

some subsequent period Parliament felt that something should be done to prevent dependants living in foreign countries from receiving compensation when the breadwinner has lived in Western Australia for five or ten years, the proposition might be seriously entertained.

Mr. McDONALD: The affairs of New Zealand are just now controlled by a Government whose courage I very much admire. The Workers' Compensation Act of that country came up for review last year. I understand this particular provision was taken from that legislation. In New Zealand the authorities will not pay compensation to dependants who are living in foreign countries unless those countries reciprocate.

Question put and passed; the Council's amendment not agreed to.

Resolutions reported, and the report adopted.

A committee consisting of the Minister for Mines, Hon. C. G. Latham, and the Minister for Labour drew up reasons for not agreeing to certain of the Council's amendments.

Reasons adopted and a message accordingly returned to the Council.

House adjourned at 10.48 p.m.

Legislative Council.

Tuesday, 6th December, 1938.

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

ASSENT TO BILLS.

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

- 1, Financial Emergency Tax.
- 2, Financial Emergency Tax Assessment Act Amendment.
- 3, Lights (Navigation Protection).
- 4, Wheat Products (Prices Fixation).

MOTION—STANDING ORDER SUSPENSION.

On motion by the Chief Secretary resolved:

That Standing Order No. 62 (limit of time for commencing new business) be suspended during the remainder of the session.

BILL—FRIENDLY SOCIETIES ACT AMENDMENT.

Read a third time and transmitted to the Assembly.

BILL—LOAN, £1,396,000.

Second Reading.

THE CHIEF SECRETARY (Hon. W. H. Kitson—West [4.37] in moving the second reading said: This is the usual Loan Bill brought down each session to authorise

the Government to raise money for carrying out the programme detailed in the Loan Estimates. Members are aware that moneys raised on the market for the State's loan requirements are credited to the General Loan Fund, which is constituted from loans raised under the various Loan Acts. So long as we borrow, it is therefore necessary to bring down each year a Loan Bill for the approval of Parliament. The total raisings for which approval is sought on this occasion is £1,396,000. The whole of this amount is for loan works. In accordance with the procedure followed in previous years, the amounts set down for the various works are based on the estimated requirements to the 31st December, 1939, after taking into consideration the unexpended balances of previous authorisations and the amount available from loan repayments.

Last year the total authority granted amounted to £1,227,000. Of this sum £250,000 was for deficit purposes, and the balance, £977,000, for loan works. However, instead of an estimated deficit of £128,855 being incurred, we finished the year with a deficit of only £10,693. As a result, the actual accumulated deficit at the 30th June last was £5,610,044 compared with the figure of £5,728,206 which was anticipated when last year's Bill was before the House. Temporary advances to the revenue fund for deficit purposes now total £5,723,000, so that authorisations for advances to revenue have at last overtaken actual advances.

Members will recall that in the earlier years of the depression parliamentary authority for the total amounts advanced from loan to revenue was not obtained, with the result that at one stage there was a considerable unauthorised balance. This balance has been gradually reduced from year to year. At the 1st July, 1936, it stood at £555,147, and at the end of June, 1937, it was £126,351. The position to-day is that an authorisation for deficit purposes is sufficient to meet future deficits to the extent of £112,956. As we expect to get through this year with a deficit of only £19,346, no further advances of this character are necessary at present.

For several years past the Commonwealth, in carrying out its responsibility under the Financial Agreement to arrange the borrowing of the States' loan requirements, has followed the policy of floating two loans each year. The first of the loans raised last

financial year was floated in November, 1937. It was for an amount of £8,000,000 at the issue price of £99 15s., bearing interest at 3¾ per cent. over a term of 14 years. Our share was £701,110 which, when debited with discount and flotation expenses, returned the State £693,786. The second loan issued in May was for an amount of £10,250,000. The issue price was £99 10s.; the interest 3¾ per cent., and the currency 16 years. In this case, however, the Government has an option to redeem the loan at the end of 14 years. On this occasion £526,510 was earmarked for the State. After discount and expenses amounting to £6,893 were met, there was left a net balance of £519,617.

The State also took advantage of the provision in the Financial Agreement permitting Governments to borrow locally from Savings Banks, as well as from funds or institutions constituted under State law. Thus we raised a sum of £257,400 locally, principally from our share of the Commonwealth Savings Bank funds. In addition, stock to the value of £212,800 was issued in London to complete the purchase of the new State Shipping Service vessel, the m.v. "Koolama."

When the November loan was placed on the market last year, the average yield of £3 15s. 6d. represented the lowest return to investors subsequent to November, 1935, and marked the definite arrest of the upward trend of rates that characterised flotations during 1936. That position was maintained in respect of the May loan of this year, the return to the investor in this case being £3 15s. 10d. for the 16 year period, and £3 15s. 11d. for the 14 year term. Shortly after that loan there was a further hardening in the market.

As a result of the recent war scare some ground has been lost, and we find that the conversion loan for £68,000,000 of debt maturing this month gives an interest return of 3½ per cent. Because of the pending conversion, and the Commonwealth requirements for defence purposes, the Loan Council has decided not to approach the market on behalf of the States till after the new year. Meanwhile, it has been agreed that the Commonwealth shall make the necessary advances to the States out of loan moneys not immediately required for defence purposes. These advances are to be repaid

when the States receive their share of the next loan.

The public debt on the 30th June last was £93,711,941 inclusive of short-term debts in Australia and London, as follows:—

Australia	..	..	..	£5,860,000
London	..	..	..	2,998,014
				<hr/>
				£8,858,014

Total flotations on the 30th June last amounted to £111,797,572. Redemptions at that date amounted to £18,085,631, leaving a balance in circulation of £93,711,941. When this total is offset by the sinking fund money held on our behalf by the National Debt Commission and amounting to £307,211, there is left a net public debt of £93,404,730.

The total amount approved by the Loan Council for the current financial year is £1,670,000. The proposed expenditure on works, according to the Loan Estimates, is £1,807,845, including £37,466 charged to Loan Suspense last year. The amount required for each item is provided for in this Bill, after taking into consideration the unexpended balances of previous authorisations and the amount available from loan repayments.

Our programme is controlled by the amount of money made available by the Loan Council. During the past few years the tendency has been to reduce loan expenditure throughout Australia. This tendency has been continued, and our approved programme for the current financial year is the smallest since 1931-32, when the loan market was virtually closed. The defence requirements of the Commonwealth have been an important factor in reducing the State's share of the available funds, and it is unfortunate that the money required for this purpose can be secured only at the expense of the States.

Last year the total loan expenditure of the Commonwealth and all the States amounted to £16,835,000, including an amount of £2,500,000 for farmers' debts adjustment. This State's share of the total amount made available was £2,000,000. For the current year, the approved programme is £14,000,000, including £2,000,000 for rural debt relief. Western Australia's share—£1,670,000—represents a decrease of £330,000 on the corresponding figure for 1937-38.

To a Government endeavouring to improve the conditions of men employed on loan works, this reduction in the State's allocation comes as a severe handicap at a time when the cost of materials is rising, and when we desire as far as possible to limit loan expenditure to objects that are fully reproductive. Many of the works which are the most desirable from a developmental viewpoint are, of course, the least attractive so far as employment is concerned. This is more than ever the position to-day following the past concentration of works on enterprises which absorbed the maximum amount of labour for a given amount of expenditure.

The following table sets out the rise in the cost of unemployment works during the past six years, and shows the cost per man per week:—

Year.	Wages.			Other Costs.			Total.		
	£	s.	d.	£	s.	d.	£	s.	d.
1932-33 ..	2	14	7	1	8	2	4	2	9
1933-34 ..	2	17	9	1	18	9	4	16	6
1934-35 ..	3	1	8	2	13	10	5	15	6
1935-36 ..	3	6	7	3	4	4	6	10	11
1936-37 ..	3	10	4	3	14	2	7	4	6
1937-38 ..	3	14	8	3	1	3	6	15	11

The sharp rise in other costs for 1936-37 was due mainly to the heavy price of materials used in carrying out the relaying programme of the Railway Department during that year. Thus, since 1932-33 there has been an increase from £4 2s. 9d. to £6 15s. 11d. per man per week.

The extent to which the Government has succeeded in limiting loan expenditure to fully reproductive works—undertakings earning sufficient to meet sinking fund and interest—is indicated in the following table giving the percentage distribution of loan expenditure according to direct productive—ness during the periods mentioned:—

Years.	Loan Expenditure.		
	Fully	Partially	Other.
	Reproductive.	Reproductive.	Other.
	%	%	%
1929-30			
to			
1933-34	.. 18	45	37
1934-35	.. 46	23	31
1935-36	.. 63	24	23
1936-37	.. 60	17	23
1937-38	.. 44	32	24

Additional expenditure on railways, harbours and the purchase of the new State ship was responsible for the reduction in fully reproductive expenditure during 1937-38. Of course, partially reproductive

expenditure may, in the long run, be actually the most reproductive, in that it is the means of stimulating production and increasing the national income of the State to an extent much greater than the initial outlay. In this category, for example, is expenditure on the development of mining and assistance to agriculture. This year's loan estimates provide for an expenditure of £1,507,845 compared with last year's actual expenditure of £2,315,004.

The amount for railways and tramways—£280,000—represents a decrease of £192,101 on the previous year's expenditure. Under the heading "Additions and Improvements to Opened Railways" we are providing an allocation of £200,000. At this level the provision represents an increase of £65,075 on the actual expenditure incurred during 1937-38. Last year the work consisted chiefly of reballasting, deviation, regrading, improvements to water supplies, installation of mechanical coaling plants, machinery for Midland Junction Workshops, and additions and improvements generally. Deviations and regrading were carried out on the Quairading-Mt. Hardy and the Merredin—Southern Cross sections. Water supplies were installed at Mullewa and Pithara, and the lines Toodyay-Bolgart and Mullewa-Cue were ballasted. Similar work will be carried out again this year. Existing water supplies are to be augmented to meet the demands of traffic, and mechanical coaling plants are being installed to expedite loading arrangements and decrease handling costs.

Provision has been made to meet the cost of additional plant at Midland Junction, which is required in connection with the five-year plan for rolling stock construction, and for necessary building additions to deal with the large amount of work now being carried on at the shops. As to rolling stock, the estimated expenditure for this year is £60,000, or £143,860 less than the actual amount expended last year, namely, £203,860. That amount included a sum of £54,000 in respect of rail cars, together with commitments on other large items. The provision this year is to enable the department to continue its programme to meet the increasing requirements of traffic.

A sum of £6,000 has been earmarked for tramways in connection with the purchase and construction of further trolley buses and the Walcott-street tramway extension.

Hon. J. Nicholson: I thought we were going to stop making these tramway extensions.

The CHIEF SECRETARY: The extensions being made to-day, I believe, are only minor ones. Last year's expenditure amounted to £88,512, which was mainly devoted to the purchase and construction of 14 trolley buses and the purchase and erection of the necessary overhead equipment for the Wembley and Claremont centres. A provision of £13,000 will be required this year in connection with the electricity branch for minor extensions and such other works as may be authorised.

Harbours and rivers absorbed £92,167 last year. The estimate for the current year is £97,500. Reconstruction work on Victoria Quay, and the re-arrangement and alteration of sheds, railway tracks, roads and so on in connection with that work, was completed at the end of September, 1937. Similar work is now proceeding on the North Wharf. Last February the Point Samson jetty was opened to shipping. The expenditure involved last year on its reconstruction was £24,392. This year we are providing £11,000 for work on North-West jetties generally, including the provision of rolling stock. Harbours and rivers have been allocated £40,000. The reclamation work on the Swan River foreshore was continued last year, the local authorities concerned providing a proportion of the cost. The work is again being carried on this year. Expenditure on water supplies, sewerage, irrigation, and drainage throughout the State amounted last year to £903,577. For the current year, the provision is £911,500. Of this amount £230,000 has been earmarked for water supplies, irrigation and drainage in agricultural areas. This marks an increase of £112,786 on the corresponding figure for 1937-38. As with last year's vote, the expenditure during the current twelve months will be devoted to irrigation and drainage generally in the South-West, the provision of tanks in the agricultural areas, and channel lining in the Collier and Waroona irrigation schemes.

Hon. G. W. Miles: Do not the people pay rates for irrigation schemes?

The CHIEF SECRETARY: I think that all depends upon one's point of view. In connection with town water supplies, extensive improvements were carried out at Geraldton, Narrogin, Derby and Bridgetown.

To revert to the interjection by Mr. Miles, I notice that the chairman of the Commonwealth Grants Commission had something to say on that matter.

Hon. G. W. Miles: That is why I asked the question.

The CHIEF SECRETARY: At Narrogin where the water difficulty was acute, improvements were made to the catchment area. Further work in improving and reconditioning the Narrogin water supply reticulation will be undertaken this year. Boring for the Geraldton water supply will be continued. Included in the vote is also a provision of £12,000 for the Brunswick town and railway water supply. Metropolitan sewerage and drainage involved an expenditure of £235,977 during 1937-38. The amount this year is £334,000, or an increase of £98,023. During the year sewerage works and stormwater drainage were carried out in the various suburbs, and those works will be continued this year.

Satisfactory progress was made with the Canning Dam last year, when the wall was raised to a height of 150 feet, and the storage capacity increased to approximately 7,000,000,000 gallons. By the end of the current year, the height of the wall should be raised another 12 feet, thereby increasing the storage capacity to 9,000,000,000 gallons. Other metropolitan water supply works in the form of improvements and extensions to existing mains were carried out.

The Government anticipates that the Goldfields Water Supply will this year absorb an expenditure of £195,000 as against £218,749 disbursed during 1937-38. Last year the reticulation of the Norseman townsite was completed, and a new service reservoir of 1,000,000 gallons capacity was provided for the Northam town supply. Other works included the commencement of the work of cement lining the reticulation mains of Northam, Beverley, Toodyay, and Kalgoorlie; the replacement of the existing pipes in the mines main at Kalgoorlie, and the renovation of the main conduit. The renovation of this conduit will be continued during the current year. Other works will include the cement lining of branch mains, service reservoirs and the extension of town reticulations.

This year we are providing £14,500 for water supplies on other goldfields. This money will be used for the reticulation of the Big Bell townsite, improvements to the

Cue water supply, boring for water at Evanston, and reticulations and extensions generally. The principal works carried out last year included improvements to the Meekatharra water supply, the provision of a water supply at Youanmi, and boring at Big Bell. The expenditure on those items amounted to £5,686.

