

And following that a few days later, a cable message appeared in the "West Australian" to the following effect:—

The London "Daily Herald" says it is understood that the federated textile employers of Great Britain have decided on a wage cut of 14 per cent., despite the fact that the textile workers of Britain suffered a reduction of 10 per cent. last year after a prolonged lock-out.

That is the whole principle of international competition in practice: the Japanese textile manufacturers producing their manufactured goods and making their own people pay a higher price in order that they might export their surplus at a price that makes it difficult for other nations to compete with; then the French manufacturers find that their grip on the world market is slipping, and they set to work to counter Japanese competition by making a wage slash upon their own employees; then the British textile manufacturers, finding that the French and Japanese manufacturers are robbing them of their markets, set to work to slash down the wages of their employees in their factories. So the whole mad process goes on, and every slash in the wages of the employees in England, in France and in Japan means an immediate and permanent contraction in the world market, with the result that during the last four years the world market has been reduced enormously. So long as the present suicidal policy of mad international competition goes on, so long as the policy of driving down wages to a poverty basis is continued, so long as the present antiquated monetary system is forced upon the peoples of the various nations, so long will the world market continue to contract, and so long will the people of every nation continue to suffer misery and uncertainty. I will conclude with the hope that, although our Treasurer has budgeted for a deficit of £750,000, something will be done in the direction of evolving a more constructive policy for Australia and that, as a result there may be some reduction in the estimated deficit. Nobody derives any great happiness from contemplating a shortage of three-quarters of a million pounds in the accounts of the State for the current year; every member of the House would prefer to see the accounts balanced; but in existing circumstances it seems to be impossible, and in my judgment it will not be possible for this State to have a balanced

Budget until such time as there is a drastic alteration in the economic and financial policy of the Australian nation.

Progress reported.

## BILL—FINANCIAL EMERGENCY TAX.

### *Council's Message.*

Message from the Council received and read, notifying that it had agreed to the Financial Emergency Tax Bill as amended by the Assembly and had read the Bill a third time.

## ADJOURNMENT—ROYAL SHOW.

**THE PREMIER** (Hon. P. Collier—Boulder) [10.20]: I move—

That the House at its rising adjourn until Tuesday, the 17th October.

Question put and passed.

*House adjourned at 10.22 p.m.*

## Legislative Council,

*Tuesday, 17th October, 1933.*

Question: Mining, safety of underground workers ...	1304
Assent to Bills ...	1305
Bills: Police Act Amendment, 2r. Com. ...	1306
Metropolitan Whole Milk Act Amendment, 2r. ...	1325
Fruit Cases Act Amendment, 2r. ...	1310
Motion: Railways capital account, to inquire by select committee ...	1328

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

## QUESTION—MINING, SAFETY OF UNDERGROUND WORKERS.

Hon. C. B. WILLIAMS asked the Chief Secretary: 1, Is he aware that a few days ago when a number of underground workers were changing shifts in double deck cages on the Golden Mile some of them had a miracu-

lous escape from being drowned? 2, Will he safeguard the interests of underground workers by causing an inquiry to be held as to the efficiency, or otherwise, of the machinery and boilers in operation on this shaft. 3, If any reports or files are available on this matter, will he lay them on the Table of the House?

The CHIEF SECRETARY replied: 1, No. 2, If the hon. member will indicate the name of the mine, the shaft, and the date of the alleged occurrence, inquiries can be made. 3, The Department of Mines has no information of any kind to lay on the Table of the House.

### ASSENT TO BILLS.

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

- 1, Financial Emergency Tax.
- 2, Financial Emergency Tax Assessment Act Amendment.

### BILL—POLICE ACT AMENDMENT.

#### *Second Reading.*

Debate resumed from the 4th October.

HON. E. H. GRAY (West) [4.35]: I strongly support the Bill.

Hon. J. Cornell: Another democrat.

Hon. E. H. Harris: With emphasis on the "strong."

Hon. E. H. GRAY: Anyone who has been a member of a relief committee would scarcely do other than support the Bill. I am surprised at the remarks of members of this Chamber. We are supposed to be leaders and not followers. I imagine that the statements of some members will tickle the ears of a large number of people, and will tend to gain their support. There are times, however, when public men have to take a stand. On a Bill of this kind no one with any backbone, or any thought for the large army of unemployed men and women, should decline to face the barrier and express his sincere opinions.

Hon. J. Cornell: Take his stand four years before an election.

Hon. C. B. Williams: Do not you think the hon. member would be sincere?

Hon. E. H. GRAY: It would not make any difference to me whether the election was four years hence or next week. One cannot follow along a track for three years, and suddenly turn about face and adopt a different attitude. The Bill will help the genuine unemployed man. Mr. Thomson quoted the case of a man who was picked up in the country. He explained the circumstances of the case, and went on to say that the man in question was liable to be arrested, brought before the court, and convicted as a rogue and vagabond.

Hon. A. Thomson: And after the case was made public he was reinstated in his job.

Hon. E. H. GRAY: That shows he should not have been made to run the risk of being classed as a rogue and vagabond. The Government have instituted a certain policy. The Minister in charge of it has to carry out and formulate a plan, though not such a large plan as we had hoped for, nor so all-embracing. This plan is to provide employment for as many persons as possible. The plan is not as comprehensive as thousands of people hoped for, but it is the best that could be submitted in view of the financial position. The success or failure of the plan depends entirely upon the administration. I do not know what the results of the new scheme would be if it were loosely administered, and all and sundry were allowed to make all kinds of statements and be provided with work as a result of such statements. The last state of the unemployed would be worse than the first. It would have the effect of bringing large numbers of men in various parts of the State to the city in order to get jobs here. If the scheme were not properly administered, men who are on three-quarter or half time would imagine they could get a much better job by telling a lie or making a false statement. In a month or two the Government would be faced with a far more difficult situation than they were in at the beginning, and the whole plan would fall to the ground. The number of persons who impose upon the department and the funds is comparatively small, although in the aggregate a large sum of money is represented. I cannot understand the anxiety of certain members of both Houses to protect this class of person, although there are not many of them. When the depression first started, those who were engaged in provid-

ing relief were astonished at the methods adopted by certain members of the unemployed ranks to get assistance. The leakage in the law was discovered over three years ago.

Hon. J. Cornell: Why not proceed by summons?

Hon. E. H. GRAY: I will explain that later. Would this House agree that it was fair and proper for persons seeking relief to sign false statements in order to secure it? There is the case of a man, one of whose children was living in London. He was given relief for over 12 months, at the rate of 7s. per unit per week. He drew relief for the absent child as well as the others. Because this man was not receiving rations and was working for a relief committee under the Government scheme, he could not be prosecuted. That is one of the reasons why this Bill has been brought down.

Hon. J. Cornell: Why did not the previous Government bring it in?

Hon. E. H. GRAY: The ex-Minister in charge had not the moral courage to do so.

Hon. J. J. Holmes: You were saying there was a leakage three years ago, and you were put off the track.

Hon. E. H. GRAY: The case I refer to began early in the unemployment scheme of the previous Government. This man was receiving 7s. per week for a child who was not in the State.

Hon. A. Thomson: He was working for her, was he not?

Hon. E. H. GRAY: Yes. If he had been receiving rations, he could have been prosecuted. Members of the Unemployment Board have been pressing for this amendment to the law for three years.

Hon. J. Cornell: Of course. It is the easy way for them.

Hon. E. H. GRAY: We cannot allow such a state of affairs to continue. When the bigger scheme was brought in and the Government said they were going to have everyone working for his rations—

Hon. J. Cornell: Where is the bigger scheme?

Hon. E. H. GRAY: The field became wider and bigger, and there was greater opportunity for imposition. The Government have only a certain sum of money with which to provide relief and work. If they are going to allow unscrupulous people to

take work to which others are entitled, this will only lead to starvation for those other people.

Hon. J. Cornell: If the measure were to be administered like the Electoral Act, I would not have any objection.

