possible for the price in

Western Australia to fall below the Melbourne price because of the quantity that is offering here. It does not follow that because onions are £7 or £8 a ton in Melbourne they would bring an extra £3 here during that period or over £10 a ton.

I have been told by market gardeners that this season has been the worst in their experience. The time must surely come when some form of regulation will have to be enacted to give the growers a decent standard of living. I have taken a note of the prices at which vegetables were sold in the Fremantle market during the last week-end. Vegetables are plentiful at present, and the proprietors of the markets have actually to pay people to cart away the stocks left unsold. Usually, pig farmers and others collect the unsold vegetables at the market and cart them away; but so plentiful has been the supply that the market proprietors at present have to pay cartage in order to get the surplus vegetables removed and put over the tip. On Saturday last, cauliflowers were sold in Fremantle at four for 6d.; the best quality could be obtained for 3d. each. No one should refuse to pay at least 6d. for a good cauliflower.

Mr. Needham: They were 2d. in Perth.

Mr. FOX: Cabbages were sold in the market for 1s. to 4s. per bag, each bag containing approximately 35 cabbages and weighing 1½ cwt. Beetroot was sold at 1d. per bunch and 8d. per dozen bunches; turnips brought 1d. a bunch and 9d. per dozen bunches; swedes were sold for 1s. to 5s. per cwt. Parsnips brought 9d. to 3s. 2d. per dozen, but the higher price would not be anywhere near the average price; it would be the price paid for a few exceptionally good bunches. The average price is a little above the minimum.

Mr. Needham: The supply of parsnips would be short.

Mr. FOX: It is one of the hardest vegetables to grow, but it was very cheap. Potatoes were dear, but, as I have said, the potato growers have the benefit of a board, and then there was the comparative failure of the Victorian crop, which also affected the price here. If our market gardeners are to be induced to remain on their holdings, the time is not far distant when they will have to be given quotas, in the same way as milk vendors are given quotas now. It is no use growing onions or, indeed, any vegetables, if they have to be put on the tip; and the growers, in the present circumstances, have no possible chance of securing a decent standard of living. That is the least to which they are entitled and it is what this House has agreed the farmers should have.

In 1919 an attempt was made to establish a soldiers' settlement in the Spearwood district. Forty-two soldiers took advantage of the scheme, but at present only four remain, and only one is getting his living exclusively from market-gardening. The others have additional means of living. I have been a member of two deputations that have waited upon the present Minister to place before him the need for legislation to give some relief to the onion growers of the State. The Minister was very sympathetic, and on one occasion told us he was prepared to give the growers powers to organise, but would not be prepared to allow price-fixing. Price-fixing is not contemplated in this Bill, but we should give the growers the opportunity to get as much as possible for themselves out of the sale of their produce, and not allow the distributors to get a disproportionate share of the proceeds. I know the greatest opposition to the measure will come from those people who are dealing in the commodity.

In 1936 an onion-marketing board was established in Victoria under the Marketing of Primary Produce Act. A poll of the growers in the various districts was taken. The districts were divided into zones, and 695 growers voted for the establishment of the board, while 395 voted against the proposal. The Victorian board consists of five members, one of whom is appointed by the Governor-in-Council, and four by the producers. The board has depots at all important centres. In 1936 the board handled 30,000 tons of onions: the first advance made by the board was £3 10s. per ton, and the total received from the crop was £7 per ton. In 1937, the board handled 50,000 tons: the first advance was £5 per ton, but unfortunately the amount received left the board in debt. I believe there were certain circumstances surrounding that failure which, if this Bill becomes law, will be obviated here. We shall not fall into the same error.

Mr. Hegney: It can be avoided.

Mr. FOX: We shall have the advantage of the experience of the Victorian growers, and avoid the error they made. The opinion

of the Victorian growers is that the board is of paramount importance to the industry, especially during seasons like the present one and last year's, when the crop was so prolific that the price would have fallen to £1 per ton if the board had not been in existence.

The Bill now before the House provides that after the passing of the Act, the Governor may, whenever requested by not less than 50 growers carrying on the business of growing or producing onions, issue a proclamation fixing the day for the taking of a poll of the growers carrying on business in Western Australia, on the question whether a board shall be constituted. If, on the taking of such poll, more than three-fifths of the votes polled are in favour of the constitution of a board, the board will be created. It is also set out that no grower shall be entitled to sign his name to a petition or to vote at a poll unless he is 21 years of age. The board is to consist of five members, three of whom—growers themselves—shall be elected by the growers; and two shall be nominated by the Governor, one of whom must have commercial or mercantile experience. Provision is made for the cost of conducting a poll for the establishment of the board, and for the first election of members to the board the cost shall be met by the signatories to the petition. Later on the Governor may reimburse the signatories by directing that the expense incurred in the formation of the board shall be paid from the sale of onions. Regulations may be made to provide for the form of the petition, the compiling of lists of persons entitled to vote at the poll and elections, and the conduct of elections generally.

Mr. Thorn: Do you propose to make a levy on the growers?

Mr. FOX: That is not provided for in the Bill: all expenses would have to be met out of the sale of onions.

Mr. Thorn: Do you mean that a levy will have to be imposed?

Mr. FOX: There is also provision in the Bill for the holding of periodical elections and the vacating of offices. An important provision in the Bill is that all onions grown in Western Australia may be divested from the growers and become the absolute property of the board, and that provision may be made, if deemed necessary, to obtain possession of such onions for the purpose of carrying out the objects for which the board was constituted. That is absolutely necessary. The board would thus be able to sell the crops for the benefit of the growers. The effect of this would be to vest in the board all onions freed from liens, mortgages, charges, etc. At the same time the rights of persons holding the mortgages or liens would be protected. The board will have power to sue and be sued and to dispose of real and personal property. The members of the board—other than the nominated members who may be in the Public Service—are to be paid from the fund such remuneration in the form of expenses as may be fixed by the Governor. It is also provided that after the Act has been in operation for three years, if the growers consider that the board should be dissolved, then on a petition signed by fifty growers a poll may be taken on the question of the dissolution of the board. A simple majority in favour of dissolving the board will be all that will be necessary. There is also provision to exempt small growers, that is to say, those people who grow the product for their own consumption, and also the grower who desires to sell direct to local consumers or retailers. The exemption also includes such sales or transactions as may be prescribed. These, however, may be revoked at any time.

Mr. Thorn: If you are going to allow growers to do that, you will weaken the Bill.

Mr. FOX: It does not necessarily follow that general permission will be given to do everything that may be set out in the regulations. That will be for the board to determine, and as the members of the board will be practical growers, they will know exactly when to give permission and when to refuse it. There is also provision in the Bill for a penalty not exceeding £50 to be imposed on the person buying from other than members of the board, unless exemption in the particular instance has been granted by the board. Certificates relating to the quality and standard of the onions will be issued, and the decision of the board as to the quality and standard will be final. Further, the board's determination of dockages or other charges and all expenses in connection with the administration of the Act, will be final. Out of the proceeds of all onions sold, the board will make payments to growers according to the quality or standard of the products delivered to and sold by the board during a prescribed time, and in proportion

to the quantity received from each grower. It will be possible for the board to arrange with any bank for financial accommodation and to give security over its assets, and also to arrange for transport overseas, or for ship stores, or for exporting to the other States. The board will be obliged to keep true and regular accounts which are to be audited by the Auditor-General or by a chartered accountant approved by the Minister. The board will be able to make advances on account of onions delivered to it, at such time and on such conditions as it thinks fit.

Those are the essential provisions of the Bill which is fairly comprehensive. I assure members that the market gardeners are in a worse position than is any other branch of primary production in this State. I have seen instances recently where the whole of the family has been obliged to go out and work in the field to eke out an existence. We should not expect our womenfolk to work in the field; that is lowering the Australian standard of living. A woman to-day has quite sufficient to do in the home without having to go out into the field to assist her husband in earning a livelihood. Unfortunately, that is quite a common occurrence in every district where people are engaged in market gardening. Surely no industrialist will stand for that kind of thing. I am convinced that members opposite would not stand for it, and therefore I am certain that they will give the Bill their hearty support. In conversation with a union organiser who recently inquired into the conditions of the market gardeners, I learned that it was impossible for the gardeners in the district I represent to pay anything approaching the basic wage, for the reason that they themselves did not earn anything near it. There are however, some who pay £2 or £3 a week, but I have been informed that in other districts there are men who rarely get more than £1 a week and their keep. The union organiser made it his business to learn what was being paid in a particular district—I do not wish to name it—and he assured me that the wage paid there was £1 a week and keep. That is a very low wage indeed, and I am sure no industrialist in this House will support such a condition of affairs. Members will not stand for the existence of an industry that will not permit of the payment of wages by which a decent standard of living can be maintained. I trust therefore, that all members will support me in my efforts to have the Bill passed into law. In conclusion, I believe that if the Bill becomes law, it will help to reduce some of the costs between the producer and the consumer. I am also sure that it will go part of the way towards enabling those people engaged in market gardening to give their employees, and to help themselves to attain, a decent standard of living. I move—

That the Bill be now read a second time.

On motion by the Minister for Agriculture, debate adjourned.

BILL—JURY ACT AMENDMENT.

Second Reading.

MRS. CARDELL-OLIVER (Subiaco) [5.41] in moving the second reading said: In presenting this short Bill, which is intended to amend the Jury Act, 1898, I feel sure that hon. members, irrespective of party, will recognise and agree that the underlying motive of the amendment is justice. The Bill is very short; it is one which our dear "Philos" might call "a very little Bill." It aspires merely to put women on juries. In asking members to support the Bill, I do not claim any specific ability for women. I do not say that they could have a better angle on the case of an accused person than a man, especially if they looked at the question solely from the woman's point of view; but I unhesitatingly say that a womans' contribution, given from a woman's point of view, is as valuable as that of a man given from a man's point of view, and only as a result of united deliberations, and an expression of the viewpoint of both sexes, can a real attempt be made to arrive at a just conclusion.

Men and women will always have a different outlook on life, owing to their varied natures. Even if they had been brought up in the same type of work, and had the same kind of training, their outlook would still be different. I think it was Tennyson who said that woman was "not undeveloped man but diverse." Because of that diversity, Mr. Speaker, women could make a valuable contribution if they served on juries. We are all aware that there are different types of women, just as there are different types of men. There is the effeminate man and the masculine woman: but when juries are chosen, the type of individual is not con-

sidered. In those countries where both men and women sit on juries, the effeminate man and the masculine woman are often caricatured and held up to ridicule, with the result that in other countries where women do not serve on juries, people are apt to be prejudiced against them. The criticism of such people may, however, be entirely unjust because it may be that nature is working towards a oneness of type, and that the effeminate man and the masculine woman are of an advanced type. We cannot judge, but it is evident that at present, in an ordinary community, the inclination of the average woman is in favour of the "he-man," and that the average man is predisposed towards the very "she-woman." Therefore, a jury of men may be unknowingly biassed according to their own natural instincts, and the same may, of course, apply to a jury of women. Many contend that the jury system is a difficult one in any event.

Mr. Lambert: It should be abolished altogether.

Mrs. CARDELL-OLIVER: Perhaps. If I may answer the hon. member through you, Mr. Speaker, I would ask him to observe what would be the effect of the abolition of the jury system. That the system is difficult in any circumstances is agreed in many quarters. Sir Herbert Nicholas, in a memorandum published in June this year, said that in his opinion the community must either establish a more certain method of dealing with crime than was provided by the present system of juries, or resign itself to the fact that it could not protect the public. The hon. member will doubtless agree with that gentleman's observation. On the other hand, we have such a man as the great French observer, Bourguignon, who regards the jury as the protector of the people against those that exercise power either through the possession of the reins of government or through wealth. Other eminent men have repeatedly upheld the jury system. Lord John Russell declared that it was to trial by jury that the Government of England owed the attachment of its people to the laws. Statistics prove that in those Australian courts where trial by jury has been practically abolished, the percentage of appeals from the decisions of judges is very great, sometimes as high as 25 per cent. I do not know, after that, whether the member for Yilgarn-Coolgardie would prefer to be tried with or without a jury.