Last year expenditure under the vote for the development of goldfields totalled £28,475. The provision for this year amounts to £41,000, an increase of £12,525. Expenditure was along the lines of previous years, being mainly on the erection and improvement of State batteries and loans under the Mining Development Act. Assistance to the extent of £5,856 was granted to prospectors, and of this sum £1,831 was repaid by those assisted. An allocation of £21,000 has been set aside this year for further prospecting assistance.

Increased expenditure is anticipated during the current year on the development of agriculture, forestry, etc. The amount—£176,500—represents an increase of £22,107 on last year's expenditure. A sum of £94,500 has been provided for development of agriculture, as compared with expenditure, totalling £81,294, incurred during 1937-38. The works to be carried out this year will be of a similar nature to those undertaken last year, namely, the reconditioning of vacant holdings, land clearing at Wooroloo and Whitby Falls, settlement at Nannup, Nornalup and Albany, and experimental work and buildings at the Avondale and Wongan Hills State Farms. We are again making provision for advances to banana growers and pearlers, while a sum of £3,000 has been allocated for expenditure on abattoirs.

With regard to forestry, members may recall that last year the State received £25,000 from the Federal Government as the final contribution under the Commonwealth Aid to Forestry Scheme. This, together with loan expenditure totalling £61,576, enabled the department to carry out an extensive programme of work, including the regeneration of cut-over jarrah and karri forests, the establishment of mallet plantations, the maintenance and extension of pine plantations, and other desirable objects. In the absence of a Commonwealth grant, we are providing this year an amount of £75,000, which will be devoted to purposes similar to those of last year.

Because there was not a sufficient loan authorisation last year to cover the entire expenditure on roads and bridges, an amount of £37,466 was charged to suspense. This is brought to account in the current provision of £50,966, so that actually only £13,500 will be available for expenditure this year. This sum will be required to meet commitments for last year. Expenditure last year was incurred mainly in respect of an arrangement entered into with numerous local authorities for the improvement of roads in their respective districts that do not come under the Commissioner of Main Roads. This arrangement provided for the Government finding the labour, and the local authorities the material.

Expenditure on public buildings generally is estimated to absorb £92,000 during the current year. This includes a grant to the Hospital Fund for its portion of the cost of the new King Edward Maternity Hospital. The balance is required as the Government's share of the cost of the Infectious Diseases Hospital.

Hon. L. Craig: Were not the new buildings for the Department of Agriculture and the Titles Office to be started this year?

The CHIEF SECRETARY: There was a suggestion that that work should be proceeded with.

Hon. L. Craig: I thought the Government had arranged to go on with that work.

The CHIEF SECRETARY: Arrangements have been in hand for some time, but some difficulty has been experienced regarding the land, which forms part of the grounds attached to Government House. Certain procedure is necessary before anything further can be done. The Government has to approach the Imperial authorities and His Majesty the King. In the circumstances, we cannot hurry on with that work. Last year the actual expenditure on public buildings amounted to £81,084, and was incurred in respect of additions and improvements to schools, police stations, court houses, and public buildings generally, the sewerage of public buildings, machinery for the Government Printing Office, and the Government's share of the cost of the Infectious Diseases Hospital. Additional capital amounting to £10,000 has been provided for the Workers' Homes Board. The Government is also earmarking £9,000 to enable the continuation of the Small Loans Scheme, which was

inaugurated in 1933 under the administration of the Workers' Homes Board.

The provision of water supplies on native stations, the purchase and reconditioning of settlements, and additions and improvements to native hospitals are covered by a vote of £5,500. As a result of the progress made with the rebuilding of the Cave House at Yallingup, we expect that work to be completed in time for the tourist season. Our final commitments this year should not exceed £6,500. A provision of £12,000 has been made to cover the net cost of bringing out the new State ship, the m.v. "Koolama," and preparing it for the North-West service.

Unfortunately, the Government has not the funds available that would enable it to embark upon many desirable works. The Government can claim, however, that every care has been taken to ensure, as far as possible, that the expenditure of the limited amount of loan money available shall result in the maximum of employment and development. I have explained the increasing difficulty of reconciling these two purposes, because some of the most desirable works, viewed from the point of development, are the least attractive as regards employment. Then, again, some of the most desirable developmental works cannot always provide for the full debt charges incurred in their establishment. These are all factors complicating the task of the Treasurer in deciding in what direction the limited funds at his disposal shall be expended. I move—

That the Bill be now read a second time.

HON. A. THOMSON (South - East) [5.12] I wish to comment briefly on the Government's loan proposals as they relate to agricultural districts. I understand that in the Denmark area approximately 150 group blocks remain unsold. Assuming a very low estimate on the basis of writing-down operations elsewhere, those blocks would represent between £125,000 and £150,000 of State funds lying idle. In reply to a question by Mr. Piesse recently, the Minister said that the Government's agents, Goldsbrough, Mort and Co., Ltd., had been able to sell nine blocks in that area since it had acquired the sole selling rights of group holdings. Last week I asked whether the Government would consider the preparation of a talkie film depicting the ready-made

farms available for men with small capital, with a view to having the pictures shown in the dairying districts in the Eastern States, where, we are given to understand, there are young men with practical dairying experience seeking land such as we have to offer.

Without desiring to cast any reflection on the type of publicity resorted to by Goldsbrough, Mort and Co., I do not think the firm is getting into touch with the right type of prospective purchaser. I feel confident that, with the wonderful value we have to offer in the blocks available in Western Australia compared with the price demanded for land of a similar carrying capacity in the Eastern States, many more sales should have been effected. The price put upon dairying land in Western Australia is so low that were the position adequately placed before interested people in the other States by the means I suggest, the firm would probably be much more successful than it has been to date.

Hon. T. Moore: Do you think that a deserted holding would look well on the films?

Hon. A. THOMSON: Pictures of the holdings would indicate the money that has been expended on them.

Hon. T. Moore: So would pictures of the Peel Estate.

Hon. A. THOMSON: A fortnight ago I had the pleasure of traversing that area and it did one's eyes good to see the beautiful pastures still growing there. The Denmark people themselves are very desirous of having those blocks taken up. As the price of butter fat is so satisfactory at present, we feel that if the fact of this land being available were made known to the right people, some of them would possibly come and select it. Apparently we are not meeting with much success in trying to dispose of the land to our own folk.

Hon. T. Moore: There are plenty of people wanting to leave the marginal areas of the wheat belt.

Hon. A. THOMSON: If the settlers are anxious to leave the marginal areas of the wheat belt, I trust that they will make a voluntary effort to do so. I hope that the Government will not push them off their holdings on to areas that may not suit them. In the meantime we are missing the bus, and valuable assets are reverting to nature. For that reason my proposal that the wireless stations be utilised to advertise the avail-

ability of these properties should be given consideration. Both the wireless and the films are good advertising media to-day. The reply that I received from the Government through the Chief Secretary to the question I asked was—

The selling agents are extensively advertising Agricultural Bank reverted holdings for sale throughout the Eastern States, and the Denmark district is receiving the same publicity in this connection as other districts.

So far they have been able to sell nine properties and the number remaining to be sold is 150. Those blocks, I understand, are lying idle, waiting to be taken up.

Hon. H. Tuckey: They sold eight in one week near Busselton recently.

Hon. A. THOMSON: If they have been able to sell blocks at Busselton, why have they been unable to sell blocks in the Denmark district which, in my opinion, are better propositions than some of the blocks at Busselton?

Hon. H. V. Piesse: They have not been concentrating on them.

Hon. A. THOMSON: That may be so.

Hon. G. W. Miles: Is not wasting disease prevalent down there?

Hon. A. THOMSON: Wasting disease was eradicated long ago.

Several members interjected.

The PRESIDENT: Order!

Hon. A. THOMSON: Mr. Mann says that people will not go to that area. Naturally he considers that Busselton is more important than Denmark and I do not blame him, because he represents that district. I am dealing with the province I represent. The statement made by Mr. Mann gives support to my suggestion that if our own people will not go to the Denmark area, we should take steps to sell the blocks to folk in the Eastern States. In spite of all the publicity that has been given to those properties, only nine have been disposed of, and 150 are still available. In view of the large amount of State capital involved in the settlement of the area, the adoption of my suggestion would be worth while.

I also asked the Chief Secretary how many single men are employed in cleaning up abandoned blocks in the Denmark area, how much they are permitted to earn and how long they have been engaged on the work. Members must have been surprised to learn that 123 single men are engaged on a part-time basis, their average weekly earn-

ings being £1 12s. 10d., and that the work has been in operation for 4½ years. If members consider those figures they will discover that between £8,000 and £10,000 has been spent in this direction. Recently, with other members, I attended the annual field day—an educational event, demonstrating what the settlers are able to produce in the district—and I was surprised to discover that a large number of “C” class men had just been sent to Denmark to clean off the scrub growing on the abandoned holdings and to keep the pastures free from fallen timber. If the Government considers advisable the employment of 123 men for 4½ years on part-time work clearing up those blocks, surely the time has come when a more determined effort should be made to secure settlers who will live on the properties and become an asset to the State. The Agricultural Bank should seriously reconsider the position, even if the expenditure of a little more money is entailed. A dozen settlers on those blocks would be of more service than a hundred unemployed single men who are permitted to earn only £1 12s. 10d. per week. I cannot understand men being willing to remain there for 4½ years for that wage. They must be very easily satisfied.

The Chief Secretary: They are mostly old men.

Hon. A. THOMSON: They are not all young men. That they should be content to remain there, earning an average of £1 12s. 10d. when they could easily obtain other work at £1 to 30s. a week and their food, together with comfortable conditions, is amazing.

Hon. L. Craig: They work for only two days a week.

Hon. A. THOMSON: The Government should make them work longer or else say, “We are not going to continue this system.” For 4½ years those men have been thus employed, and it is up to the Government to make a determined effort to have the holdings occupied by men who will be an asset to the State, even if it hesitates about having a talkie film made to indicate what can be produced in the area. Only recently a case had to be submitted for the protection of settlers already there. Members will recollect the suggestion that traffic on the Denmark-Nornalup railway should be discontinued. Fortunately, as a result of the arguments submitted, the Transport Board decided otherwise. Apart from the money

spent on the vacant holdings, thousands of pounds have been expended on bridges, roads and railway, and in order that the Government might recoup some of the outlay, something more should be done to ensure that the blocks are occupied.

To provide employment for a large number of single men, the previous Government spent no less than £64,000 on an area known as Rocky Gully, the farthest portion of which is 50 miles west of Mt. Barker. In company with my colleagues, I visited that area recently and we found that on land that had been neglected for five years, clovers and grasses were persisting. Miles of fencing have been erected on those properties, and the time has arrived to consider the possibility of the State’s being recouped the expenditure in that area. Mr. Moore suggested that men in the marginal area of the wheat belt should be moved. I should like the Government to consider the placing of men who are desirous of leaving those marginal areas—

Hon. G. W. Miles: In some instances they should be forced to leave.

Hon. A. THOMSON: To force a man to leave his holding if he thinks he has a reasonable chance of succeeding is a difficult matter.

Hon. G. W. Miles: But the State has to find money to keep those men there every year.

Hon. A. THOMSON: Unfortunately they have been faced with a serious drought and other adverse conditions.

Several members interjected.

The PRESIDENT: Order! I wish hon. members would allow the member to proceed.

Hon. A. THOMSON: In reply to the interjections—

The PRESIDENT: The hon. member would do better if he ignored interjections.

Hon. A. THOMSON: The interjections are apropos of the remarks I am making. I should like to impress upon the Government that £64,000 has been spent on land adjacent to which is an area carrying stock and producing grasses and clovers. This indicates sound judgment on the part of the Government that decided to prepare the area for settlement.

The Chief Secretary: What area is that?

Hon. A. THOMSON: Rocky Gully. If the removal of men from the marginal areas is necessary, they should be afforded an

opportunity to examine that portion of the State where developmental work has been done, and an attempt should be made to establish some of them on holdings there so that the State might be recouped portion of the money it has expended.

Hon. G. Fraser: On an area 64 miles from the railway?

Hon. A. THOMSON: No, 50 miles. In the old days men travelled 25 to 30 miles by horse. In these days of modern transport men who have to travel 50 miles are, in effect, no further out than those who formerly were located only 25 miles from a railway. I admit, however, that travel costs nowadays are much higher.

Hon. G. Fraser: Men going on to those properties could not afford motor cars or trucks.

Hon. A. THOMSON: The district has transport facilities that extend to within a few miles of the locality of which I am speaking, so settlers would be well catered for. If half a dozen settlers were established there, to arrange transport would be easy.

I am drawing attention to these facts because a considerable amount of public money has been spent at Denmark and on the area I have specially mentioned. My suggestions are both practical and helpful, and I hope the Government will weigh them carefully. The reoccupation of these holdings would benefit not only Denmark itself, but also the surrounding districts. Greater heart would be given to those men who have battled along in the area, if they saw new settlers coming in possessed of a certain amount of capital with which to carry on the work that was abandoned by the other settlers.

I am now going to touch upon a matter that may be said not to concern me directly. Many of the residents of the province I represent use the port of Bunbury. I was much impressed by a statement of Mr. Craig, who pointed out that owing to the lack of proper harbour facilities at Bunbury numbers of people were forced to pay for a hundred miles more of railway freight than is necessary. In my province are many farmers who use that port. The Government should give serious consideration to ways and means of improving the situation there. The Harbour Board has already expressed great concern over the depth of water at the berths and in the

approaches, and has impressed upon the Government the urgent necessity for the early restoration of a depth of at least 27ft. 6ins. I am glad bulk handling facilities have recently been installed at the harbour, and that part of the equipment at least has shown a profit. Last year £9,000 was spent on dredging and other works. The Harbour Board is fully alive to its responsibilities.

Hon. W. J. Mann: And so are the members.

Hon. A. THOMSON: Yes. I desire to remove the impression that representatives of the South-East Province, although keen advocates for the provision of harbour facilities at Albany, are not so keen to see similar facilities provided at Bunbury. That is quite a wrong impression, and I take this opportunity to remove it. Many residents in my province are just as keenly interested in keeping Bunbury open as a port as are those who dwell in the surrounding districts.

