far too much money under that heading. There are hundreds of men to-day receiving such payments who would prefer to remain in harness, serving the State. I would rather support an extension of the retiring age for civil servants, thereby enabling those who can to serve the State still longer. By that means we could save many thousands of pounds annually in pension payments. Those are my principal reasons for voting against the second reading of the Bill.

HON. E. H. ANGELO (North) [8.47]: I do not desire to cast a silent vote. My remarks will be brief because I do not like needless repetition. I am fully in accord with every word uttered by Mr. Parker, Mr. Holmes and Mr. Nicholson. When a child, I was taught to respect my elders and particularly the representatives of the King and of British justice as exemplified by the judges. I remember my father asking me never to pass the Governor or a judge without taking off my hat, and I have always done so. I am glad to say that the high respect in which I have held our judges has never, in any instance, been diminished since I have been able to think for myself. Last night we heard that sometimes judges have been appointed for political purposes, and I remember that on two occasions that was said regarding appointments made in Western Australia. On the other hand, I have never heard that those judges have done anything except what was absolutely right and honourable. For these reasons I cannot see what will be gained by agreeing to the Bill. We might lose by so doing, but I certainly do not think we can gain anything. Should a judge not carry out his duties satisfactorily, he is generally given the straight tip by his fellow judges. If that should not prove sufficient, the tip is probably given by the Government of the day, and if the judge concerned will not listen, there is a safety valve in the present Constitution Act that enables Parliament to dispense with the services of a judge. On the other hand, we have already had examples in this State to indicate that judges have been at the very zenith of their power when they have reached 70 years of age or more. If we agree to the Bill, we may secure the services of a judge in future whose capacity would be outstanding and yet we would have to lose his services because of the retiring age. Let us leave well alone.

On motion by Chief Secretary, debate adjourned.

House adjourned at 8.51 p.m.

Legislative Assembly,

Wednesday, 18th September, 1935.

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

BILL—INDUSTRIAL ARBITRATION ACT AMENDMENT.

Bill read a third time and *passed*.

BILL—MINING ACT AMENDMENT.

Second Reading.

MR. MARSHALL (Murchison) [4.34] in moving the second reading said: I propose to be as brief as possible, because last session I moved a certain motion and submitted most of the arguments with which I could arm myself in order to support the Bill. It will be observed that the nature of the Bill is that where reservations are granted by the Minister for Mines it will not be possible, if the Bill becomes law, to give the sole occupancy of such reserves to any individual or company for the purpose either of prospecting or mining for gold. In my opinion Section 297 of the parent Act was never intended to be used in the way it has been used during recent years. Of course I cannot pit my laymanship

against the technical knowledge of lawyers, but I wish to point out to those members who do not quite understand the position just exactly what happens in a mining centre when gold is discovered. Quite a lot of members may think that on the discovery of gold in any given centre the Lands Department immediately proceed to survey town lots for business areas or residential areas. That is not so. In the very early history of the fields and even up to date, when there is a sudden influx of population due to the discovery of gold, all reservations for the purpose of Crown activities such as police quarters, registrar's quarters, hospitals, recreation and the like are controlled under the Mining Act, and all any person has to do is to take out a miner's right and apply for a lot surveyed under the jurisdiction of the Mining Act for residential purposes. Then, after the town develops up to what might be called normal, the Lands Department take it over, declare town boundaries and give all those who occupy land within those boundaries the pre-emptive right secured under miner's rights. If members will keep that in mind, probably they will agree that Section 297 of the Mining Act was put there to provide reserves for Crown activities, not for the purpose of gold production. There is in the Mining Act a section which distinctly deals with the leasing of reservations for the purpose of gold mining, but that is quite another section, not this one under which the Minister and his predecessors have operated for some time past. The party to which I belong have always opposed the principle of large holdings and the granting of huge concessions to any person or company; there may be exceptions, but in the main the Labour Party has always set itself against the granting of very large areas. Therefore, I myself oppose such a policy on principle. But I have to consider the arguments advanced by the Minister for Mines last session. I am sorry he is absent, but it will not be difficult for him to put up his case again, because he will be able to read my remarks in "Hansard." The Minister may be able to say that in special circumstances his actions were warranted. I am not prepared at the moment to say that such was not the case, but what I will show as I proceed is that evidently, if there have been special circumstances surounding his actions, there have been many such special circumstances. In replying to my argument on last session's motion the Minister made statements from which I propose to quote, statements which may have led the Chamber to believe that it was only in special circumstances that he granted reserves for the purpose of mining; and further, that if the conditions imposed on the granting of such a reservation were not complied with, he would immediately consider the advisability of cancelling that reservation. I am sorry that that has not happened. As a matter of fact, the position has been intensely aggravated. Let me return to the first point I desire to make: I suggest that if any particular grounds could be given or got for a person, provided he had sufficient capital to lodge an injunction against the Minister's granting of reserves for the purpose of gold mining under this section, and if the case went to the Supreme Court that person without doubt would win. I am confident the section does not provide the Minister with the legal right to do that which he has been doing. Section 297 of the Mining Act reads as follows:—

> The Minister, and pending a recommendation to the Minister a warden, may temporarily reserve any grant of land for occupation and the Minister may at any time cancel such reservation; provided that if such reservation is not confirmed by the Government within 12 months the land shall cease to be reserved.

If that section warranted the action of the Minister, there would be no reason for the proviso I have quoted. What is intended by that is that if the land is a simple reservation for departmental activities, and if within 12 months it is found that the reservation is not suitable or not wanted, the granting of the reservation would not be gazetted, and so it would necessarily die. The Minister is granting reservations, not for the purpose of Crown activities, but for the specific purpose either of prospecting or of mining for gold. It is of no use my elaborating it, because I am not a lawyer and therefore I may have been deceived by the wording of the section. If it was intended that the section should be used for the granting of larger holdings than is provided for by the Act, I presume it would have been taken advantage of in the early days of the development of our gold mining industry. Until recently no one con-

templated getting a larger area for gold-mining than a 24 acre block. It is true a man can hold more than 24 acres in certain circumstances. If this section had been intended to be used for the granting of larger areas it goes without saying that in the early days many people would have taken advantage of it, and applied for reservations as they are doing to-day. As no one deemed it possible that larger areas could be taken up, the section was never availed of. That assists me in my argument that it was never intended to be used in the manner in which it has been applied in recent years. When the Minister was speaking last session he argued that the granting of these reservations had brought foreign capital here. I have no desire to refute that statement. It may be the Minister's opinion. Had no reservations been granted I contend that just as much money would have come here from other countries as has come here through the granting of reservations. Members will recall the very intense and keen struggle on the part of certain individuals, including the Minister for Mines, to induce the Federal Government to grant a bonus of £1 per ounce on gold production. At that time not a single individual referred to larger areas being required. All that was wanted was the £1 per ounce bonus on gold, and the law as it then stood sufficed for the needs of any investor. We succeeded in getting that bonus.

Mr. Patrick: And the Commonwealth Government were to have the benefit of the exchange?

Mr. MARSHALL: That is incidental. We obtained a bonus on all gold produced. I want members to bear in mind that in everything that was done to influence the Federal Government no reference was made to the Mining Act as it then stood being insufficiently comprehensive to attract foreign capital to the industry All that was required was the bonus. I suggest that investors made no complaint at that time. No one suggested that a 24-acre lease was too small. I assume that at that time no opportunity was sought to be taken under the section concerned. I believe the Minister for Mines himself was under the impression that when Wiluna revived a few years ago a reservation had been granted or was in existence. If reservations were necessary for the inducement of foreign capital, at least they were necessary at Wiluna when gold was worth only £4 an ounce. But this big company of gold mining speculators did not ask for any reserve. They were prepared to invest their money under Section 297. I do not say the Minister deliberately misled the Chamber. I do not think he knew the position himself, for he was under the impression that a reserve had been granted at Wiluna, whereas such was not the case. Gold at £4 an ounce, plus the bonus of £1 on all gold produced, was sufficient to induce that large amount of capital to come to the State without any reservation. This is in direct conflict with the Minister's contention that reserves are essential for the inducement of capital. The whole of the Meekatharra ore belt—some of it has been sold already—extending for about 4½ miles, is at the moment under option, and there are no reserves there. I think capital of £175,000 is involved for the purchase price alone. I could mention scores of cases where capital has come into the industry without any inducement by way of reservations. That, however, was a point made by the Minister. I will quote some figures I have received from the Mines Department, showing the number of reservations granted, and the number of companies registered in Western Australia for mining operations. For the year ended the 30th June, 1933, 44 companies were registered and 22 reservations granted. Some of these companies held from three to five reservations. It will be agreed that more companies are being registered in Western Australia that have shown no desire for a reservation than there are companies being registered requiring concessions under Section 297. At the 30th June, 1934, 64 companies were registered, and 36 reservations were granted. Each year the Minister increases the number of reservations. At this time two companies were registered for every reservation that was granted. Last year is the most startling. For the year ended the 30th June, 1935, 177 mining companies were registered and 48 reservations were granted. In effect, this represented three companies to every other company which applied for a reservation. Where does the Minister's argument come in that he must grant reservations in order to bring capital into the State? He made a good point when he disclosed the difference between open reserves and closed reserves.