Hon. E. H. GRAY: God help the unemployed if that were the position! However, the Electoral Act has nothing whatever to do with the Bill before the House. I do not desire to be dragged away from my theme or I shall become bad tempered. The trouble regarding the unemployment problem is the imposition practised by a small section on the various relief committees. For instance, there was a reverend gentleman of the highest standing in Fremantle who entered into the work of unemployment enthusiastically when it was inaugurated 3½ years ago. He was anxious, willing and eager to render social service to the community, quite apart from his work as a minister of religion. He commenced to participate actively in the work and sat beside me at the committee table. At the first Sunday night's service after he had commenced his work, he noticed a large influx of people to his congregation, people he had never seen before.

Hon. R. G. Moore: He would be pleased with that.

Hon. E. H. GRAY: At the outset he was pleased, but he found that the same persons were knocking at his front door on the following morning in order to seek relief. The trouble nowadays is not with the man who is down and out; it is not with the hobo who we know must be assisted. In many instances they are individuals apparently imbued with ideas of good citizenship and operate under the cloak of religion. People of that type batten on the various relief committees throughout the State and impose on the Government relief measures. They are people who, on appearances, could be taken into anyone's home. They are comparatively well educated and well behaved and, to all outward appearances, really good citizens. They are the persons who have to be watched. They are the ones who are the biggest offenders against the work of the relief committees and impose on the Government for relief. The object of the Bill is to deal with people of that type. They are persons who will batten on anyone else and are willing to swear any lie in order to get assistance.

Hon. C. F. Baxter: Do you not think that the moral effect of this move is what will count?

Hon. E. H. GRAY: I agree that the moral effect of this legislation will stop a tremendous amount of imposition.

Hon. C. F. Baxter: That is the point.

Hon. E. H. GRAY: It is regrettable that in all probability members of both branches of the Legislature, who have courage enough to support the Bill, will be subject to hostile criticism through the lack of backbone displayed by those who have opposed the measure in this Chamber and in another place.

Hon. J. J. Holmes: It should not require much courage to support a Bill like the one before us.

Hon. E. H. GRAY: That is so, but the people generally look to members of Parliament to give them a lead, and when they see men like Mr. Nicholson, Mr. Cornell and Mr. Thomson opposing the Bill and making statements such as they have made, purely for political purposes—

Hon. A. Thomson: You are wrong in saying that.

The PRESIDENT: Order! The hon. member must not make such a statement.

Hon. E. H. GRAY: Then I will withdraw it.

Hon. J. Nicholson: I do not think the hon. member read what I stated, or he would not have made such an assertion.

Hon. C. B. Williams: He was not here when you spoke.

Hon. J. Nicholson: I said I did not want to oppose the Bill.

Hon. E. H. GRAY: Opposition on the part of any member to a Bill of this description is a sign, in my opinion, of weakness and certainly of lack of backbone.

Hon. J. Cornell: You are a good judge of that.

Hon. E. H. GRAY: The effect of such opposition is to create in the minds of the people an impression that there is something wrong. As a matter of fact, there is everything right about the Bill. A point made by Mr. Nicholson, Mr. Cornell, and Mr. Thomson had reference to the provision enabling imprisonment to be imposed without a fine. Members of Parliament are not supposed to be lawyers, but I was surprised at the remarks of Mr. Nicholson.

Hon. J. Nicholson: That phase is provided for in a section of the Justices Act.

Hon. E. H. GRAY: And in two or three other Acts as well. Section 106 of the Justices Act includes the following:—

And where justices have authority under an Act other than this Act, whether past or future, to impose imprisonment for an offence punishable on summary conviction, and have not authority to impose a penalty for that offence, they may, notwithstanding, when adjudicating on that offence, if they think that the justice of the case will be better met by a fine than by imprisonment, impose a penalty not exceeding £25, and not being of such an amount as will subject the offender under the provisions of this Act in default of payment of the penalty, to any greater term of imprisonment than that to which he is liable under the Act authorising the imprisonment.

Hon. J. Nicholson: Do you regard the penalty of £25 as sufficient? That is what occurred to me.

Hon. J. Cornell: Or do you think imprisonment would be better?

Hon. E. H. GRAY: I think the penalty provided in the section is quite sufficient. The hon. member seems most anxious to increase the fine.

Hon. W. J. Mann: What would you suggest?

Hon. C. F. Baxter: I know what Mr. Gray would have suggested had the previous Government introduced this legislation.

Hon. E. H. GRAY: If members desire my opinion, they can get it from the files of the Unemployment Board. If Mr. Baxter had done that he would not have made such a statement. The man who wilfully makes a false statement in order to get work under the circumstances that prevail to-day, does an injury to others and deserves punishment. That sort of thing must be stopped. Some members, in opposing the Bill, have created the impression that a man was not supposed to look for work. That is not so. If a man has money in the bank—

Hon. A. Thomson: How much? What are the conditions laid down?

Hon. E. H. GRAY: Every application is taken on its merits, and my association with the Unemployment Board during the last three years convinces me that the board have been fairly liberal.

Hon. A. Thomson: I found that they turned down a man because he had a boy working for a few shillings a week.

Hon. E. H. GRAY: That is a matter of policy: the Bill deals only with people who

make false statements in order to secure work. We should make the position clear. The Government say their financial resources enable them to provide work for a certain percentage only of the unemployed, and that the major part of their scheme will be confined to destitute persons. Everyone knows that a condition for relief from the Government at present is destitution. Thousands of those people are really good citizens, but have been unable to secure work and are at present on the verge of starvation. Those are the persons the Bill will protect.

Hon. J. Cornell: Provided they are unionists.

Hon. E. H. GRAY: The Bill will protect every man, woman and child in the State who are down and out through unemployment. Its passage is essential to the successful carrying-out of the Government's scheme. On that ground, and because I know that imposition is practised by a small section of the people only, and that the measure will be immensely beneficial to the unemployed, I support the second reading of the Bill.

**HON. G. FRASER** (West) [4.55]: I desire to dissociate myself from the remarks of my co-member for the West Province who has just resumed his seat. I cannot support the Bill. I have an objection to the amendment being included in the Police Act, despite the fact that the measure contains a proviso that a person convicted under its provisions shall not be deemed a rogue and vagabond. It does not appear to me to be necessary to amend the Police Act to achieve what the Minister desires. The offence outlined in the Bill is entirely different from the others dealt with in the Police Act and for which convicted offenders are deemed rogues and vagabonds. The Government's purpose would have been much better served had a separate Bill been introduced making the offence punishable, quite apart from the provisions of the Police Act.

Hon. J. Nicholson: The amendment would not be harmful in the Police Act so long as it was not associated with the rogue and vagabond provision.

Hon. G. FRASER: That may be so. The necessity for the Bill is temporary and the amendment should not be made permanent in the Police Act. I cannot agree that a man

commits a crime by making a declaration with the object of securing work.

Hon. G. W. Miles: Not a crime to make a false declaration!

Hon. A. Thomson: It all depends upon how much money the individual has.

Hon. G. FRASER: There are many men who have made declarations simply from the standpoint of obtaining work. I cannot see that that represents a crime. We know the procedure usually adopted by the Unemployment Board. Immediately an individual makes application for assistance, the first question put to him is, "Will you take a job in the country?" Many of those people are anxious to secure work and would not, under any circumstances, accept sustenance. They sign the declaration in order to get employment. Is it right to force a man to spend his last penny before providing him with a job?

Hon. A. Thomson: Hear, hear! Unfortunately that is the position to-day.

Hon. G. FRASER: Men are justified in adopting the course I have indicated and certainly should not be charged with having committed an offence because of an attempt to secure work. A man may have £5 or £10, the last of the money he has been able to save, and are we to force him to spend every penny of it before we render him assistance? That is what is happening to-day. The system is that a man must be in receipt of sustenance before he can obtain work. Some men have been walking the soles off their boots for upwards of two years, endeavouring to secure work from private firms or persons. Such men see their life savings eaten up and we are to say to such men that they must lose even the little they have before they can secure work. Can we blame such men if they make a declaration such as has been objected to, merely in order to obtain work? I know of individuals who had no intention of accepting sustenance but they have been compelled to do so in order to obtain employment.

Hon. E. H. Harris: Then you condemn the present policy?