The suggestion has been made that we should have trained men on juries. If, however, we had such men, and they were of a fine, understanding type, they might not arrive at absolutely just conclusions, because men of that kind realise that to know all is to forgive all. Accordingly, they might err on the side of leniency. Then we have the burning question whether the jury is ever right. Psychologists and scientists that have studied the findings of juries have elicited the fact that, on the average, completely female juries excel male juries both in accuracy and thoroughness, unless—unless Mr. Speaker, the accused happens to be a very alluring male. That proves my point, which is that mixed juries are necessary if truth is the object and justice the aim. We all know that the antipathies of men are greater than those of women. For example, a man with very nationalistic instincts becomes easily biassed against a foreigner. Again, Irishmen—and I hope there are not many in the Chamber—can see very little wrong in other Irishmen.

The Minister for Mines: You do not know much about the race.

Mrs. CARDELL-OLIVER: Women, on the other hand, have a wider human outlook——

The Minister for Mines: Especially towards one another.

Mrs. CARDELL-OLIVER: Perhaps because, as mothers, they come into closer contact with real life in the early and adult stages. My experience on a jury emphasises my point. I was called upon to serve in a Cornish town. The court was situated many miles from my home and incidentally I had to pay over £3 for car hire to go to the town and back, or rise at 6.30 a.m. in order to catch a train to be in time for the opening of the court. The case was that of a man charged with selling to a farmer a horse that did not come up to warranty. The farmer had had the horse on three days' trial before he purchased it. The man charged was a gypsy, and Cornish farmers detest and distrust gypsies. I was neither a farmer nor a Cornishman, and I was the only member of the jury that refused to agree that the man had necessarily or knowingly sold a rogue horse in the circumstances alleged. I contended that the work of a horse in the service of a gypsy

was very different from the work of a horse in the service of a farmer, and that the gypsy had proved that he had had the horse for some time and had not experienced any trouble. Hours of discussion passed and perhaps owing to a woman's point of view —I say this modestly—or perhaps because the prospect of milking in the not too distant morning was looming, the farmers agreed that their natural bias towards the gypsy might have made them unjust, and they agreed to return a verdict of not guilty. I do not wish to imply that only a woman's point of view could have broken down the bias of the farmers, but it is more than likely that had the twelfth juror been a man, he would eventually have agreed with the other 11 jurors. The point of view of the man, even to the sub-consciously sympathetic, was that time was a factor for consideration because the cows were waiting to be milked—a perfectly understandable reason for haste in making a decision, but one in which a woman could not participate, perhaps because she did not share in that type of life. Therefore I say that the greater the variation of thought amongst jurors, the more likelihood there is of arriving at a true verdict.

England, upon whose legislative system our laws have been based, is perfectly satisfied with the jury system which has been adopted there and which provides equal status for men and women. The law to give this right was passed in 1919. This long overdue reform was introduced mainly because women had shown themselves capable of and willing to do every type of work during the war, and England has found that the confidence reposed in women jurors has not been misplaced. In America there are 27 States where women serve as jurors and their reputation as such is very high. In 11 of the States women must be excused on request, while in one State women must request to serve, as in Queensland.

The present appears to be the opportune moment to make a comparison of the qualifications necessary for jurors in the Australian States. In New South Wales there is a property qualification—an income of £30 per annum derived solely or wholly or partly from real estate, or the possession of an estate worth £300. It is interesting to note that on the civil side of the Supreme Court over a period of 3½ years, only 33 cases were heard without a jury, and those cases were thus heard by the consent of both parties. People there, unlike the member for Yilgarn-Coolgardie, do prefer the jury system. The proportion of jury trials was 98 per cent., and that did not take into consideration matrimonial cases. No fewer than 20,000 persons in New South Wales were summoned to serve as jurors in 1935. In Victoria the property qualification is that of all male householders rated on an annual value of not less than £60 or in possession of real estate returning not less than £60 per annum. In the majority of cases heard by a judge without a jury, there was no less than 20 per cent. of appeals. The "Australian Law Journal" remarks—

> With the jury, finality of litigation is reached more quickly, even though the jury trial itself may be more lengthy than a trial without a jury.

In South Australia the qualification of jurors is assimilated to that of electors, not for the popular House, but for members of the Legislative Council, which requires occupation of a property valued at £50. A very important feature of the statistics on the civil side of the Supreme Court is that since the practical abolition of trial by jury, the percentage of appeals from decisions of judges from 1932 to 1935 was 25 per cent. to the Full Court and 27 per cent. to the High Court. In Western Australia the property qualification exists both for common jurors and for special jurors. Common jurors must possess £50 realty or £100 personalty. The special juror's qualification is the possession of property to the value of at least £500. In this State also there is an occupational qualification. In Tasmania persons are qualified as jurors if possessed of property in Tasmania worth £500, or if possessed of an income from property of not less than £20 per annum, or if an occupier of a house or other property of an annual value of £20, or if in receipt of an annual salary of £100 or more. By the Jury Act of 1923 the Labour Government of Queensland abolished the distinction between common juries and special juries, and provided that, with certain immaterial exceptions, all male persons between 21 and 60 years of age on the electoral rolls for the Assembly should be liable to serve as jurors. The Queensland Act also provides that all enrolled females between the ages of 21 and 60 who shall notify

in writing—this is a special point I wish to make—to the electoral authorities that they desire to serve as jurors, are also qualified and liable.

Mr. Lambert: How would they get on if they were locked up for the night?

Mrs. CARDELL-OLIVER: That would depend upon the people with whom they were locked up. In this Bill I have altered only that part of the Act dealing with the distinction between sexes. I have modelled it partly on the Queensland Act, making it necessary for women to notify in writing their desire to serve as jurors. In other respects, the Act will remain as it is. Opponents of the Bill may say that up to 1934 only 52 applications were made by female electors of Queensland to serve as jurors. One must assume that if men had the same rights as Queensland women have, and had the same lives to lead as women have, they would be no more ready to serve on a jury than are women. Neither men nor women are keen to serve in that capacity, but I do not think the inclination of citizens should be taken into account when a civic duty has to be performed, though their disabilities, of course, must be reckoned with. My reason for inserting in the Bill the distinction that allows women the right to serve on application is a specific one. Essential household duties will necessarily prevent many women from serving on a jury. These duties are of paramount importance in our national life. Women may be pregnant. Others may have young children, and it may be impossible for them to leave their homes. I think it fair to insert in the Bill a clause, similar to the section in the Queensland Act, and in the legislation of some American States, that will save women from being put to the expense of obtaining a doctor's certificate declaring that it is impossible for them to attend, as is the case with women in England, and in some American States. If it is desired that women must ask for exemption, in Committee I shall be willing to accept such a provision in preference to losing the Bill. May I point out, however, that this would penalise many women who live in country districts, women who neither have the pennies to spend on postages in making application for exemption, nor vehicles in which to travel to the courts. In justice to many women who are willing to serve and are capable of serving, and would be of invaluable assistance in considering the cases that came before them, I feel that this Bill should have the support of the Legislative Assembly. Western Australian women are singularly advanced in their desire to give social service, and I believe that a reasonable number of them would immediately enrol for jury service, if given the chance. Many leading men have expressed the opinion that women are outstanding in their intelligence as jurors. Mr. Hepburn, Managing Director of the Baltimore Criminal Justice Commission, Director of the Community Fund, Secretary of the United States Federation of Justice, Consulting Director of the Philadelphia Criminal Justice Commission, and occupying many noted offices, believes in mixed juries. He states that his belief is not based on the "equal rights" argument. It is founded solely on his conviction that jury service by women makes for greater efficiency in the administration of justice. He declares that his experience has proved that women are less apt to be sentimental over criminals than are men, that fewer women than men are engaged in business pursuits, and therefore, have more time at their disposal, and that it is often possible to obtain a good type of juror. He says it has been proved that female juries are more accurate and thorough in working out detailed facts and in examining evidence. He further declares than many women, girls and children are involved, and that the service of women on juries is as much the concern of women as it is of men. Then we have the experience of Dr. Marston, the psychologist, who is credited with having discovered the systolic blood pressure deception test, well known as the lie detector. He considers that women are more patient in working out detailed facts than are men. In his tests made on jurors he found that two out of every three female jurors prepared exhaustive charts, by which they compared the testimony of all witnesses on all points at issue; whereas not a single male juror did this. I have not asked any member, in the lobby or elsewhere, to support this Bill, but I trust that all members will show their appreciation of the judgment of women by casting their votes in favour of it. I hope they will realise that those upon whom jurors sit in judgment are not men alone, but women and youths as well. In fairness to humanity I would say that so long as human beings hold the destiny of another in their hands, so long

as they have the responsibility of saying, "Guilty" or "Not Guilty," that destiny and responsibility should rest not with only one section of the human race, but with both men and women.

The Premier: If it is a matter of such outstanding importance, why make it optional?

Mrs. CARDELL-OLIVER: Because, as I have said—

The Premier: Yes, you have said.

Mrs. CARDELL-OLIVER: As convincingly as I could, women's duty, the greatest national service they can give, is in their own homes. Nevertheless, a woman may have children, young children, and thus be in such a position that she cannot possibly serve. Yet there are many women outstanding in life who have not those home duties and who would be willing to serve; and therefore I bring forward the Bill. Tennyson has written—

> Woman's cause is man's:
> They rise or sink together,
> Dwarfèd or God-like, bond or free.

These lines imply that man's cause is woman's, and however separate man would make us, God has made us one. Most of our troubles arise from the fact that we challenge that judgment. I leave the Bill with members in confidence that their good judgment and their common sense will allow the measure to pass the second reading. Accordingly I move—

That the Bill be now read a second time.

On motion by the Minister for Agriculture, debate adjourned.

PAPERS—MIDLAND LIGHT LANDS.

Case of Henry George Townsend.

Debate resumed from the 31st August on the following motion by Hon. P. D. Ferguson (Irwin-Moore):—

That the file dealing with the application by, granting to, and forfeiture of 10,000 acres of light land situated between the Midland Railway and the coast by Henry George Townsend be laid upon the Table of the House.

THE MINISTER FOR LANDS (Hon. M. F. Troy—Mt. Magnet) [5.11]: I have no objection to the motion for the tabling of the papers, although I do not think the hon. member requires them, because they disclose nothing but the application of Mr. Townsend for the selection and its surrender. The mover of the motion evidently desires to draw attention to what he regards as an injustice, and the frustration of a policy inaugurated by the present Government to have the State's sandplain country utilised. I believe that to be his purpose, and it is an entirely laudable purpose if the injustice which the hon. member believes occurred, did in fact occur. For some years an attempt has been made to have the sandplain lands of Western Australia brought into production. This party has interested itself on more than one occasion to that end. We are responsible for having sandplain sold under the Land Act at 1s. per acre excluding survey fees, or at 1s. 6d. per acre including those fees. We thought that those conditions would encourage settlers to take up areas of sandplain, and that they would be able to show to what use the land can be put.

When the necessary legislation had been passed, a great deal of the land was taken up, because the settler under the Land Act is not required to pay rent until five years have elapsed from the date on which he gets his lease. At the end of the five years, however, it was found that those settlers had made no improvements; and when the time arrived for payment of rent, the land reverted to the Crown because the settlers would not pay rent. So we were not successful in getting the land utilised even at the price of 1s. per acre. A considerable area of the country has been taken up, but, as members know, large areas remain Crown lands in a virgin state. This land could have been taken up under leasehold conditions at £1 per thousand acres on annual lease. However, that condition in the South-West Division gave the holder no security. He made improvements, but he merely held the land on an annual lease without security of tenure. That was discouraging. It was then decided to offer more attractive terms. An annual rental of £1 per thousand acres was too high a value to be placed on this land. During the last year or two I gave further attention to the matter, and decided to lease the land at a low rental, provided that the settler made use of his holding and effected certain improvements. The new conditions were that a settler could take up an area of 10,000 acres at a rental of 5s. per thousand

acres, and would have security of tenure for ten years.