A great change has come over those who are operating on behalf of large companies in respect to these reservations. It seems to me that the granting of concessions has been confined to a limited number of companies. On a closed reserve no one can operate except the owner. He has the exclusive right to the area. No one else dare go upon it without running the risk of being arrested or summoned for trespass. In the case of an open reserve, it is open to the overtures of anyone for the prospecting of gold. A prospector has free access to it. I do not know that he would be permitted to interfere with operations that may be under way, but he can prospect on the area. The Minister said that would be the very place to which a prospector would go. If he found anything on the reserve he would have a ready sale for his proposition. The company that owned the reserve would be the buyer. If a prospector finds anything he is bound to go to the owner and give him the first right of purchase. There is now a mutual understanding between those who are the agents for companies or are the go-betweens as between the company and the prospector. If gold is discovered on one of these reserves, the discoverer can get no offer of purchase from any outside company. These people have the prospector by the throat. They induce him to go upon their reserves, but if he finds anything he cannot sell to anyone. The owner of the reserve has only to idle away his time until he starves out the prospector, and obtains the fruits of his labour for nothing. I know of one recent case in connection with a piece of ground just outside Kalgoorlie. A man discovered a sulphide lode in shallow country. Mr. Agnew, one of the finest types of gold mining investors in the State, had a look at the proposition. He asked the prospector, "What do you want for it?" The prospector replied, "Give me £6,000 and you can have it." The investor said, "I am in a hurry; I have to go up North, and shall not be back for some time, but the deal stands good. I will bring my samplers out, and if the stuff assays as good as it looks, you are on £6,000." Very well. A day or two later the prospector, walking in the streets of Kalgoorlie, meets Mr. Agnew. Mr. Agnew says, "Oh, by the way, I want you." "What is it?" "That deal is off." "What happened?" "I am sorry, but the area is on a reserve." "I know it is." Mr. Agnew then said, "We do not interfere with each other's reserves." And there we are! It is a most damnable thing. Another case of the kind may have been noticed by hon. members in the Press. Near Ives's Find, on the Kalgoorlie side, two or three young men out prospecting found something highly encouraging. They ran into Kalgoorlie to take up the country, and it proved to be a reservation. I want hon. members to watch this point closely. I emphasised it to the Minister last session. It is no use for any man to say that a prospector must go to the office of the mining registrar and look up maps to see whether an area is the subject of a reservation, before going out to it. That simply cannot be done. If the intending prospector does find on the map a reservation granted in the particular district he has in view, that reservation may have been cancelled by the time he reaches the locality. Here is the position: We know that no bona fide and experienced prospector will seek a tenure of any country until such time as he has found indications. It would be ridiculous in the extreme for a man to walk into the mining registrar's office and look at the map of a belt of auriferous country, perhaps 150 miles away, and say, "I am going to apply for a prospecting area there." The area might prove to be nothing but a patch of barren country when he gets to it. No man can pick out a 24-acre block from, say, 24 miles square without first visiting the locality. So of necessity every prospector first goes out and looks around him, and not until he has indications that warrant his securing the tenure of the land does he go back to town and apply for it. It is then the trouble arises. Those unfortunate lads at Ives lost the fruits of their labour. Not until they had disclosed the facts to the registrar did they know anything about the area being a reservation. The registrar says to them, "It is a reservation," and the man who owns the reservation knows about it and the boys have to get out. The thing is wrong in principle.

Mr. Moloney: Is it wrong in practice as well as in principle?

Mr. MARSHALL: It is wrong in principle because of the noxious effects it has in practice. The hon. member can see that

for himself. A prospector might even go to the warden's office and ascertain that there is no reservation on a belt of country. He says to himself, "Right. I have heard that country is quite well worth visiting." Anyone who has sat listening to the old fellows who have been about the fields for years knows they will all tell you, "Go to such-and-such a spot. I was there 20 years ago. It is worth having a go at." Very well; the party go out, have a look around, and obtain good indications. Then they go back. In the meantime the area has been made a reservation. They disclose the fact that there is something good on the area, by the lodging of their application. The system is absolutely vicious and vile in practice. As I have pointed out already, had no reservation ever been granted, there would never have been one asked for. Hon. members need to understand that there is no limit to the area of country that can be held by anyone provided it is taken up in 24-acre blocks. In the case of Wiluna, upon the revival of that field something like 25 leases were held there; but no one objected to the holding of those leases. The holders had got them legitimately, and had complied with the law exactly in the same way as any other person in the State. That, of course, is fair and honest; but in connection with reservations a privilege is granted, or a concession is granted, to a special few. Why should any individual be given any special consideration, more particularly when everybody can be catered for without the granting of any privileges or concessions? The Golden Mile, one of the richest belts in this State, and likely to remain so for some considerable time to come, was developed on 6-acre, 12-acre, and 24-acre leaseholds; and not a soul has complained—not even the companies themselves have complained. There has been no argument about the matter. That system existed for the last 45 years without complaint, until quite recently, as to the areas not being big enough. The argument put up, that reservations are granted for the purpose of inducing foreign capital to come here, is baseless. I do not want to mention any names, but I know of reservations granted to individuals who have not two bob and are never likely to have it. May I say, in passing, that a reservation has been granted in my electorate between Nannine and Meekatharra, 25 miles by 10 miles in extent. And that reservation has been extended. When I left the field a couple of months ago to come to Perth, there had not been a pick put into the area or a post erected on it. There is an area, 25 miles by 10, of auriferous country held up as a special privilege for some individual or company. Let me quote what the Minister had to say last session on my motion—

> Ever since I have had anything to do with the letting of reservations, my object has been to get capital into the country to develop those reservations, including abandoned mines, of which the prospector could not possibly make a success. I think I have succeeded pretty well, at all events with that company, since they have spent £57,000 in wages and £145,000 all told in less than two years in Western Australia.

I agree, but I still adhere to my argument that had the Minister never granted an application for a reservation, there would still have been that development. While gold remains at £8 10s. and £8 15s. per ounce, with the prospect of a rise in value, we need have no fears regarding investors. They will come along. Gold mining here is a good investment while gold retains such values. The Minister said—

> Ever since I have had anything to do with the letting of reservations, my object has been to get capital into the country . . . . .

Whether that has been the Minister's sincere objective or not I shall not inquire, but why are reservations granted where there is only the remotest chance of capital being introduced? Let me quote a reservation granted in my own electorate, as I want to stay where I am on good ground. Many years ago there was a mining investor without any money who picked up the Big Bell at Cue.

Mr. Moloney: Who was it? Mr. Mandelstamm?

Mr. MARSHALL: Yes. After making overtures to the Minister, he influenced the Government into spending pound for pound for him, after he himself had raised a little capital in London, to bore that particular line of lode. The proposition is highly promising. The boring process disclosed that the lode was dipping out of the company's lease or leases. The company applied for a reservation on their eastern boundary in order to cover the situation. While boring operations were going on, and when that discovery was made, probably one could not

have growled at the granting of the reservation, especially as Government money was invested in the venture; but what concerns me more than anything else is the fact that the reservation has been held for a number of years and that the Minister has not said to the company, "You know now exactly how your lode is dipping. You have had protection for six or seven years. I ask you to peg out what country you require in order to protect your leases in the form of 24-acre blocks. The rest of the area must be thrown open to the prospectors." But no: the reservation is still there. Dog-in-the-manger like, the company will neither utilise the area nor let anybody else utilise it. There is another reservation around the Great Fingal mine. The Minister says he grants these reservations around old prospecting areas and old mines because the development of these old propositions requires capital.

Mr. Moloney: Who are these people you speak of?

Mr. MARSHALL: Western Mining, and a lot of companies that are operating. The Minister contends that he grants reservations around old mines in order to induce capital to come in, because such propositions are of no value to prospectors. That last statement is perfectly true, but the great trouble is that all that the company have done around the Great Fingal is to put up a steam-shovel and costeen about the surface. The whole of the country subject to the reservation is excluded from being prospected by anybody. If the people who ask for reservations want them only for the purpose of exploiting or developing or sampling old known gold mines, I reply that there is no mine in Western Australia closed down or worked out which would not be wholly covered by a 24-acre lease. Yet the grantees of the reservations take miles of country around old mines, and exclude everybody else from those areas. That is the trouble. I know why these reservations are granted. It is for the purpose of bolstering up a case, for the purpose of influencing moneyed people to invest by saying, "We have a reservation: we have a big thing here, miles of auriferous country." Bona fide prospectors are excluded from those areas; no prospector can go on them. Such a reservation is hawked around in the hope that somehow, somewhere, some money will be found to work it. Let anyone who wants old gold mines, which are certainly no good to the prospector, take out a lease in the ordinary way. As regards the company who wanted the old Fingal lease, what was to prevent them from picking out the area they wished for in blocks of 24 acres, say two or three or four of them? After that, the company could have complied with the mining law in the same way as the old prospectors did. What was there to stop them from doing it? Nothing in the world. But all the companies want reservations now. Each company says, "Because one company got it, we want it." And so it goes on from bad to worse, as shown by the figures I have quoted here. The virtue of the open reserve is gone. It is no use for the Minister to say, "You can go in and prospect." Prospectors know very well that if they discover anything on a reserve, they will be starved out eventually by the owner of the reserve, from whom they will get no offer. There is a mutual understanding between the people and they will do nothing. That is the position to-day.

Mr. Moloney: Is it a monopoly by the capitalists?

Mr. MARSHALL: I do not know. As a matter of fact, I do not know what a capitalist is, although I have heard something about capitalism. In these days, if a man is a little successful and is able to employ some people, he is called a capitalist.

Mr. Sampson: Would not the holder of a reservation make the prospector an offer?

Mr. MARSHALL: The point is that there seems to be some method of influencing the Minister to grant such reservations. I argue that such a practice is quite unnecessary while gold remains at its present value. Another point against the granting of reservations is that no one can police the areas. They are granted under most liberal conditions and the rental is about £5 per year, irrespective of the size of the block. The labour conditions imposed are infinitesimal compared with those that another man must comply with in respect of ordinary leasehold tenures. A lease comprising 24 acres can be policed, watched and searched. If four men are not employed upon the lease, or there is a break in their employment of three days, the lease is liable to forfeiture. On the other hand, who could police these huge reservations? I

know of one reservation held at Cue that has now been abandoned. Two prospectors were driven off the area by the warden when he saw them there. That reservation was held for four years, and nothing was done with the area. No one knew exactly where the boundaries were, for no pegs were put in. No one in the district knew that the reservation had been granted, because the application was made to the Minister for Mines who granted it, following upon which the information was supplied to the mining warden. There is one reservation 25 miles by 10 or 12 miles in the area between Meekatharra and Nannine. What a fine job it would be to police that reservation, even if those concerned knew the conditions!

Mr. Patrick: What are the conditions?

Mr. MARSHALL: Usually the conditions provide that three or four men must be employed, and the rental is fixed at about £5. There is nothing else laid down.

Mr. Rodoreda: Is there no mention of the necessity to spend money on the reservation?