Hon. G. FRASER: I condemn the policy of any Government who stipulate that a man must first be on sustenance before he can obtain work. It is not right. I opposed it before when it was submitted by another Government and I will oppose it again. I should like to assist the Government to get

at those people who commit a grave offence, and certainly there are some who do so, those people who are possessed of a fair amount of assets; but when it comes to a paltry few pounds, no man should be charged because he makes a false declaration. Mr. Gray referred to the hobo.

Hon. E. H. Harris: We have not had a definition of it yet.

Hon. G. FRASER: We can supply our own definition. A hobo to-day can get sustenance or a Government job, but the genuine man who has reared a family and worked for years, and done everything that a good citizen should do, merely because he has a few pounds put by, is going to be made a criminal. I hope the Bill will not go through as it stands. I cannot see that it is a crime for a man to make a false declaration merely to obtain work. It is the right of every individual in the State to work. I shall vote against the second reading of the Bill and I hope it will be defeated.

HON. E. H. H. HALL (Cental) [5.3]: I congratulate Mr. Fraser on the speech he has just made. The matter is a very difficult one and I sympathise with the Government, though at the same time I congratulate them on having brought down the Bill. Still, I am not prepared to vote for it as it is, and I hope that if the second reading is passed, amendments will be made in Committee which will make it more in consonance with the views of the majority of members of this House. That should not be a very difficult matter to accomplish. I listened attentively to what Mr. Gray had to say. Many of us are familiar with the good work that he has done on various charitable committees extending over a period of three or four years. Therefore anything he says is deserving of every consideration. The hon. member to-day spoke that which he honestly and sincerely believes. Then we have his colleague in the West Province, Mr. Fraser, in entire disagreement with him. Mr. Fraser has been associated with municipal life in Fremantle and the fact that he disagrees with his colleague proves how difficult the subject is, and the difficulty facing the Government. When the previous Minister for Unemployment visited Geraldton a deputation waited on him and asked him to do something in the way of appointing honorary local committees, so as to shorten the time it was then taking to deal with appli-

cations for sustenance work. Mr. Scaddan, who was then the Minister for Employment, promised to go into the matter, but nothing was done. From what I have heard, there is every need for the appointment of these committees; that need is a very real one. The services of officials such as resident magistrates, clerks of courts, mayors, town clerks and sergeants of police could be availed of, and I cannot understand why this course is not followed. Nobody is more fitted to investigate the position of the unemployed than those who are actually in the centres concerned. When speaking a few weeks ago, I referred to a case of hardship, and the Honorary Minister said that I was confusing the questions of sustenance and sustenance work. The case to which I then referred was that of a man with five children who have gone off sustenance to take work, and when he had completed the work, sustenance was denied him because during the six months in which he worked—he was tallying wheat—he earned more than he would have received had he been on sustenance.

Hon. A. Thomson: And he would not be able to get anything until such time as he had cut out the money he had earned.

Hon. E. H. H. HALL: That man suffered severely, and to make matters worse he received notice of eviction from his home. Only this morning I received a letter from a man on the Murchison goldfields who wrote—

Thanks very much for your letter of the 19th re sustenance. Before receiving your letter I had made application for sustenance through the local police, and have since been allowed 3s. 6d. per day for the wife and five children; not much, but it will help.

I quite agree with the interjection by Mr. Holmes about signing false declarations. It is a serious thing; but would not any man do it if his children were short of food?

Hon. E. H. Gray: He would not go short of food.

Hon. E. H. H. HALL: The man to whom I referred was absolutely stranded. He went to the goldfields prospecting and there is his letter. There are circumstances under which a man would be justified in doing almost anything to obtain food for his children. It is difficult to pass the Bill as it has been presented to us. Where a man has been a good citizen and has done his best to rear his family respectably, and has still a few

pounds in the bank, he should not be denied the right to work. Even if we have to make further reduction in our own allowances, we should see to it that work is provided for those who are willing to accept it. I hope the Bill will be amended in Committee.

**THE CHIEF SECRETARY** (Hon. J. M. Drew—Central—in reply) [5.8]: In ordinary circumstances no sane Government would introduce a Bill of this character. But present circumstances are not ordinary. They are unparalleled in the history of Australia. The need of a measure of this description should be patent to anyone who has any knowledge of human nature. The responsibility of providing either work or sustenance for 14,000 unemployed has been thrown on the Government. There have been four years of depression, and many people are in a condition of absolute poverty. They have been able to keep body and soul together during those four years by Government sustenance, or part time work in lieu of sustenance. But they are in need of clothing now; some of them are in rags. The Government have had advances through the Loan Council to enable them to provide some relief work for these people, but there is not nearly enough to go around. The Government have devised a scheme under which there is a period of full time work and a period of standing down. The scheme is intended to apply only to those in want. If men, by false representations as to their financial circumstances obtain work under the scheme, they are defrauding these poverty stricken people. There should be no necessity to stress this point. A month's work given to unworthy persons by reason of their falsehoods, means a month's less work for those who are in great need. It means that men, who are not in want will be depriving less fortunate people of the opportunity of earning money to help to feed and clothe themselves and their families. I was surprised to hear Mr. Fraser's remarks. The object of the Bill is to amend the Police Act. It seems to me that Mr. Fraser would be satisfied if the offender who made a false statement in order to obtain work were merely sued before the local court, instead of being fined a small amount. I have no time for sentiments of that character. He says that a man who makes a false statement in those circumstances is not committing a crime. I say what most

people say, that such an offence is not only a misdemeanour but actually a crime. Mr. Fraser thinks that where it is a matter of a few pounds, a man should not be prosecuted for making a false declaration. That is another extraordinary statement. Under the criminal law a false declaration and burglary are on exactly the same basis, and for each the same punishment is provided. If people were allowed to make false declarations, even on minor counts, the community would not be safe.

Hon. G. Fraser: They should not be put in the position of having to make a false declaration.

The **CHIEF SECRETARY**: Of course not; they should simply be warned and no action taken! Should such conduct be winked at, tolerated, sympathised with? There is a genuine case for introducing this Bill, which is admittedly drastic. The Minister for Employment would be the last man to father the measure unless it were needed. He has been driven to it by the imposition that has been practised. The same thing occurred in regard to sustenance relief. But it has been checked. And why? Because the Police Act permitted prosecution under this head. It is an offence under the Police Act to obtain relief by false representations. Section 66 provides that—

Every person imposing, or pretending to impose, on any charitable institution or private individual by any false or fraudulent representation, either verbally or in writing, with a view to obtaining money or any other benefit or advantage commits an offence.

That Act was passed in 1892. There was not, at that time, and there has not been until the last few years, any ground for amending the law on the lines set down in this Bill. Otherwise, no doubt, the matter would have received attention.

This measure has not been introduced merely in anticipation of fraudulence. Fraudulence of the type covered by the Bill has been occurring, and is not punishable under the law as it stands. Mr. Holmes has interpreted the Bill correctly, and explained clearly and accurately the discretion it gives to magistrates. There is, however, an impression in the minds of some hon. members that a magistrate would be obliged to impose, on a convicted person, the maximum penalty—the 12 months' imprisonment provided for in the principal Act. Like Mr.

Holmes, I knew that this was not so, but I referred the matter to the Crown Law Department. The reply I received was that all fears in this direction would be allayed if I read paragraph 3 of Section 166 of the Justices Act, 1902-1926. Mr. Gray has already quoted that paragraph, and therefore I shall not read it again. It appears, from the provision in question, that a magistrate, on conviction of a defendant, may exercise his discretion and impose even the smallest fine. Mr. Nicholson expressed some doubt as to whether Section 68 would operate in such a way as to bring offenders within the category of rogues and vagabonds. The Crown Law Department say that Section 68 of the Police Act, 1892, has no possible application to Section 66.

Hon. J. Cornell: The Crown Law Department are nearly always wrong.