Sitting suspended from 6.15 to 7.30 p.m.

The MINISTER FOR LANDS: Before the tea adjournment I had pointed out the new conditions under which land of the type referred to in the motion can be taken up. Those conditions should afford encouragement to people to utilise light land areas. Naturally, the State would not be prepared to make available large areas at such a low rental and under the terms I have outlined, if the selector were not committed to certain improvements during his occupancy of the land. The conditions I have outlined are those that operate to-day. In Western Australia there are millions of acres of a similar type of country, stretching from Wanneroo northwards to Dongarra and extending 50 miles inland from the coast. Ninety-five per cent of that area is Crown land, and all is well watered. I do not think there is any better-watered area elsewhere in the State. The new conditions for the leasing of the sandplain country were decided upon in order that farmers with holdings adjacent to the Midland Railway line might be induced to take up additional areas. The complaint lodged by the member for Irwin-Moore (Hon. P. D. Ferguson) was that a settler named Townsend had taken up an area of sandplain country, having selected Yandanooka Lots 130 and 135, comprising 9,743 acres, on a 10-years lease, but had surrendered the property because of the imposition of a land tax. He asserted that the land tax was too burdensome and discouraged the settler from continuing with the proposition. I have no doubt that the hon. member received his information from the person concerned, or from someone else associated with the transaction, but experience shows that 99 per cent. of information so obtained is rarely accurate and that there is always another side to the question. When members have been in public life for many years, the truth of the statement that 99 per cent. of information obtained from the man in the street lacks accuracy will be easy of appreciation. In this instance the facts are not as indicated by the member for Irwin-Moore, although no doubt he presented them as they were furnished to him.

The facts regarding the transaction in question are that Mr. Townsend was granted his lease on the 1st October, 1935, a surrendered the lease on the 30th Ju 1938, nearly three years later. The La Tax and Income Tax Act provides in o schedule that the land tax shall not ap to improved land used solely or principal for grazing purposes. Had this s tler utilised the land as required the Act, he would not have been su ject to the land tax, which could n have been imposed. The conditions u der which he accepted the lease provid that Mr. Townsend had to fence his ho ing by not later than the 1st October, 19 The settler had not fenced his holding the 30th June, 1938. It will be seen, the fore, that Mr. Townsend did not com with the conditions of his lease. That the information supplied to me. As M Townsend failed to effect the improvemer within the time specified by his lease, t land tax applied to him. Had he carri out the terms of his lease, that tax co not have been imposed, for he would ha been exempt under the conditions laid do in the Act. No person is allowed to ta up a large area of land under improveme conditions and escape taxation, or even retain the land, unless he fulfils the nec sary conditions. In this instance the Lan Department was not strict in dealing wi the settler. Had that not been the po tion, the land would have been forfeit As it was, the department did not forf the land, and Mr. Townsend held the p perty for nearly three years. As he did effect the improvements within the ti specified, he was not exempt from the i position of the land tax. That tax w based on a value of 1s. 5d. per acre, though the land if held under C.P. con tions would be valued at 1s. 6d. per ac Consequently, the tax was not heavy. was not, as stated by the member for Irwi Moore, a liability of £7 11s. 6d. per annu but of £5 13s. 4d. The vermin tax rep sented another impost, but that would ha to be paid in any case. Before I asc tained the facts regarding this matter, was very concerned that the Taxation D partment should so act as to discoura persons from taking up land such as th in question. When I discovered the fac I could not quarrel with the departme No land is thrown open for selection exce under improvement conditions. I found th the facts altered the whole of the circu

stances. Although in this instance the selector may have made complaints, I do not think they were justified because the tax was merely a result of the selector's non-compliance with the improvement conditions. There is another form of taxation, I am told, which is very discouraging to settlers, and it is that levied by road boards, which tax on arbitrary values and do not accept Crown valuations. The Taxation Department's basis for taxation, in this particular instance was an annual value of less than 1s. 5d. per acre, whereas the C.P. purchase price of that land is 1s. 6d. an acre, inclusive of survey fee. Too many of the road boards do not adopt the Lands Department's valuations. The road boards rate on an arbitrary value, up to 4s. and 5s. per acre, and that is an injustice. I know of people who will not take up this class of land because they consider the road board rates are too high. They say, and rightly, that the road board valuations are arbitrary and unfair.

Mr. Patrick: Most of the road boards have adopted the Taxation Department's valuations.

The MINISTER FOR LANDS: I know of some that have not done so.

Hon. C. G. Latham: That is so.

The MINISTER FOR LANDS: The Taxation Department cannot impose a tax if the land is improved. There is nothing wrong with that and we have no complaint there; but I hope to be able to induce the Government and the House to provide in any amending legislation that road boards shall not tax on a valuation higher than that fixed by the Lands Department, because in these areas road boards are sometimes not even called upon to make a road. That applies particularly to sandplain country.

Mr. Patrick: If the road board's valuation was higher than the Taxation Department's, that would be a good ground of appeal.

The MINISTER FOR LANDS: But the holder of the land would be put to the expense of invoking the court's aid. He would have to engage a solicitor and I see no reason why he should be put to that expense.

Mr. Sampson: In the first place, the holder of the land would appeal against the rating to the appeal court held by the road board.

The MINISTER FOR LANDS: But the board's decision would prevail. I know that to be so; quite a few people have told me. The road board has said, "You can appeal to the court." But the road board's solicitor is paid by the ratepayers, whereas the person appealing has to pay his own counsel.

Mr. Sampson: The Act sets out the procedure.

The MINISTER FOR LANDS: So that this land may be taken up and used to the advantage of the State, we should allow people to have it on the best possible terms. We ought not to let any authority discourage settlement by imposing taxation that is not fair and reasonable.

Mr. Patrick: The road boards should not be allowed to fix a valuation higher than that fixed by the Taxation Department.

Mr. Sampson: Many road boards rate their lands at a valuation less than the Taxation Department's.

The MINISTER FOR LANDS: I do not know what the report of the Royal Commission that inquired into this matter will be, but I think I am not far wrong in saying that I anticipate the Commission will say that this land should be put into production so that it will be of some value later on. If a settler can make a sandplain farm pay, he will be rendering great service to the State. If the mover's intention was merely to have the subject elucidated, I thank him for the opportunity he has given me. As I said before, however, I do not think there is any necessity for laying the papers on the Table. The only paper on the file is the application that was made by Mr. Townsend himself and it conveys no information. If the House wants the papers, well and good. I hope, though, the motion will not be pressed.

Question put and passed.

MOTION—FIREARMS AND GUNS ACT.

To Disallow Regulation.

Debate resumed from the 31st August on the following motion by Mr. Seward (Pingelly):—

That regulation 14a under the Firearms and Guns Act, 1931, as published in the "Government Gazette" on the 18th day of February, 1938, and laid on the Table of the House on the 9th August, 1938, be and is hereby disallowed.

THE MINISTER FOR MINES (Hon. A. H. Panton—Leederville) [7.45]: The regulation that the member for Pingelly (Mr.

Seward) has moved to disallow is made under the provisions of Section 18 of the Firearms and Guns Act. The section prescribes a penalty not exceeding £20 for the breach by act or omission of any regulation made under the Act. The regulation complained of reads—

> Every person proposing to deliver a firearm from his custody or control, shall before making delivery of the firearm to any person required under the Act to have a permit or license to possess the firearm, call for and inspect the permit or license entitling such last-mentioned person to possession of the firearm.

The mover of the motion pointed out that a man in the country who owned a gun and desired to sell it was under a disability if the proposed purchaser had no license; and I think he contended that he would have to wait until the proposed purchaser obtained a license and in the meantime the sale of the gun might be lost. That, I think, was the argument advanced by the mover of the motion. It must be borne in mind, however, that the license to hold a gun is not transferable. Paragraph 4 of the first column of the table to Section 12 of the Act provides—

> Selling, delivering or disposing of a firearm to any person not entitled to possess the same under this Act, or to any person whom the alleged offender has reasonable grounds to believe is intoxicated, excited by liquor, or of unsound mind . . . . .

I would like members to pay particular attention to the first part of the paragraph, "selling, delivering, or disposing of a firearm to any person not entitled to possess the same under this Act." It would be interesting to know who is entitled under the Act to possess a firearm. My reading of the Act is that the only person entitled to possess a firearm is one who has obtained a license. The Act itself consequently provides what the regulation says.

Mr. Doney: That is the point. We find the Act rather difficult to understand.

The MINISTER FOR MINES: I will give the hon. member an opportunity to understand what it means, if he will be patient. Section 12 of the Act deals with penalties, and I shall now read the penalty set out in the second column of the table opposite the paragraph I have read—

> Not less than £10 and not exceeding £100, or imprisonment with hard labour not exceeding six months.

Taking the case cited by the mover of the motion, a man who was possessed of a gun desired to sell it. The person who wished to buy it had not a license. If the gun was sold, the owner could be charged under paragraph 4 of the table to Section 12 of the Act, and if found guilty, the magistrate or the justice of the peace would have no option but to fine him at least £10. The magistrate or justice could inflict the maximum fine of £100 or imprisonment for six months.

Member: The Act will have to be altered.

Mr. Doney: But proceedings would be taken under the regulations.

The MINISTER FOR MINES: Realising that that was a very heavy penalty, the Commissioner of Police and the Crown Law Department have discussed the section, because, as the hon. member stated, it may be quite possible for a man to sell a gun to another on the understandng that the latter will immediately secure a license. Certainly that would be a breach of the law; but a man might consider it a reasonable excuse to submit to a magistrate that the individual to whom he was selling the weapon was a particular friend of his, and that therefore the offence was not a serious one. Realising that, the Commissioner of Police and the Crown Law authorities considered it would be desirable to give a magistrate discretionary power, and that power is accorded under Regulation 14a which I have read. The acceptance of that regulation by the House will tend to modify the stringency of paragraph 4 of Section 12 of the Act, under which the minimum penalty is £10. Under the regulation it will be discretionary for the magistrate to caution the offender, or to impose a small fine, whichever he thinks will meet the case. That is the effect of the regulation.

If the regulation is disallowed, and the police decide to take action under paragraph 4 of Section 12, the minimum penalty that can be imposed is £10. The Crown Law Department and the Commissioner of Police believe that in some cases the imposition of the heavy penalty provided under paragraph 4 of Section 12 would not be justified and that is why it was decided to give the magistrate, after hearing the case, discretion to impose a fine of less than £10, or merely to caution the offender. That is all there is in the regulation, and it is not necessary to labour the question. If the House desires

the minimum penalty of £10 to be imposed for any such breach of the Act, it must disallow the regulation. If, on the other hand, members feel that magistrates should be given discretionary power to impose a lesser punishment, the regulation must be allowed to stand. I leave it to the judgment of the House. A member has suggested that the Act should be amended. We have amended the Act by regulation. Unless that regulation continues, or until such time as the Act itself is amended along similar lines, anybody who commits an offence of the kind suggested by the mover of the motion will be liable to a minimum fine of £10.

MR. DONEY (Williams - Narrogin) [7.52]: In view of the Minister's explanation, I am willing to admit that the proposed regulation appears in a rather desirable light. I can understand that the Police Department and the Crown Law authorities, owing to the great amount of trouble they have had in collecting fines under the Act, would wish to have the option of prosecuting, either under the Act in the event of major offences against the Act or under the regulations when minor contraventions occur. However, I think that the House generally prefers to govern by its statutes rather than by regulations, and I submit to the Minister that all the discretion the Police Department will now be able to exercise by reason of the acceptance of this regulation could have been secured by an amendment of the Act. I had hoped that the Minister would continue his remarks. He was rather intolerant of interjections, or I would have put a question to him. He should have proceeded to explain why it was preferable to achieve this objective by regulation rather than by an amendment to the Act, which I think the House would have preferred.

MR. MARSHALL (Murchison) [7.55]: It is somewhat puzzling to understand what the regulation really intends. If the Minister's contention is correct, the regulation must be ultra vires.

Hon. C. G. Latham: There is no doubt about that.