Hon. J. Nicholson: Where do the people you speak of reside?

Hon. A. THOMSON: All the wheat from east of Narrogin and the Lake Grace line goes to Bunbury. The harbour at Bunbury is not in the right position, although those at present in control are not responsible for that. Instead of continuing to spend large sums of money in dredging, the Government would be wise to obtain the advice of an expert who could submit a scheme that whilst involving the scrapping of portion of the harbour, might obviate this continual expenditure. Dredging represents a serious problem. People in Bunbury have told me that if so-and-so were done all difficulties would be overcome. I am aware that the Government engineers have given consideration to all the suggestions that have been advanced. I hope some solution of the problem will eventually be found, and that this continual annual expenditure will be obviated.

A good deal of discussion has arisen concerning the water scheme for the Great Southern. According to the statement made in another place by the Minister for Works the estimated cost of the undertaking is £4,000,000. I presume portion of the money provided on the Loan Estimates has been earmarked for the examination of the situation and the preparation of plans and details. The Government proposes to spend

a considerable sum of money in Geraldton in an endeavour to ascertain whether underground water is available in the district. An expensive scheme was inaugurated in Albany for drawing water from Twofold Bay. The 6-inch pipes were found to be too small to convey the requisite quantity of water for the town as well as for the ships in harbour, and the local authorities considered that the only way to overcome the difficulty was to pull up the pipes and lay larger ones. I understand the town clerk submitted a spearhead scheme whereby it was possible to utilise all the available water. The scheme itself cost only a small sum of money, but will save the district at least £60,000.

We are told by geologists that in the Great Southern district fresh underground water cannot be obtained. I recall that in the early days of goldmining in Western Australia the experienced miners who came here from the other States looked for white quartz in the hope of finding the precious metal. The "mugs" who knew little about the matter worked other kinds of ore and found gold. The Government, acting on the advice of its experts, proposes to spend £4,000,000 on a water scheme for the Great Southern. I submit it is the duty of the authorities first to bore to a depth of 1,200 feet to 1,500 feet with a view to proving whether underground fresh water is available. If good water can be found by this means a large expenditure will be saved.

In supporting this Bill I have taken the opportunity to make one or two suggestions that I hope will be accepted in the spirit in which they are submitted. I am genuinely desirous of seeing the vacant blocks in the Denmark area re-occupied. Some effort should also be made to prevent the loss of £64,000 expended at Rocky Gully. I am sure that members representing the South-West Province agree with me that something should be done to provide better facilities at the port of Bunbury. Should the Government consider my suggestion of putting down a bore in the Great Southern district, I suggest it be put down in the Katanning area. The local road board has already proved its belief in water being found by letting a contract to the Hume Pipe Co. A well of 6ft. pipes is being put down and the hope has been expressed that water will be found at a depth of 80 feet. Some private boring has been done in the district, but not to any great

depth. Many people maintain that if a bore were put through the soft salt strata fresh water would be struck.

A sum of money has been allotted for reclamation work along the banks of the Swan River. The Government has been accused of wasting money in this direction, but I am of opinion that excellent work has been done, and that it reflects considerable credit upon those who inaugurated it.

Hon. J. Nicholson: Quite right!

Hon. W. J. Mann: It is now a beauty spot.

Hon. A. THOMSON: Yes. The work has created a valuable asset for the City of Perth. Although I am a country member I congratulate those who had the foresight to embark upon this improvement scheme. Instead of Perth having merely a mosquito-ridden swamp, a thing of beauty and a valuable asset have now been created.

Question put and passed.

Bill read a second time.

In Committee.

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

BILL—WORKERS' COMPENSATION ACT AMENDMENT.

Assembly's Message.

Message from the Assembly received and read notifying that it had agreed to amendments Nos. 1 and 8 made by the Council, had disagreed to amendments Nos. 2 to 4, 6, 7, and 9 to 12, and had agreed to amendment No. 5 subject to an amendment.

BILLS (4)—FIRST READING.

- 1, Native Flora Protection Act Amendment. (Hon. G. B. Wood in charge).
- 2, Financial Emergency Act Amendment.
- 3, Income Tax Assessment Act Amendment (No. 2).
- 4, York Cemeteries Act Amendment.

Received from the Assembly.

BILL—AMENDMENTS INCORPORATION.

Second Reading.

THE HONORARY MINISTER (Hon. E. H. Gray—West) [5.52] in moving the second reading said: This is a small Bill to

substitute more adequate legislation for the existing Amendments Incorporation Act, 1923, which deals with the reprinting of amended statutes. The present Act, together with those amending Acts that permit the renumbering of sections in their principal legislation, constitute the bases upon which consolidated reprints are published in the sessional volume of the statutes. Under the Amendments Incorporation Act, it is provided that where any Act has been amended by—

- (a) the repeal or omission of certain words or figures;
- (b) the substitution of certain words or figures in lieu of any repealed or omitted words or figures; or
- (c) the insertion of certain words or figures,

then, in every reprint of the Act by the Government Printer, the Act shall be printed as so amended under the supervision of the Clerk of the Parliaments. Unfortunately, the existing Act makes no provision for the renumbering of sections when it is desired to effect a reprint of the amended legislation. In a number of cases where a statute is amended, the amending Act does not provide a place for its provisions in the principal Act.

In general, the Commonwealth system of numbering new sections has been followed; that is to say, they will be numbered 123A, 123B, 123C, and so on, in order that the amendments may be inserted in their appropriate places in the Act. However, where further amendments are made, a difficulty arises in that there is no way of determining the proper place for a new section which should be inserted between, say, 123A and 123B. The sections of some amending Acts are numbered 1, 2, 3, etc. Sometimes those sections amend existing sections, but there are other cases where the amending section is general in its terms, and although a place can be found for it in the principal Act, the amending Act does not indicate where that place should be.

In a number of Acts, an attempt has been made to overcome this difficulty. Thus section 54 of the Factories and Shops Act, 1937, provides as follows:—

- (1) The principal Act as amended . . . shall be reprinted under the supervision of the Clerk of Parliaments.
- (2) In any such reprint—
 - (a) the sections shall be renumbered in arithmetical order and the numbering or lettering of, and the

cross references in sections, subsections, paragraphs, and subparagraphs shall be adjusted.

- (b) Sections 35 and 48 of the principal Act shall be transferred and placed in that order at the beginning of the supplemental provisions contained in Part XII. of the principal Act.
- (c) Suitable references to amended and transposed sections shall be made in the marginal notes.

This indicates the cumbersome method that has to be adopted to place amendments in their proper order. Similar provisions as to reprinting, renumbering, etc., appear in the following Acts for 1937.

	Section.
Money Lenders	7
Special Tax—	
Revision	6
"	10
"	14
Special Tax—	
Assessment Revision	12
"	21
"	32
Bread Act Amendment	16

A number of Western Australian Acts can be reprinted with renumbered sections where an amending Act provides for such renumbering. However, where there are amendments of a principal Act, with sections numbered 1, 2, 3, 4, etc., and in some cases still further amendments of the amendments, the draftsmen have to await the introduction of an amending measure to enable them to provide for renumbering. In order to obviate the constant repetition in amending Acts as to the conditions under which reprints are to be effected, we are proposing this new legislation whereby the difficulties that have arisen may be overcome.

The proposals set out in the Bill embody most of the provisions of the existing Act, but they express in greater detail the method of incorporating with a principal Act amendments and new provisions that have been enacted by subsequent legislation. The Bill lays down that the Minister for Justice, or the Attorney General, may cause an amended Act to be reprinted by the Government Printer so that the reprint incorporates every amendment that is made by—

- (a) the repeal or omission of any words; or
- (b) the substitution of any words in lieu of any words repealed or omitted, or
- (c) the insertion or addition of any words.

"Words" includes part, division, heading, section, subsection, paragraph, schedule, and

any other words, figures, or paragraphs in any Act.

In Clause 4 of the Bill are set out a number of new provisions as to reprinted statutes that deal with specific matters not covered by the existing Act. With regard to short titles, the Bill stipulates that alterations may be made indicating the year in which the principal Act and the latest amending Act were passed. Provision is made for the alteration of references where changes have been effected in an Act as to name, style, places, persons and so on. Consequential alterations may also be made where an Act has been amended or another Act substituted. Marginal notes to any section may be altered to accord with its true effect. Any words at the foot of a reprinted Act indicating the giving of the Royal Assent may be omitted provided the date of the Royal Assent appears in the reprint. Errors in spelling or numbering may be corrected.

Finally, where an Act has been amended and is reprinted, the sections, subsections, paragraphs, schedules, etc., may be renumbered in arithmetical order and the cross-references adjusted. The Bill requires that a reference to every amending Act shall be made in every Act reprinted in pursuance of this legislation. Further, judicial notice must be taken of reprinted Acts. This provision does not appear in the existing legislation.

The Bill does not propose to repeal the Statutes Compilation Act, 1905. Although that measure has been superseded in practice by the Amendments Incorporation Act, it is nevertheless still in force. Therefore, either House of Parliament may still pass a motion directing the compilation, with its amendments, of any Act for the time being in force. There is urgent necessity to make provision for the more effective incorporation of amendments in our Acts, and I commend the measure to the House. I move—
That the Bill be now read a second time.

HON. H. S. W. PARKER (Metropolitan-Suburban) [6.1]: The Bill seems to me essential. I sincerely trust that it will pass, and that when it does so the Government will provide the necessary officials so that statutes will be made available earlier than they have been in the past. From time to time, when speaking here, I have mentioned that delays occur. This year not until June

could we obtain our volumes of the preceding session's statutes. For lawyers it is most essential that they should be able to obtain Acts of Parliament as speedily as possible after assent has been given.

Hon. J. Nicholson: For other persons, too.

Hon. H. S. W. PARKER: Yes, but especially for lawyers. In past years we received the statutes about March. It has been getting later and later. The reason for the delay this year, so far as I can gather, was that at the beginning of the year certain Crown Law officers were away and that thus there was a shortage in the office, plus the dual system existing between officers of Parliament and the Crown Law officers. The Bill will have the effect of throwing more of the work of compiling statutes on the Crown Law officers, and also more of the work of amending Acts in the proper manner. Thereby people should be enabled to get the statutes earlier. I sincerely hope that the Government will see its way clear to provide the necessary servants to get the statutes out early in the coming year.

Question put and passed.

Bill read a second time.

In Committee.

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

BILL—LOTTERIES (CONTROL) ACT AMENDMENT.

In Committee.

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

Clause 1—agreed to.

Clause 2—Amendment of Section 3:

Hon. H. SEDDON: This clause should be deleted. To let the Lotteries Commission carry on from year to year is wise, because under those conditions the commission is doing very good work.

The **CHAIRMAN**: I propose to allow on this clause discussion whether the Act should be made permanent or for a greater period than one year. That course will save discussion on Clause 9.

The **CHIEF SECRETARY**: I hope Clause 2 will remain. The time has arrived

when we can safely agree to the Act being made permanent, as it has undoubtedly passed the experimental stage. Every member who has spoken on the Bill has expressed satisfaction with the commission's work. The restriction of the Act to one year's operation has a serious effect on the activities and the usefulness of the commission. The commissioners, with a tenure of one year, are not able to enter into certain business arrangements and contracts they would greatly like to make. They find themselves restricted by the absence of a guarantee of continued operation. They have given me to understand that this seriously affects opportunities to increase sales outside Western Australia, by which means Western Australia is enabled to use money from other States and countries in the interests of its social services and charitable institutions. A 12-months tenure prevents the commissioners from making desirable arrangements for financing the project for the new Perth Hospital, a highly important work. They wish to assist in this direction without reducing financial aid to country hospitals throughout the State. Repeated attempts have been made, unsuccessfully, to grant the commission a longer life than one year. Now, after a good many years' experience of the operation of the Act, members might safely grant an extended term.

Hon. H. Tuckey: But this clause does not make the Act permanent.

The CHIEF SECRETARY: No; but with the Chairman's permission we are discussing the whole subject. It would not matter much if the Act were made permanent and the commissioners' appointments yearly. That course would save a good deal of the time of this Chamber.

Hon. J. NICHOLSON: The Chief Secretary suggests that the amendment proposed would enable the commissioners to undertake certain contracts and carry out certain plans which otherwise they would not be justified in doing. I wish to dispel from the Chief Secretary's mind any fears he has with regard to that matter. He need contemplate no such dangers if he allows the Bill to be simply a continuance measure. The annual appearance of such a Bill gives Parliament an opportunity to say whether in the best interests of the community the Act should be continued for another 12 months or should cease. If the Act is made permanent, there will be great difficulty in getting it reviewed.

At present Parliament is enabled to keep a tight hand on the administration of the Act.

Hon. G. FRASER: Parliament has been given an opportunity to say the same thing annually for ten years.

Hon. J. NICHOLSON: Nothing of the kind.

Sitting suspended from 6.15 to 7.30 p.m.

Hon. J. NICHOLSON: Reference has been made to the Perth Hospital. I quite agree upon the urgency of that work; but it is not for the Lotteries Commission to enter into contracts for such purposes; it is the obligation of the Government to look after the sick. I hope that contention is not being put forward seriously, because it is not in any way justified. The argument has been advanced that the Bill has passed the experimental stage; but when this legislation was introduced and passed, Parliament considered it advisable to fix its duration for a period of one year. That is by no means unusual. Various licenses under the Licensing Act are issued from year to year, for a very wise and obvious reason. If the Licensing Court finds that the holder of a license is not conducting his business as it should be conducted, then it can cancel the license. In the interests of the community, we would be wise to limit the operation of this legislation to one year. Finally, I point out to the Minister that if a simple renewal Bill were brought forward each year, it would be passed in five minutes. Only when an attempt is made to extend the period of the commission to three or five years does a debate take place. I hope members will adhere to the principle adopted at the commencement of this legislation.

Hon. G. FRASER: I hope the Committee will agree to the clause. This legislation has been in existence for eight or nine years.

Hon. H. S. W. Parker: To be exact, six years.

Hon. G. FRASER: It was introduced in 1932, so it is practically in its seventh year. The Bill has, so to speak, served its apprenticeship and the legislation should now be made permanent. Because of the temporary nature of the legislation, the commission has not the freedom that it desires.