The CHIEF SECRETARY: Perhaps the hon. member interjecting is a competent judge. Mr. Mann thinks that people who may, through ignorance, have made a mistake in filling in a form, might find themselves in unsavoury company. In the first place they would not be prosecuted and they certainly could not be convicted under the Act unless they wilfully made a false representation in order to gain the benefit to which they were not entitled. In the second place the prosecution would have to be recommended by the Crown Law Department, to which all legal proceedings proposed to be taken by Ministers are always referred. It would then have to be approved of by the Minister. There is no question of unintentional errors, due to ignorance, in connection with these acts of fraudulence. I have here a copy of the form which has to be filled in, and which is simple enough for any one to understand. It reads as follows:—

#### UNEMPLOYMENT RELIEF—TEMPORARY ASSISTANCE.

Labour Bureau No.....

I, ....., hereby apply for Government assistance for the undermentioned who are each residing with and dependent upon me:—

1. Name (in full)..... Age.....  
(Surname first)
2. Address (in full).....  
(Give Street Number)
3. Christian Name of Wife (in full)..... Age.....
4. Occupation of Wife.....  
Earnings of Wife (if any).....
5. Particulars of Children under 14 years for whom assistance is claimed (Names and Date of Birth):—  
.....  
.....  
.....

6. Particulars of ALL Children over 14 years (Names and Ages):—  
.....  
.....  
.....  
.....
7. Occupation..... Nationality..... Union.....
8. By whom last employed and period.....
9. Wages..... Reason for Leaving.....
10. How long unemployed..... How long in W.A.....
11. Assisted or Nominated Immigrant.....  
Group Settler.....
12. Returned Soldier..... Rent per Week.....  
Paid to (date).....
13. Total Weekly War and other Pensions for Self and Dependents.....
14. Money in Hand—  
Self..... Bank..... Elsewhere.....  
Wife..... do..... do.....  
Dependents..... do..... do.....
15. Freehold or Leasehold Property—  
Self..... } Mortgages or  
Wife..... } Other  
Dependents..... } Encumbrances. }
16. Do you or your Dependents possess any Motor Vehicles?.....
17. Money or Income received from any other source (give particulars).....
18. Are you or your dependents receiving assistance from any other source?.....
19. Have you previously applied for Government Unemployment Relief?.....
20. If so, when, and for what period?.....
21. I undertake to notify the Relief Office of any change in my address, or any improvement in the circumstances of myself or family. I agree that if I do not repay by my labour under any sustenance scheme, I will refund the amount or value of any relief granted to me if I shall be in a position at any time hereafter to do so, on account of any benefit in money or property accruing to me from any source other than ordinary wages. In making the above declaration I fully understand that any false information given herein renders me liable to a prosecution.

I do solemnly and sincerely declare that:—

(1) the statements made on the above application are true and correct in every particular, and

(2) that I am in destitute circumstances, and I make this solemn declaration by virtue of Section 108 of "The Evidence Act, 1908."

Declared at.....this }  
.....day of....., 193..... }  
before me,..... }  
[Remarks Over] Signature.

So that no statement of serious import could be made otherwise than deliberately and wilfully, in the light of the requirements stated in the form. The Crown Law Department found that it was not possible to prosecute successfully for obtaining work under false pretences. I propose now to give hon. members an idea of the nature of these false pretences. I have the names here, but of course shall not mention them. Of the 26 prosecutions for obtaining sustenance by false representations, the following are sample cases:—

No. 1. This man deserted his own family and lived with another woman. He utilised her marriage certificate and the birth certificates of her children to obtain sustenance totalling £53. The woman's husband had been dead for 11 years.

No. 2. Applied for and received sustenance in respect of himself and wife. Stated on ap-

plication form that there was no income, whereas in effect the wife was in regular work and earning £2 10s. per week.

No. 3. In application form he declared he had no pension, but subsequent inquiries revealed he had a pension of 30s. per week.

No. 4. This man deserted his dependants, but continued to draw sustenance in respect of them. The wife had obtained employment for herself, and had received no help from her husband for some months.

No. 5. Received sustenance for self, wife, and child for three years, and the wife and child have not been supported by him for over seven years, the wife maintaining the child by working.

No. 6. Received sustenance for self and wife, yet for over four years she has been earning over £1 18s. 6d. weekly. No family. Been on and off sustenance since 1925.

No. 7. Received sustenance for self and supposed wife for two years, and his wife was not with or dependent upon him.

No. 8. Received sustenance for self and wife for nine months, and his wife was not with or dependent upon him.

No. 9. Received sustenance for self and family for almost two years, and obtained work which precluded him for many months from getting sustenance. He reported about one-third of the total earnings, and continued to receive sustenance at the same time.

No. 10. Received sustenance for self and family stating he was destitute, whereas actually he had £63 in the bank, and drew it out the day sustenance was granted. Received sustenance for 14 months before information was obtained, and had the money all the time.

No. 11. Received sustenance 18 months for self, wife, and one child, whereas the earnings of three children over 14, living at home, were £7 14s. 6d. weekly.

No. 12. Received sustenance for self and family and worked during the same period, off and on, and on several occasions. Reported earnings £43, whereas he actually earned £159 over the period he reported the £43.

No. 13. Received sustenance for self, wife, and one child, and at the same time was earning £4 19s. weekly.

No. 14. Received sustenance for self and family, whereas two sons over 14 were earning over £8 weekly.

No. 15. Drew sustenance for self and wife for 18 months, and she was not with or dependent upon him.

Those are some of the worst cases, but they are only a few. The result of the action taken by the Minister for Employment is that the aggregate amount of sustenance paid has been reduced by £30 per week. But it must be remembered that there are others who have not been daunted by the Minister's action, and are still prepared to take a risk. Six inspectors have been appointed to make inquiries into all suspicious cases; but it is

a slow process, and it is only by a vigorous application of the law in all instances in which it is clear that the law has been deliberately broken, that the interests of the taxpayers will be safeguarded. Mr. Cornell says the police will prosecute, and in 99 cases out of 100 the magistrate will believe the police and the defendant will not have a chance. Even if the police did prosecute without reference to the Crown Law Department, they would have to prove their case. They would have to produce the written statement of the defendant to the effect that he was indigent, and they would have to prove that he had financial means or definite sources of income which he declared he had not when he signed the form. We must have very stupid magistrates if they are built on the lines suggested by Mr. Cornell. If we have them, I have never seen or heard of them. Not even the most untutored J.P. would act in the manner represented by the hon. member. The "rogue and vagabond" aspect, which does not apply under the Bill, has been repeatedly dragged into the discussion. The proviso in Clause 2 specifically determines that an offender against the amendments in the Bill shall not be deemed a rogue and vagabond.

What surprises me is the sickly sentimentalism shown towards defrauders of the poor since this Bill last made its appearance in Parliament. If any sentiment come into the discussion, it should be directed towards those who will be robbed of relief work by the lying declarations of men who say they are penniless but who are in no need of relief work and who indeed are in good financial circumstances. As I have said before, every pound unjustly taken by these unscrupulous persons, even though they work for it, is a pound less for some unfortunate family in the last stages of poverty. To my mind, it is despicable for a man, after deserting his wife and large family—leaving the mother to earn a living for them at the wash tub—falsely to state that they are dependent on him, and thus draw sustenance on a large scale for his own benefit, and render him eligible later to obtain relief work on a broad basis. Such a man might well be classed as a rogue and vagabond, though the Bill does not go so far as that. I feel sure hon. members will take the right view of the position and pass the measure without amendment.

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

Ayes	..	..	..	15
Noes	..	..	..	7
				—
Majority for	..	..		8
				—

**AYES.**

Hon. C. F. Baxter	Hon. G. W. Miles
Hon. L. B. Bolton	Hon. T. Moore
Hon. J. M. Drew	Hon. Sir C. Nathan
Hon. J. T. Franklin	Hon. J. Nicholson
Hon. E. H. Gray	Hon. Sir E. Wittenoom
Hon. J. J. Holmes	Hon. H. J. Yelland
Hon. W. H. Kiteon	Hon. E. H. H. Hall
Hon. W. J. Mann	(Teller.)

**NOES.**

Hon. J. Cornell	Hon. H. Seddon
Hon. G. Fraser	Hon. C. B. Williams
Hon. E. H. Harris	Hon. A. Thomson
Hon. R. G. Moore	(Teller.)

Question thus passed.

Bill read a second time.