Mr. MARSHALL: We cannot have a regulation that proposes something contrary or repugnant to the Act.

The Minister for Mines: It is not repugnant.

Mr. MARSHALL: If the regulation proposes to interfere with penalties provided in the Act, it must be contrary to the Act and therefore ultra vires. Consequently, the regulation cannot mean what the Minister says it means.

The Minister for Mines: I have given you the opinion of the Crown Law Department.

Mr. MARSHALL: I have had rulings from the Crown Law Department. I have brought two Bills before this House. One was ruled out of order, and the other is in doubt. Whether, after Crown Law advice, my third attempt will be successful, I do not know. But the Minister should know that every regulation must be in conformity with and not repugnant to the Act under which it is made, and if the regulation in question means what the Minister says it means, it is ultra vires. It cannot mean that.

The Minister for Mines: Then what does it mean?

Mr. MARSHALL: If the Minister has that ruling from the Crown Law Department, the best thing he can do is to refer it back to the department for further consideration.

Mr. Sleeman: Or change his solicitor.

Mr. MARSHALL: Probably that would be advisable too. The Minister quoted from the table of offences given in Section 12 of the Act. He quoted paragraph 4, which relates to persons "selling, delivering or disposing of a firearm to any person not entitled to possess the same under this Act." The Minister would know, if he had perused the Act, that there is a certain section of the community positively not entitled to a permit. In no circumstances could such people obtain a permit to have any kind of firearm. A certain section of the community is entirely prohibited from possessing firearms. The only construction I can place upon paragraph 4 is that if a person disposes of a gun to any one of those individuals that are excluded entirely from holding a permit, he is liable to the penalty stipulated in the Act: and the penalty is none too light.

The Minister for Mines: A man is not entitled to possession of a firearm if he has not a license.

Mr. MARSHALL: The Minister said that his interpretation of paragraph 4 was that

a person not entitled to possess a gun was a person without a permit.

The Minister for Mines: No, without a license.

Mr. MARSHALL: Well, without a license or a permit. The word "license" is more emphatic. The Minister is under a misapprehension. Paragraph 4 seeks to impose a severe penalty on anyone who tries to evade his responsibility under the Firearms and Guns Act by delivering, selling or disposing of a gun to a person absolutely prohibited from holding one under the Act. The penalty for that offence is light enough. I feel bound to support the mover of the motion. What the regulation really does is to save the police the responsibility of policing the transfer of firearms from one person to another.

Mr. Seward: That is the whole point.

Mr. MARSHALL: It has no other effect. It means that the police will not have the responsibility of ascertaining who has possession of firearms to which they are not entitled under the Act because they are prohibited. People entitled to a license can successfully apply for one; but the police will be saved responsibility because, under the regulation, anyone proposing to sell, dispose or even entrust to another person the possession of a firearm, as described in the Act, will first have to call upon the prospective possessor to produce his permit or license. In consequence the police would know that every individual who transferred a gun to another person would, in the process, actually police the Act. I have no objection to that, but I have a decided objection for other reasons. I opposed this legislation when the Bill was before the House and fought it strongly because of the inconvenience and hardship that it would impose upon people engaged in pioneering the industries of the country.

Mr. Coverley: Such people should not be required to license firearms.

Mr. MARSHALL: Of course not.

Mr. Seward: In other States they do not have to take out licenses.

Mr. MARSHALL: Suppose a prospector, kangaroo-er or other man of the bush meets a friend in the course of his travels. A. requires a gun and B. is in possession of one that he is willing to sell to A. B. cannot hand the gun over until A. obtains a license or permit from the police, and he may be a considerable distance from any police station. Under the regulation B. must ensure that the man who is purchasing the gun has a license in his possession. If A. and B. arrange to dispose of a gun to C. located a hundred miles away, again the weapon cannot be transferred until C. produces his license.

The Minister for Mines: I do not think it could be transferred under the Act.

Mr. MARSHALL: It could. The Act provides that a license must be held before any person may possess firearms, but the Act does not make the seller responsible for ascertaining that the buyer is in possession of a license. That is the duty of the police. I can sell my firearm to somebody else and it is his responsibility to secure a license, but under the regulation the onus would be cast on me to ensure that he held a license or permit.

Mr. Doney: You would be responsible under Section 5 of the Act.

Mr. MARSHALL: If that is so, the regulation is not required. The point, however, is that the need for the regulation has been recognised.

Mr. Doney: And a minimum fine of £10 is provided.

Mr. MARSHALL: This law has been on the statute-book for several years; I forget just how long.

Hon. C. G. Latham: Since 1931.

Mr. Coverley: Mr. Scaddan introduced it.

Mr. MARSHALL: I remember the occasion well because I strongly opposed the measure. I fought it on those grounds, and I am not now going to agree to a regulation to enact what I definitely oppose, especially as the regulation will add to the obligations imposed upon and inconvenience suffered by people in the back country—people who live an isolated life and work without receiving benefits or blessings from anyone. Yet every time they attempt to do anything they are strangled by regulation or statute. As a matter of fact this Act should not apply outside the boundaries of municipalities. Men engaged in shepherding, kangarooing and prospecting, men pioneering the industries of the country, do harm to nobody. They would rather lose their lives than hurt anyone. Yet they are to be continually strangled by regulation and statute. It is hardly possible for them to move without

finding some piece of legislation under which a limb of the law can pounce upon them. The most pressing necessity of the present day seems to be a measure to enlighten people of what they are permitted to do. I am opposed to this extension of the scope of the Act and shall support the motion. There is ample time to deal with the matter. I suggest that the House pass the motion, and then the Minister may consult the Crown Law authorities and, if necessary, introduce an amending Bill or another regulation. I would not be a party to giving any more power to interfere with the little freedom that people far removed from the amenities of city life now enjoy. Those people have made sufficient sacrifice by giving up the amenities of city life; they live on no better plane than does an aboriginal, and yet we are manufacturing laws to persecute them. As I opposed the Bill, so I oppose the regulation, and I trust the House will do the same.

HON. C. G. LATHAM (York) [8.7]: I have an idea that the Police Department desires to do something to lessen the penalty provided under the Act, but I do not think the right course is being adopted. Apparently Section 18 contains no power to make regulations similar to the one that was gazetted on the 14th February last. Section 18 provides, inter alia—

> The Governor may make regulations under this Act—
>
> (a) for the keeping of records by persons licensed to manufacture and/or repair or deal in firearms;
> (b) permitting dealers, without the production of a license, to deliver ammunition to any person representing himself as entitled to obtain it;
> (c) for the production to and inspection of such records by an officer of police;
> (d) making provision for the safe custody and control of firearms by persons entitled to have possession of them;
> (e) providing for the registration of curios and trophies;
> (f) prescribing the method of applying for licenses;
> (g) prescribing the forms to be used under this Act;
> (h) prescribing the fees to be taken under the Act;
> (i) for the issue of licenses to banks and financial institutions;
> (j) for the keeping and/or publication and inspection of registers of licensed persons;
> (k) prescribing the method of appeal;
> (l) providing for the revocation of a license where the Commissioner is satisfied that the holder is not entitled to such license;
> (m) providing for the delivering up of cancelled or revoked licenses;
> (n) for the conduct of shooting galleries;
> (o) prescribing penalties not exceeding £20 for the breach by act or omission by any such regulations.

No provision is made in the section for doing what the department desires, though I believe it is justified in view of the fact—

The Minister for Mines: Do not you think that paragraph (o) gives the department the necessary power?

Hon. C. G. LATHAM: No.

The Minister for Mines: This is a regulation of that kind.

Hon. C. G. LATHAM: It provides a penalty, but the Minister cannot make regulations for any matter not permitted by the Act. The Act clearly sets forth under what conditions regulations may be made. I am in agreement with the Government in the desire to lessen the penalty under Section 12, for the offence—

> Selling, delivering or disposing of a firearm to any person not entitled to possess the same under this Act, or to any person who the alleged offender has reasonable grounds to believe is intoxicated, excited by liquor, or of unsound mind.

The minimum penalty for the offence is £10, and the maximum penalty £100. No doubt the Commissioner was consulted when the Act was framed, and at the time he considered a minimum penalty of £10 was necessary to meet the case of a firearm getting into the possession of some irresponsible person. Because of ignorance of the law, persons have transferred a firearm from themselves to others. Regulation 14A is that which deals with the matter, whereas Regulation 14 has nothing to do with it. I do not, therefore, want to confuse the latter with the former. Regulation 14 says—

> When the age of a person applying for a firearm license appears to be under 16, the issuing officer may require such proof of age as he may deem necessary.

Then follows Regulation 14A—

> Every person proposing to deliver a firearm from his custody or control shall before making delivery of the firearm to any person required under the Act to have a permit or license to possess the firearm, call for and inspect the permit or license entitling such last-mentioned person to possession of the firearm.

This does not deal with the granting of a permit. A person may desire to purchase a gun or other firearm in a shop. The gun is marked with a registered number, and this is taken to the police office. The officer thereupon issues a permit with the number on it, or he may refuse to issue a permit. If the purchaser receives the permit he takes it back to the shop and the firearm is handed over to him.

Mr. Seward: It is necessary to get the permit first, and that lasts for only 24 hours.

Hon. C. G. LATHAM: The purchaser returns with the permit and gets possession of the gun. What the Minister should do is to bring down a small amendment to Section 18 giving the department authority to make a regulation governing the question of transfer from one person to another. The Commissioner should not do these things; they are wrong in principle. To challenge regulations in the House costs nothing except that it forms part of the usual cost of parliamentary procedure, but it does cost a lot of money if a person has to challenge them in court. If this regulation were challenged in court, the Government would find it was ultra vires. Holding that view, I cannot support the regulation, much as I would like to assist the Minister. I cannot agree to support something I look upon as being ultra vires. Perhaps the Minister will give further consideration to the regulation. Did he consult the Crown Law Department to ascertain whether it was possible to frame this regulation under the Act?

The Minister for Mines: It is not my Act; I had nothing to do with it.

Hon. C. G. LATHAM: The Minister of the day is responsible to this House. He ought to refer the question back to the Crown Law Department, and ascertain what authority there is for framing such a regulation. We should not allow the regulation to remain in force, and leave it to some member of the public to test the matter in the Supreme Court.

On motion by Mr. Nulsen, debate adjourned.

MOTION—HEALTH ACT.

To Disallow Amendment to Regulations.

Debate resumed from the 31st August on the following motion by Mr. Sampson (Swan):—

That the amended regulation, Schedule B (relating to meat inspection and branding), made under the Health Act, 1911-37, as published in the "Government Gazette" on the 5th August, 1938, and laid on the Table of the House on the 10th August, 1938, be and is hereby disallowed.

MR. THORN (Toodyay) [8.15]: The motion will not have the effect desired by the hon. member who moved it. This particular regulation is undoubtedly part of the policy of the department to force all the slaughtering of stock into the Midland abattoirs. The effect would be the same under the Abattoirs Act as it would be under the Health Act. What is the object of framing a regulation for the inspection of stock, and dealing with it from a health point of view, within the 25-mile radius? If the department is so anxious to look after the health of the people, why should it bother about any radius? Is there any difference between slaughtering a beast inside the 25-mile radius, and outside? From the health point of view there is no difference.

The Minister for Health: The health inspectors of the local governing bodies would look after that.

Mr. THORN: They could also look after it inside the radius. This regulation will impose hardship on the small producer. The slaughtering of a beast by a small grower is an important part of his business. It means ready money to him, for he can make a small margin of profit such as he could not possibly make if he had to convey the beast to the abattoirs.

Mr. Withers: He gets his fifth quarter.

Mr. THORN: This is most important to him, and assists him to carry on his small farm. The privilege means a great deal to those living in the Wanneroo district, in Muchea, and in the hills, and they are the people about whom I am most concerned. The officers of the Health Department and the Agricultural Department could well turn their attention to some of the stock I have seen on the hoof at the Midland Junction saleyards. They should see to it that some of this stock did not reach the slaughterhouse.