Hon. A. Thomson: What freedom does it desire?

Hon. G. FRASER: The freedom that is enjoyed by business people. I raised the point on the second reading. The commission is unable to obtain favourable contracts for printing, stationery, and so on. Were the commission assured of longer life, it could order goods in larger quantities and thus effect considerable savings. From the tone of the debate, one would be led to the conclusion that some members are of the opinion that, if the legislation is made permanent, Parliament will be unable to alter it. That idea is, of course, incorrect. Parliament can, whenever it thinks fit, repeal any legislation on the statute-book. In my opinion, no valid argument has been adduced against making this legislation permanent or against appointing the commission for a term of three years. If the Bill passes, the necessity for bringing this legislation before Parliament each year will be obviated.

The HONORARY MINISTER: When this legislation was first introduced there was some justification for limiting its duration to a period of 12 months. It was introduced at a time when people were anxious to stop illicit sweeps that were being run at tremendous expense, in some instances at an expense equal to 50 per cent. or 60 per cent. of the total proceeds. Parliament at the time showed reasonable caution in insisting that the Bill should operate for 12 months only. The legislation has, however, proved a great success and has resulted in the provision of large sums of money for our hospitals and charitable organisations. The money was obtained previously, but at great expense. The commission has demonstrated that the money can be raised at far less expense. If the legislation is made permanent, the commission will be enabled to extend its operations to other States. The commission has made inquiries and finds that it cannot enter into favourable contracts for the placing of tickets in the Eastern States if the Act is limited to 12 months only.

Hon. L. B. Bolton: Will the people in the Eastern States support our lotteries?

The HONORARY MINISTER: Yes. The way to encourage that is to make the legislation permanent. No argument has been adduced against making the Act permanent.

Hon. A. Thomson: And none for it.

The HONORARY MINISTER: The commission should be enabled to frame a long-range policy so that bigger things may be done for hospitals and charities. Surely this argument should appeal to every member. We need the money raised by the lotteries, and we ought to facilitate the commission so that it may obtain the best results. The work has been carried on during the last six years effectively and cheaply. The condition of affairs that existed previous to the appointment of the commission was a scandal.

Hon. J. J. Holmes: Charities will get only 10d. out of every half-crown ticket now.

The HONORARY MINISTER: Subscribers to lotteries must be given reasonable prizes. All the arguments are in favour of making the Act permanent.

The CHIEF SECRETARY: There seems to be a little misapprehension on the question of the commission entering into contracts. Contracts are entered into by other authorities conducting lotteries outside the State in which they are operating. The people with whom those contracts are made claim that because the tenure of the commission is only 12 months, they are not prepared to consider spending money on the organisation required to deal with our tickets. Far more money is available outside the State than within it for tickets of this kind. A remarkably big field is being exploited by other lottery authorities and there is no reason why we should not get a share of that money, which would assist us in the many problems associated with hospitals and charities. Mr. Mann referred to contracts for the commission's own requirements. The idea is not to have contracts running for a longer period than 12 months but if the commission were operating permanently the contracts could be made for some time ahead. I am told that Tattersall makes all its arrangements, such as for printing, three years ahead, and is engaged in an extensive campaign outside Australia to regain a little of the ground lost to the New South Wales State Lottery and the Golden Casket. People are prepared to enter into contracts to sell a considerable number of tickets in every one of our lotteries, and that would make a big difference to the State.

Hon. A. Thomson: Cannot the other States prevent our tickets from being sold within their borders?

Hon. G. Fraser: Tattersalls tickets are prohibited here, but still they are sold here.

Hon. L. B. Bolton: They are not; they are posted here from Tasmania.

The CHIEF SECRETARY: Some restriction is imposed. There are countries apart from the Eastern States where the people have fewer scruples than we have about lotteries, and we wish to get some of the business that is offering. One member referred to the percentage allocated to lottery prizes to the detriment of our commission. The comparison is not a fair one, because the organisation referred to is run by private enterprise and contributes to charities only by way of donations. The expense ratio is about the same. I feel that no obstacle should be placed in the way of the commission making the lotteries as successful as possible, more particularly as we would have an opportunity to get money from outside Australia to assist our charities.

Clause put and a division called for.

The CHAIRMAN: Before tellers are appointed, I give my vote with the Noes.

Division resulted as follows:—

Ayes	..	..	..	9
Noes	..	..	..	18
				—
Majority against	..	..	9	
				—

AYES.

Hon. L. Craig	Hon. W. H. Kitson
Hon. J. M. Drew	Hon. T. Moore
Hon. G. Fraser	Hon. G. B. Wood
Hon. E. H. Gray	Hon. H. Tuckey
Hon. E. M. Heenan	(Teller.)

NOES.

Hon. E. H. Angelo	Hon. W. J. Mann
Hon. C. F. Baxter	Hon. G. W. Miles
Hon. L. B. Bolton	Hon. J. Nicholson
Hon. J. Cornell	Hon. H. S. W. Parker
Hon. J. A. Dimmitt	Hon. H. V. Piesse
Hon. J. T. Franklin	Hon. H. Seddon
Hon. V. Hamersley	Hon. A. Thomson
Hon. J. J. Holmes	Hon. C. H. Wittenoom
Hon. J. M. Macfarlane	Hon. E. H. H. Hall
	(Teller.)

Clause thus negatived.

Clause 3—agreed to.

Clause 4—Amendment of Section 7:

Hon. H. SEDDON: Clause 4 is consequential on Clause 5, and therefore consideration of it should be postponed.

The CHIEF SECRETARY: The object of the clause is to remove the limitation on the number of lotteries to be held in one year. I move—

That consideration of the clause be postponed.

Motion put and passed.

Clause 5—Amendment of Section 8:

Hon. H. SEDDON: This proposal will remove the limit on the number of lotteries to be conducted by the commission, namely, 15 a year. As soon as one lottery is filled, another may be started, or two lotteries may be run at the one time, so there would be no control over the number.

The Honorary Minister: Leave it to the good judgment of the commission.

Hon. H. SEDDON: Provision was originally made, firstly to limit the number of indiscriminate sweeps, many of which were of questionable type, and, secondly, to control the amount of money to be spent in that direction. A retrograde step will be taken if we permit more than 15 lotteries to be conducted each year, for that number is quite sufficient. Members would be wise if they deleted the clause.

The CHIEF SECRETARY: If the clause be agreed to, the result will not necessarily be that more lotteries will be conducted than at present.

Hon. G. B. Wood: Or that any more money will be invested.

Hon. J. M. Macfarlane: Then why include the clause?

The CHIEF SECRETARY: Because the effect will be a saving of £50 or £60 on each lottery. That expenditure is entailed through compliance with the Act as it stands, which provides that a lottery must open and close on dates to be stated. If a lottery is over-subscribed, so many more marbles have to be used. Those marbles have to be sorted and re-sorted every time a lottery is held, and the cost, comparatively speaking, is tremendous. If a system were introduced whereby a lottery could be closed when the specified number of tickets had been purchased, a saving of upwards of £60 per lottery would be effected, because the extra sorting I referred to would be obviated. Granted that 15 lotteries are held annually and a saving of £50 is made on each, £750 extra will be available to provide much-needed equipment for some country hospital, or to help some other charitable purpose. Further, if the clause be agreed to, the operations of the commission will be simplified. The reference to the commission running more than one lottery at a time seems to suggest that that body will run amok. There are times when the running of a special lottery is desirable.

Hon. W. J. Mann: Does not that apply now?

The CHIEF SECRETARY: Yes, but the Act does not permit it to be done. While a lottery on the Melbourne Cup was run concurrently with the ordinary lottery, strictly speaking, the legal position does not allow that course to be followed.

Hon. J. J. Holmes: But the commission is entitled to run 15 lotteries when and how it likes.

The CHIEF SECRETARY: I am merely telling the Committee what I have been advised. As a matter of fact, the commission does not contemplate running more lotteries than at present.

Hon. H. Tuckey: The clause will mean the saving of a tremendous amount of work.

The CHIEF SECRETARY: Yes, and of money. When a lottery is fully subscribed, the commission should be allowed automatically to draw it and commence another.

Hon. L. B. BOLTON: I support the clause, not that I desire more than 15 sweeps to be run, which I think is as many as the community can afford, but because the moment a sweep is fully subscribed, it should be drawn. I do not believe in a lottery being over-subscribed and the prize money increased accordingly. I have no objection to the commission running two lotteries at one time, as the Chief Secretary indicated with regard to the Melbourne Cup. Under the clause a considerable saving should be effected in the cost of the lotteries.

Hon. H. Seddon: I cannot see why the commission cannot close a lottery as soon as it is fully subscribed.

Hon. J. A. DIMMITT: While I am in sympathy with the Chief Secretary's views and am anxious to reduce the cost of lotteries, one aspect should be considered. When discussing this Bill to-day with the auditors, Messrs. Coombs, Whyte & Lissiman, I was informed that the bulk of the tickets in a lottery were sold in the last seven days, and they considered that that was largely due to the intensive advertising campaign indulged in by agents. In the absence of that campaign, they suggested the sale of tickets might not be sufficient to fill the lottery. In the earlier stages, the sale of tickets is desultory, but in the last seven days it is greatly accelerated. They suggested that if this clause were agreed to, the lotteries might actually suffer, and the com-

mission might not be able to conduct 15 lotteries in a year.

Hon. G. FRASER: Mr. Dimmitt's statement should be an inducement to those who are opposed to lotteries to support the clause, because then there will be no "last seven days." One of the two complaints I have received regarding the lotteries is that, under existing conditions, one may be run to close with the sale of, say, 100,000 tickets. When the lottery actually closes, 150,000 tickets have been sold. There is no means of gauging sales until all the butts are returned, and therefore, under the existing method, subscribers say that they are not getting a fair deal in that the odds, instead of being one in 100,000 are one in 150,000.

Hon. H. Seddon: Who issues the books of tickets?

Hon. G. FRASER: The Lotteries Commission.

Hon. H. Seddon: There you are!

Hon. G. FRASER: But obviously the commission must issue books containing more than 100,000 tickets, because many books are returned without any tickets having been sold, or perhaps only half disposed of. If the new system is adopted, the subscriber will know the odds from the outset, and the commission will be able to keep faith with the buying public, which it has not been able to do in the past. I do not think there will be any increase in the number of lotteries conducted, because there will be no extra money available for investment. The proposed system will obviate the over-subscribing of lotteries.

Hon. G. B. WOOD: The clause is the most important in the Bill. It will not make the slightest difference to the amount of money invested. I visited the office of the Lotteries Commission the other day, and saw a number of men and girls sorting out the marbles, and was told that the work cost upwards of £60. I readily appreciated that it would cost quite that amount. The clause will overcome that difficulty, and will place the lotteries on a basis similar to that of the Tasmanian and Queensland sweeps.

Hon. H. S. W. PARKER: I support the clause, which will, to a large extent, confine the selling of tickets to the commission's central office. At any rate, I hope that will be the result. I cannot see how the commission could send books of tickets all over the State, and at the same time advertise that a lottery would close on a cer-

tain date. I hope the clause will have the effect of stopping all the blatant advertising, to prevent which the lotteries were inaugurated. Then the payment of commission for the sale of tickets will cease and all the money now paid to agents will go direct to the hospitals. The Lotteries Commission should be put on a proper footing and all agents eliminated. Why cannot the officers of Government departments in the country towns sell these tickets?

Hon. L. CRAIG: Replying to Mr. Dimmitt's objections—

Hon. J. A. Dimmitt: They were not objections.

Hon. L. CRAIG: I understood them to be so. When the original Bill was introduced, we were told it was not to encourage the taking of lottery tickets; the aim was to keep in the State the money spent on the purchase of lottery tickets in other States. It was not desired to persuade people to gamble more than in the past. We accepted that argument and agreed to the Lotteries Bill being passed. Mr. Dimmitt said that if this proposal were agreed to, it would have the effect of reducing the sale of tickets. If that is so, it is all to the good. The explanation will be that people do not want tickets. To specify a particular date in order to enable them to rush in at the last moment to buy a ticket is undesirable. An advantage of the proposal is that when the required number of tickets is received at the lotteries office—never mind whether all of them are received or not—when, say, 100,000 tickets are received at the office, that particular lottery will be closed and any tickets received after that date will go into the next lottery.

Hon. H. S. W. Parker: Then there will be a confusion of numbers.

Hon. L. CRAIG: What number is on the ticket does not matter. When the required number of tickets is received the lottery will be closed and further tickets will automatically go into No. 2 lottery. At present a different number of marbles has to be put into the barrel for each lottery because it is not known how many tickets will be sold. Under the proposed amendment a particular number of marbles will be placed in the barrel on each occasion. They will be numbered from, say, one to 100,000. The object is to have the same number of tickets for each lottery so that purchasers will know the amount of the first, second and subsequent prizes. The lottery will not be closed

until it is subscribed. There will be no such thing as a lottery being under-subscribed because until it is fully subscribed it will remain open.

Hon. H. S. W. Parker: And every ticket must be issued from headquarters.

Hon. L. CRAIG: The amendment will do no harm, but will fix the amount of the prizes, which is essential. People want to know what chance they have and what the prize money will be. An amount of £50 or £60 would be saved on each lottery. I hope members will support the clause.

Hon. J. M. MACFARLANE: I agree with Mr. Parker. When a person buys a ticket in Tattersall's or some other lottery, he does not obtain a ticket straight away. He receives a blank and subsequently the ticket containing the number is posted. The proposal in the Bill is unworkable because the tickets are being sold straight out. If some numbers have not come to hand when the total is reached, how is the scheme to be worked?

The Chief Secretary: Are you going to pit your opinions against those of the commission?

Hon. J. M. MACFARLANE: The members of the commission may have all sorts of virtues but they are not displaying them on this occasion. I move an amendment—

That the words "or more" in line 1 of paragraph (b) of the proposed new Section 8, be struck out.

When the measure was first introduced the aim was said to be the minimising of gambling and the scandals associated with the number of illicit lotteries that were conducted.

Hon. L. B. Bolton: And to stop street collecting.

Hon. J. M. MACFARLANE: Whether the lotteries failed did not matter so long as the objective was attained of legislating gambling out of existence. Now the suggestion is that we should go around the world to obtain money to enlarge the activities of the commission. I am distinctly opposed to that. I want the commission confined to Western Australia and eventually I want it to fade away. I do not desire to have more than two lotteries conducted at the same time.