*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 66 of the principal Act:

Hon. A. THOMSON: I hope the Committee will not pass the clause as printed. We are asked to put into the Police Act a provision which will make a man commit a crime by simply looking for work. The cases quoted by the Minister could all have been dealt with under another Act.

Hon. E. H. Gray: Do you put your opinion above that of the Crown Law authorities?

Hon. A. THOMSON: They can make mistakes. If the Government had brought along the conditions imposed on those men who in seeking work are deliberately misrepresenting facts, one might have supported the Bill. But £60,000 is being spent in repairs to Government buildings, yet a man is not permitted to work unless he has been on sustenance. I know of men who, on applying for sustenance after having worked a few weeks, are asked how much money they earned while working and how much they have left. Is not that a humiliating position in which to place men who have been trying to earn a living for themselves and families? If we pass this clause, we shall inflict a definite hardship on many honest citizens.

Hon. E. H. Gray: What is to take its place?

Hon. A. THOMSON: The Government can find other means of prosecuting men who may be obtaining sustenance under false pretences. Good God Almighty! are we to brand men as rogues and vagabonds because they succeed in securing work to the extent of a few paltry shillings? That is what the Bill proposes.

Hon. Sir Edward Wittenoom: Succeed by false pretences!

Hon. A. THOMSON: The hon. member is in a very comfortable position, but there are thousands of others in this State who have seen their last shilling disappear, and whose clothes and boots are worn out. We are not doing justice to those reluctant to go on sustenance when we say they have to spend their last shilling before they can get work.

Hon. J. J. Holmes: All this has nothing to do with the clause.

Hon. G. W. Miles: Get back to the clause.

Hon. A. THOMSON: I am dealing with the clause and the effect it will have. Suppose I were unemployed and down to my last £5.

Hon. Sir Edward Wittenoom: If you deceived the officials, you would deserve all that you got.

Hon. E. H. Gray: Let a man be honest.

Hon. A. THOMSON: Would Mr. Gray like to be in the unfortunate position that thousands are in to-day?

Hon. E. H. Gray: No.

Hon. A. THOMSON: Then why not be more sympathetic? Out of 14,000 unemployed, the Minister has mentioned only 26 cases of misrepresentation.

Hon. J. J. Holmes: The only ones found out.

Hon. A. THOMSON: I have been associated with an unemployed relief committee. Men who worked for my firm for years have been compelled to seek sustenance, but the sustenance given was work, not rations. Yet they are to be denied the right to work. The Government, by their regulations, are denying men in the country the right to work. Repairs and renovations to public buildings are being done by day labour and I guarantee that the work is costing 25 or 30 per cent. more than it should. Men living in the country are denied any work unless they are on sustenance. If the Government called

for tenders, the work would be done more cheaply and the men would have employment. In the country tradesmen are walking the streets while men are sent from the city to do the work.

Hon. E. H. Gray: That has nothing to do with the Bill; that is a matter of policy.

Hon. A. THOMSON: The policy of the Government is to make of a man a rogue and vagabond because he desires to obtain work to maintain his wife and children.

Hon. J. J. Holmes: No, because he makes a false declaration.

Hon. A. THOMSON: We should not pass the clause until the Minister tables the conditions under which men are being employed.

Hon. E. H. Harris: You mean under which they will be employed after the Bill is passed.

Hon. A. THOMSON: Yes.

Hon. E. H. Harris: The conditions may be entirely different after the Bill is passed.

Hon. A. THOMSON: I speak feelingly on this subject; I know the desperate lengths to which men are driven to provide for their families. A man might have £20 or £30 in the bank.

Hon. J. J. Holmes: What about the man who has nothing in the bank?

Hon. A. THOMSON: Is a man to be required to spend every shilling he has saved before he can get work?

Hon. J. J. Holmes: What about the man who has spent it?

Hon. J. Nicholson: Could not your objective be achieved by altering the scheme under which the men are employed?

Hon. A. THOMSON: That is a reason why we should not pass the Bill until we know what the scheme is. The Chief Secretary has told us of the questions put to applicants for assistance. A man I know could not get assistance because he had a son paying 30s. a week for board. Would any member like to be placed in the humiliating position of living on the work of a son?

Hon. E. H. Gray: That has nothing to do with the Bill.

Hon. A. THOMSON: A man should be allowed to retain a minimum amount of his savings before being branded a rogue and vagabond or debarred from working on Government jobs.

Hon. Sir EDWARD WITTENOOM: Mr. Thomson has been talking more out of his

heart than out of his head. To carry out what he desires would be impossible; the money is not available. The answer to him is that the Bill applies to a person who wilfully makes any false statement to obtain certain things. That is so patent that nothing further need be said.

The CHIEF SECRETARY: Mr. Thomson's complaint really is that work is not provided for all. In good times, when we were borrowing £4,000,000 a year to construct public works, some men were still unemployed. During the last three years the Government have not been able to raise sufficient money to meet normal needs, even though private enterprise had been able to employ as many men as were employed four years ago. The Government have had to bear the burden of maintaining not only those previously employed by them, but also of thousands of men and women formerly engaged in private enterprise. The money available for relief work totals about £2,000,000, but how far will that go under existing conditions? To meet the exigencies of the position and absorb the unemployed, something like £8,000,000 a year for two years would be required. The money, however, is not available. We are limited to the amount received from the Loan Council; we cannot possibly exceed it, and so it is impossible to adopt Mr. Thomson's policy that there should be work for everyone. The Government are endeavouring to provide relief work in lieu of sustenance in order that men may give some return for the money they receive, but the administration may not suit everybody. Mr. Thomson said it was necessary for a man to be on sustenance before he could get relief work. He certainly must prove indigence, and if he does so, he gets work. It is the policy of the Government that no one should be allowed to starve.

Hon. J. NICHOLSON: Mr. Thomson has been moved by a sense of sympathy, but his objection is to the Government's policy requiring a man to be actually destitute before he receives employment under the sustenance scheme. That objection could be met only by making representations to the Government to alter their scheme and provide for a man who had, say, only £10 to be eligible for work. One does not desire to destroy thrift. I suggest that the Minister consults his colleagues as to the advisableness of preserving thrift.

Hon. Sir Edward Wittenoom: Are not the Government limited by the money at their disposal?

Hon. J. NICHOLSON: I realise their responsibility.

Hon. J. J. Holmes: No scheme is referred to in the Bill.

Hon. J. NICHOLSON: No; I am merely dealing with Mr. Thomson's objection. If the Government could find means to encourage the thrifty man, instead of allowing him to reach a stage of destitution before he can be assisted, it would be worth while.

Hon. A. THOMSON: I move an amendment—

That in line 10 of paragraph 2A, on page 2, the words "any work or employment or" be struck out.

The funds used for the employment of these people are found by the taxpayers and not by any charitable institution. Nevertheless, ever so many persons accept, with a great deal of repugnance and dislike, the humiliating circumstances under which they obtain employment, although it is better that they should work for what they get than receive something without earning it. I hold no brief for the man who makes false statements for personal gain, but I do ask the Committee not to brand as rogues and vagabonds those who feel driven to secure employment in order to provide for their families.

The CHIEF SECRETARY: The amendment strikes at the whole root of the Bill, the principle of which has already been adopted by the Chamber. The Government are protected so far as the giving of sustenance is concerned, but without this Bill would have no protection against those who obtained work by means of fraud. I hope the amendment will not be accepted.

Hon. H. SEDDON: There is a good deal in the amendment. The evidence furnished by the Chief Secretary deals chiefly with instances of fraud committed for the purpose of obtaining sustenance relief. I do not know that he has quoted any instances of fraud being committed in order to obtain work. After all, the rogue is a man who is after money, and not work. If the amendment is carried, the clause will then only apply to the person who endeavours to obtain money under false pretences, and not to others who merely endeavour to get work.

Hon. J. NICHOLSON: The funds that are used for sustenance and unemployment relief are limited. If the money is not wisely expended, many deserving cases must go unassisted. The only way to deal with people who endeavour to defraud the funds is by a clause of this character. If we analyse the clause we find that it contains a subject, a predicate and an object. The subject is "any person," the predicate is "obtains or attempts to obtain," and the object is "any work or employment." The whole sense of the clause would be destroyed if the amendment were agreed to.