Mr. Sleeman: Would that not be inspected?

Mr. THORN: Yes, if the inspectors were present.

Mr. Sleeman: Is it not done?

Mr. THORN: I have seen such stock purchased at the saleyards, and I know it has gone on to the slaughterhouse.

The Minister for Health: The Midland abattoirs?

Mr. THORN: Yes. Such stock should never have been allowed to enter the slaughterhouse.

Mr. Sampson: That has frequently been stated.

Mr. Sleeman: It may have gone into the digester.

Mr. THORN: Not the digester in the mind of the hon. member. There is only one objective behind these regulations, and others that are brought forward, namely, to force all stock intended for slaughter into the Government abattoirs, in the interests no doubt of the revenue of the establishment, as well as to make the position of the Slaughtermen's Union more secure. Last, but not least, it is intended to square the master butchers. In the process, the small grower will be sacrificed. From what I have seen of the various regulations that have been gazetted, that is the usual outcome—to take away the profit a small grower can make on a beast by slaughtering it himself, forwarding it to the metropolitan meat markets, and having it inspected there. I shall not labour the question, as I intend to move in another direction. I consider that the attack has been made on the wrong regulation. My hope is to have another regulation disallowed.

MR. McLARTY (Murray-Wellington) [8.21]: I support the motion. To indicate to the Minister how seriously these regulations are regarded outside, I wish to inform him that in company with other members of Parliament I recently attended a conference representative of the following road boards: Darling Range, Serpentine-Jarrahdale, Chittering, Armadale-Kelmscott, Rockingham and Gosnells. Apart from these, letters were received from the Perth, Canning, Wanneroo and Swan road boards. I am sure the Minister will agree that road boards consist of responsible men; and it is the view of the men representative of the various road boards I have named that this regulation, if enforced, will cause considerable hardship. It is also claimed that the regulation has already been responsible for inflicting hardship on certain small growers. I assure the Minister that I am not opposed to the inspection of meat. In my opinion it is highly desirable that meat, and also any other foodstuff, should be inspected. Road board members who attended the conference I have mentioned, also stressed the fact that they were not opposed to inspection of meat.

The previous speaker referred to the hardship which the regulation would inflict on certain small growers. It affects the area lying within a radius of 25 miles of the Perth General Post Office. In that area many of our small growers are to be found. Taking the district I represent, in the case of the group settlement areas on the Peel and Bateman Estates, the stock sent by the settlers to the metropolitan markets represents a considerable proportion of their income. Undoubtedly it will never pay them to send their stock to the abattoirs. They cannot possibly do that and make a profit. I know it has been agreed that calves up to 150 lbs. weight may still be slaughtered by settlers and sent to the metropolitan markets. We have also been told that permits will be granted to genuine producers.

The Minister for Agriculture: They are being granted.

Mr. McLARTY: That is something, but will the Minister give an assurance that once this regulation is agreed to, permits will be continued?

The Minister for Health: Which Minister?

Mr. McLARTY: The Minister for Agriculture.

The Minister for Health: That Minister has nothing to do with the abattoirs regulations.

Mr. McLARTY: That is just the difficulty. A similar regulation to this has been disallowed by either this House or another place on two occasions.

The Minister for Agriculture: No, not similar.

Mr. McLARTY: Very similar. I know that this regulation applies to inspection only, but nevertheless the extension of the abattoirs area is intimately connected with it. The Minister for Health shakes his head, but I do not know how he can get away from that. It is to the extension of the abattoirs area that objection is being taken.

The Minister for Health: Under this motion moved by the member for Swan?

Mr. McLARTY: Yes.

The Minister for Agriculture: The objection would still remain if the regulation were disallowed.

Mr. McLARTY: I am aware of that, but I do not know how to get over the difficulty. Still, we were able to overcome it previously. What I am trying to impress upon the Minister is that a hardship is being placed upon small producers in the 25-mile area. Another point: whilst the Minister says that many permits are granted, and will be granted, to general producers, will they be granted to butchers in the area? I take it that under the regulation a butcher at Armadale, and butchers at other places similarly situated, will not be able to kill their own stock. That hardly seems fair.

The Minister for Agriculture: Do you know of licensed butchers in the Armadale district?

Mr. McLARTY: I do not know the Armadale district very well.

Mr. Sampson: The local boards asked that butchers should be registered.

Mr. McLARTY: I am merely making a comparison. I presume that a butcher carrying on business at Armadale could not kill his own stock, while a butcher carrying on business a few miles on either side of Armadale could kill all he needed. Therefore the people of Armadale would have to bear the expense of sending stock to Midland Junction and bringing it back to Armadale, which would mean added cost. I fail to see the justice of that position. However, I would like the Minister, when addressing himself to the motion, to make perfectly clear the future position of producers in regard to obtaining permits. Meanwhile, I intend to support the motion.

THE MINISTER FOR HEALTH (Hon. A. H. Panton—Leederville) [8.28]: I am afraid that hon. members opposite who have spoken on this subject have not even read the regulation to which exception is taken. Or, if they have read it, they have not studied its meaning. Practically all those members, and particularly the mover of the motion, dealt with the proclamation. The member for Swan (Mr. Sampson) did not mention the regulation for the disallowance of which he has moved. He dealt with the proclamation issued by the Minister for Agriculture, which has nothing whatever to do with the health regulation.

Mr. Sampson: The proclamation was issued to prevent Parliament from blocking the regulation.

The MINISTER FOR HEALTH: May I read the proclamation? Some members are somewhat mixed regarding the regulation framed by the Health Department. The proclamation, which was issued by the Lieut.-Governor on the 17th June last, extended the metropolitan abattoirs area to include all portions of the State comprised within the circumference of a circle having a radius of 25 miles from the General Post Office, Perth, as the centre, and also to all those portions of the State outside the said circumference which are comprised within the boundaries of every road district therein. That is the proclamation, and I wish to emphasise that point. The proclamation was issued by the Agricultural Department in order to deal with abattoirs, and it fixed a circle with its circumference 25 miles from the G.P.O. It included within that circumference all portions of the State outside that area "comprised within the boundaries of their road districts as situated for the time being through which the said circumference of the said circle passes." It will be seen, therefore, that every road board area through which the circumference of the circle passes is brought within the scope of the proclamation. That is admitted.

Mr. Sampson: All come within the area covered by the proclamation.

The MINISTER FOR HEALTH: Yes.

Mr. Thorn: And you will enforce its provisions accordingly.

The MINISTER FOR HEALTH: I am not concerned about its enforcement; that is what the proclamation sets out. Prior to that, the circle radiated for a distance of 12 miles, and the health regulations applied to the area covered. The Minister for Agriculture, as I have pointed out, issued a proclamation extending the radius to 25 miles from the G.P.O., and covering the road districts I have indicated. The natural corollary was that the Health Department should extend the scope of the health regulations to cover the augmented area. That has nothing whatever to do with the proclamation; it is a matter affecting health regulations. The question was discussed by the officers of the Health Department and of the Agricultural Department respectively, and it was pointed out to the health officials that the Agricultural Department would probably—the Minister for Agriculture has stated that it has actually been done—issue permits for the slaughtering of meat for consumption in

districts outside the 25-mile limit, although still within road board districts. It was therefore decided by the Health Department that it was necessary to issue further regulations to cover the extended area. The first regulation which applied to the area within a radius of 25 miles from the G.P.O., plus the outside districts I have referred to, was issued on the 15th July. That regulation stands, and no one has attempted to move for its disallowance. In any event, it is too late to take that step now.

Hon. C. G. Latham: What was the date of the regulation?

The MINISTER FOR HEALTH: The 15th July.

Hon. C. G. Latham: And you say it is too late to move to disallow it.

The MINISTER FOR HEALTH: It could not be done now.

Hon. C. G. Latham: I wondered how you arranged it.

The MINISTER FOR HEALTH: That is an unfair statement. I have explained that the Health Department's action was the natural corollary to the issuing of the proclamation by the Agricultural Department, and the new regulation was gazetted on the 15th July.

Hon. C. G. Latham: And you said it was too late to move to disallow that regulation.

The MINISTER FOR HEALTH: Yes, now.

Hon. C. G. Latham: It is not too late to move in that direction in another place.

The MINISTER FOR HEALTH: I am not worrying about the Legislative Council; I am talking about this Chamber. The hon. member is always looking to another place to do something.

Mr. Sampson: But the proclamation cannot be disallowed in any event.

The MINISTER FOR HEALTH: I am sorry, Mr. Speaker, that I am apparently not able to submit a good case, or else the member for Swan (Mr. Sampson) is terribly dense. I have said time and again that the proclamation was issued by the Minister for Agriculture on the 17th June. I have nothing whatever to do with that in my capacity as Minister for Health, and I am not interested in it at all, except to the extent that with the extension under the proclamation, the Health Department naturally had to frame a new health regulation, which was gazetted on the 15th July. That was as the result of discussions between the officers of the Agricultural Department and the Health Department. When it was ascertained that there was a probability of permits being granted to slaughter outside the specified circle, but possibly within the scope of the regulation gazetted on the 15th July, the health authorities decided to issue another set of regulations.

Mr. Rodoreda: This is getting a bit complicated.

The MINISTER FOR HEALTH: Not at all. We drew up new regulations to provide for those people who, with their permits to slaughter, would not be within the ambit of the earlier regulations.

Mr. Thorn: Then we will have to disallow them.

The MINISTER FOR HEALTH: If the hon. member were to secure the disallowance of the latest regulation, we would get back to the position specified under the regulation gazetted on the 15th July, which applies not only to persons within the circle but in the areas of the local governing bodies through which the circumference passes. If that is what the hon. member desires, then he can disallow the regulation under discussion. If he wishes the health regulations to apply as I have indicated, he should allow the regulation to be passed.

Mr. Needham: Are you trying to square the circle?

The MINISTER FOR HEALTH: I am showing what has happened.

Mr. Needham: What circle are we in?

The MINISTER FOR HEATLH: I am trying to square someone's brains.

Mr. Fox: Say that again; I could not catch it!

The MINISTER FOR HEALTH: I am afraid the hon. member is wrapped up in his onions.

Hon. C. G. Latham: He is thinking about the tripe with them.

The MINISTER FOR HEALTH: It is quite immaterial to the Health Department. So long as the proclamation remains—I will not discuss that phase at all, but will leave it to the Minister for Agriculture—the Health Department suggests that meat slaughtered within the radius specified must be inspected. The object of the regulation is to ensure that meat shall be inspected. That is all that is involved.

Mr. Needham: This is a vicious circle.

The MINISTER FOR HEALTH: Matters affecting the health of the people may be amusing to some persons, but it is not a matter of amusement to me, seeing that I am anxious to secure the passage of the regulation.

Hon. C. G. Latham: Who do you suggest finds this amusing? It is not amusing to Opposition members.

Mr. Thorn: No; it amuses those on the Government cross-benches.

The MINISTER FOR HEALTH: If members want the 25-mile radius to continue, they should allow the regulation to go through. If they want to extend the inspection of meat outside the 25-mile radius from the centre at the G.P.O., they can disallow it.

Mr. Sampson: You mean that you have us either way.

The MINISTER FOR HEALTH: I do not mean anything of the sort. The responsibility rests upon the Minister for Agriculture to defend the proclamation, and I can leave that phase to him. If this regulation is disallowed, the House will extend the health regulations outside the 25-mile radius of the G.P.O.

HON. C. G. LATHAM (York) [8.37]: For a long time there has been conflict between the officers of the Health Department and those attached to the Agricultural Department.

The Minister for Agriculture: No.

Hon. C. G. LATHAM: Yes, long before the Minister assumed office.

The Minister for Health: Well, it is all settled now.

Hon. C. G. LATHAM: After listening to the speech delivered by the Minister for Health, I believe members are more than ever confused. The Minister will realise that Opposition members have as good a grip of the situation as he has. I repeat that there has been conflict between the two departments. I presume it is not the intention of either department to deprive the man who is conducting a small farm, of the opportunity to make the most he can derive from his property.

Mr. Needham: To which circle are you referring?