Mr. MARSHALL: No. Many of these reservations would not be in existence if those who secured them were required to spend money. The prospectors in my electorate are getting very tired of the position, and are timid. This sort of thing discourages the genuine prospector. Those men say that it is no good going out because, if they struck gold, it might prove to be on a reserve, and they would get nothing out of it. I am afraid the method of granting reservations has been haphazard. If an application for a reservation had to go through the warden in the ordinary way, the community in the district concerned would know what was going on, but that is not done. These reservations are granted by the Minister and the local people have no knowledge of where the boundaries of the reservation are, nor do they know anything about the granting of the reservation unless someone tells them. Even if they knew, they could not be aware of the exact boundaries of the reservation. Although one may have a good idea as to where the boundaries are, no one could possibly know exactly where they were situated.

Mr. F. C. L. Smith: Have the areas been surveyed?

Mr. MARSHALL: No.

Mr. Fox: Do the holders of the reservations secure exemption from labour conditions?

Mr. MARSHALL: No, but in effect they have an exemption from labour conditions because it is impossible to police the reservations. One would require an aeroplane to cover the reservation I have referred to between Meekatharra and Nannine.

Mr. Wansbrough: Even if you had an aeroplane, you would not know which way to travel.

Mr. MARSHALL: That is so. The man in the aeroplane would not know if he were flying over the reservation. In these circumstances, although the labour conditions are imposed, they are not effective, because the reservation cannot be policed. That is not fair. With gold at £8 or more per ounce, that constitutes all the inducement required, and the Mining Act should be sufficient to meet the requirements of those who apply for reservations. The object of the Bill is to prevent the Minister from granting reservations for mining under Section 297. Under Section 296 he can grant other reservations. I am content to leave the matter to the House. I will never rest while one section of the community can, by virtue of their ability to spin a good tale, secure concessions and privileges that the bona fide prospector cannot enjoy. There are a few of those fine old fellows left, men who pioneered the industry, lived in isolation and were self-sacrificing. Thanks to the present Government, there are some young fellows coming along in their wake, but these prospectors are becoming extremely timid and live in dread of finding gold, only to ascertain that they have made the discovery on a reservation. Whether the reservations be open or closed makes little difference. Personally I cannot understand the Minister. I presume it is his enthusiasm that has led him to pursue this course. It seems to me that if any individual can spin a good yarn to the Minister, the latter becomes so enthusiastic that he is carried away. No doubt the Minister considers that he is justified in the actions he has taken.

Mr. Moloney: You suggest that the Minister is very innocent?

Mr. MARSHALL: No, he is far from that; but I am afraid that if anyone with a little social influence should come to him with a tale, there is little doubt that the

Minister would be carried away by his own enthusiasm.

Hon. P. D. Ferguson: No, not that Minister: I will not believe that.

Mr. MARSHALL: I do. I think his enthusiasm leads him astray. It is true, however, that he has changed his attitude. There was a time in the history of the mining industry here when members who constitute the present Government, did much to induce the investment of foreign capital. In those days there was no desire for greater areas than those comprising the ordinary leases. The industry was struggling for existence at that time, and what was done to promote its interests was justified. We know that anti-Labour Governments were not prepared to extend the necessary assistance. The Mitchell Government did not give us very much consideration and seemed to think the industry was hardly worth its existence. The present Minister for Mines has changed because, when the mining industry was passing through a period of depression—he was then a private member and was speaking regarding a Bill introduced by the then Minister for Mines, the late Mr. John Scaddan, with the object of making conditions regarding tributing a little more acceptable—he made the following statement in the House—

> I want to impress upon members the fact that one of the companies holds 600 acres under lease on the Golden Mile. Their holding is a sheep station, not a mining lease.

In those days, owing to the condition of the industry, it was necessary to encourage the investment of foreign capital, and Labour members did their best to get the Government of the day to take some action. The present Minister for Mines claimed that 600 acres represented a sheep station, and that was in the days when the industry needed encouragement, but now, when the industry is prosperous, the Minister can grant a reservation extending for 25 miles in one direction and 10 miles in another.

Mr. Patrick: That would represent a sheep station.

Mr. MARSHALL: Quite so.

Hon. P. D. Ferguson: It is all terribly inconsistent.

Mr. MARSHALL: As a matter of fact, there is a sheep station near the area I refer to that is not as extensive as the reservation itself. I contend the present system is detrimental to the interests of the industry and is hampering the operations of prospectors. These men who go out and search for gold do not know when some other reservation will be granted, and they will be driven farther afield. I would not object for one moment if these companies were given a reservation over a mine, but I certainly object to reservations being granted covering huge areas. All they are doing on the reservation between Meekatharra and Nannine is boring in the main ore channels of an old mine. Even that has not been done in other areas. I could quote an instance at Meekatharra where for years we played football and cricket in an area that remained untouched until recent years. Then, with the proverbial "mug's luck," an Italian tried the ground, sunk a 15ft. shaft, where he struck 3oz. ore and sold the show for £15,000. That demonstrates that it is not a good principle to adopt that the State Government shall have the right to grant large areas from which prospectors are excluded. We do not know where gold will be found. Take the Great Fingal. That mine operated for the best part of 25 years and then it closed down. The machinery was sold and the leases were open. A couple of well-known citizens of Cue, brothers of the ex-member for Cue (Mr. Chesson), went to a spot where the old pay office had stood and put down a shaft. Those men are on three-ounce stone and the show is under option for £12,000. That spot is not 200 yards from the main workings; yet there is a reservation all round.

Hon. P. D. Ferguson: What effect have the reservations had on the Government's prospecting scheme?

Mr. MARSHALL: With one hand we are feeding the men who are out prospecting and with the other hand we are depriving them of the opportunity to get gold. I mentioned that before. This applies to every prospector. It is wrong, and should not be tolerated.

Mr. Patrick: If they wanted the Great Fingal lode they could get it.

Mr. MARSHALL: There is nothing to stop them: they could pick out any old workings they wanted. But they have not been touched: they have not even been looked at. The exclusive right rests with the holders of the reservation until they are ready to operate. I do not know what members think of that. By introducing this Bill, I am doing what I consider to be the right thing. I have no desire to prevent capital

from coming into the State, and I do not think that my action will have that effect. If it will have that effect, the reservation system should have been applied and operated in the boom days. Capital was never prevented from coming into the country at that time when we limited the area to 24 acres. My sympathies go out to the old battlers, the prospectors. The longer I live, the more I realise that in spite of all the reservations that have been granted, there will be no new discoveries made by the holders of them. They never go into new country; they simply sample the mines or ore channels, and the discovering of new finds is left to the old prospectors. Why should the Government prevent them from possibly enjoying the benefit of the present high value of gold? It may be that other discoveries will be made, but in my opinion we are certainly debarring the prospectors from making discoveries while gold is at such a remunerative figure. When the price of gold comes down, the Minister can have all the reservations. He will not then find companies desiring to have reservations, leases or prospecting areas. It is quite true that, because he grants reservations, everybody wants one. He commenced to grant reservations in a limited way when gold was rapidly increasing in value, and naturally everybody wanted to get in. Why should not the prospector have the same right to get in as any other individual enjoys? Why should he not have a chance to get gold when the price is so high? Why should this be the exclusive right of other people? I have done all that is possible. I am of opinion that the Minister is as sympathetic as I am, but his enthusiasm carries him away. As can be seen from the figures, he has granted reservations altogether too liberally. I do not consider that the granting of reservations is good for the State. I am positive that there would have been no shortage of capital for investment in the industry if a reservation had never been granted. If this Bill does not become law, the very least that the Minister can do is to require that every application for a reservation should be submitted for investigation in the warden's court, so that people who hold interests and who know the position might be heard. Why should not the community have a say? In any event the Minister would have the last say, and he could grant a reservation even in defiance of the wishes of the people, but it is not right that reservations should be granted in ignorance of the rights of the community. The Bill will not interfere with the granting of reservations for any purpose, but it provides that the Minister may not give sole occupancy for gold-mining or prospecting on reservations. I submit the Bill for the favourable consideration of the Chamber and move—

That the Bill be now read a second time.

On motion by the Acting Minister for Mines, debate adjourned.

BILL—CREMATION ACT AMENDMENT.

Returned from the Council with amendments.

MOTION—SECESSION DELEGATION.

Consideration of Report.

Order of the Day read for the consideration of the Delegation's report.

MR. SAMPSON (Swan) [5.36]: Matters arising out of the report of the joint select committee of the House of Lords and House of Commons, appointed to consider the petition of the State of Western Australia, call for consideration and for some remarks. It is interesting to recall the wonderful meetings which in years past have been held urging the need for secession. The intense enthusiasm shown was an indication of the widespread interest, and when the Government were prevailed upon to take a referendum, the result of which was a two to one majority in favour of seceding from the Commonwealth, it indicated the keenness of the feeling existing amongst the people. By such an overwhelming majority did the people vote at the referendum that the Government bowed to the will of the people and appointed an adequate committee to prepare the case for secession. The intention was that the case should be presented to the Imperial Parliament. It is significant to recall that all the Ks.C. in this State affirmed that the proper and constitutional course for us to adopt was to lay our grievance against Federation before the Imperial authorities, and all parties in both Houses of the State Parliament supported the proposal to send a delegation overseas to present our com-

plaint to the Mother Parliament. The sorry result of all that enthusiasm was that our delegation, apparently by trickery on the part of the Secretary of State for the Dominions, Mr. J. H. Thomas, were sidetracked, and our petition was shunted, as it were, into a dead end, this without the British Parliament having been given an opportunity to examine our case. One member of the delegation has returned to the State; the other will be here within the course of a few days, and both feel defeated and discomfited, not because the Lords and Commons dismissed their petition, but because what might be termed a hand-picked committee decided that while the petition was legally receivable by Parliament, it was constitutionally improper to receive it. That or some similar camouflaged statement was made.

Mr. Hegney: That is a reflection on the committee.

Mr. SAMPSON: I am reflecting on the joint select committee that was appointed.

Mr. Hegney: You are reflecting on the capacity of the House of Lords and the House of Commons.