Hon. E. H. H. HALL: Prevention is better than cure. Most of the instances read out by the Chief Secretary could have been prevented if the suggestions advanced by various local governing bodies had been carried out. I am sure ways and means could readily be found to minimise the trouble.

Hon. J. J. HOLMES: The way to prevent trouble is to pass the Bill. It will give local committees the opportunity to point out to the persons referred to, the punishment that awaits them. We certainly do not like paying taxes, but when we have to make good that of which the Government has been defrauded, the position becomes much worse. The man who obtains work by fraudulent means is taking the bread out of the mouths of others. When I think of such cases I feel that the Bill falls short of requirements. In any case, nothing can happen until a man wilfully makes a false declaration.

*Sitting suspended from 6.15 to 7.30 p.m.*

Hon. G. FRASER: Before the tea adjournment, the Chief Secretary mentioned several cases that had been dealt with. Will he inform the Committee whether they referred to persons who had made application for sustenance, or to those who had made application for work?

The CHIEF SECRETARY: They referred to persons who had made application for sustenance, because there is no power to enable prosecutions to be made against those who had made application for work.

Hon. E. H. HARRIS: A Bill that will provide that sustenance workers may be declared rogues and vagabonds is of more than passing interest. If agreed to, it will mean that workers connected with the Gov-

ernment's employment schemes will be brought under the purview of the Police Act. The Bill seeks to amend Section 66, but Section 65 is also of interest. Under Section 65, a person who has no visible lawful means of support, automatically becomes branded as an idle and disorderly person, and every person who is a sustenance worker must have no visible means of support. He therefore becomes automatically an idle and disorderly person.

Hon. J. J. Holmes: Even though he should not be prosecuted under this legislation?

Hon. E. H. HARRIS: Of course.

Hon. J. J. Holmes: That is humbug.

Hon. E. H. HARRIS: Of course it is not.

Hon. J. J. Holmes: We say that a person who makes a false declaration shall be liable to the penalty provided.

Hon. E. H. HARRIS: But I have shown that a person who is on sustenance can only receive that assistance if he is without visible lawful means of support, and as such is deemed, under Section 65 of the Police Act, to be an idle and disorderly person.

Hon. E. H. Gray: You have a vivid imagination.

Hon. E. H. HARRIS: Maybe! But some people have no imagination at all. Section 66, which the Bill will amend, sets out that a person who is idle and disorderly shall be deemed a rogue and vagabond. Of course, the Bill contains a proviso that says politely that a person convicted under the Bill shall not be deemed a rogue and vagabond.

Hon. J. J. Holmes: I think that proviso should come out.

Hon. E. H. HARRIS: The whole Bill should be passed out. The Bill does not say that a person convicted under it shall not be deemed an idle and disorderly person.

The CHIEF SECRETARY: I think Mr. Harris should undertake the responsibility of revising the Police Act. He has unearthed something never before discovered during the 40 years the Act has been in existence. Many hundreds of thousands of people have unknowingly been rogues and vagabonds, according to his criticism of the Bill. During recent years we have had something like 14,000 rogues and vagabonds drawing sustenance.

Hon. E. H. Harris: Why the necessity for the Bill after 40 years?

The CHIEF SECRETARY: We have never before had anyone possessing the penetrative intellect of the hon. member, that enabled such a recovery to be made. Now he has made his discovery, Mr. Harris can accept the responsibility of introducing a Bill to deal with the whole matter. If he does that, I can make a few suggestions regarding other points with a view to bringing legislation up to date in a more humanitarian form. I think the hon. member should be thanked for his discovery!

Hon. Sir CHARLES NATHAN: I am somewhat at a disadvantage because I was not here during the whole of the second reading debate, but, from a humanitarian point of view, the remarks of Mr. Fraser and Mr. Thomson appealed to me. I agree with Mr. Thomson that many of us would probably adopt the course he suggested if we knew our wives and families were in danger of starvation. On the other hand, Sir Edward Wittenoom made the most terse and to-the-point speech I have yet heard in this House, and his remarks restored me to more level thinking. A lot has been talked about the Bill that had no relevancy at all. The measure is designed to impose a penalty upon those who wilfully make false statements or representations with a view to securing employment. The whole object is to get a true declaration of the applicant's position. Some members may desire to join issue with the Government regarding the conditions embodied in their scheme for the distribution of employment or sustenance. There are some features of the scheme with which I am not in agreement, but that does not in any way affect the Bill. As a Labour Government are in power, they are more likely to err on the side of generosity than otherwise, and I congratulate them upon having the courage to introduce a measure that, because of its nature, must be unpopular.

Hon. A. THOMSON: It has to be admitted that we have no scheme for the provision of work or sustenance before the Committee, but we know the conditions that apply under the Government scheme, and it was that knowledge that prompted me to endeavour to prevent injustice being done respecting those unfortunate enough not to be able to secure work without having to depend upon the Government relief scheme. If members think that the system in existence is fair and equitable to all, then there

is no other course than to support the Bill. It would be wise to have further information. Conditions are laid down which are not giving every man an equal opportunity to work.

Hon. J. J. HOLMES: The Bill is not designed to provide work.

Hon. A. THOMSON: It certainly is designed to prevent eligible people from obtaining work.

Hon. Sir Charles Nathan: No, to prevent them from making a false declaration.

Hon. A. THOMSON: I hope a majority will vote with me to strike out the words. I should be sorry to live to see the day when it will become a crime—camouflage it as you like—for a man to endeavour to get work to support his wife and family.

Hon. E. H. GRAY: In a trouble like this we should consider the officers of the department. For nearly four years the Unemployment Board have pressed for this legislation, because they have come across many instances of men defrauding the Government, and the Government have been powerless to deal with the position. The Bill will not affect the 1,600 lumpers on the Fremantle wharf because the law is already in operation against them, whilst in respect of all big factories an officer of the Unemployment Board has in front of him a list of the money paid to every employee. Although there is an outcry in some parts of Fremantle against the Bill, machinery is already in existence, but in cases where men set out, on the Fremantle wharf, for example, deliberately to defraud the Government by going under two or three different names, the Bill will bring them under the whip. The department should be given a fair chance to administer the policy of the Government. Mr. Hall suggested that the difficulty might be overcome by the appointment of honorary local inspectors. Already we have had three years experience of what he suggests, and the assistance given by the majority of the local authorities has been absolutely valueless. In most cases they did nothing, and in some cases they aided and abetted people to receive relief when those people should never have had it. The further the police are kept away from the unemployed the better. If it were possible to employ a dozen Macartneys, perhaps we would not want this kind of legislation. Mr. Macartney can pick out

straight away those who impose on the Government, but he is the only one who can do so. We must give the Government every possible help in this direction.

Hon. J. J. HOLMES: If the Committee desires to defeat the object of the Bill, then Mr. Thomson's amendment should be carried. There are many who move around about the State, and at times make good money for the greater part of the year. Then they have the months of December, January and February to spare, and they can come in, if the amendment is carried, and make any false declaration they like as to what they have been doing during the other nine months. The clause will apply only to those who wilfully make a false declaration. I cannot understand the opposition to it. Mr. Thomson is dealing with some scheme about which only he knows anything. The hon. member should bear in mind that the clause will apply only to those people who wilfully take food out of the mouths of women and children.

Hon. R. G. MOORE: I was under the impression that anyone who made a false declaration could be prosecuted under the Evidence Act.

Hon. J. J. Holmes: No.

Hon. R. G. MOORE: In connection with miners' relief and workers' compensation, declarations are required; and false declarations involve a penalty. I have no objection to the prosecution of a man who endeavours to get something for nothing, but I do object to the prosecution of a man for trying to obtain a job.