Hon. C. G. LATHAM: I do not belong to the hon. member's circle, thank the Lord.

Mr. Needham: I am glad to hear it.

Hon. C. G. LATHAM: I believe the Minister desires that every farmer shall get the most he can from his holding. Some producers grow vegetables, run a few pigs, and have a cow or two. They are in the habit of killing pigs and calves at certain fixed places, and Section 3 of the Abattoirs Act provides that the Governor may at any time, by proclamation, declare certain areas to be areas under the Act. In this instance a proclamation was issued fixing a radius of 12 miles, which has been extended since to a radius of 25 miles.

The Minister for Agriculture: Yes, but not from the same point. The original proclamation fixed a radius of 12 miles from the abattoirs at Midland Junction, and 12 miles from the Fremantle abattoirs respectively.

Hon. C. G. LATHAM: And now the radius is from the Perth G.P.O.

The Minister for Agriculture: Yes, but it does not increase the area to the full extent suggested.

Hon. C. G. LATHAM: But it does extend the radius considerably.

The Minister for Agriculture: But it does not mean it extends the radius another 25 miles.

Hon. C. G. LATHAM: Under the Abattoirs Act there is provision for the making of regulations. Such regulations have been framed and have been repealed. I agree with the Minister for Health that the intention of these regulations is to confine the inspection to the metropolitan area or to the killing area proclaimed under the Abattoirs Act. To my mind, however, whether these regulations are disallowed or not does not matter, because that very selfsame department is anxious to extend the inspection to every part of the State. The Minister will surely agree with me in that statement. Very recently we had a conflict with the Minister over the appointment of a health inspector. The Minister insisted that the person to be appointed should be not only a health inspector, but also a meat inspector.

The Minister for Health: We could not control that appointment. The officer would be controlled by the road board.

Hon. C. G. LATHAM: Yes, the department could. I took the deputation to the Minister.

The Minister for Health: We said you should appoint efficient officers.

Hon. C. G. LATHAM: It really does not matter, except that there may be dual control. I should be very reluctant to allow control direct by the Health Department in Perth and also control by the local authority. I have no doubt that the Health Department would, in cases where control was effective and satisfactory, transfer its power to the local authority. Probably the wiser plan would be to hold up this debate a little longer. Another move that might clarify the position may be made in the course of a few days. Members are confused as to which is the more desirable, the regulations under the Abattoirs Act or the regulation under the Health Act. In my opinion, the regulations under the Abattoirs Act are preferable. The Minister for Agriculture pointed out that the proclamation does not extend the area a great deal, but it does extend the area. Under the Abattoirs Act, power is given to the Agricultural Department to grant permits for the slaughter of pigs. Now, I make this appeal on behalf of the man who has to wrest his living from the land to-day. No one is harder hit than the man running a small farm in the metropolitan area, and, goodness knows, we have distressing cases elsewhere. One has only to note the very low prices he is obtaining in the markets for his vegetables. I believe some of these men find it much more profitable to feed their vegetables to pigs. If, in addition to doing that, the men have to take their pigs to Midland Junction for sale, they will be in competition with other producers. Instead of the competition in this State leading to better prices, we find the reverse is true for the producers.

Mr. Thorn: The producer has often to wait two or three days before the pigs are slaughtered.

Hon. C. G. LATHAM: He has also to pay expenses. I am anxious that the man who has a few head of pigs or calves to sell should get the best possible price for them so that he can carry on his business. On that account, I appeal to the Minister to see that further hardship is not inflicted on the producers. In the past they have been allowed to kill their animals at certain fixed places within the prescribed area, and, so long as that is permitted, we shall have little reason to complain. I would like the Minister for Agriculture to tell the House the policy of the Government in this matter. That is the only thing we are concerned about. Members on the Government benches know that what I say is true.

Mr. Marshall: I must apologise. I really do not understand the substance of the motion.

Hon. C. G. LATHAM: The member for South Fremantle (Mr. Fox) has introduced a Bill to protect the onion growers. Recently, a foreigner came to me desiring to get protection under the Farmers' Debts Adjustment Act. He told me he had brought a truck-load of cauliflowers to Perth and all he received for them was 3d. a dozen.

Mr. Marshall: Was that profit?

Hon. C. G. LATHAM: No. How can a man manage under those conditions? Whatever we can do to assist producers—and I know the Government is anxious to assist them—we should do. I am not concerned about the regulations; to me they are immaterial. The Minister has power and can exercise it, if he desires. If he does not desire to have dual control outside the radius fixed by the proclamation, then he must give the matter further consideration.

THE MINISTER FOR AGRICULTURE (Hon. F. J. S. Wise—Gascoyne) [9.46]: I am glad I did not reply previous to the speech made by the Leader of the Opposition. I am pleased at the sympathetic tone adopted by him, because he really does interpret what the Government desires to do in the matter, which is not only to assist the small producers, but to do the right thing by the whole community. What a contrast were the speeches of some of his colleagues! There is no doubt the mover of the motion did not know exactly what the result would be if the regulation were disallowed. On his own admission, he was inspired by statements that had percolated from the Upper House. He certainly put up a very sorry case, if, indeed, he put up a case at all. Then we find that the member for Toodyay (Mr. Thorn), although he lives within a stone's throw of that wonderful State investment, the Midland Junction Abattoirs, did his utmost to discount the valuable services the abattoirs are rendering to the community. If the member for Guildford-Midland (Hon. W. D. Johnson) were in his usual seat——

Hon. C. G. Latham: The hon. member is in his seat.

The MINISTER FOR AGRICULTURE: ——I am sure he would raise a very vigorous protest against any insinuation of a base nature against that institution. I can quite understand that members have every desire to assist the people in their electorates. I can understand their enthusiasm in putting up a case for the small producers in their electorates, but that is no reason why they should not submit logical arguments in support of the motion. If I may be so permitted, I would say that the member for Swan (Mr. Sampson), whether intentionally or not, made a statement that is not in accordance with fact. In answer to my interjection, he said that the extension of the abattoirs area was attempted and defeated in this Chamber on two previous occasions.

Mr. Sampson: Not in this Chamber.

The MINISTER FOR AGRICULTURE: Yes, in this Chamber. The member for Swan said he believed those regulations applied to the extension of the abattoirs' area, and that clearly shows that, in moving his motion, he was simply carrying out something that was inspired by the Upper House.

Mr. Sampson: You know they were twice disallowed.

The MINISTER FOR AGRICULTURE: These regulations are not at all similar to the regulations that were disallowed in 1935. Those regulations merely provided for places where meat could be inspected. The member for Swan (Mr. Sampson) suggested that there was some sinister motive behind the regulations, and that something had been put over him. He suggested that in my innocence I had permitted this proclamation, extending the abattoirs area, to be passed by Executive Council, that I was not here when it was passed. The impression gained by the member for Toodyay (Mr. Thorn) is correct, namely, that there is nothing to hide. The proclamation was part of a very necessary plan to ensure that the foodstuffs of the people of this State should have the strictest inspection, the Government being convinced that all meat for consumption in the metropolitan area cannot have too rigid an inspection. I suggest to hon. members opposite that their agitation is not in the interests of small producers, for whom their hearts bleed. The Government has also great sympathy with the small producers, and is assisting them by means of this regulation. The member for Swan suggested that meat sold in the carcase markets kept down prices, and so it does. It certainly depresses prices for the properly slaughtered and inspected meat which is a better commodity and is certified as good, wholesome food. Is that in the interests of the producer? I suggest it is neither in the interests of the producer nor of the consumer to depress the prices of the good article to force into consumption an undesirable and an unwholesome commodity. I am astounded at some of the assertions made by those opposition members who have such a great bias for orderly marketing. Was ever such a case submitted for disorderly, disorganised marketing? Did those members ever suggest by word of mouth anything so far removed from what they claim is something very dear to them, namely, orderly marketing? They want not only to disorganise the supply of wholesome meat in the city, but also to hand the supply to those who care nothing for the small producer.

Mr. Thorn: Anyone would think that we had all the marketing of meat, but you know we have not.

The MINISTER FOR AGRICULTURE: The views of the hon. member do not tend towards making possible the orderly marketing of meat. I intend to disclose to the House and the public just what has been happening as a result of the uncontrolled supply of meat by those for whom the hon. members opposite have put up a case.

Mr. Thorn: We can enlighten you as to what passes through the abattoirs at times.

The MINISTER FOR AGRICULTURE: Can you?

Mr. Thorn: Yes, and we will.

The MINISTER FOR AGRICULTURE: I have information from departmental records and reports from which, as I have already mentioned, I intend to quote. From those quotations members will realise that many complaints have been made in the past not only about the quality of cattle killed for consumption and about the premises where the cattle was killed, but also about the vehicles used for conveying the carcase meat to the markets. Complaints have been made of meat being carted in the same vehicle as pig drums and fowl coops, and in some instances it was very clear that the meat was not on top. I intend to give information regarding the undesirable surroundings in which those carcases were slaughtered. When the figures dealing with

the quantities treated and sold at the carcase markets are closely examined, it is found that hon. members opposite cannot put up a case for the small producer. Although I will make it very clear at a later stage that every privilege will be extended to the small producer; that he will be given every opportunity of legitimately killing, handling and selling his own beasts, I will also make it abundantly clear that the proportion of meat submitted for sale at the carcase markets by the small producers is not great. The claim that the small producers will suffer is always raised when amendments to regulations under the Health Act are submitted to this House. We find, however, that the people who will be assisted by the case made out by members of the Opposition will be those who are submitting unwholesome food for sale.

Unlike the member for Swan, I have made it my business to attend sales at the carcase markets, and to note the quality of the meat submitted by dealers and hawkers of meat, and also the very different quality of branded and inspected meat from the abattoirs. I have also noted the difference in the price received by the producer that has sent his cattle through the abattoirs. I have visited the saleyards—not only the fat stock saleyards, but others—and have noticed the dealers with their motor wagons ready to buy anything suitable for them to slaughter, anything from emaciated aged cows to very young and also very old bulls. I have seen those same cattle in the yards of the dealers awaiting slaughter, and I will quote from official documents to show the nature of some of the meat that has been offered for sale by those dealers.

Hon. P. D. Ferguson: Killed at the abattoirs?

The MINISTER FOR AGRICULTURE: No, killed very close to a pigstye. While it is true that, as a result of any reform, injustice may be done to a few people, must we not accept that disadvantage when we are seeking to protect the interests of the multitude, including the small producers themselves? The dealers attending the sales with their motor trucks, in order to buy cattle that suit them, travel through the districts of the small producers—and hon. members know this is true—and periodically buy any culls that may be for sale. Some producers prefer to kill their own cattle; others regularly patronise the dealers and, as a consequence, a constantly increasing trade has been built up with the people that canvass those districts, looking not only for grown beasts but also for calves to slaughter. In their perambulations the dealers pick up very gladly any culls that the producer has to offer, no matter whether the animals have been culled for age or for disease. It is not the business of the producer to ascertain what is to be the end of the stock he sells. Whether it is to be submitted as carcase meat, or is to finish as fertiliser is not his concern, but it is his concern when a commodity which depresses prices and is injurious to health is allowed to reach the market.

Mr. Doney: How long has that condition been obtaining?

The MINISTER FOR AGRICULTURE: I shall give those facts. There is no doubt that very many beasts slaughtered by the hawkers and dealers would be condemned if they were submitted for sale at the fat stock sales. Not only would they not bring a substantial bid, but they would finish as condemned beasts. I wish to make clear just what operates at those dreadful sale yards referred to by the member for Toodyay.

Mr. Thorn: No, you are not fair to me. I did not condemn your sale yards at all.

The MINISTER FOR AGRICULTURE: The hon. member said he would astound the House if he described some of the stock seen at the Midland saleyards.

Mr. Thorn: Yes, some of the old bulls.

The MINISTER FOR AGRICULTURE: Those old bulls are sold with the privilege of condemnation to the purchaser; that is to say, if any beast is submitted for sale at the Midland saleyards and on slaughter is found to be unfit for food, it is a condemned carcase. The practice governing the selling and killing of those beasts I will clearly explain in specifying the arrangements that prevail.