Mr. SAMPSON: Will the hon. member, then, say a few words in support of them? I think he would find it difficult to do so.

Mr. SPEAKER: Order! The member for Swan must address the Chair.

Mr. SAMPSON: I need not remind members that Western Australia is a sovereign State and that the wishes of her people were properly conveyed to London. The joint select committee appointed to consider the petition evidently entered upon the work with their minds made up. I wish to refer to a precedent mentioned in a precis of the report of the select committee relating to the Nova Scotia petition, which prayed for the repeal of so much of the Act for the union of Canada, Nova Scotia and New Brunswick as related to Nova Scotia and which was received by the House of Commons on the 15th May, 1868. That is reported in the Commons Journal of 1868, Volume 123, pages 178 and 248. It is significant that although that petition was not approved, it was discussed, but our petition was never received, and it is because of this that such intense and general disappointment is felt. Let me quote from the report of the joint select committee an address delivered by Mr. Springman, one of the representatives of the Western Australian secession delegation. Mr. Springman, instructed by the Hon. M. L. Moss, who appeared as counsel for the Western Australian Secession Delegation, made a long statement. I propose to read only a dozen lines.

Mr. Hegney: Read the lot.

Mr. SAMPSON: The passage states—

> I now come to a precedent of 1808, when a petition was presented by the Province of Nova Scotia, arising out of its complaints against the Dominion of Canada. The petition was presented only one year after Federation. It was received by Parliament. It was debated in the House on its merits, and the prayer was the subject of a motion in the House, but it was not acceded to. The reception of the petition is apparent, first of all, from the two entries in the Commons Journal, volume 123, on the 15th May, at page 178, and on the 16th June, at page 248. Of course, I apprehend that the matter could not have been a subject of a motion unless the petition had been received.

That is a definite precedent. There are many others, including the report of the select committee on public petitions, 1873: the Boulogne petition and the petition from Crete, 1876, the dispute between the two Chambers of the Victorian Legislature, 1879; the Uitlander petitions, 1899; the Vondel case of 1902; the Colonial conference of 1907; the report of the Imperial Conference 1926; and the report of the conference on the operation of Dominion legislation, 1929. All of these were claimed by those representing the delegation as constituting something in the nature of precedents, but the one relating to Nova Scotia is of special interest in that it affords a precedent that cannot be challenged. There was, I need not say, a lack of consideration. It appears that long before the delegation knew their fate a decision had been arrived at, and when we realise that our representatives were detained in London for so considerable a period the residents of this State may justly feel indignant. There were three alternative fates to which the petition could have been subjected; firstly, it could have been turned down, secondly, it could have been accepted and the prayer granted, and, thirdly, Western Australia could have been advised that the trouble should have been settled locally. But no; our delegates were held in London for nearly 12 months, and they certainly believed the matter would be discussed in both Houses of Parliament.

The refusal of the joint committee appointed by the Lords and Commons to recommend reception, constitutes a dangerous barrier, a precedent established which is in the highest degree regrettable. We have had great confidence in the Mother of Parliaments. We believed that when a sovereign State such as Western Australia or any other country in the Empire put up a reasonable and proper appeal, consideration would be given to it. I have given details in respect of the Nova Scotia petition and the action which followed, but when it came to dealing with Western Australia, a State which established for itself so wonderful a name from the standpoint of men and money during the Great War, and which has also taken so large a number of migrants from the Old Country, I consider we were deserving of better treatment.

Mr. Tonkin: They took pity on Nova Scotia on account of its size.

Mr. SAMPSON: The British Constitution has largely been built on precedent, and the precedent to which I have referred is directly associated. I desire to quote from the London "Times," a newspaper considered to be thoroughly trustworthy, and which perhaps is one of the most conservative and dependable in the world. In the issue of the 18th July last there were various references to the Secession petition, and to what took place in the House of Commons. Mr. Dickie, a member of the House of Commons, asked the Prime Minister the following question:—

> Does not the Right Hon. gentleman think, having regard to the length of time this delegation has been in the country, that it is very unfortunate that they should be compelled to return to Australia without having their grievances discussed on the floor of the House?

Then the "Times" inserts in brackets "Cheers."

Mr. Tonkin: Did you say "cheers" or "jeers"?

Mr. SAMPSON: When a comment of that kind is added by the newspaper one can realise the feeling that was displayed. The "Times" next reports Mr. Thomas as saying—

> I have examined again the correspondence which has passed between the Dominions Office and the Western Australian authorities on the subject of the Western Australian Secession Petition, and I do not consider that the correspondence, which from the most part relates to questions of procedure, is of sufficient general interest to justify me in arranging for its presentation to the House as a Command Paper.

At a later stage, Mr. Thomas said that every member would have an opportunity of seeing the correspondence in the library. That is a nice way to deal with the petition forwarded as the result of a referendum taken in Western Australia. I suppose it would be a typewritten copy of the correspondence. Mr. Thomas went on to say—

> There would be no justification for incurring the expenditure of publishing it as a Command Paper. He was aware of the statement of a member of the delegation, and this statement reflected not upon the Government but upon the House of Commons. In the statement referred to it was assumed that the members of the Committee which examined the petition were the nominees of the Government, and they were not.

I think he protested too much, and anyone who would judge this on its merits would conclude that the joint select committee were carefully selected and probably the result was known before it was publicly disclosed.

Mr. Tonkin: That is a reflection on the Commons and the Lords.

Mr. SAMPSON: Mr. Thomas further said—

> The position of the Dominions themselves in this matter has been often stated. It is not for the Dominions office to intervene as between the State and the Commonwealth. The petition was presented and every opportunity was given for it to be considered in the proper way. The Dominions office was not, and would not be, drawn into a purely personal controversy on this matter.

I have read sufficient to show the very scant consideration and the improper way in which the petition was received. It is stated that constitutional reform between the Imperial authorities and the Dominions has been proceeding for several years. We must, however, see that our rights as a sovereign State are retained. We must remain truly united as an Empire, but the reception accorded to our delegates was anything but flattering; indeed, it it difficult to describe the manner in which they were treated.

Mr. North: Mr. Lyons was there at the time.

Mr. SAMPSON: Yes, and he evidently realised that it was time he should be up and doing, and that every effort should be made to oppose what looked like our success to get out of the Federation. I wish to refer to the question of the cost of the delegation. This has been criticised, but those who know anything of the subject have remained silent. The amount paid to the delegation is very small compared with the work

that had to be done; and when it is compared with our annual losses under Federation, then the amount really becomes infinitesimal. Criticism has been levelled at the Government in connection with the delegation the appointment of which it was said was unwarranted. The State owes a duty to its voters. All parties were concerned in the referendum which overwhelmingly expressed a desire for secession. No electorates voted more solidly than those represented by members supporting the Government; indeed all parts proclaimed support for the movement. The Dominion League is especially deserving the thanks for its consistent and persistent advocacy of secession. It was not an easy task, but the League pursued it and the ultimate result was the decision of the Government to send delegates to London, a decision which was in accord with the wishes of the people. The result of the referendum provided convincing argument of our parlous plight. Since our delegation went to England we have had the spectacle of a Federal Cabinet meeting in Perth, and this has a direct association with the petition. I venture the opinion we would never have had that Cabinet meeting but for the fact that the Dominion League was so effective in reflecting public opinion regarding the need for secession.

Hon. P. D. Ferguson: Shall we ever see them again?

Mr. SAMPSON: Advice may be given that this and the other small States must be treated differently in the future, but it was a significant meeting, and if, up to the present time, the secession delegation has done nothing more, it has provided certain members of the Federal Cabinet with the opportunity of seeing a portion of Western Australia.

Mr. Thorn: And that is all they did; we shall get nothing out of it.

Mr. SPEAKER: The hon. member is getting far away from a discussion on the report. There is nothing in the report referring to a Federal Cabinet meeting in Perth.

Mr. SAMPSON: Following the publication of the report of the joint select committee we may expect some change. I wonder whether anyone seriously expects there will be any material change. For instance, will the sugar agreement be quashed?

Mr. SPEAKER: The hon. member is now discussing the Federal Government, and there is no reference in the report to the Federal Government.

Mr. SAMPSON: I will not pursue that aspect any further. The report proves that what we did was right, and in another paragraph proves that what we did was wrong. The Nova Scotia precedent gave it a good start, and I cannot understand why it was the question was not permitted to be discussed in the House of Commons. We have failed at the first attempt, but we have started the work and it is to be hoped it will be continued. We wish to secure the separation of the State from the Commonwealth in a constitutional way. Let the State Government now make a demand on the Federal authorities for relief. That, perhaps, is the next step in implementing a State-wide protest and, if that fails, we shall have to take other steps, for the people of the State have an inherent right to work out their own destiny. The delegation were away for nearly 12 months in England, and their work deserves the thanks which I believe the great bulk of the people of the State would give them. They exercised a public spirit and great unselfishness, for both Mr. J. MacCallum Smith, M.L.A., and Mr. Watson are men in business, men with many private obligations, yet they went to the Old Country in order to secure what a majority of the people of the State wanted. No delegation could have done the work better, and I feel very proud indeed of the efforts of those two gentlemen.

Mr. Marshall: Are you judging them on results?

Mr. SAMPSON: Mr. Watson worked for many months without any payment whatever, and we should be wanting in appreciation and even decency if we failed to recognise and acknowledge that. Naturally we are disappointed at the result, but what was done was well done, and those of us who read the "West Australian" from day to day were able to follow the efforts of the delegation. Already there has been acknowledgment made of the generous way in which our morning newspaper reported the doings of our delegates, and I think the managers of that paper also ought to be thanked. We are disappointed with the decision of the joint select committee of the Imperial Parliament, for we deserved better. We have suffered a failure in this first step, but I believe the time will come

when the efforts made will bear fruit, and that fruit can only be borne when further work is done. I am convinced that the Dominion League means to work further and endeavour to secure the freedom so important to this State. This State, including its Government and Parliament, have been grossly insulted by Thomas and his minions—not by the British Parliament. We should not take the affront lying down. Either we are members of the British Empire or we are not members. If we are members, then one of the privileges of membership must be that we have a right to lay our just and serious grievances before the central Government of the Empire. Surely their is some way in which our Premier, as the mouthpiece and executive head of the community, can lodge an effective protest before the British Government, demanding that they make the necessary arrangements to have the case for secession submitted to and debated by both Imperial Houses. That is surely our inherent right as citizens of the Empire. It is a reasonable proposition and the Premier, I am sure, will be able to move in the matter. I value very much, as do thousands of others, the remarks made by the Premier when he heard the result of the efforts of the delegation. His vigorous and trenchant statement was much to the point and was greatly appreciated. I hope further consideration will be given to the matter. We all applauded the thought which prompted the expression that was so gratifying, and we hope it will culminate in a further statement, and that ultimately, with the co-operation of the Dominion League, we shall secure our freedom. I am disgusted with the treatment received by our delegates when abroad.