Hon. C. B. WILLIAMS: I am disgusted with this provision. Plenty of men have made false declarations to get work. If a man on the mines had to make a false declaration in order to secure a job, he would make it under some other name. In connection with this matter Mr. Gray should consult Mr. Sleeman, of another place. The present Government's policy, like the previous Government's, is to refuse a job to a man who has any money in the bank. There is no need for a man without money to make a false declaration; but the man for whom this Chamber generally stands up, the thrifty man, is likely to be convicted under the clause. The thrifty man has to exhaust his funds, has to be in indigent circumstances, before he can get work. On the goldfields not more than about ten people want work,

so the question does not interest me from that aspect. The clause is a drag-net for the most harassed section of the community, the workers. It is a lovely thing to run around the country looking for work! There have been instances galore of the stupid way in which the unemployment position has been mishandled by public servants. I dissociate myself from Mr. Gray's use of the term "hobo," especially as coming from a Labour representative; but hundreds of people have been compelled to travel the country looking for work, and such people will be caught by the clause. At present men are debarred from getting either sustenance or work unless they are absolutely destitute.

The CHAIRMAN: Before tellers are appointed I shall give my vote with the ayes.

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

Ayes	..	..	..	8
Noes	..	..	..	10
				—
Majority against	..	..	..	2
				—

## AYES.

Hon. J. Cornell	Hon. H. Seddon
Hon. G. Fraser	Hon. A. Thomson
Hon. E. H. Harris	Hon. C. B. Williams
Hon. R. G. Moore	Hon. E. H. Hall (Teller.)

## NOES.

Hon. A. M. Clydesdale	Hon. G. W. Miles
Hon. J. M. Drew	Hon. T. Moore
Hon. E. H. Gray	Hon. Sir C. Nathan
Hon. J. J. Holmes	Hon. J. Nicholson
Hon. W. H. Kitson	Hon. H. J. Yelland (Teller.)

Amendment thus negatived.

Hon. A. THOMSON: I move an amendment—

That paragraph 2B be struck out.

I do not wish to repeat my arguments. I hope hon. members will not agree to the retention of the paragraph.

Hon. J. J. Holmes: What is wrong with it?

Hon. A. THOMSON: Everything is wrong with it.

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

Ayes	..	..	..	4
Noes	..	..	..	13
				—
Majority against	..	..	..	9
				—

## AYES.

Hon. G. Fraser	Hon. C. B. Williams
Hon. E. H. H. Hall	Hon. A. Thomson (Teller.)

## NOES.

Hon. A. M. Clydesdale	Hon. T. Moore
Hon. J. M. Drew	Hon. Sir C. Nathan
Hon. E. H. Gray	Hon. J. Nicholson
Hon. J. J. Holmes	Hon. H. Seddon
Hon. W. H. Kitson	Hon. H. J. Yelland
Hon. G. W. Miles	Hon. E. H. Harris (Teller.)
Hon. R. G. Moore	

Amendment thus negatived.

Hon. J. NICHOLSON: I move an amendment—

That after "person," in line 1 of paragraph (2C), "charged or" be inserted.

The object of the amendment is to make it clear that a man charged without being convicted shall not be stigmatised as a man charged under Section 66 of the Police Act and consequently deemed a rogue and vagabond.

The CHIEF SECRETARY: The amendment is not necessary, for until he is convicted a man cannot be declared to be a rogue and vagabond; and, as a matter of fact, the clause provides that not even then shall he be deemed a rogue and vagabond. On the other hand, under the amendment a man charged but not convicted would be liable to the penalty prescribed.

Hon. J. NICHOLSON: I feel that the only way to exculpate any man charged with one of these offences, to free him from the risk of being deemed a rogue and vagabond under Section 68 of the Act, is to insert the amendment. Without it, the clause provides only for the conviction of an offender.

Hon. R. G. MOORE: The argument put up by the hon. member is a very good one for the deletion of the clause altogether. Under the amendment a man charged but not convicted will be called upon to pay the prescribed penalty.

The CHIEF SECRETARY: Clearly, it is not possible for a man to be deemed a rogue and vagabond until he is convicted. Section 68 of the Act, I am advised, has no application whatever to Section 66.

Hon. J. Nicholson: Yes, it has.

The CHIEF SECRETARY: That is the advice I have from the Crown Law Department.

Hon. J. J. HOLMES: I am reminded that the policeman, not the parson, keeps most people in the straight and narrow path. The mere fact of this being an

amendment of the Police Act, makes members hesitate. They would pass this legislation without a murmur if it were not an amendment of that Act. Necessarily a man is exempt from being deemed a rogue and vagabond until he is convicted, and under the clause he is exempt after he has been convicted. Therefore I see no necessity for the amendment.

Hon. E. H. HARRIS: I appeal to Labour members to support the amendment, for the Bill, which was drafted by a Labour Government, clearly states that a man convicted of any of these offences shall not be deemed to be a rogue and vagabond. But if a man be once charged under Section 66 of the Police Act, what happens? Any group of workmen, when they learn that such-and-such a man has been charged under Section 66, say at once, "Oh, the rogue and vagabond section," and although the man may have been discharged he will have that stigma fastened on him for the rest of his life. Therefore I urge the Committee to support the amendment.

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

Clause 3—put and passed.

New clause:

Hon. A. THOMSON: I move—

That the following be added to stand as Clause 4:—"This Act shall remain in force until the 31st October, 1934, and no longer."

By limiting its duration we would have an opportunity to review the legislation, which deals not with the criminal class but with people in an unfortunate position.

Hon. R. G. Moore: On a point of order, should not the proposed new clause be moved on recommitment?

The CHAIRMAN: The Standing Orders provide that when it is desired to limit the duration of a measure, a precise clause to that effect must be inserted at the end of the Bill.

Hon. A. THOMSON: Other legislation is reviewed annually, and I hope members will approve of limiting this piece of extraordinary legislation.

Hon. J. J. HOLMES: Recently we considered a Bill to amend the Financial Emergency Tax Assessment Act and inserted a limitation which was ruled out in another place. Would not the proposed new clause

amount to the same thing? If so, why waste time on it?

The CHAIRMAN: This is a Bill to amend the Police Act, and it is desired to limit the operation, not of the police Act, but of this measure. Therefore we are up against the same difficulty as before. To limit this measure, the proposed new clause should read that this section shall remain in force until the 31st day of October, 1934, and no longer, and that must be done on recommitment. I suggest that the proposed new clause be withdrawn.

The CHIEF SECRETARY: I oppose the proposed new clause. The measure will apply only to persons engaged in relief work, and it appears that they will have to be provided for long after 1934. If relief work came to an end at any time, the paragraphs would be inoperative, and any Government would be only too pleased to remove them from the statute-book. Otherwise there would be a standing invitation to agitate for relief works becoming a permanent institution. To limit the operation of the measure till October or even December of next year would be purposeless.

The CHAIRMAN: Mr. Thomson desires to limit the operation of Clause 2, but his proposed new clause will have the effect of limiting the operation of the whole of the Police Act. I suggest that the new clause be withdrawn, and that the hon. member move to-morrow for the recommitment of the Bill.

Hon. A. THOMSON: I ask leave to withdraw the proposed new clause.

New clause, by leave, withdrawn.

Title—agreed to.

Bill reported with an amendment.

## MOTION—RAILWAYS, CAPITAL ACCOUNT.

*To inquire by select committee.*

Debate resumed from the 13th September on the following motion by Hon. A. Thomson (South-East):—

That a select committee be appointed to inquire into and report upon the capital cost of the Western Australian Government Railways, with a view to reducing the amount upon which the Commissioner of Railways is expected to find interest and running costs, and to make such recommendations as the committee may deem desirable to co-ordinate the different

transport services and enable the railways to meet the competition from motor and other transport.

**HON. H. SEDDON** (North-East) [8.40]: This is one of the questions that at present is causing a great deal of anxiety and trouble throughout Australia. In the motion submitted by Mr. Thomson, there is an attempt to deal with at least two different aspects of the railway problem. To conduct the inquiry suggested would be a big job, as has been pointed out by previous speakers, and it is one that I consider would be beyond the scope of a select committee to deal with. At the moment, an inquiry is being conducted into the affairs of one of the principal Government departments, namely the Agricultural Bank. That inquiry has taken the form of a Royal Commission, and we can appreciate the magnitude of the task with which the Commission are confronted. There is not the slightest doubt that the position of the railways is intimately connected with that of the agricultural industry, and therefore any question of altering the capital cost of the railways must be related to action already taken with regard to group settlement and to action that I think will have to be taken regarding the commitments of the Agricultural Bank. Apparently the motion attempts to indicate that a similar course of action should be taken with regard to the railways capital account. If we are going to continue to transfer such obligations to the general public, where shall we end? We might logically ask that the capital cost of all Government concerns be written-down, and that the public as a whole be required to pay through ordinary taxation for all the capital charges of Government activities. If that is done, we shall increase the burden of taxation considerably and, I fear, make for inefficiency. I suppose that when the historian comes to write an account of our activities in Australia and of the way we are dealing with the various problems, he will term it the muddle-headed period of Australian history.