Hon. H. V. PIESSE: I oppose the amendment. I have heard the reasons for the measure stated by the Chief Secretary and have had an opportunity of receiving

a full explanation at the Lotteries Commission office, and I think the Committee should agree to two or more lotteries being conducted at the same time.

Hon. T. MOORE: I am one of those who do not wish to see the commission die out. Mr. Macfarlane said he hoped it would do so. If it were to come to an end, those of us in the back country who are trying to run hospitals would be sadly handicapped. I pin my faith to the views of the commission and not to those of the auditors. In my district the St. John Ambulance has done good work and desires to build a hall. We have been requesting the commission for a long time to assist us by providing funds for the hall.

The CHAIRMAN: Order! The amendment is for the deletion of the words "or more."

Hon. T. MOORE: I do not care how many lotteries the commission conducts as long as it gets the money. I am against the curtailment of its activities. The commission says it has only limited funds. I want to see it get as much money as it can. I am sorry it was not made permanent. Some members say we can obtain our requirements in this, that and the other way. But this is an easy way of providing ourselves with necessities. The lotteries are not doing any harm. If the patronage is evidence of the extent of our gambling, I am not worried about the future of the rising generation.

Hon. E. H. ANGELO: Last week the House approved of the principle of the Bill. To-night the Committee has decided that this legislation shall be reviewed next year. That being so, no great objection can be taken to the clause with which we are dealing, for if it proves unsatisfactory we can ensure that it is not embodied in next year's Bill.

Hon. H. SEDDON: Lotteries were established for the control of indiscriminate sweeps and to restrict gambling. My belief is that it is possible to trace the growth of gambling in this State from the very day when the original Act was passed.

Hon. G. Fraser: It is the other way round.

Hon. H. SEDDON: Because of the manner in which we have encouraged people to gamble through the purchase of lottery tickets, we have led them to indulge in starting-price betting.

Hon. G. Fraser: That was conducted before the war.

Hon. H. SEDDON: Many members have argued in favour of increasing the number of lotteries. To do that is to encourage the very thing the Act is supposed to control, namely, gambling, which has become one of the most serious evils in the community.

Amendment put and negatived.

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

Ayes	..	..	..	..	20
Noes	..	..	..	..	6
Majority for					14

AYES.	
Hon. E. H. Angelo	Hon. V. Hamersley
Hon. C. F. Baxter	Hon. E. M. Heenan
Hon. L. B. Bolton	Hon. W. H. Kitson
Hon. L. Craig	Hon. T. Moore
Hon. J. A. Dimmitt	Hon. H. S. W. Parker
Hon. J. M. Drew	Hon. H. V. Piesse
Hon. J. T. Franklin	Hon. A. Thomson
Hon. G. Fraser	Hon. H. Tuckey
Hon. E. H. Gray	Hon. G. B. Wood
Hon. E. H. H. Hall	Hon. C. H. Wittenoom (Teller.)
NOES.	
Hon. J. J. Holmes	Hon. J. Nicholson
Hon. J. M. Macfarlane	Hon. H. Seddon
Hon. G. W. Miles	Hon. W. J. Mann (Teller.)

Clause thus passed.

Clause 6—agreed to.

Clause 7—Amendment of Section 11:

Hon. H. S. W. PARKER: Is there any reason for altering the notice to be given for the closing of a lottery from seven days to two?

The CHIEF SECRETARY: Now that no fixed date is stated on the tickets, no one can say when a lottery will close. The seven days' notice was regarded as too long a period.

Clause put and passed.

Clause 8—Amendment of Section 15:

Hon. H. SEDDON: The accounts of every lottery have to be audited and placed before Parliament. The proposed amendment will abolish the present system. I hope the clause will not be agreed to.

Hon. H. V. PIESE: The lotteries accounts must be audited. No doubt the Auditor General will have to employ extra labour to carry out this work. This is trust money, and it is essential to ensure that every sweep is properly conducted.

Hon. J. M. MACFARLANE: I object to the Auditor-General coming into the picture as a common auditor. This work should be

performed by private auditors under the supervision of the Government officials.

Hon. L. B. BOLTON: Two auditors are better than one. In my opinion the work should be carried out by private people under the supervision of the Auditor-General.

Hon. E. H. H. HALL: I cannot see why the Auditor-General should not audit these accounts, when he does similar work for Government departments. The money is raised purely for charitable purposes, and all possible expense should be avoided.

Hon. C. F. BAXTER: If the work were done by the Auditor General's Department the cost would be the same.

Hon. G. Fraser: The commission says otherwise.

Hon. C. F. BAXTER: The most satisfactory system is that of check auditing adopted by various large concerns. I ask the Chief Secretary to stand by what he said when speaking on the Parks and Reserves Act Amendment Bill. He told us then that the Auditor General's Department could not possibly undertake all the auditing suggested if the reports were to be tabled in time. Now he says that the Auditor General could do this work.

The Chief Secretary: He is doing it now.

Hon. C. F. BAXTER: Only in part.

Hon. L. Craig: A poor argument.

Hon. C. F. BAXTER: Anything the Government proposes seems to receive the support of Mr. Craig.

Hon. J. J. HOLMES: The Auditor General deals with accounts of the State running into millions of money, and when it is suggested that he should audit the accounts of the commission running into about a quarter of a million pounds, we are told that a check audit is necessary. As all the money possible is required for charities, the auditing might well be left to the Auditor General. To bring in an outside auditor is unnecessary.

Hon. C. F. Baxter: He does part of it now.

Hon. J. J. HOLMES: Let him do the lot. The Auditor General is an officer of Parliament, and Parliament can deal with him in a manner that would not be possible with an outside auditor.

The CHIEF SECRETARY: In reply to Mr. Baxter I am not taking a different stand on this occasion. Some members appear to be torn between two ideals—one that the Auditor General should do all the

work and another that private enterprise should be allowed to participate. The provision in the Act that made possible the engagement of two auditors was retained by an oversight, and therefore the Committee should agree that there is no need for two auditors. This Chamber insisted that the Auditor General should audit the accounts of the commission.

Hon. J. M. Macfarlane: Supervise.

The CHIEF SECRETARY: There was no question of supervising. Some members have argued that because the A.M.P. and other organisations adopt a system of check auditing, the example should be followed by the Lotteries Commission. The chairman of the commission assures me that if the auditing were done by the Auditor General's department a saving of 15 guineas on every lottery would be effected. Now that we have agreed to an amendment under which lotteries will close when a certain number of subscriptions have been received, the work of auditing will be easier, and there will be no difficulty in the Auditor General's department doing the whole of the work. If there are 15 lotteries a year and we can save only 10 guineas per lottery, an additional sum of £150 will be available for charities. In Queensland the auditing is done by the Auditor General, and the charge is five guineas per lottery. The system there is somewhat similar to that laid down in the Bill.

Hon. H. V. Piesse: Clause 8 will make the auditing easier.

The CHIEF SECRETARY: The commission is doing its work well, and when a suggestion is offered that will result in a saving of money, effect should be given to it.

Hon. E. H. ANGELO: I cannot see the need for a dual audit. The commission is not comparable with the A.M.P. and companies that deal with hundreds of millions of pounds.

Hon. C. F. Baxter: Hundreds of millions!

Hon. E. H. ANGELO: Not per annum. Each lottery is audited separately so there will be accounts of only about £10,000 to audit each time.

Hon. J. Nicholson: There would be the detailed checking up.

Hon. E. H. ANGELO: The Auditor General has a good staff and we should have the auditing done by him for more than

one reason. In his reports he does not confine his remarks to a mere statement that the figures are right or wrong; he makes comments, and that is why I should like to see him made responsible for this auditing. If it came to his knowledge that something being done was not in the best interests of the State, he would not hesitate to report the fact to Parliament.

Hon. H. SEDDON: I move an amendment —

That the following paragraph be added:—“(f) The commission shall, at the end of each year, present to both Houses of Parliament a schedule setting out the names of all organisations and charities to which money has been granted and the amounts given in each case during the year.”

In past years we have had a schedule showing the amounts granted to the various charities, but this year the figures were grouped under a general heading. We ought to be informed of the proportions in which the money is distributed amongst the various institutions.

The CHIEF SECRETARY: I see no need for the amendment. As a matter of fact, I have the information before me, but during my second reading speech I decided to limit my recital of figures, though I stated that the information was available if members desired to have it. A report on the audit is tabled after every lottery and gives the desired information. Here are many pages containing the details. Would members like me to read them?

Hon. H. Seddon: Lay them on the Table.

The CHIEF SECRETARY: I can imagine there would be circumstances in which members would be glad if the Minister did not give the whole of the details.

Hon. H. SEDDON: If the information is given in the schedule to the annual report, I do not wish the Chief Secretary to incur further trouble.

Amendment put and passed.

Hon. H. S. W. PARKER: I understand that at present the auditors work together, and are each paid 15 guineas. I assume that if one auditor did the work, he would want 30 guineas. Although the chairman of the Lotteries Commission said the cost would be only 15 guineas, I would like to know what the Auditor General says. It has been stated that the cost of the Queensland audit is only 5 guineas. However, the auditing staff has to be paid, and presum-

ably the difference is made up out of the funds of the Auditor General's office.

The Chief Secretary: In some cases the Auditor General does the work without receiving anything at all.

Hon. H. S. W. PARKER: Then he gets the money out of the taxpayer. The dual audit inspires confidence, especially outside Australia. Therefore, although personally I do not think the double audit is necessary, I regard it as desirable.

Clause, as previously amended, agreed to.

Clause 9—Repeal of Section 21:

Hon. H. SEDDON: I move an amendment—

That all the words after “hereby” in line 2 be struck out, and the words “amended by deleting the words ‘thirty-eight’ in the second and third lines of the section and substituting the words ‘thirty-nine’” inserted in lieu.

The CHIEF SECRETARY: I take it for granted that this question was settled on a previous clause. Therefore I raise no objection to the amendment.

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

Clause 10—Citation of principal Act as amended:

Hon. H. SEDDON: I move an amendment—

That the words “as amended by all Acts amending the same passed prior to this Act and” be struck out.

This amendment is necessary in view of the alterations already made to the Bill.

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

Postponed Clause 4—agreed to.

Title:

On motions by Hon. H. Seddon, Title amended by inserting after the word “amend,” in line 1, the words “and continue,” and by striking out all words after the figures “1937” in line 2.

Bill reported with amendments and amendments to the Title.

BILL—WORKERS' HOMES ACT AMENDMENT.

Assembly's Message.

Message from the Assembly received and read notifying that it disagreed to the amendment made by the Council.

BILL—INCOME TAX (RATES FOR DEDUCTION).

Received from the Assembly, and read a first time.

BILL—INSPECTION OF SCAFFOLDING ACT AMENDMENT.

In Committee.

Resumed from the 24th November. Hon. G. Fraser in the Chair; the Honorary Minister in charge of the Bill.

Clause 3—Amendment of Section 2:

The CHAIRMAN: Progress was reported on Clause 3 after Mr. Thomson had moved an amendment as follows:—

That paragraph (b) be struck out.

Hon. A. THOMSON: The effect of the amendment will be to leave the section in the Act as it is, retaining the minimum height of 8ft.

The HONORARY MINISTER: The Act does not affect private individuals. If a man building his own home wants to erect a scaffold and break his neck, he is privileged to do so.

Hon. J. Nicholson: Where is the exemption?

The HONORARY MINISTER: The Principal Architect (Mr. Clare) informs me that the provision will apply to structures in the metropolitan area only.

Hon. J. NICHOLSON: I am obliged to the Honorary Minister for having given us the assurance that private individuals have the privilege of breaking their necks, if they choose to do so. No doubt private individuals will appreciate that freedom. In what part of the Act are the public exempted?

Hon. A. Thomson: No such provision is contained in the Act.

Hon. J. NICHOLSON: If paragraph (b) were deleted, the definition of "scaffolding" would apply to any structure, without any qualification whatsoever. The words "other than a structure used by a private individual" should be included. The information given to the Honorary Minister must have been supplied under a misapprehension.

The Honorary Minister: No; it was supplied by the Principal Architect himself.

Hon. J. NICHOLSON: Can the Honorary Minister elucidate this point? A man may place a plank on a box to clean his front window; that would be scaffolding within the meaning of the Act.

Hon. A. Thomson: That is so.

Hon. J. NICHOLSON: If I desired to clean my window on a Saturday or a Sunday, I would therefore require to call in the Chief Inspector in order to obtain a certificate.

Hon. J. J. Holmes: Not on Sunday.

Hon. J. NICHOLSON: I might.

The Honorary Minister: Your argument applies to the original Act.

Hon. J. NICHOLSON: No. We shall be worse off if the amendment is passed.

Hon. A. Thomson: The Act as it stands is quite satisfactory.

Hon. J. NICHOLSON: I am relying on Mr. Thomson's knowledge and so will vote in favour of the retention of the present definition.

The HONORARY MINISTER: This matter seems to be resolving itself into a battle of wits between the Chief Inspector of Scaffolding and Principal Architect, and Mr. Thomson. Mr. Thomson is not now engaged in the building trade; he is a member of Parliament. Mr. Clare is in daily contact with the building trade and this amendment has been suggested by him. The Act was designed to protect workmen.

Hon. J. Nicholson: You are eliminating that protection now.

The HONORARY MINISTER: Mr. Nicholson's argument applies with equal force to the Act as it was originally passed. The Act does not apply to a window or a structure under 25 feet in height. The definition is intended to apply to buildings in course of construction.

Hon. A. Thomson: I cannot agree with that.

Hon. J. Nicholson: It applies to any structure of any height.

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

Clauses 4 to 6—agreed to.

Clause 7—Amendment of the schedule:

Hon. A. THOMSON: I refer the Committee to Regulation 4 in the schedule to the Act. It is a common practice for builders to use floor joists and ordinary scantling for scaffolding purposes. If the amendment is passed, it would be an offence against the Act to use timber 4in. by 2in. or 6in. by 2in. for scaffolding purposes, although such timber is quite strong enough. I move—

That paragraph (b) be struck out.

The HONORARY MINISTER: This paragraph is necessary to rectify an omission. It prescribes the width of scaffolding boards as not less than eight inches.