MR. BOYLE (Avon) [6.7]: I wish to compliment the delegation on their efforts.

The Premier: Is not the debate adjourned?

Mr. Thorn: No, it is going on.

Mr. BOYLE: I am quite prepared, if the Premier wishes——

Mr. SPEAKER: The hon. member may proceed.

Mr. BOYLE: I wish to compliment the delegates on their work in the Old Country and to commend the action of the State Government in carrying out the will of the people in sending that delegation to England. The neglect of the Mother of Parliaments to discuss the decision of the people of this sovereign State reflects no credit whatever on the House of Commons. The secession referendum was carried by an overwhelming majority, in the ratio of two to one. I do not like to draw attention to what now appears to have been a prearranged decision in England. Let me quote from an article written by Mr. Alfred Chandler, the President of the Dominion League. I do not think there is any other name more revered by the secessionists in Western Australia than that of this aged man, some 80 years of age, who has been an inspiration in the fight for the freedom of this State. Mr. Chandler, writing in July, said—

> The fight is still on. We suggest that the British authorities put up this before the joint select committee, to formulate a constitutional bar to the progress of the petition, and that this was done in conference, with the secret illegal arrangement between the Imperial authorities and the Commonwealth that no State's secession should be countenanced without the consent of the Federal authorities.

If that be true, it is an extraordinary arrangement between the Commonwealth Government and the Imperial Parliament. The member for Swan (Mr. Sampson) said that in 1868 a petition from Novia Scotia was received and discussed in the Imperial Parliament. May I draw attention to the fact that in 1868 a country which is now very much in the public eye, namely Abyssinia, sent a communication to the Imperial Government asking for the redress of certain grievances between the two countries. It is on record that that petition was received, but was not discussed. It was stated that an official of the Foreign Office had not brought it before the Government, but had treated it with contempt. The result was that the British Consul in Abyssinia was thrown into gaol. This precipitated war between Britain and Abyssinia, a war that cost £10,000,000 and hundreds of British lives. I am not going to suggest that such a state of affairs could happen in Western Australia. One recoils in horror from the thought of the King's representative loaded with chains and thrown into gaol, but the fact remains that we in Western Australia, a sovereign people, surrendered none of that sovereignty when we entered Federation. To-day we have the spectacle of communities like India receiving redress at the hands of the British Government, yet the sovereign people of a sovereign State could

not even have their grievances discussed on the floor of the House of Commons. I have here proofs of the delegation's report, which I do not think was published in extenso in the "West Australian." One of the delegates said—

I may add that we were very shabbily handled by the British Government, and the refusal to even receive our petition will stand for all time as one of the most discourteous acts ever perpetrated by the Home authorities. I have no hesitation in calling it a brutal insult to the Empire's most loyal State.

We in this House are the custodians of the will of the people of the State. If they express their will in no uncertain fashion, it is for the House to see that that will is upheld.

Sitting suspended from 6.15 to 7.30 p.m.

Mr. BOYLE: I should like to record my appreciation, and I think the appreciation of most secessionists in Western Australia, of the treatment accorded by the "West Australian" to the movement. Their reports of the delegation's activities in the Old Country were lengthy and informative. I would not be either fair or just if I did not acknowledge the attitude of that paper, which admittedly is anti-secessionist. In his Press interview, the member for North Perth (Mr. MacCallum Smith) on his return from London, said—

After hearing counsel on both sides for three days, and subsequently sitting in camera but not taking a word of evidence as to our grievances, they decided that the Imperial Parliament could properly receive the Petition, and the Imperial Parliament alone grant the power of secession; but they considered it was not proper to receive the Petition. In other words, they thought if it was received it might offend the Commonwealth Government, and put the British Government in an awkward position. Western Australia could continue to suffer as long as the susceptibilities of Mr. Lyons and his Ministers are not ruffled.

He then went on to say—

The next procedure following the issue of the report of the joint select committee should have been the discussion of this report by both Houses. Its importance to Western Australia and the Empire generally demanded that it should be thoroughly debated. Here again courage failed the British Government, and deliberate delay was used to ward off unpleasant consequences.

Upon the return of one of the Federal Ministers the words were used "that the secession movement in Western Australia was dead." A member of the State Government, recently in Sydney, used the same words. I wish to emphasise the fact that secession for the moment is not dead. It may be sleeping for the nonce, but I assure the House that the will expressed by that tremendous majority, indicating a determination to secure the freedom of this State from the Commonwealth, was not an idle expression of opinion. The movement for the secession of this great State from the other States is only in abeyance for the time being. I have nothing further to say except to assure the House that, far from being dead, the Secession movement in this State is a living, vital force.

MR. McDONALD (West Perth) [7.34]: I wish to dissociate myself from the reflections which have been made on the Imperial Parliament and the select committee. Rightly or wrongly, the select committee decided that the petition was not one which should be received by the Imperial Parliament. As for the suggestion or insinuation that the Select Committee prejudged the matter, so far as I can see there is no foundation whatever for a strong reflection of that kind being made upon those who composed that Committee. I feel sure that the vast majority of the people of this State, including secessionists, would prefer that the decision of the Select Committee were received with dignity rather than with insinuations of this kind. The matter has been referred to as if it were one that the Select Committee could not fail to decide in accordance with the wishes of our delegates. Actually it is not as easy as that. Whether the Select Committee was right or wrong, it has many arguments to support its decision, and its decision cannot be ignored. Take the position of Nova Scotia in 1868. Since then a lot of water has run under the constitutional bridges of the British Empire. At that time the Colonies were looked upon as being under the control of the Imperial Parliament, even though that Parliament abstained from passing measures of certain descriptions, such as taxing measures. So far as other measures were concerned, no one in 1868 doubted that the Imperial Parliament had full power to pass legislation intervening in the domestic affairs of any colony. The last Imperial Conference and the Statute of Westminster laid down the

basis of the relationship between the Dominions and the Imperial Parliament, and consequent upon this the position has undergone a radical change. As the British Constitution is unwritten, it is not easy to apply ordinary terms to the exact relationship between the Dominions and the Imperial Parliament. We know that as a result of the development of the British Empire on a constitutional basis all the Dominions, such as South Africa, regard themselves as entirely sovereign, except that they acknowledge the King as their King, and as King over the various Dominions and Colonies of the Empire, as well as over Great Britain and Ireland. Speakers to-night have reiterated the statement that Western Australia is a sovereign State. If it were so it would occupy precisely the same relationship to the Imperial Parliament as would the sovereign States of Austria or Italy. It is inconceivable that the Imperial Parliament would consider it proper to receive a petition from a section of the inhabitants of Italy ventilating their grievances or seeking redress in regard to the domestic affairs of the kingdom of Italy. Actually Western Australia is not a sovereign State in the full sense of the term, because it ceded certain of its claims to sovereignty to the Federal Government under the Federal Constitution Act of 1900. Australia as a Commonwealth, however, is a sovereign State. It has no relationship to the other parts of the Empire except that it recognises the supremacy of a common king. The Select Committee, whether rightly or wrongly, came to a decision which, I have no doubt, was arrived at after careful thought and in the utmost good faith. In arriving at that decision they no doubt had to take a far wider view of the matter than a view of the position of Western Australia and its relationship to the other States of Australia. If the right to receive the petition in this matter had been granted in the case of Western Australia, repercussions might have arisen in other parts of the Empire. It would be competent, no doubt, if such were the case, for a petition to be received from the Irish Free State praying the Imperial Parliament for a union, say, with Ulster. We can well imagine that other Dominions might very strenuously contest the right of the Imperial Parliament to receive petitions relating to their internal affairs, in view of the developments which have taken place in the last few years in the constitutional relationship of the different parts of the Empire.

Mr. Lambert: The Irish Free State did that without reference to the Imperial Parliament.

Mr. McDONALD: They claim sovereignty. They intend to go further than other Dominions of the Empire. They aim at removing the bond of kingship, which is common to all parts of the Empire. It has been stated that the British Government no longer have any power to interfere in the internal affairs of the Irish Free State. That substantially is the attitude taken by the Irish Free State. There is substantial ground for that argument.

Mr. Patrick: You could not imagine them petitioning the Imperial Parliament at all.