Mr. Thorn: Does not that apply in the open market?

The MINISTER FOR AGRICULTURE: No, and if the hon. member says it does, he is much mistaken. Elder's saleyards and other saleyards stipulate that there is no guarantee and no compensation for any cause whatever.

Mr. Thorn: Is not the carcase meat inspected in the meat market?

The MINISTER FOR AGRICULTURE: I am referring not to carcase meat but to the fat stock market. This is the arrangement that obtains—

All cattle sold at the metropolitan fat stock market are sold subject to condemnation allowance. The buyer is allowed three-quarters of the purchase price, plus the hide and condemned carcase which is purchased by the abattoirs at 3s. per 100 lbs. The seller loses three-fourths.

The reason for those arrangements is obvious. It is not only to discourage persons from buying questionable beasts at speculative prices on the chance of their being passed, but also to prevent any questionable beast being submitted for sale. But those conditions do not apply to other saleyards where dealers operate. I have seen in the yards awaiting sale many beasts that were subsequently bought by the dealers and, to say the least, were very questionable looking beasts indeed. What happens in the metropolitan carcase market is that the city health inspectors do their utmost to locate disease. I have seen submitted for sale there carcases with the meat between the rib-bones and the outer skin not much thicker than a sheet of blotting paper—completely emaciated cattle —and the health inspector cannot condemn solely for that reason. Although he tries to find the deep-seated glands in many instances, and although he perhaps finds a quarter affected with tuberculosis but no disease in the other quarters, he has to pass the unaffected part of the carcase. If the essential organs were submitted or if the carcases were inspected at the time of slaughter, there would not be a possibility of any such meat getting into consumption.

I shall quote the reports of inspectors to show what has happened in the passing into consumption of meat from beasts that should have been shot and burnt. I shall also draw attention to what happens in other cities to show whether we in Perth are not treating lightly a matter that should receive the utmost consideration, namely the consumption of a healthful commodity in the meat we eat. Although later on I shall indicate some perhaps dreadful happenings regarding the meat we consume, I shall do so, not to discourage the consumption of meat, but to encourage members to develop minds to support the supply of a healthful commodity and encourage the consumption of a wholesome commodity. If we considered what happens in Sydney, Melbourne, and Adelaide and how long those authorities have deemed necessary the imposition of stringent conditions, we would be more likely to make up our minds as to what is needed in Perth. The regulation under the Abattoirs Act in Adelaide would settle for all time any possibility of meat detrimental to health passing into consumption. The Adelaide Abattoirs Act of 1936 provides—

While abattoirs are available under this Act for slaughtering stock, no person shall within the metropolitan abattoirs area sell or attempt to sell or expose for sale or allow or cause to be sold or exposed for sale any carcase of meat slaughtered outside the metropolitan abattoirs area unless the carcase thereof, together with the pleura, peritoneum, lungs, heart, kidneys, tongues and such other organs as are prescribed, and in the case of cows the udder also attached in natural connection, has been first brought to the abattoirs or some other premises established for that purpose and inspected and branded by an inspector.

That part of the Act renders it almost impossible for any meat to be killed at a place other than the central abattoirs. One could not imagine the complete carcase being transported for inspection after slaughter. I should like to point out, too, that in Sydney, Melbourne and Adelaide the charges for inspecting a carcase slaughtered outside the abattoirs area are exactly the same as those for a carcase slaughtered at the abattoirs. Not only is every encouragement given to slaughter at the abattoirs, but every insistence is made upon the person concerned to render almost impossible the submission of meat that is not wholesome.

Members cannot treat lightly the fact that this State has £200,000 invested at Midland Junction. That is something which represents an obligation upon all of us. Not only are the facilities excellent and the charges moderate, but we also give a service that is very cheap.

Mr. Sampson: Are our abattoirs' charges the same as those in the Eastern States?

The MINISTER FOR AGRICULTURE: Some are lower.

Mr. Sampson: I understand that generally ours are higher.

The MINISTER FOR AGRICULTURE: No. In addition, we give a service that is almost compulsory, not optional, in that all meat is chilled previous to its passing into consumption, and we give 24 hours storage

in the best of stores. I think that no member will question the efficiency of that organisation and no member will suggest that every care is not exercised in the slaughtering of the beasts and in the subsequent handling of the carcases.

Mr. Sampson: You know the local authorities concerned urged the Health Department to approve of the appointment of qualified inspectors, the branding of meat, the registration of slaughterhouses, and the prohibition of slaughtering elsewhere.

The MINISTER FOR AGRICULTURE: I know that, but it is not the point at issue. The more we endeavour to break away in the disorderly manner suggested by the hon. member, the further are we going to get from an efficient handling of the position. The Controller of Abattoirs made several comments upon the necessity for branding meat previous to its going into consumption. I will quote some of his remarks—

The present methods of meat inspection at the branding depots are very unsatisfactory. No organs are inspected, meat branded on trucks not inspected. The onus of this should be on someone. I would recommend that branding depots be controlled by the abattoirs in agreement with the Health Department, governed by regulations similar to Adelaide; the Health Department be asked to make the whole of the abattoirs area a health district to comply with meat inspection and branding regulations. At present there are districts in the abattoirs area where unbranded meat can be sold. Why prohibit the slaughter of stock in a district and allow unbranded meat to be sold?

At a later date the controller said—

They claim (the majority of butchers in the metropolitan area) that meat slaughtered within easy distance of the metropolitan area should be slaughtered at the abattoirs. This would place the trade on an equal basis, and would not curtail the supply for the markets. There is no doubt at all that if the general public, who are the consumers of the meat, could be shown a series of carcases which have been condemned as unfit for food, and could be given sufficient information to enable them to judge of the prevalence of animal disease, they would insist in no uncertain manner that meat should be slaughtered in abattoirs under a proper system of meat inspection by qualified inspectors.

That was about the time when the health regulations were introduced in this Chamber, and subsequently disallowed. The controller made a later statement—

Prior to 1935, the only meat being slaughtered in the Gosnells-Armadale district was locally-consumed supplies. Since then the opportunity for disposing of the carcase meat at the Perth and Fremantle meat markets, particularly the inspection methods applying at the depots, gave encouragement to dealers to set up a business in this area, which has grown to such an extent that the metropolitan wholesale butchers' business is being disorganised. At present 80 per cent. of the unbranded meat reaching the market is from this area, not slaughtered by producers but by dealers who buy up all sorts of cattle at buyers' risk, the types that should be rigidly inspected at time of slaughter. If the same cattle were slaughtered at abattoirs, there is no doubt that the numbers condemned would be fairly large.

I wish to make it clear that within these health regulations, and the proclamation under the Abattoirs Act, there will be no restriction on the killing of calves up to 150 lbs. weight without inspection. Every facility is given to the legitimate producer for killing any of his stock on his property, and for the submission of the meat for sale at the carcase market. I make this statement deliberately. I wish to clarify the minds of members as to our being at all hostile to the small producer who has a cow, a pig or a calf on his property. So far, every producer who has applied for a permit to kill, since these health regulations have been in force, has had one granted to him.

Mr. Sampson: Is it proposed to continue that practice?

The MINISTER FOR AGRICULTURE: Certainly. It is no use members putting up a case for those people who are not legitimate producers. I have in mind a man in the electorate of an hon. member who has already spoken. This man is a dairyman, and buys surplus stock from his neighbours for slaughtering purposes. Last year he killed 75 head of grown cattle for the carcase meat market. That was not a legitimate trade. The hon. member in whose electorate this gentleman lives knows of whom I speak. Every facility will be provided to enable the legitimate producer to market his surplus beasts or his calves. If it be a barren heifer or cow, or a discarded beast in a healthy condition, we will welcome his dealing with it on his own property rather than that he should be deprived of any margin of profit he would otherwise get.

Hon. P. D. Ferguson: That is what the Leader of the Opposition wanted you to say.

The MINISTER FOR AGRICULTURE: The Leader of the Opposition certainly adopted an attitude different from that of some members sitting behind him. I am surprised that the member for Swan (Mr. Sampson) should sponsor the case for people that are not legitimately in the meat trade and are selling rubbish and unwholesome food in the metropolitan area.

Mr. McLarty: Is it necessary for the producer to obtain a separate permit for each beast?

The MINISTER FOR AGRICULTURE: Certainly it is. We are not going to give an open permit: neither are we going to encourage "snide" slaughterhouses to crop up again. When I have read the next report, members will agree that not only they but the general public have had enough of that sort of thing.

Mr. Doney: Are there any dealers of a desirable kind?

The MINISTER FOR AGRICULTURE: Let me say there are misguided dealers. The dealer who has a motor truck, and is visiting various farms, buying up surplus stock, operating at the sale-yard, and then taking the stock 20 miles to his undesirable killing pen, can surely take that stock 12 miles to the abattoirs if his trade is legitimate. If he is in the business as a legitimate trader, he will welcome the regulations, so that he may do his business on a better basis.

Mr. Sampson: Within the 25-mile radius?

The MINISTER FOR AGRICULTURE: I thought I had made that clear.

Mr. Sampson: It was 12 miles.

The MINISTER FOR AGRICULTURE: Yes, and 12 and 12 make 24.

Mr. Sampson: And one makes 25.

The MINISTER FOR AGRICULTURE: We had a radius of 12 miles operating from Midland Junction, and another radius of 12 miles operating from Fremantle. Now we have a radius of 25 miles from the General Post Office, and in some instances, the outer edge of the other abattoirs areas almost touches the circumference of the circle. The member for Swan is not sponsoring the case for the small producer. In the Upper House Mr. Baxter suggested that the small producers ran into thousands—a monstrous statement. His heart was bleeding for 3,000 small producers, whose business and whose very livelihood could be jeopardised by these dreadful regulations!

Mr. Sampson: You know the small producer is at the back of this.

The MINISTER FOR AGRICULTURE: He may be at the back of it, and be the backbone of it: but figures I propose to quote will show that the hon. member has no conception of how many small producers are affected by the regulation. He knows he has one disgruntled man at the far end of his electorate, and two at the other end. He is inspired by what they have submitted to him, and by misleading statements which he admits have percolated to him from the Upper House.

Mr. Sampson: What about the conference of local authorities?

The MINISTER FOR AGRICULTURE: That may also have been inspired.

Mr. Sampson: What! All those public men?

The MINISTER FOR AGRICULTURE: I have extracts from a report following upon inspections by two inspectors of meat a few months ago, after the inspection of slaughterhouses which were then outside the abattoirs area.

Mr. Sampson: And which the Health Department was asked to register.

The MINISTER FOR AGRICULTURE: I will give the House an idea of the nature of the premises the hon. member wants the department to register. Perhaps that will please him. I am now about to quote from reports of health inspectors made a few months ago, after inspections of slaughter houses which were then outside the abattoirs area. The inspectors in the course of their remarks said there were many cases of dealers operating who did a big trade in the carcase meat business. The conditions under which the stock were killed were very unsatisfactory, and should not be allowed to continue. In some cases the only facility was a gambrel suspended to the limb of a tree. This would be reasonable if it were under the open-air conditions of a producer desiring to kill his odd beast or two a year; but where dozens of beasts were killed, this was not satisfactory. It would be quite a reasonable slaughter-house so far as producers are concerned, but not in the case of a man who made slaughtering a business.

At one holding I inspected, the killing pen consists of a wood and iron shed enclosed on three sides with bush timber, and a concrete floor drained to a surface channel which

discharges into a sump. This channel is in a bad state of repair. Pieces of hide and tail-tips were strewn about the vicinity of the killing floor, and flies were very prevalent.