Hon. A. THOMSON: The present provision is quite safe.

Amendment put and passed.

Hon. A. THOMSON: I move an amendment—

That paragraph (c) be struck out.

The paragraph provides that all runs, gangways or similar means of communication between scaffolding and building should be at least three scaffolding boards wide. That would be 24 inches. The Act provides that such ways shall be at least 18 inches wide, which is quite sufficient. At a height the inspector would have power to suggest 24 inches or more, if considered necessary, and any reasonable contractor would meet the request. The paragraph would require a width of 24 inches in all circumstances.

The HONORARY MINISTER: The inspector would have no power to insist upon any wider run than that prescribed in the Act. This applies especially to runways for wheelbarrows, and the proposal that they should consist of three boards each eight inches wide would mean an increase of six inches in the total width.

Amendment put and passed.

Hon. A. THOMSON: I move an amendment—

That paragraph (d) be struck out.

The proposal is that in future all ladders used by builders' labourers shall have a spacing between the rungs of 8½ inches. Nobody would object to that applying to new ladders being made, but contractors have a stock of ladders that have probably a 9-inch spacing. The inspector could suggest to them that when making new ladders a spacing of 8½ inches should be adopted. To pass the paragraph would mean that a considerable amount of plant would have to be scrapped. No hardship would be inflicted upon builders' labourers if the spacing were 9 inches or 9½ inches.

Hon. J. T. FRANKLIN: Mr. Thomson is wrong in saying that the wider spacing of ladder rungs would make no difference to a builder's labourer. With a spacing of 8½ inches a labourer can run up and down ladders without exertion, but any greater spacing makes a big difference to him. I

agree that builders should not be required to scrap the ladders at present in use, some of which are 30ft. or 40ft. long. To painters and carpenters it does not matter if the rungs are more widely spaced because they are not continually climbing up and down. For a labourer carrying heavy weights, 8½ inches is the best spacing. The matter could be left to the good sense of the inspector and the builders.

The HONORARY MINISTER: This paragraph refers only to ladders used by builders' labourers. Many contractors at present use ladders with 8½ inch spacing. There would be no need to scrap any ladders having the rungs more widely spaced because they could be used by painters and carpenters.

Hon. J. J. HOLMES: We could simplify the paragraph by striking out the words "builders' labourers" and inserting "hod carriers" in lieu. I should like to move an amendment to that effect.

The CHAIRMAN: Then Mr. Thomson would have to withdraw his amendment temporarily.

Hon. A. THOMSON: I am not objecting to a spacing of 8½ inches, but contractors have a considerable amount of plant in ladders, and if a spacing of 8½ inches were prescribed for hod carriers, other ladders would have to be scrapped. Rarely is more than one set of ladders used on a building. If buildings are of any height hoists are used, not ladders. I agree with Mr. Franklin that a spacing of 8½ inches between rungs of ladders is desirable. I discussed this matter with the Principal Architect from the standpoint of making the provision operate as from a given date, but owing to the difficulty experienced in framing a suitable amendment, I came to the conclusion that the preferable course would be to delete the paragraph.

Amendment put and passed.

Hon. A. THOMSON: I move an amendment—

That paragraph (e) be struck out.

The proposal is to add the words "but shall be confiscated by the inspector and destroyed at his order" to Regulation 19, which refers to condemned scaffolding gear. Those are great powers, especially in view of the fact that any person who fails to comply with an order by an inspector will be liable to a penalty not exceeding £50. Some plant un-

suitable for scaffolding may be valuable for use in other directions. The penalty of £50 will ensure the exercise of care.

The HONORARY MINISTER: The existing law is unsatisfactory. Gear may be condemned, but the policing of the Act to ensure that the condemned plant is not further utilised has been found impracticable. Gear that is dangerous to life and limb should not be further used by an employer, but condemned gear has been used again and accidents have occurred. The intention is to render condemned gear unfit for further use as scaffolding, not to destroy it by fire.

Amendment put and passed.

Hon. A. THOMSON: I move an amendment—

That in sub-paragraph (ii) of the proposed new Regulation 20D the words "seven feet six inches apart (7ft. 6ins.), measured horizontally centre to centre in any row. Where two or more rows of uprights are used the rows shall be spaced not more than six (6) feet" be struck out, and the words "six feet for masons' scaffolds, eight feet for bricklayers' scaffolds, ten feet for painters' light scaffolds" inserted in lieu.

Steel tubular scaffolding has been introduced and the amendment will bring our legislation into conformity with the English Act.

Amendment put and passed.

Hon. A. THOMSON: I move an amendment—

That in lines 4 and 5 of proposed new Regulation 21A the words "for at least 12 months" be struck out.

The proposal is to license scaffolders and an applicant will be required to prove that he had been engaged for at least 12 months in that class of work, but members must bear in mind that steel scaffolding has not been in use for a year. In those circumstances, no scaffolder would be eligible for a license. As the man is required to pass both oral and practical tests, the matter could be left to the judgment of the inspector, without the specified 12 months' experience being necessary.

The HONORARY MINISTER: I have discussed this matter with the Chief Inspector and he claims that 12 months' experience is necessary to enable a man properly to erect ordinary scaffolding, quite apart from tubular scaffolding.

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

Clause 8, Title—agreed to.

Bill reported with amendments.

BILL—INDUSTRIES ASSISTANCE ACT CONTINUANCE.

Second Reading.

THE CHIEF SECRETARY (Hon. W.

H. Kitson—West) [10.0] in moving the second reading said: This Bill proposes to continue for another year the operations of the Industries Assistance Act. As members are aware, this legislation was first enacted in 1915 to meet a state of emergency that had then arisen. It is designed to empower the granting of assistance to settlers who have not succeeded in their operations either through drought or some other fortuitous contingency, and who have no security to offer; and it contains a provision which allows credit to be granted expeditiously under an automatic charge upon the crops, land and chattels of the borrower.

During recent years when, as a result of abnormal seasonal conditions, farmers' credit has been severely restricted, the Industries Assistance Board has been able to provide funds for the purchase of seed wheat, chaff, superphosphate, machinery parts, etc. The operations of the Act must be continued in order to allow finance, up to the harvest, for those settlers who experienced drought conditions last year, and to enable settlers who may experience similar conditions this year also to be granted assistance. Moreover, it is essential to continue the operations of the Act so as to maintain the security for advances made to those settlers whose debts remain unfunded, and for advances made in the past under the Finance and Development Board Act.

Exclusive of drought relief accounts, the number of accounts on the board's books at the 30th June last was 969. Of these, 281 represented foreclosed properties, 596 accounts that had been funded, and 92 accounts that were not funded. These accounts showed the following indebtedness:—Principal outstanding, £671,189; interest outstanding, £157,094; total, £828,283.

Previous to the present Commissioners taking over control, capital losses written off stood at £885,465. Since then the Auditor General has certified to a capital reduction on account of losses amounting to £905,496.

During the last three years the Treasury has advanced money to the Commissioners for distribution as drought relief to settlers. Approvals for the year 1937-38 amounted to £125,101. In all, a sum of £349,275 has been advanced during the three drought seasons ended the 30th June, 1938. The

amount of drought relief written off has amounted to £36,419. At the end of the year, the books disclosed that 1,025 settlers remained in receipt of drought relief. The indebtedness of these settlers at the 30th June, 1938, was as follows:—Principal, £189,488; interest, £7,840; total, £197,328.

We have no option to continuing this legislation in view of the existing emergency. I am sorry to make that announcement; but we are all aware of the fact. I hope the time is not far off when we may discontinue this legislation, but for the present it is absolutely essential. I therefore move—

That the Bill be now read a second time.

HON. H. V. PIESSE (South-East) [10.5]: With the Chief Secretary, I regret the necessity for the re-enactment of this legislation. It is, however, more than ever necessary because of seasonal failures, particularly in the wheatgrowing areas; and, of course, because of the exceedingly low prices that are being offered to-day. Because of these low prices, other legislation has been introduced to enable farmers to carry on. Members will have noticed in the Press that many marginal farmers have now lost heart, and the Government has suggested that some of them be removed to safer areas. The praise of Western Australia is due to those men for the way in which, under very adverse conditions, they have stuck to their holdings. They will certainly make excellent farmers if they are given an opportunity to settle in safer districts. A point I should like to mention is that the Government has power under the Act, without leading the farmers to think they are objects of charity, to advance sufficient money for them to inspect southern properties such as the group settlements, and other agricultural farms that are in the market. If any of the men are removed to those properties and take possession of them, I hope the Government will give them a fair working chance by reducing the capital cost to a reasonable amount.

Hon. J. Cornell: That cannot be done under the Industries Assistance Act.

Hon. H. V. PIESSE: No; but under that Act the Government can provide the necessary money to permit those people to travel to the south in order to inspect the properties. How are they to travel, unless they can secure grants from some other special funds that might be made available

by the Government? Under the Act, settlers who are still on their farms could be given small advances for the purposes I have mentioned. To-day a farmer from the Tardun district interviewed me and said that the settlers were very keen to discover whether they could obtain sufficient money to make an inspection of some of the farms in the south. The difficulty most of them will be up against is that the Government has not sufficient funds to advance to enable them to take up holdings in the areas where money is still owing to the Agricultural Bank. The provision of finance to remove those men from the marginal areas to such areas as the Great Southern, Kojonup and other fancy districts, will be very difficult.

Hon. G. B. Wood: Did you say "fancy" districts?

Hon. H. V. PIESSE: Yes, and I say that advisedly, having knowledge of the districts. I know that the Bill will meet with the approval of all members.

Question put and passed.

Bill read a second time.

In Committee.

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

BILL—APPROPRIATION.

Second Reading.

THE CHIEF SECRETARY (Hon. W. H. Kitson—West) [10.11] in moving the second reading said: This is the usual Bill introduced each year, following the passing of the estimates of expenditure from the Consolidated Revenue Fund and the General Loan Fund. Supply Bills have been passed during this session covering £3,700,000, and Clause 2 of this Bill authorises further supply to the total of the estimates. Clause 3 appropriates the supplies to the respective services as detailed in the estimates and summarised in Schedules B and C. It also provides for Advance to Treasurer for the purpose set forth in Schedule D.

The amounts requiring appropriation are £6,778,342 for the Consolidated Revenue Fund; £1,807,845 for the General Loan Fund; and £500,000 for Advance to Treasurer, making a total of £9,086,187. This is exclusive of the expenditure permanently appropriated under Special Acts totalling

£4,280,095. Clause 3 further confirms the appropriation of expenditure in excess of the estimates for last year, full particulars of which are given in Schedules E and F. As a set-off against the excesses on the various items enumerated, there were unexpended balances on other votes so that the net result for the year 1937-38 was as follows:—

Consolidated Revenue Fund—			
Appropriation	..	..	£6,622,245
Expenditure	..	..	6,647,827
Net Excess	..	..	£25,582
General Loan Fund—			
Appropriation	..	..	£2,241,427
Expenditure	..	..	2,315,004
Net Excess	..	..	£73,577

The actual excess on the amounts voted by Parliament for the two funds was therefore £99,159. Revenue collections for the year were £10,819,042 compared with the estimate of £10,652,985, an increase of £166,057. This increase was mainly derived from taxation, which returned £137,217 more than the estimate, while profits from the State Trading Concerns and recoup of departmental charges were greater to the extent of £33,057. Small decreases were shown in land and mining revenue and public utilities. The total expenditure, including £4,181,908 under Special Acts, was £10,829,735 against an estimate of £10,781,840, an increase of £47,895. This was mainly due to interest on the internal debt, £10,858, transfer to the reforestation fund £9,765, drought relief £18,246, and grant to the hospital fund £12,935. Savings on various other items brought the net increase down to the figure stated.

The final result of the year's transactions was the small deficit of £10,693. When preparing the estimates for the current year we anticipated a deficit of £19,346, revenue being set down at £11,039,091, and expenditure at £11,058,437. These figures will be affected by the Commonwealth grant, which we have since been advised will be £570,000, or £5,000 less than the amount we included. Compared with last year, revenue is expected to be greater by £220,049, and expenditure greater by £228,702.

On the revenue side taxation is expected to return £76,763 more than last year, law courts £3,043 more, and public utilities £226,891 more, while territorial and State

Trading Concerns will be less by £54,110 and £20,022, respectively. The principal items making up the increase under taxation will be income tax and dividend duty £32,877, financial emergency tax £25,349, and stamp and probate duty £23,009, while land tax is expected to be £11,083 lower.

Because the pastoral and other districts experienced a comparatively good season last year, a considerable amount of land tax arrears was paid. It is not anticipated that any further arrears will be received this year; therefore, revenue from this source is expected to register a decrease. Under the heading of territorial, land revenue is expected to show a decline of £20,600 due to relief from payment of rent in drought-affected areas granted by the Pastoral Appraisal Board. Timber revenue will be reduced by £34,626, owing to fewer orders for export sleepers and the almost complete cessation of sandalwood sales as a result of the war in China.

The estimated decrease under State Trading Concerns is due mainly to the fact that last year the Wyndham Meat Works experienced an exceptionally good season; and, with a fall in export prices this year, a considerable shrinkage in the returns is considered to be inevitable.

The increased revenue from public utilities is expected to be provided by the following concerns:—

Metropolitan Water Supply	..	£25,816
Railways	..	154,058
Tramways	..	22,432
Electricity Supply	..	20,963

The improvement in the returns from water supply, tramways, and electricity is the result of expansion of the respective services. The railways will be handling more wheat this season on account of a bigger harvest, and also a large carry-over from last season, which will swell the receipts of that department.

Expenditure this year is estimated to be £11,058,437, or £228,702 greater than last year. Of this increase, payments under Special Acts account for £98,187, interest and sinking fund on the public debt being £105,480 more than last year, payments under the Constitution Act £1,317 more, and under other Acts £8,610 less.

Hon. J. Nicholson: That shows the effect of borrowing.

The CHIEF SECRETARY: Quite right, but unfortunately we cannot avoid borrow-

ing. The public debt charges are greater to the extent of £36,418 on account of the State's becoming liable for the full rate of interest on migration loans. These loans were raised between 1924 and 1931, and under the Migration Agreement the State was required to pay interest at 1 per cent. for the first five years of each loan 12/3rds per cent. for the second five years, and thereafter the full rate at which the money was borrowed. During the current financial year the second five-year period will have expired on all but £491,418 of the loans, so that future increases on this account will not be very great.