Mr. McDONALD: There have been substantial grounds for argument. Whether the decision of the Select Committee was right or wrong, we have to accept it as having been made in good faith, and consider what our position is in the light of that decision. A majority of the people of this State expressed their determination to secede, by constitutional means, from the other States. The first step that we have taken in attempting to bring the matter before the Imperial Parliament has failed. The mandate of the people, however, still remains. I personally undertook that I would do what I could to support that mandate, and see that it was carried into effect. It appears to me we should take steps without delay to explore the next means to achieve the wishes of the majority of the people. The next step appears to be to approach the Federal Parliament and the other States, and see whether by constitutional means the secession of this State can be brought about. It seems desirable to do this as early as possible. I can appreciate the position of the Treasurer and the Government while this mandate remains in a state of suspended animation. It is difficult to plan and prepare for the future of the State, especially in economic matters, when we have this uncertainty as to what its future constitutional position is going to be. If that uncertainty were cleared up, we would be in a position to take a long-range view of what was best to be done in the interests of the State. The next step appears to me, subject to the advisors of the Go-

vernment, that we should approach the Commonwealth and the other States in order to explore the possibility of the mandate of the people of this State being given effect to by agreement with the Commonwealth and the other States. If we fail in this step, then there is no alternative that we can take to achieve the secession of our State from the rest of the Commonwealth, because the mandate was to do it by constitutional means. I am sure that no one who speaks with responsibilty in this State would suggest that any other means should be adopted. If we cannot succeed by reference to the Commonwealth and the other States in achieving the wishes of our people, then the only alternative is to endeavour to see what re-arrangement of our constitutional and financial position we can bring about, that will remove some at all events of the disabilities from which our State is suffering. If we are able to devise some improvements in our constitutional and financial position, then I presume such proposals would be placed before the people of the State, either by referendum or else in the policy speeches of party leaders. If endorsed by the people, those proposals could be accepted, and the mandate for secession would then be superseded. In either case, I agree with the previous speaker, the mandate cannot be regarded as dead. It remains. Under our democratic institutions it still is an obligation on the Government to exploit every constitutional means of achieving the wish of the people. I have indicated the only other method I can think of as available to be explored. I join other members in urging that the sooner we explore the other alternatives the better it will be, because it will all the sooner enable the State to know its position, and in the light of that knowledge to plan its future.

MR. LAMBERT (Yilgarn-Coolgardie) [7.47]: In the first place let me say that I believe we all welcome the fact that the member for West Perth (Mr. McDonald) is back among us again.

Members: Hear, hear!

Mr. LAMBERT: That is generally agreed. However, I disagree sharply with many of the statements which have just been made by the hon. member. Having in view the delegation that went to England for the purpose of giving expression to the result of a referendum in Western Australia, whether it was legally right or legally wrong, I hope that the same attitude will be adopted by us towards the Commonwealth Government. The sooner our namby-pamby attitude towards the Federal Government ceases, the better for the interests of Western Australia. Only recently we had some Federal Ministers in Western Australia, and they went back, as did Mr. Hughes years ago, to proclaim that Western Australia was contented with its position in the Federation. We can never be content with our Federal position unless we are placed on a very different economic basis.

Mr. McDonald: Hear, hear! I quite agree with that.

Mr. LAMBERT: Our present economic basis in the Commonwealth is a challenge to the safety of the rest of Australia, and will be a challenge for as long as the Commonwealth continues to ignore our position as a sovereign State. In point of fact, we have a right to ask of the Federal Government a clear allocation with regard to our economic position and our finances, instead of going to the Federal Government for doles, as our Treasurers have been compelled to do. The member for West Perth spoke of the decision of the Joint Select Committee of the Houses of the Imperial Parliament. It is true that the delegation were ruled out by that committee. The fact that they were ruled out, however, in no sense lessens our claim to clear recognition of the wrongs we suffered as the result, absolutely, of Federation—wrongs which should be righted. However undesirous we may be of a disunited Australia, I hope that the agitation for secession will continue, at all events until such time as we obtain from the Federal Government a recognition of the fact that we have a part to play as a sovereign State while they play their part as the Commonwealth authority. I feel that Western Australia has played its part, and that the Commonwealth has not done so. The Federal authorities have been the over-lords, and they have continued recklessly their overlording. If the Western Australian Treasurer goes to the Loan Council, or if the Western Australian Premier goes to the Premiers' Conference, he has a right to state the position of Western Australia clearly to that body. From an industrial point of view we have no opportunity whatever of taking advantage of the expressed national

policy to shelter the secondary industries of Australia.

Mr. Thorn: Is that in the report?

Mr. LAMBERT: It is definitely linked up with our agitation for secession.

Mr. SPEAKER: Order! We are not discussing the agitation. We are discussing the report which was laid on the Table of the House. The hon. member must confine his remarks to that report.

Mr. LAMBERT: I hope that other hon. members speaking on this subject will not convey to the over-lording authorities of the Commonwealth an idea that secession is a dead issue merely because a committee of the Houses of the Imperial Parliament ruled our delegation out. I agree with the member for West Perth that constitutionally the committee could come to no other decision, since our remedy as a sovereign State is expressly set forth in the Commonwealth Constitution. From that there is no other departure than one of violence. As to that, there is no doubt in the wide world. The visit of the delegation to London, however desirous they may have been to serve Western Australia, proved futile; but it is as well to remind the member for West Perth of the fact that he was a party, and that the Government he sat behind were parties, to the taking of the referendum to the result of which the present Government gave effect.

Mr. McDonald: I know that.

Mr. LAMBERT: It is just as well you should keep constantly at the back of your mind the fact that we had to foster a baby of your begetting.

Mr. SPEAKER: Order! The hon. member had better get back to the report now.

Mr. LAMBERT: The party at present on this side of the Chamber did not go to the country with the idea of asking the people to express a viewpoint which was only a general, and not a constitutional, viewpoint. The people having expressed, through the taking of the referendum, a desire to secede, there was no alternative but to implement, as the present Government did, that decision. It is just as well that members opposite retain clearly at the back of their minds that particular fact.

Mr. Thorn: How about telling us something we do not know?

Mr. LAMBERT: If I had to tell the hon. member all he does not know, I would fill about fifty volumes. I do hope that anything said here on the delegation's report will not be misinterpreted in the Eastern States, or in the Eastern Press, or by the over-lords in the Federal Parliament, but that all of them will clearly understand that we have a definite conception of what is required by Western Australia economically. If we do not preserve the remaining sovereign rights of Western Australia, we shall be showing pure cowardice to our own State; and that is also to show pure cowardice to the Commonwealth of Australia. It must clearly be understood that as we are here, elected members of the Legislative Assembly of Western Australia, to protect the rights of the Western Australian people, if we are not prepared to protect those rights, the sooner we get out the better.

On motion by Hon. P. D. Ferguson, debate adjourned.

BILL—TRAFFIC ACT AMENDMENT.

Recommittal.

On motion by the Acting Minister for Works, Bill recommitted for the purpose of further considering Clause 25.

In Committee.

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

Clause 25—Third Schedule p.a. (Part 1) amended:

The ACTING MINISTER FOR WORKS: I move an amendment—

That in paragraph (b) all the words after "only" in line 5, be struck out, and the following inserted in lieu:—

	£	s.	d.
"Where the weight of the vehicle does not exceed 10 cwt. ..	1	10	0
Where the weight of the vehicle exceeds 10 cwt. but does not exceed 20 cwt.	2	0	0"

The amendment will more clearly express the intention, and it represents a concession.

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

Bill reported with a further amendment.

BILL—LAND TAX AND INCOME TAX.

In Committee.

Mr. Sleeman in the Chair; the Premier in charge of the Bill.

Clause 1—agreed to.

Clause 2—Grant of land tax and income tax for the year ending the 30th June, 1936:

Mr. SAMPSON: Will the Premier express an opinion regarding the imposition of a tax on agricultural land used for pig, bee, or poultry farming? I understand the department have no authority to refrain from imposing the tax.

The Premier: No.

Clause put and passed.

Clauses 3 and 4—agreed to.

Preamble, Title—agreed to.

Bill reported without amendment, and the report adopted.

ANNUAL ESTIMATES, 1935-36.

In Committee of Supply.

Debate resumed from the previous day on the Treasurer's Financial Statement, and on the Annual Estimates; Mr. Sleeman in the Chair.

Vote—Legislative Council, £1,742:

MR. DONEY (Williams-Narrogin) [8.6]: I have read, and heard, quite a number of opinions respecting this year's Budget and that which seems closest to the truth is the one that regards it as being good looking only so long as it is not too closely examined. The truth of that assertion was demonstrated last night by the Leader of the Opposition when he was able to show that the 1935 Budget is vastly different from what it appears to be. To me the most interesting, although by no means the most intelligible, phase of the Premier's presentation of the Budget this year, was when he castigated the Mitchell Government for what he termed the iniquitous and unjust cuts in the salaries of public servants.

The Premier: I did not castigate anybody.

Mr. DONEY: I certainly gained the impression that that was the intention at the back of the Premier's mind. He did at least say on one or two occasions during his speech that the cuts were iniquitous and unjust.

The Premier: That is so.

Mr. DONEY: And the Premier followed that up, strangely as it seems to me, by saying that only difficulties of finance had prevented him from removing those cuts earlier. Difficulties of finance! Just so. I cannot help asking, after receiving that admission, by what right did the Premier criticise his predecessors in office?

The Premier: I did not do that.

Mr. DONEY: If the Premier will reflect, he will admit that finance was immeasurably more difficult in those days of his predecessors than it is to-day, and the Premier knows it was so quite well. I imagine he knows, too, that the actions of the Mitchell Government with regard to the financial emergency legislation were dictated by sheer necessity, by circumstances, anyhow, more truly critical—I think the Premier will admit that—than any others the State has had to face before or since. I say that the financial emergency cuts were definitely not iniquitous. They were unfortunate and deeply regrettable, and I imagined members of the Committee had fallen into the habit of regarding them as entirely inescapable. I agree that such cuts may tend to be iniquitous in the case of a Government who insist on retaining them for two years or more, despite the fact that they hold the opinion, as they admit, that those cuts are unjust and iniquitous. It is my intention to-night to utilise the debate on the Estimates for the purpose of saying a few words about port and railway charges on bulk wheat, with special reference to the port of Albany. It is beyond argument that Albany is one of the finest natural ports in the world. It is probably the finest natural port in Australia, and undeniably it is the best, by a long way of those we have in Western Australia. It is without doubt a big State asset, yet to a surprising extent, it is a neglected asset. I feel like asserting that, given a taste only of the assistance and encouragement allowed to other ports of the State, particularly Fremantle, Albany could minister very substantially towards the progress of the State, more particularly to that of the southern end of Western Australia, and to the areas lying adjacent to the Great Southern railway, from Wagin southwards. Some members need to be reminded that from the vicinity of Hyden Rock, Newdegate, Pingrup, Ongerup and from the Wagin and Katanning areas through the districts nearer to Albany, there is a gradual slope towards the southern port, with its splendid, deep and safe harbourage. Given the help