From another property, on which up to 40 bodies have been killed weekly—eight a day were being killed on some days at this property, eight grown cattle—part of the carcase meat is delivered to butcher's shops without first being inspected. The remainder is brought into the Perth market for inspection and branding, and then delivered to various butchers' shops in the nearby suburb. Very little meat from this place was sold in the markets. Adjoining the killing pen on this property is a hanging room—the member for Swan will know what a hanging room is—15 feet by 10 feet, constructed of bush timber and corrugated iron. The room is not fly-proof, and has no floor provided. The water supply is obtained from a surface well not covered. When I visited the property, the water was on the surface and the well was about 5 feet deep. A large accumulation of paunch manure is deposited outside the killing pen, and was being removed at the time of inspection. A large wooden box is provided to receive the offal, which is carted away by neighbours for pig feed. This killing pen presented a dirty appearance, and has not been limewashed for some time.

Mr. Sampson: Certainly nothing to boast about.

The MINISTER FOR AGRICULTURE: At another place inspected it was found that the average weekly kill is five bodies of beef, 15 sheep and 10 pigs. Calves are also killed occasionally, and all carcase meat is taken in to the Perth market. The killing pen forms part of a large shed, and was found in a dirty condition; in fact, the floor and surrounding surface of the ground were black with flies. A concrete floor is provided, and drains to a sump in which a kerosene tin is placed to catch the blood. When the tin is removed, the floor drainage discharges into a surface drain and lies stagnant. After killing, the carcases are hung in a portion of the shed adjacent to the killing floor, where harness and other farm implements are stored. Approximately 50 pigs are kept in sties.

An inspection of another property revealed that although the owner does not do butchering on his own account, if any of his neighbours want a cow or a few calves killed he will do the work and charge for the labour. There is no killing pen on the property, and all killing is done under a tree.

An inspection of seven bodies of beef at the meat market from one of these properties was made on the same day by the Health Department inspector and the City Council health inspector. On inspection, one fore-quarter was found to have tuberculosis on the pleura and peritoneum. One fore-quarter had the pleura stripped off, and had obviously been diseased. One hind-quarter had tuberculosis on the peritoneum. All these were condemned. But after a thorough examination of the deep-seated glands of the remaining quarters, these quarters were branded and sold. One half of a carcase is condemned for tuberculosis, and the other half goes into consumption because the inspectors are so hampered that they have no essential organs of the carcase present, and therefore have no option but to pass it as free from disease.

Mr. Doney: They pass that against their better judgment?

The MINISTER FOR AGRICULTURE: Yes, because the opposite could not be proved by them as health officers—and they are efficient officers. It is utterly wrong to expect those men, who are conscientious men, to inspect carcases under those conditions.

Mr. Doney: Do you not allow them discretion?

The MINISTER FOR AGRICULTURE: Yes. I am speaking of the health inspectors. They have every authority, but they also need to be very careful not to let an action lie against them. I have indicated how seriously these people are disadvantaged, and I am astounded that the member for Swan would rather have that sort of thing continued.

Mr. Sampson: And the department did nothing!

The MINISTER FOR AGRICULTURE: We have done something, and that is what the trouble is about. The member for Swan wants to allow no inspection of meat within that area. That is the purport of his motion. In the same month complaints reached me in regard to parts of carcases submitted for inspection. There were several complaints of that nature. On being questioned, the persons supplying those quarters to the market made the excuse that, not having the four quarters there, they

were too poor to be brought in, and that it was better to use them for pig feed. They were worth more as pig feed than would be received for them at the market. One side of a beef was condemned after being brought in, and the other was sold to a butcher en route.

The Premier: Who is your butcher?

The MINISTER FOR AGRICULTURE: That is a pertinent question. If any member desires to lay in for himself a store of trouble, he should deal with the people desirous of buying this class of meat. There is only one more case I shall mention, and that is in connection with the carcase of a cow which showed signs of derangement. When questioned by the inspector, the owner admitted that the cow had been delivered of a dead calf the day before and was paralysed at the time of slaughter. Now, had it not been for the wide-awakeness of the inspector, that whole carcase of unwholesome matter must have gone into consumption. If that person were one of those trading to the outer suburban butchers, the carcase would have gone into consumption. Thus I have indicated the difficult task of the inspector at the carcase market in the circumstances prevailing, and must also indicate that, whatever is done regarding this regulation, the proclamation extending the abattoirs area will remain. It still remains: and although the mover suggested that I resorted to subterfuge, that I put something over him and over the House in extending the area by proclamation, there is no other way to extend the abattoirs area. It has always been extended by proclamation. It would not be lawful otherwise.

Mr. Sampson: The regulations were previously disallowed.

The MINISTER FOR AGRICULTURE: That interjection shows how ignorant the hon. member is of the facts. The regulations were never previously disallowed. Every time there has been a prescribed radius from any point which has been classed and gazetted as the abattoirs area. It has been done by the Lieut.-Governor himself by proclamation. The hon. member should read Section 3 of the Act. There is no other authority for extending the abattoirs area than by proclamation.

Mr. Sampson: This was twice disallowed by the Legislative Council.

The MINISTER FOR AGRICULTURE: I want to give an indication of how the Government has considered the genuine producer since the regulation has been gazetted and laid on the Table. Up to date 20 permits have been issued to producers who have applied for permits to kill. It does not indicate much enthusiasm on the part of the small producer, nor does it indicate much desire on his part to kill his own stock, that during the not inconsiderable period those regulations have been in force only 20 permits have been applied for. Before I deal with the statement made by Mr. Baxter and his mythical 3,000 producers, I want to quote the views of Professor Stewart, who is Professor of Veterinary Science at the Sydney University and probably the outstanding man in that particular science in Australia to-day. He said—

> In a review of the disease of bovine tuberculosis, the eradication of this disease is a national matter as it is easily communicated to human beings.

This is a very important statement relevant to meat inspection in any State anywhere.

> It has been proved that a large percentage of the glandular and bone types of the disease was caused by infection from bovine tuberculosis.

How can we support those who would encourage the dissemination of bovine tuberculosis throughout the community? The number of carcases submitted at the two meat markets in the metropolitan area during 1937-38 was 2,875. The number slaughtered and submitted by dealers was 2,055. So that 800 odd only were slaughtered and submitted by the 3,000 suffering producers to whom reference has been made!

Mr. McLarty: Does that include calves?

The MINISTER FOR AGRICULTURE: No, only grown cattle. These details indicate very definitely that the main source of supply for the carcase markets has been the dealer.

Mr. Sampson: Are pigs included in those details?

The MINISTER FOR AGRICULTURE: No. The figures also indicate that the producers in the area concerned will not be penalised, as the number of cattle they market represents about three per producer per annum. That includes cattle dealt with from various districts and brought to the metropolitan markets.

Mr. Doney: How many producers were involved?

The MINISTER FOR AGRICULTURE: About 350. It is not right, therefore, that this House should be misled by the statement that 3,000 producers will suffer, when I have been able to show that the total number of carcases submitted in the metropolitan markets from all over the State generally was 800. Calves do not enter into the question for the reason that there is not now, nor will there be, any restriction on the killing of calves. What will happen if this regulation is disallowed? It will mean that persons who kill beasts of any sort at the abattoirs will be able to refuse to pay the charge for health inspection. It will mean that the beast mentioned by the member for Toodyay (Mr. Thorn), which now goes into the digester, will go into human consumption.

The Premier: And the carcases submitted represent about a quarter of a beast per year.

The MINISTER FOR AGRICULTURE: Yes, but the mythical 3,000 producers is totally inaccurate.

Mr. Sampson: It was never stated in this House that 3,000 producers were affected.

The MINISTER FOR AGRICULTURE: That number was mentioned in a speech by Mr. Baxter, which appears on page 172 of "Hansard" for this session.

Mr. Sampson: The statement was not made in this House.

The MINISTER FOR AGRICULTURE: It was made by the man who inspired the hon. member.

Mr. Sampson: That is not very generous.

The MINISTER FOR AGRICULTURE: Naturally, we desire to protect the interests of the small producer. We wish to assist him to market his injured or culled beasts, if he so desires. I have pointed out, on the other hand, that as a rule he does not desire to market the carcases himself but prefers the dealers to pick up his spare cows and pay him market rates for the animals. That is clearly indicated by the numbers dealt with at the markets. We also wish to encourage the dealers to kill under the best conditions, so that there shall be no doubt in the mind of the consuming public that nothing but the most wholesome meat is submitted for human consumption. There is nothing ingenious or suggestive or wrong either in the extension of the abattoirs area or in the regulations under the Health Act, each having been decided upon as in the best interests of the public after full consideration had been given to all the facts and reports available.

On motion by Mr. Watts, debate adjourned.

BILL—MUNICIPAL CORPORATIONS ACT AMENDMENT.

Second Reading.

Debate resumed from the 31st August.

MR. DONEY (Williams - Narrogin) [9.35]: Members need not hesitate for a moment in deciding to support the Bill submitted to the House by the member for Canning (Mr. Cross). The issue is clear cut. It is a question of abolishing or not abolishing distress as an instrument for securing the payment of overdue municipal rates. To my mind municipalities will lose nothing of consequence by ridding themselves of distress as an instrument for the collection of debts. I cannot help regarding distress as a carry-over from the bad old days. I dislike the practice intensely; I hate it. I hope the time is not far distant when Western Australia will see the last of it. To me it is one of the meanest of all our laws. I assume there are occasions when distress is useful as a weapon to flourish in the face of ratepayers who owe rates but, although able to pay them, nevertheless decline to do so. It is very seldom indeed, so far as my experience goes, that municipalities use distress in cases where the defaulters are definitely unable to pay the outstanding rates. I am quite prepared to sacrifice what little benefit may accrue to municipalities in return for the relief extended to poverty-stricken defaulters from the disgrace of having their furniture submitted for public auction. It is understood by everyone that if distress is denied municipalities, they will have recourse to the courts to secure orders for the payment of outstanding rates. There is nothing very much in the Bill that calls for any prolonged debate. The member for Canning put the position clearly to the House, and I hope members will not delay its passage through the Chamber. I have

pleasure in supporting the second reading of the Bill.

Question put and passed.

Bill read a second time.

In Committee.

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

House adjourned at 9.42 p.m.

Legislative Assembly,

Thursday, 8th September, 1938.

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

QUESTION—VERMIN DESTRUCTION.

Dingoes and Foxes, Queensland Methods.

Mr. DONEY asked the Minister for Agriculture: 1, Is he aware that the Queensland Government, through its Land Administration Board, assists landowners in that State to destroy dingoes and foxes by—(a) distributing to landowners upon application a specially prepared bait in cases containing approximately 250 baits at 5s. per case, which is less than cost; (b) allowing free railage to nearest siding; (c) distributing the baits free of any charge whatsoever in instances where landowners form themselves into groups of four or more for the purpose of making a systematic distribution of the baits in infested territory? 2, If he is so aware, will he consider the desirability of informing himself as to the suitability of the bait and as to the desirableness of adopting similar distributive methods in this State? 3, If he is not, will he make the necessary inquiries with a view to action as set out in 2?

The MINISTER FOR LANDS (for the Minister for Agriculture) replied: 1, Yes, and the matter is already being inquired into, but in view of the experience in this State, no decision has yet been arrived at. 2 and 3, Answered by No. 1.

QUESTION—FREMANTLE HARBOUR TRUST.

Commissioners' Appointments, Primary Producers' Representative.

Mr. DONEY asked the Minister representing the Chief Secretary: 1, When do the periods for which respective Commissioners of the Fremantle Harbour Trust were appointed expire? 2, Have any new appointments or re-appointments been made during the last twelve months? 3, Has the Chief Secretary, during recent months, received any request for the appointment of a representative of the primary producers to a position as Commissioner of the Trust? 4, If so, has such an appointment been made? 5, Or, otherwise, is such an appointment to be made shortly?

The MINISTER FOR WORKS (for the Chief Secretary) replied: 1, 31st December, 1938. 2, No. 3, Yes. 4, No. 5, This will receive consideration.

QUESTION—RAILWAYS.

Standard Gauge, Fremantle-Brisbane.

Mr. NORTH asked the Premier: 1, What is the length of line needing conversion to standard before Fremantle and Brisbane are connected on a through gauge, via Port Augusta and Broken Hill? 2, What is the estimated total cost (if information not available, then at £12,000 per mile)? 3, Is