The reduced payment under other Special Acts is mainly due to a smaller amount being provided for transfer to the reforestation fund. Under the Forests Act, three-fifths of the net revenue of the department is paid into this fund, and as the timber revenue will be less this year it follows that the amount to be transferred will also be less. The estimate of governmental expenditure for this year is £24,129 less than the actual expenditure last year. The Treasurer's department shows a decrease of £129,670, but all other departments show increases, due largely to the higher basic wage that came into force on the 1st July last. Other factors affecting individual departments are increased payments by the Child Welfare Department to women on whom children are dependent, cost of the general election next year and provision for contributions under the National Insurance Scheme.

The reason for the decrease in the estimates of the Treasury is that arrangements have been completed for the Agricultural Bank to make advances for drought relief out of repayments received by the bank. Last year an item was provided on the estimates for the expenditure, repayments being credited to revenue. Public Utilities are expected to require £154,644 more than last year. Here, again, the basic wage is a contributing factor to the increase, and a further reason is the added cost of extended services, such as water supplies and sewerage, electricity supplies and trolley buses which, as a result of the expenditure, will bring in additional revenue.

Clause 4 of the Bill and Schedule G deal with expenditure from the reforestation fund established under Section 41 of the Forests

Act, 1918. Authority is requested for the expenditure of £60,000 from this fund on items listed in the schedule. The whole of this money will be devoted to the improvement and reforestation of State Forests and the development of forestry. I move—

That the Bill be now read a second time.

On motion by Hon. C. F. Baxter, debate adjourned.

BILL—BREAD ACT AMENDMENT.

Second Reading.

Debate resumed from the 1st December.

HON. H. V. PIESSE (South-East) [10.23]: I was pleased to hear the remarks of the Honorary Minister concerning Dr. Sutton. I regret that gentleman was not made chairman of the board appointed under the fixation of prices legislation. His reputation is Australia-wide. He has a wide knowledge of the bread industry, the milling industry, the growing of wheat, and of everything to do with the agricultural pursuits of Australia. He is a man of great experience, and one we all admire and look up to. I am an old student of the doctor, having been under him at the Hawkesbury College in 1901. I renewed acquaintance with him when he arrived in Western Australia and no one appreciates his qualities better than I do. His experience on the board, even as an ordinary member, will be most helpful.

Hon. J. Cornell: Has this anything to do with the Bill?

Hon. H. V. PIESSE: Yes. I am not decrying other members of the board, the chairman of which, I understand, is an official of the Treasury. The Honorary Minister referred to dough weights. From inquiries I have made, I understand that the yield per ton of flour cannot be reconciled with the figures quoted in Sir Herbert Gepp's report, and that 2 lbs. 3½ ozs. is a more equitable weight. This legislation would be under the jurisdiction of the Chief Inspector. I hope this will not restrict the activities of the local health officials. I was interested to hear the remarks of the Honorary Minister concerning the serious effect that breakfast foods have upon the baking trade. It is said that a ton of wheat made into flour is worth £27 if sold as bread, but is worth in the vicinity of £125 when converted into breakfast foods.

Hon. J. Cornell: That does not include porridge.

Hon. H. V. PIESSE: That shows the unfortunate position the trade is in.

Hon. G. B. Wood: What are you talking about?

Hon. H. V. PIESSE: About bread, and the making of flour into bread.

Hon. J. Nicholson: Bread is the staff of life.

Hon. H. V. PIESSE: But man cannot live by bread alone.

Hon. J. Cornell: We ask for bread and you give us a stone.

Hon. H. V. PIESSE: Mr. Holmes said that unfortunately the purchaser of bread could not get a loaf of the correct weight. Most members will agree that the weighing process has certainly increased the quality of the loaf.

Hon. J. J. Holmes: I cannot eat the bread that is sold to-day; it is not cooked.

Hon. H. V. PIESSE: Perhaps the hon. member is not young enough to enjoy new bread. One of the greatest troubles we have to face is that bread is taken out of the oven, stacked into carts and delivered almost immediately it is baked. The vehicles themselves have to be inspected, but great difficulty has been experienced by the officials in policing the Act because of the variety of delivery vehicles used. Not only will this Bill greatly assist the inspectors in their task, but it will ensure that no vehicle conveying bread shall escape periodical inspection. Section 23 is a very important part of the Act. The period of one month has been in the Act for many years and while it may be necessary to extend this in the country areas, the time now stated in the Act should still apply to a radius of 25 miles from the G.P.O. In Committee I shall move in that direction.

Some little time ago, when Sir Herbert Gepp visited Western Australia, I had the pleasure of listening to a lecture delivered by him to bakers and others at the Palace Hotel. I was greatly impressed with the information given by him regarding this important industry. There is no doubt that the millers and bakers should contribute to a movement having for its object the educating of the public in this matter. One had only to listen to Sir Herbert's remarks to realise how important the subject is. In the interests of the health of the people we

should insist upon a well-cooked loaf and the observance of satisfactory hygienic conditions. Mill-owners and bakers in Sydney have contributed to a fund to establish schools for the training of young bakers. When Western Australia emerges from the depression period we might be able to arrange to have a bakers' school, and I feel sure that the baking industry, the millowners and the wheatgrowers—if they get a reasonable price for their product—would subscribe to the fund, because the greater the quantity of bread used, the better for the industry. Only by education, research and the application of knowledge of the best methods of baking shall we be able to maintain the position we now occupy.

Registration is desired by most members; I mean that every industry should be registered. My reason for saying this is not to suggest that large sums should be collected by way of fees, but that registration of the various businesses would permit of policing our legislation. Registration will be of assistance to the price fixing board if this measure is passed. I should like the Honorary Minister, when replying, to state whether he proposes to collect fees under the Factories and Shops Act in addition to the fees proposed under this measure. I remind members that Western Australia produces the greatest number of bushels of wheat per head of the population, but it has the smallest home consumption of any of the States on the mainland. I sincerely hope members will give this Bill the same warm support that they extended to the measure of last year, although that Bill was rushed through at a late hour. The Honorary Minister should be congratulated upon the completeness of the information he offered when moving the second reading. I support the Bill.

Question put and passed.

Bill read a second time.

In Committee.

Hon. J. Cornell in the Chair: the Honorary Minister in charge of the Bill.

Clauses 1 to 6—agreed to.

Clause 7—Amendment of Section 12:

Hon. H. S. W. PARKER: A peculiar error appears in Section 12. Subsection 6 (b) (iv) refers to 12 p.m. on the Friday

preceding. I do not know what 12 p.m. means. I move an amendment—

That after the word "letters" in line 2 of paragraph (c) the words "'12 p.m.' in line 1 and" be inserted.

Amendment put and passed.

Hon. H. S. W. PARKER: I move an amendment—

That after the word "letters" in line 5 of paragraph (c) the words "'midnight' in line 1 and" be inserted.

Amendment put and passed.

Hon. H. S. W. PARKER: I move an amendment—

"That the following words be added to the paragraph:—"in the last line but one."

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

Clauses 8 to 10—agreed to.

Clause 11—Amendment of Section 18:

Hon. J. NICHOLSON: The clause provides that every person failing to do any act directed to be done or doing any act forbidden to be done by the Act or by any regulation under it shall be guilty of an offence against the Act and liable to a penalty of £20. However, Section 18 of the Act is sufficiently wide, and therefore the clause should be struck out.

The HONORARY MINISTER: The first paragraph of Section 18 refers to stamping of bread, and the stamping has been done away with and therefore the paragraph is of no effect. Paragraph (2) of Section 18 refers to description of bread by weight. That now has no force, as bread is no longer sold by weight. The proposed new Section 18 is more comprehensive than the relative section of the Act.

Hon. J. Nicholson: I will not press the matter.

Clause put and passed.

Clause 12—Amendment of Section 23:

Hon. H. V. PIESSE: I move an amendment—

That after the words "one month" in line 2 the words "within a radius of 25 miles of the General Post Office, Perth" be inserted.

This refers to the taking of proceedings for offences against the Act.

The HONORARY MINISTER: The clause prescribes a period of one month dur-

ing which action may be taken against an offender. Some local authorities found that the reports of health inspectors were so much delayed after passing through all the necessary ramifications that the time had expired when action could be taken against the guilty parties. We therefore seek to extend the period to three months.

Amendment put and negatived.

Clause put and passed.

Clause 13—agreed to.

New clause:

Hon. J. NICHOLSON: I move—

That the following be inserted to stand as Clause 5:—

Section 4 of the principal Act is amended—

- (i) by inserting after the word "ounces" in paragraph (b) of sub-section 1 the following words, "or more than two lbs. six ounces."
- (ii) by inserting after the word "ounces" in paragraph (c) of sub-section 1 the following words, "or more than four lbs. ten ozs."

The Act sets out the maximum in the case of a No. 1 loaf, but not in the case of the No. 2 or No. 3 loaf. To put the matter in order I propose to add the extra two ounces as a maximum following the principle laid down in the first paragraph.

The Honorary Minister: I do not oppose the new clause.

New clause put and passed.

New clause:

Hon. J. NICHOLSON: I move—

That the following be inserted to stand as Clause 6:—

Section 5 of the principal Act is amended—

- (i) by deleting the words "a nine ounce" appearing in paragraph (b) of sub-section 1 and substituting the words "not less than a nine ounce or more than a ten ounce."
- (ii) the said paragraph (b) is further amended by deleting the words "an eighteen ounce" appearing in that paragraph and substituting the words, "not less than an eighteen ounce or more than a twenty ounce."

That is on the same principle exactly.

New clause put and passed.

Title—agreed to.

Bill reported with amendments.

**BILL—ROAD DISTRICTS ACT
AMENDMENT (No. 3).**

Second Reading.

Debate resumed from the 22nd November.

HON. H. TUCKEY (South-West) [11.7]: Although most of the clauses in the Bill are very desirable, when the Committee stage is reached I propose to move one or two amendments. I do not like the idea of doing away with the usual practice of preparing a separate roll for each ward. I consider the preparation of one large roll would entail just as much work and would not be so useful for candidates and members of various wards in their many investigations. I hope this is not in any way the thin end of the wedge to do away with the ward system under which many boards work to-day. The ward system is a little cumbersome in respect to office work but gives complete satisfaction to ratepayers where the interests of wards differ in many respects. Will the same proposal also be adopted in the rate book, so that ultimately one account only will be kept for all wards? We should be careful not to sacrifice the advantages of the present system by cutting down a little clerical work in the making up of the rolls. In the Committee stage I will move to delete that clause.

I also desire to refer to Clause 9. I feel sure the Commissioner of Main Roads has no desire to be at the beck and call of all the road boards in the State in connection with every by-pass that has to be constructed. He would require to investigate most of the applications sent for his approval, on account of the many varied circumstances, and this would cause trouble and cost to his department. Furthermore, would it not be a reflection on local authorities to say that after scores of years of experience and responsibility in designing and building bridges and culverts, they are not capable of designing and erecting a by-pass? I feel sure that the road boards would prefer to have full responsibility in this matter, and I will move later to amend the clause accordingly. Apart from that, I approve of the Bill and hope the amendments to which I have referred will be supported by members.

Question put and passed.

Bill read a second time.

In Committee.

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

Clauses 1 to 3—agreed to.

Clause 4—Amendment of Section 38:

Hon. H. S. W. PARKER: The clause proposes to delete these words in the Act:—"Where a district is divided into wards, a separate list shall be made out for each ward." I have been in touch with various road boards and some desire an opportunity to have ward rolls. I therefore move an amendment—

That the words "subsection (2) therefrom" be struck out and the following inserted in lieu:—"the word 'shall' in line 2 and inserting the word 'may' in lieu thereof."

That will make it optional.

Hon. H. TUCKEY: I support the amendment, which will suit my purpose very well.

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

Clause 5—Amendment of Section 50:

Hon. H. S. W. PARKER: Clauses 5 and 6 automatically go out.

Clause put and negatived.

Clause 6 put and negatived.

Clauses 7, 8—agreed to.

Clause 9—Amendment of Section 149:

Hon. H. TUCKEY: I am convinced that road boards can undertake this work themselves; they have had years of experience in carrying out far more important works than the construction of a by-pass. It would be a reflection on the boards to say they were not capable of doing the work. There are 127 road boards in the State, and I am sure the Commissioner of Main Roads does not desire to be responsible for designing all the by-passes in the State. If a local authority wants the advice of the Public Works Department regarding a by-pass, such advice will be sought and will be gladly given.

The HONORARY MINISTER: The idea is that the Commissioner of Main Roads shall be the counsellor and friend of the local authority. Many smaller road boards do not employ engineers. The commissioner will design a standard by-pass.

Hon. H. TUCKEY: The matter is important to local authorities. It should be left to their judgment.

Hon. V. HAMERSLEY: The Commissioner of Main Roads does not control all

the roads in the State, but only the main roads. The road boards will receive applications by people desirous of constructing by-passes on other than main roads.

The HONORARY MINISTER: The Road Boards' Association pressed for this amendment. Country members should be careful how they vote on it.

Hon. H. TUCKEY: I have a great deal to do with the Road Boards' Association, but this matter is foreign to me.

The HONORARY MINISTER: I wish to make a correction; this request was not made by the Road Boards' Association.

The CHAIRMAN: The clause proposes to take away the power from road boards. That being so, I suggest to Mr. Tuckey that he move to delete paragraph (b).

Hon. H. TUCKEY: I move an amendment—

That paragraph (b) be struck out.

Hon. C. F. BAXTER: The object of putting down by-passes is to avoid fencing off the road. One never knows what traffic will pass over a road. There should be some authority over the road board to approve of by-passes before they are constructed. Some road boards might be prepared to approve of flimsy by-passes. All by-passes should be approved by the Commissioner of Main Roads.

Hon. G. B. WOOD: When speaking to the second reading of the Bill, I was afraid we might be conferring too much power upon the Commissioner of Main Roads. I have since spoken to the Minister who introduced the measure in another place and he informed me that the Commissioner of Main Roads did not want the power, but the department thought he should have it. I agree with that view. As Mr. Baxter said, some board might be tempted to construct flimsy by-passes. A central authority should have control of these by-passes. I do not think he would withhold his permission from any board, but the Commissioner of Main Roads would lay down a standard that he considered desirable. We do not know what traffic will proceed over these roads in the future.