that most countries would extend to a port having the advantages that Albany enjoys, the port would expand, but the pity of it is that we in Western Australia do not seem to mind whether we use the port or leave it alone. Albany is splendidly positioned for interstate trade, and I believe it is correct that the freight from Albany to Europe is substantially the same as from Fremantle. If Albany were to receive the trade that is its due, it would indeed be a prosperous port, but it happens that Albany gets no more trade than is sufficient to keep it alive. It is no exaggeration to say that if it were not for the tourist traffic and, perhaps, for the woollen mills, Albany would be pretty well starved out of existence. I do not for one moment decry the merits of other ports of the State. Far from it. As a matter of fact, I believe, in a large measure, two of the ports—Bunbury and Busselton—share to a very large extent the woes of Albany, and, of course, I cordially concede that Bunbury is the natural port for that corner of the State, and that it is fully entitled to such trade as it can handle more economically than can Albany or Fremantle. Unfortunately, in respect to Fremantle and Bunbury, the cost per ton mile to the railways on traffic railed from the hinterland to those ports is, on account of the interposition of the Darling Ranges, very substantially greater than to Albany, which stands in a much more advantageous position. It is rather a pity that we cannot get figures to bear out that fact. I regret very much that I have been unable to secure from any source a comparative per ton cost to the railways between, say, the last 60 miles over the Darling Ranges to the ports of Fremantle, Bunbury and Busselton, and the last 60 miles to Albany. I think the figures, if they were worked out, would be sufficiently startling. I know that the railways do not possess the information. I believe it could be obtained, though not easily, as there would be so many factors to be taken into consideration, and not all those factors are very clearly defined. We know, for instance, that there would be on the very sluggish journey over the Darling Range smaller loads, very much slower journeys, and considerably greater cost on account of wear and tear, not only on rolling stock but on the permanent way, while in addition there is the substantially higher harbour maintenance cost in the case of Bunbury and Fremantle over that which obtains, as I have tried to explain, at the inexpensive port of Albany. The Minister for Railways is present and can correct me if I am wrong, but I understand that when the present zoning system now in force was being decided upon, none of those very vital costs factors that I have been outlining were considered by him, but that only the relatively unimportant mileage factor was taken into account. I cannot help saying that that very one-eyed system—and it is quite fair so to term it—has for quite a few years worked a very grave injury to the port of Albany. I am sure that the Minister does not wish to perpetuate that injury, and I would therefore like to call to his mind the fact that now is the time to readjust the system upon a fair basis. The Minister knows as well as I do that we are now about to lay down the foundations of a large-scale bulk handling system, and that there can be no better time for correcting the errors to which I am referring. There is this point, too, that if Albany gets fair treatment from the big changes now pending in respect to bulk handling, very substantial savings to the wheat farmers will result. In so far as the carriage of bulk wheat is concerned, I know it will be objected that railage to Albany is at times less profitable than it is to Bunbury and Fremantle on account of the fact that at Albany there happen to be no super works and therefore no backloading, but the Chamber, when taking that view, should reflect that there are some 200 trucks, so the Railway Department say, capable of carrying bulk wheat and nothing else. Those trucks, of course, could be quite properly used wholly and only for the Albany trade. I think it needs to be remembered also that super works will in course of time come to Albany, as they have come to the other ports I have named. The question of the heavy railage on super to the thousands of farmers in the Albany area means that at no distant date the manufacturers of super will be compelled to construct works at Albany. When over here some time ago, and since his return to the East, Dr. Earle Page made it known that he had been considering plans for the formation of an all-Australian transport policy. I think what he wants to do is to pool the technical knowledge and experience of the several States and use it co-operatively, and

that he wishes to reclassify all rates and fares on a basis of economic zoning. We probably would not agree to the Federal co-ordination that is sought by Dr. Earle Page, but talking of co-ordinating recalls that in our own State, co-ordination of the transport bodies and auxiliaries—that is to say, our railways, road and air transport, and of course our port and shipping facilities—present the normal line of progress. To-day in this State, say what we will to the contrary, there can be no doubt that our transport activities have a diverse and very unfriendly attitude each toward the other. They appear to be as unrelated links when they should be a chain. In respect to this matter, it would pay us to inquire into the system in vogue in South Africa in regard to transport and the running of their ports and railways under one general manager. I am given to understand that the authorities there have unified the two transport arms with great success. I believe that in that colony, as here, it is the practice periodically to bring out reports upon the result of their labours. I recommend to the Minister that if copies of the report are procurable, he might very well get them with the object of studying them, and if their method proves desirable, of copying it here. One big obstacle to transport co-ordination in this State is the habit of the Government to regard the work of the railways as quite a separate and distinct venture. When rates and fares are under consideration, the prime concern always seems to be the interests of the railways, when it should be, as I think we all agree, the interests of the State. I cast no reflection whatever upon the Commissioner of Railways. I think everybody here is forming the opinion that he is a very able man indeed, but I say that he, to my mind, wields a great deal too much power, only, of course, because he is required so to do by the instructions received by him from the Minister. It is recognised, I think, that his power to-day is such that he can quite easily kill an industry by means of his rate book. In the early days of a new industry, or when an industry is passing through bad times, it should be permissible for the Commissioner to nourish the industry by judicious freight easements. The Government should recognise that the railways, after all, constitute only one link in the chain of transport, and that they should be prepared on occasions to run the railways at a loss if by so doing they can contribute to the general advancement of the State. The railways are but one department of Government activity, and it is fairly plain that their usefulness to Western Australia is not determined by the surplus that they do or do not show. I say the railways succeed only to the extent that they contribute by their actions to the general well-being of the State.

Mr. Marshall: You would have much more reason to complain if you represented an electorate such as mine.

Mr. DONEY: I imagine that is possible.

Mr. Marshall: I hope that you are complaining on my behalf.

Mr. DONEY: I am ready to extend my sympathy to the hon. member in respect to the difficulties with which he has to contend, but I should like to tell him that they are not greater than those that have to be contended with by the people who live in the Great Southern part of the State. I hope the member for Murchison will be with me—though I do not expect that you, Mr. Chairman, will be—when I declare it is about time for us to break with the very narrow Fremantle outlook upon what I am referring to, which, to my mind, is thwarting progress in this State. The time has gone by when we should judge public questions to be good or bad according to their effect upon Fremantle, as has been the experience in regard to bulk handling. I do not wish to enter into that question now, except to draw attention to the fact that the habit of considering Fremantle, especially on such a question, before regarding the welfare of the State, is plainly wrong.

Mr. Fox: Nobody attempted to make a parochial matter of it.

Mr. DONEY: Whether it was intended or not, that definitely has been done. Had the hon. member been in the House when his predecessor was discussing bulk handling, he would soon have discovered that Fremantle, in the mind of that gentleman, bulked larger in his favour than did the welfare of the State.

Mr. Fox: I was in the House at a time, though not a member.

Mr. DONEY: The hon. member may have been in the gallery listening to the remarks of his predecessor.

Mr. Tonkin: Is this the speech you intended to deliver on bulk handling before the Leader of the Opposition stopped you?

Mr. DONEY: That is a very proper question to put, but I do not intend to answer it. The hon. member misinterpreted the wishes of the Leader of the Opposition.

Mr. Tonkin: I have my suspicion; that is all.

Mr. DONEY: Perhaps the hon. member's suspicion is in part not far wrong, but I do not know that that matters very much. I am quite agreeable that Fremantle should receive all the trade that geographically and economically belongs to it, and such trade as it can handle more economically, say, than can Bunbury or Albany, but that is very far from saying that Fremantle should be permitted to gobble up everything. I do not suppose it is news to members representing Fremantle or the district thereabout when I say that the trade of Fremantle, incoming and outgoing, has increased by some 400 per cent. since the year 1900. I would be quite prepared, and so would all members, to congratulate Fremantle upon that fact if only the other ports had shown some reasonable progress. Quite to the contrary, unfortunately, the actual figures are a bit startling. I find that the Fremantle trade—imports and exports—for 1933-34 increased to £26,798,000. At the same time and for the same year I notice that the total trade of our other ports had shrunk to £2,994,000, which is, as hon. members can calculate for themselves, only one-ninth of the total credited to Fremantle.

Mr. Wansbrough: We have no control over shipping.

Mr. DONEY: I am referring to this State's transport contribution to the port of Fremantle, which with its huge amount of trade, is virtually a Government monopoly. The hon. member knows as well as I do that the railways are so arranged that they take practically the whole of the trade to Fremantle, and it should not please the hon. member any more than it pleases me that the trade that goes to Fremantle should be nine times greater than the trade to all the other ports put together.

Mr. Marshall: You are not referring to wheat alone?

Mr. DONEY: No.

Mr. Marshall: Fremantle is the natural gate to this State.

Mr. DONEY: I am willing to admit that Fremantle is entitled to inter-State rail trade because it handles it more economically than it can be handled at other ports. But it should be plain to members that so long as the dominance of Fremantle continues, it means goodbye to providing producers with export facilities at the lowest possible cost.

Mr. Wansbrough: How would you remove that?

Mr. DONEY: Only wholly, of course, by the reconstruction of our railways, which no one anticipates, but to a considerable extent by a different zoning system than is in vogue at present. The hon. member knows that a great deal of trade from Wagin, and eastward from Wagin, from the lakes areas, and from Hyden Rock and Newdegate, should geographically and economically go to Albany. The hon. member also knows well that it is taken by the far more costly route over the Darling Ranges, to the western ports.

Mr. Wansbrough: The trade goes to Bunbury now.

Mr. DONEY: I am pointing out that it will continue to go to Bunbury unless the present zoning system is readjusted upon the basis of costs to the railways instead of upon the consideration of mere mileage. I do not think the Minister at the moment is listening. I hope, however, I am mistaken. I ask him to reflect upon the fact that there has been no loan expenditure of any consequence on the Albany harbour since 1923. I believe that something like £37,000 or £38,000 was spent then. I ask the Minister also to contrast that with his experience of the other ports I am bringing into the argument. I hope he will manage to carry out the suggestions I have advanced—unified control of ports and railways and the readjustment of the zoning system upon a basis of actual charge to the railways instead of just on a mileage consideration which, in my opinion, is plainly unfair.