Hon. L. CRAIG: I support the amendment. Most of the by-passes are on private property, and in the North they are constructed by station owners.

Hon. G. B. WOOD: But this provision would not apply to them.

Hon. L. CRAIG: A structure that will carry station traffic will take any kind of traffic. In the agricultural areas by-passes as a rule are constructed only on private property, very often adjoining railway lines. A man does not wish to fence a chain away from the railway fence and he applies for permission to erect a gate or put in a by-pass. Road boards are capable of saying what type of work shall be carried out. I intend putting in a by-pass on my own property and no one can tell me how I shall construct it.

Hon. H. S. W. Parker: But can you stop anyone going there? This provision applies to public roads.

Hon. L. CRAIG: If a private property owner is capable of constructing a by-pass, surely a road board can direct how the work shall be done.

Hon. H. S. W. Parker: But uniformity is required.

Hon. L. CRAIG: How is it possible to secure uniformity? In the south karri is used; in the Murchison, round gidgee or gimlet is utilised; in the South-West jarrair is availed of. There is no difference between by-passes and culverts. In the north old pipes and bore casings are used.

Hon. J. J. Holmes: And old rails.

Hon. L. CRAIG: Whatever material is at hand is utilised. Uniformity is impossible. All that is required is a reasonably strong job.

Hon. G. B. WOOD: The construction of by-passes will not be exactly the same right throughout the State. The Commissioner of Main Roads knows all about roads in the different parts of the State, and he is in a better position to judge.

Hon. T. MOORE: There has been a lot of trouble about by-passes. To have a uniform standard would be difficult. Old rails, pipes and other material have been utilised in various parts. While I have great regard for the Commissioner of Main Roads, I have every confidence in members of road boards, who have not made many mistakes. I support the amendment.

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

Clause 10—agreed to.

Clause 11—Amendment of Section 192:

Hon. J. NICHOLSON: References are made to the Commissioner of Main Roads throughout the clause and I think Mr.

Tuckey will require to amend the clause to bring it into conformity with the decision of the Committee on Clause 9.

The CHAIRMAN: I suggest the Committee pass the clause and ask for its recommitment, if necessary, to-morrow. It is too late to give close attention to the matter now.

Clause put and passed.

Clauses 12 to 15, Title—agreed to.

Bill reported with amendments.

BILL—SUPREME COURT ACT AMENDMENT.

Second Reading.

Debate resumed from the 17th November.

HON. E. M. HEENAN (North-East) [11.38]: I have had an opportunity to look into the Bill, which was introduced by Mr. Parker. The measure proposes to make amendments to Sections 69 and 71 of the Supreme Court Act, 1935. The purpose of the amendments is to extend the grounds for divorce so that people who have lived apart for seven years or more can apply for a divorce. From my reading of the Act, either the husband or the wife can apply, and once it is proved that the parties have been living apart for seven years it is mandatory on the court to grant a divorce.

The Bill adopts the principle that the guilty party may apply for a divorce, and no matter what his or her conduct has been during the intervening seven years the court must grant a dissolution of the marriage. This is a somewhat remarkable departure in two respects, the first being that the guilty party can apply, and the second being that the court has no discretion. In my opinion these are very real defects, and as there is a great likelihood of injustice being done to innocent parties I cannot support the Bill. The home is an institution which has suffered a great deal as a result of the materialism of to-day. The sad consequences present themselves on all sides, and many of our gravest problems are undoubtedly the direct result of this modern tendency. The law of our country admits the principle of divorce, but I claim that great care has to be taken before extending the law. We must not legislate for particularly hard cases. Our

duty is to safeguard the institution of marriage, and only in special cases give relief to innocent parties, and not to guilty parties.

The passing of the Bill will mean that a person who has callously deserted his wife and children, and who perhaps has lived openly in adultery for seven years, can apply to the court for a divorce from his innocent wife. Once the seven years' separation is through, the court must grant a divorce, irrespective of the wife's wishes in the matter. That is a state of affairs which we should not subscribe to, and we must not lose sight of the general principle involved, through the recital of individual unhappy cases. Although there may be some merit in the suggestion to amend our divorce laws, this proposed amendment is contrary to the underlying principles of the law, and, such being the case, I cannot support it.

Both Mr. Parker and Mr. Nicholson maintained that the measure was designed in the interests of public morality. To my mind this contention cannot be sustained, and I am afraid that the proposed ground for divorce will prove to be a very dangerous one, which will be too readily availed of to the disadvantage of innocent persons.

HON. T. MOORE (Central) [11.43]: I was inclined to support the Bill until I heard Mr. Heenan. Now my feeling is one of surprise that such a measure has been brought forward, if what Mr. Heenan has said is correct. I have known of divorce legislation being put through hurriedly in this Chamber. It was initiated by a member of this House, and afterwards had to be rapidly removed from the statute-book. Therefore I hope that this Bill will not be rushed. If it is to be considered to-night, it will be dealt with hurriedly. I want to consider the proposals contained in the measure. Having heard one side of the case as put forward by Mr. Parker, and the other side of the case as presented by Mr. Heenan, we should take time so that we may avoid making a mistake similar to that which was made some years ago. The debate should be adjourned so that we may institute a thorough inquiry into the objects of the Bill.

HON. J. CORNELL (South) [11.45]: I support the second reading. Mr. Parker was perfectly honest and candid in his

remarks. I understand the object of the Bill is to make separation after seven years a ground for divorce. I would considerably reduce the period if I had my way. Suppose a couple has been separated for a number of years, one or other, or both, may have been living in adultery during that period. We would only be condoning that sin by allowing it to continue. For that reason alone the bond should be broken to permit of the parties returning to a state more compatible with our laws and public morality, and probably one that will enable them to obtain a better outlook on life generally.

HON. H. S. W. PARKER (Metropolitan-Suburban—in reply) [11.46]: I was surprised to hear Mr. Heenan state that the Bill constituted a new departure. There is nothing new about it. A few years ago a Bill was passed through the State Parliament permitting the guilty party to proceed to the court to have a decree nisi made absolute. Several women had obtained a decree nisi and then, for various reasons, decided not to go on with the matter. A divorce is not complete until the decree is made absolute. Parliament passed legislation permitting the guilty party to make application to the court that the decree be made absolute.

Hon. E. M. Heenan: That is different from applying for a decree nisi.

Hon. H. S. W. PARKER: In New Zealand, either party may apply for a divorce after three years of separation.

Hon. L. Craig: The court has discretion there, has it?

Hon. H. S. W. PARKER: Yes. In this State, the court has no discretion. The suggestion has been made that the Bill will be unfair in the case of an innocent wife. Is it fair that a man who has lived with another woman and had children by her, but whose wife will not free him so that the children may be legitimised, should be prevented from marrying the second woman? The wife may, out of pure spite and spleen, bastardise the children throughout their lives, whereas on her own part she will have nothing to do with her husband. Is that fair or reasonable. On a conservative estimate, I should say there are more than 2,000 men in the metropolitan area at present paying maintenance to their wives. Probably most of them have been separated from their wives for at least three years.

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Is it right that the State should have all these married people separated from each other, and is it natural to expect that at least one party to the marriage has not committed adultery? Would it not be better for the State that these men who sometimes live in open adultery, because the wife, out of spite, not wanting the husband herself, and sometimes for blackmail, will not divorce the husband, should be allowed to regain their legal freedom? In the interests of morality they should have that right. Even the guilty party should have it, so that he or she may terminate an unhappy and unfortunate marriage, due probably to a mutual mistake in the first place. I am not concerned whether the period fixed is three, five or seven years: I think seven years is perhaps too long.

Divorce used to be governed by ecclesiastical law. Once the law is given such discretion, unfortunate circumstances arise. A case recently came before the court of a woman who obtained a decree nisi against her husband on the ground of adultery. She refused to apply for the decree to be made absolute, and the law was altered to permit of the man doing so. He applied for the decree absolute, but the judge hearing the case said that in his opinion there had been collusion. The husband appealed to the High Court, and the Chief Justice of that tribunal said there had been no collusion and that the petitioner should get a divorce. Two other judges of the High Court said there had been collusion and that no divorce could be granted. The result of the discretionary power given to the court is that neither of these people by any process of law can be divorced. I believe the woman is virtuous in every way. If she lived in open adultery, the husband could not apply for a divorce because he himself is living in adultery. She cannot apply for a divorce on the ground of his adultery, because she has known of it for a long time and should have taken action before. I hope the Bill will be passed in its present form.

Question put and passed.

Bill read a second time.

In Committee.

Hon. J. Cornell in the Chair; Hon. H. S. W. Parker in charge of the Bill.

Clause 1—agreed to.

Clause 2—Amendment of Section 69:

Hon. G. B. WOOD: I move an amendment—

That in line 5 of proposed Subsection 6 the word "seven" be struck out and the word "five" inserted in lieu.

Amendment put and passed.

Hon. J. NICHOLSON: I move an amendment—

That in proposed Subsection 6 the words "whether by order of any court or by deed or agreement" be struck out.

Hon. T. MOORE: I call your attention, Mr. Chairman, to the fact that three of us cannot find the Bill on the file. In the circumstances, it is not fair that the measure should be rushed through to-night. Mr. Parker should report progress, so that we may know what we are doing.

The CHAIRMAN: As Chairman I cannot help it that you have not the Bill before you.

Hon. T. MOORE: Three of us have the same complaint to make.

Hon. E. M. HEENAN: I agree with Mr. Moore that we should deal with this matter carefully. A husband and wife may live apart for five years, but there may not be any intention on the part of either of them to desert the other. If Mr. Nicholson's amendment is carried one party can, at the last minute, make up his or her mind to apply for a divorce.

Hon. H. S. W. Parker: They would not be a very happy couple if they had lived apart for five years.

Hon. E. M. HEENAN: Circumstances might arise to keep them apart for five years; then either the husband or wife might receive an unwelcome surprise in the form of a divorce petition, which the court would have to grant.

Member: They could remarry then.

Hon. T. MOORE: The measure is being hurried. The Bill has not been distributed to members and we are putting it through at midnight. Why the haste? The matter is serious.

The Honorary Minister: It is getting near Christmas.

Hon. T. MOORE: Christmas does not matter. Mr. Parker's argument is in favour of the guilty person, someone who has played a rather rotten part in life generally and made it impossible for a good virtuous wife to live with him.

Hon. H. S. W. Parker: And vice versa.

Hon. T. MOORE: I am taking the other line.

The CHAIRMAN: Order! The question is whether certain words shall be omitted.

Hon. T. MOORE: The position is that if a guilty person goes before a judge the judge will have no opportunity to exercise discretion. The Bill proposes to take away his discretion.

Hon. H. S. W. Parker: On a point of order, has that anything to do with the words to be struck out?

The CHAIRMAN: I have told Mr. Moore that it has not.

Hon. T. MOORE: The point is that the measure will give some man who has played a rotten part in matrimony against an innocent woman the right to obtain a divorce. I shall not support the Bill.

Hon. H. S. W. Parker: The woman would have the right, but might not exercise it.

Hon. T. MOORE: Perhaps for certain reasons she may not want to do so. The hon. member wants to free the guilty party.

Hon. H. S. W. Parker: I want to free both.

Hon. T. MOORE: The hon. member wants to free the guilty party. The woman may not desire to free the man to carry on a life of adultery.

Hon. H. S. W. Parker: She prefers to let him live in adultery.

Hon. T. MOORE: She does nothing of the kind. She does not want to give him the right to legitimise children—

The CHAIRMAN: Order! That question was settled on the second reading.

Hon. T. MOORE: I say it was not.

The CHAIRMAN: The question is whether the words "whether by order of any court or by deed or agreement" shall be struck out.

Hon. T. MOORE: The clause says, "any person domiciled in Western Australia"—

The CHAIRMAN: That is not the question.

Hon. T. MOORE: I repeat that it is unfair to rush the matter. I oppose anything that will give a guilty person the right to do just as he likes.

Amendment put and passed.

Hon. G. FRASER: I move an amendment—

That the word "shall" in line 9 be struck out, and the word "may" inserted in lieu.

That will confer discretion on the court.

Hon. H. S. W. Parker: I do not object to the amendment.

Hon. T. MOORE: I have often heard it said that "may" in certain circumstances means "shall."

Hon. J. Nicholson: The meaning is set out in the Interpretation Act.

Hon. T. MOORE: Then where are we getting? We propose to remove the word "shall" and insert the word "may," which means the same thing.

Hon. H. S. W. Parker: What do you want to insert?

Hon. T. MOORE: I say that we are rushing this Bill through the Chamber. The hon. member is in a hurry to-night. He does not want to report progress because he thinks that we will be able to perceive defects.

Hon. H. S. W. Parker: If you have not been able to see them by now—

Hon. T. MOORE: I have not had the Bill.

Hon. H. S. W. Parker: Then why not get one?

Hon. T. MOORE: Copies of the Bill have not been supplied. I want the gentlemen learned in the law to tell me whether the word "may" does not mean "shall" in certain circumstances.

The CHAIRMAN: Could not the hon. member look up the Interpretation Act for himself?

Hon. T. MOORE: I have not had the time.

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

Clause 3, Title—agreed to.

Bill reported with amendments.

House adjourned at 12.7 a.m. (Wednesday).

Legislative Assembly.

Tuesday, 6th December, 1938.

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

ASSENT TO BILLS.

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

1. Financial Emergency Tax.
2. Financial Emergency Tax Assessment Act Amendment.
3. Lights (Navigation Protection).
4. Wheat Products (Price Fixation).

MOTION—STANDING ORDERS SUSPENSION.

THE PREMIER (Hon. J. C. Willecock—Geraldton) [4.34]: I move—

That during the remainder of the session the Standing Orders be suspended so far as to enable Bills to be introduced without notice and to be passed through their remaining stages on the same day, and all messages from the Legislative Council to be taken into consideration on the day they are received; and that consideration of this motion be proceeded with forthwith.

Mr. SPEAKER: That means that the Premier is asking the House to agree to the suspension of the Standing Orders to permit consideration of the motion forthwith.

The PREMIER: I have moved that the motion be considered forthwith.

Mr. SPEAKER: It is customary to move for the suspension of the Standing Orders, and then to proceed with the business.