MR. WATTS (Katanning) [8.36]: The Premier when addressing himself to the Budget last week expressed himself as submitting the statement in a spirit of restrained optimism. In that restrained optimism I trust we can all join, but in giving his Budget particulars and speaking of the financial stringency which has existed

for many years past, he, to my mind, held the opinion that it had partly gone by. If that is the correct impression I gained, it is a wonder to me that there was no suggestion of any reduction of financial emergency taxation. I felt that that was coming when I heard the reference to restrained optimism, and I assure him that the country districts were particularly anxious to know the Government's decision on the matter. The tax was introduced at a time of desperate financial emergency, and it was feared that the tax would remain for a considerable period. When I formed the opinion that possibly the need for financial emergency taxation had to some extent gone, I had hopes that there would be a reduction, and that there would be a fulfilment of the wishes of the people of the country in that direction. I trust, however, that at the earliest possible moment, if there should be any further lessening of the financial emergency, the tax will also be reduced as substantially as possible. I take it that the main trouble in respect of our revenue is the increase in the overseas interest bill, as well as in the Australian interest bill. I take it also that if these were non-existent the question of tax would likewise be almost non-existent except, of course, for social services. We find that the debt of the State is £88,000,000 which means £200 per head of the population, and when we consider that a man who has a wife and three children is liable for a thousand pounds of that debt, it occurs to us that, as the head of the household, that person has to find, in round figures, £40 per annum for interest.

The Minister for Railways: There is no less than £25,000,000 invested in the railways of the State.

Mr. WATTS: The fact remains that the debt is there, and from the point of view of the individual, the head of the household has to find the amount I mentioned—whether he finds it directly or indirectly—to pay for the services he gets.

The Premier: A good deal of that money is self-supporting, so that he does not have to find £40.

Mr. WATTS: The fact remains that there is a liability on the individual. The main reason for the increase in our loan indebtedness at the present time is the provision of unemployment relief. With that I am not able to disagree. It is the duty of the Government to see that a man who wants a fair day's work for a fair day's pay gets it. It is a matter of great regret that there are so many requiring governmental assistance, and who need a fair day's work for a fair day's pay. But the question does arise—where is it all to end? Is there anyone in this country who is really satisfied with the present system of increasing our loan indebtedness? I do not think there is anyone entirely satisfied. I noticed a statement in the Press that there is some suggestion of the Federal Government appointing a commission to inquire into the monetary system of Australia. I do not know what form the inquiry will take, or what will be the personnel of the commission, but I trust that whoever is appointed will be entirely disinterested. I suggest to our own Government that after the commission is appointed, Western Australia should take an active part in the way of presenting evidence. As I said, we cannot be satisfied with the existing position. I doubt whether anyone is really satisfied with it. In the last hundred years, almost everything has changed, with the exception of Government financial methods. In existing circumstances we cannot alter our methods. If we did we should be doing someone an injury. I doubt whether we can look for a cure for our financial troubles in the nationalisation of banking, or in the Douglas Social Credit system. I do not make these remarks as a supporter of either system.

Mr. Marshall: You are not absolutely hopeless.

Mr. WATTS: Not a bit. But I do believe that from the brain of man, which has changed everything on the face of the earth, a safe method of Government finance will be evolved that will enable us to carry on in a different manner. If we do not find such a way, I do not know what the end of it all will be. That is why I suggest to the Government that if the Federal authorities appoint a commission we should be prepared to submit evidence to it.

The Premier: Unless we do, then as Samuel said, "And so to bed."

Mr. WATTS: I should like to express my views on the land settlement question. I think I am right in saying that all land rents collected have been paid into Consolidated Revenue. If that is so, I venture the opinion that the system ought to be changed. When the King's representative took possession of Western Australia he took possession of one undoubted asset, a large

area, 960,000 square miles, of virgin country. As time went on we began to sell that land on time payment, and I believe that money has been brought into Consolidated Revenue. If I have an asset and sell it on time payment I do not, as a general rule, regard the gross proceeds as income. That is what has been done in this country. I do not say this against any Government, and particularly do I wish to leave the present Government out of the question; but I suggest that it would have been better to collect the proceeds of the land rents and use them for the construction of developmental railways required for the purpose of land settlement. A lot of our minor railways constructed to develop the outback country have not been financial propositions at all; in fact, they must have been a great burden on successive Ministers and Commissioners of Railways. If the land rents had been collected and reinvested in the putting down of those railways, we should not have been obliged to go to the length we have gone during the last few years, as for instance in regard to that extraordinary legislation which created the State Transport Board to rectify the position of the Railways. I believe it is not too late for consideration to be given to that question even now, for land rents are still being collected, and I trust there will be plenty of new settlement in the near future. I recognise the value of the homestead farms by free grants principle, but it was on limited areas only, and in most parts of the State the area of 160 acres of low grade land was quite insufficient. In regard to this land settlement problem, there are areas in my own electorate, and in other electorates I know of, for which it has been almost a sin to charge settlers who have taken them up. The land I have in mind is definitely of low-grade and should have been given to a settler on the terms that in order to obtain the Crown grant he would carry out certain improvements and convert virgin bush into a smiling farm. Some of that land has been fully paid for by the unfortunate settlers who took it up, and so perhaps if the system were altered now they would have a grievance, because they have no chance of getting their money back. But I trust the Government will believe that a lot of the land could well do with a re-valuation, and it would not be a bad proposition if consideration were given to that question. Land rents are much in arrears and are hard to collect, particularly on the low-grade propositions such as I have referred to. So I trust that my suggestion will be taken in the spirit in which I have proffered it. As to the unemployed, as I said in the beginning I firmly believe that the man who will give a fair day's work for a fair day's pay should be allowed to do so. At the same time, I do not altogether approve of the results of our borrowing policy, and I wonder if there are no other ways by which we could overcome the unemployment question. The time is not far distant when we shall have to give consideration to a revision of the hours that men have to work. Industrialisation by machinery has produced a very great effect on that question, and I think that in the course of time we shall have to look into it. I feel I am in good company in making that statement, for the Anglican Bishop of Kalgoorlie a few weeks ago expressed the same opinion. But whether we do or do not give consideration to this in the early future, we shall certainly have to do so in the end. Of course shorter hours would mean longer hours of leisure, and therefore we would require more education in order to take advantage of that increased leisure. I know the Education Department is mainly one of expenditure and is very expensive. The department in its desire to improve educational facilities, particularly in the outback, has done excellent work. I commend it for its efforts and I trust that in the outback those efforts will be continued and carried still further. I assure those in charge of education in this State that there is a large number of schools in outback areas the facilities of which could well do with a revision, the once-over. However, I will discuss that at a later opportunity. But it does seem to me that one of the earliest questions the Education Department should give consideration to is that of raising the school leaving age. One of the reasons for that is that in these days nobody in this country can hope successfully to tackle any business unless he has a reasonably good education. I should like to see the school leaving age raised by a year. I know it means greater expense for the department, but would not the expense be entirely justifiable? As one who possibly has had more

opportunity than some others for gaining education, I would not ask anybody to go into business in this country except he had a reasonably good education. If it can be arranged financially, the idea of raising the school leaving age should be favourably considered.

Progress reported.

House adjourned at 8.53 p.m.

Legislative Council,

Thursday, 19th September, 1935.

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

BILL—PLANT DISEASES ACT AMENDMENT.

In Committee.

Resumed from the 12th September.

Hon. J. Cornell in the Chair; the Chief Secretary in charge of the Bill.

Clause 2—New Sections (partly considered):

[Hon. H. J. Yelland had moved an amendment to strike out of Subsection 1 of the proposed new Section 7A the words "owner or."]

The CHIEF SECRETARY: I previously explained the reasons for throwing the responsibility for registration on the owner or occupier. The owner is more easily located, whereas the occupier is often a vanishing quantity. In the metropolitan area especially there might be several occupiers, and it would take a long time to discover who was responsible. If the responsibility were thrown solely on the occupier, it would not be possible to administer the Act effectively. Not one of my objections has been replied to by Mr. Nicholson. He said the inclusion of "owner" would be unfair. Section 10 of the Act begins—

(1) Whenever an inspector is satisfied that disease exists on any orchard, land, or premises he may by requisition to the owner and occupier, or either of them, require them or him to do whatever is necessary in order to eradicate such disease from such orchard, land, or premises, and to prevent the spread thereof, and the requisition may specify any particular steps which the inspector requires to be taken.

I have quoted that to show that the principle is already laid down in the Act. Section 14 also introduces both parties thus—

(1) An inspector may, with the approval of and subject to an appeal to the Minister, serve on the occupier and owner of any orchard or place where any plant is growing, or on either of them, a notice requiring them or him to take any measures or do any acts which the inspector may deem necessary to prevent the spread of any disease, and in such case, even although the orchard or place is not infected, any person on whom any such notice is served shall, as soon as practicable after the receipt thereof, comply with the requisitions thereof.

Mr. Nicholson said that an owner would not have a right to enter land unless there was provision in the lease enabling him to do so. Section 22 deals with that point—

Any owner of any orchard, land, or premises which is in the occupation of another person shall have full right of entry on and into the same, and of remaining thereon and therein for the purpose of doing anything which he is required to do under or pursuant to this Act, and if in the performance of any duty or obligation imposed on him by or under this Act the owner of any orchard, land, or premises is in any way obstructed or hindered by the occupier, or the occupier by the owner, the one who obstructs or hinders the other shall be liable to a daily penalty not exceeding five pounds.

The definition of "occupier," of which Mr. Nicholson has given notice, is quite unnecessary, as it is covered by the definition in the Act. According to the Act—

"Occupier" as applied to any orchard or other land or premises includes any person having the charge, management, or control thereof.

Mr. Nicholson said that a tenant might plant a fruit tree, and by failing to register the property as an orchard, involve the owner in prosecution. That is a far-fetched idea. I do not think any sane inspector would prosecute the owner. If he saw that a fruit tree had been newly planted, he would make investigation to ascertain who had been responsible for the planting. If he discovered that the occupier had planted it and had failed to register the property as an orchard,