Hon. R. G. Moore: I thought you said "Mother Hubbard."

Hon. H. SEDDON: Certainly muddle-headed, because our finance and borrowing policies have been typical of that state of mind. The several States have been borrowing money overseas for many years.

Hon. T. Moore: They borrowed as long as they could.

Hon. H. SEDDON: And would borrow more if they could.

Hon. A. Thomson: They are still borrowing.

Hon. H. SEDDON: The money borrowed overseas was brought to Australia in the form of goods, and the Federal Government carefully levied taxes in the form of duties on those goods, until the State Governments complained of the severity of the conditions imposed upon them and wanted to know why the Federal Government could not return to them some of the money taken from them out of the loans raised. Under our policy of railway construction we authorise lines that we know will not pay for a number of years, and having authorised their construction on that distinct understanding, we tell the Commissioner of Railways that we expect him to make them pay. Our exportable products all have to be carried by the railways, especially wheat. Although freights on wheat and fertiliser were reduced to a figure that is below the working costs of the railways, these products are still carried at a rate which penalises the producers very severely in competition with the oversea markets. If we attempted to make the railways pay by increasing the freight charges on exportable products, so much more would we penalise our primary producers. If we attempt to increase freights on other products, we transfer many of those products to motor transport which is already competing severely with the railways, and to that extent we still further increase the working costs to the producer. The whole thing is so muddled that it would take a great deal more than a select committee to disentangle it.

Hon. A. Thomson: Are we going to sit down and do nothing?

Hon. H. SEDDON: Not for a moment. I am pointing out some of the difficulties associated with the proposal.

Hon. A. Thomson: It is a difficult question, I admit.

Hon. H. SEDDON: When analysing the figures supplied by the Commissioner of Railways, we find that all freights above Class A are paying freights, and all below that can be regarded as unpaying freights. Out of the 24 different classes of freights, only eight are Class A and over. The Class

A freights last year returned three-quarters of a million pounds, whereas the interest charges on the railways totalled £1,000,000. The freights above Class A, which are most severely attacked by motor competition, are the freights we rely on to ensure that the railways may pay their way. Some time ago suggestions were made by a former member of this House, and vigorously prosecuted by him while he was in a position to do so. Reference has been made to the enormous area of land alongside existing railways that is not being utilised. The value of that land has been considerably enhanced by the construction of railways. The same thing may be said of city lands, which undoubtedly have been improved in value through the existence of such an extensive railway system behind the cities, and by the products which are raised and brought through the cities. The proposal of the late Mr. Jabez Dodd was that we should have a special land tax on land which is not being used, and also on city land, and that the tax should be devoted to the payment of interest on the railway capital. There is a good deal to recommend such a proposal. It would not inflict a penalty upon those who were putting their land to proper use, but would impose a penalty upon those who were holding it merely for speculative purposes. Indirectly it would encourage people to put their land to better use, and would create more traffic for the railways. Our greatest trouble with the railways is that in proportion to their extent the traffic is light. All our railways suffer from the same complaint, in that there is too small an amount of traffic per mile of construction. There is a good deal to be said for the more direct control of railway construction, especially for a revision of the estimates associated with such proposals. When one goes back to the history of railway construction in this State, and studies the estimates which have been considered by the House, estimates which no doubt materially influenced the authorisation of such railways, and when one goes into the subsequent cost of construction, one cannot help being impressed by the disparity between the two sets of figures. Many railways that were passed by this House, are to-day unproductive, and will for many years remain unproductive. I would refer, for instance, to the Narrogin-Dwarda railway. This was referred to a select committee, which re-

ported adversely, and yet the House passed it. There are other railways in different areas against which the same charge can be laid. An argument has been advanced in favour of railway construction as a means of providing employment. We have certainly provided a lot of employment in carrying out our railway construction policy. This employment has been largely for manual labour. It has not meant the employment of skilled operators. We have created a large army of manual workers and a serious problem for the Government, who have had to find work for them all.

Hon. R. G. Moore: It is also a serious problem for skilled labour.

Hon. H. SEDDON: Yes. Greater progress could be achieved by utilising our capital expenditure in the direction of employing skilled labour. Any further capital expenditure in this direction should be utilised more for the improvement of our rolling stock, the provision of improved transport facilities, and for better and quicker services. A great deal more can be done than has been done in the way of re-grading. That is a branch of expenditure which results in very much increased efficiency in the operation of our railways and in reducing costs. Anyone who has had the misfortune to travel on the system and to stop at Chidlows Well cannot but be impressed every time the train starts from that station. I do not know whether it is due to accident or some other cause, but the fact remains that passengers are in danger of having their necks dislocated by the tremendous jerk that seems to be necessary in order to start the train from Chidlows Well station. This has a very serious effect not only upon the necks of passengers but upon the draw gear of the train. It would be interesting to know what damage has occurred to draw gear as a result of the violent movement of the train when starting out from this station. Passengers have stated that the class of driver must be the type who is more used to the handling of wheelbarrows. All the drivers seem to think about is to drop the handles, when one gets the same effect as when the handles of a wheelbarrow are dropped. A good deal remains to be done in the way of re-grading. Some time ago I quoted figures with regard to the ratio between the load of the truck and its tare. It is claimed that our ratio here is two to one in the case of

most of our rolling stock, but I do not think that is borne out by the facts. If we turn to page 54 of the Commissioner's report we find a table there comparing the average load capacity with the average tare of the truck. We can there see how much dead weight the engines are pulling around the country in carrying goods over the system. I should like to refer to a table which appeared in the "Manchester Guardian" on 29th July last. A comparison is made of the loads carried by railway trucks in various parts of the world compared with the tare of the trucks. In England the typical privately-owned wagon averages a capacity of 12 tons and a tare of seven with a ratio of 1.7: 1. On the southern railways of England the coal wagon has a capacity of 12 tons and a tare of  $6\frac{3}{4}$  the ratio being 1.8: 1. On the Nord railway in France the trucks have a capacity of 15 tons a tare of 8 and a ratio of 1.9: 1. On the Great Western railway a mineral wagon has a capacity of 20 tons a tare of  $9\frac{3}{4}$  tons and a ratio of 2.1: 1. On the Eastern railway in France the capacity of the truck is 30 tons, its tare 15 tons and its ratio 2: 1. On the London North-Eastern Railway a mineral wagon has a capacity of 40 tons, a tare of  $18\frac{1}{2}$  tons and a ratio of 2.2: 1. In the United States a mineral wagon has a capacity of 50 tons a tare of 21 tons and a ratio of 2.4: 1. On the German railways the truck has a capacity of 60 tons, a tare of 19 tons and a ratio of 3.2: 1. On the Virginian Railroad, (United States) the mineral wagon has a capacity of 120 tons, a tare of  $35\frac{3}{4}$  tons, and a ratio of 3.4: 1. In South Africa, where the gauge is 3ft. 6in., the ratio is  $2\frac{1}{2}$ : 1. in connection with their bulk traffic. A great improvement could be effected in our railway trucks.

Hon. J. J. Holmes: What is our ratio?

Hon. H. SEDDON: Our ratio is said to average 2: 1, but in the majority of cases it is a good deal less than that. There is quite a field for the construction of new rolling stock, especially now we are talking of the bulk carriage of wheat. We also carry mineral traffic such as coal. There is scope for the construction of a bigger wagon to carry a greater load compared to the tare of the truck. I have quoted these figures to show the line of improvement that could be adopted in our capital expenditure. This would provide means for the employment of skilled workers in the workshops.

There is nothing more deplorable than to find a number of skilled workers who cannot get work at their trades and have to engage in manual labour. I also wish to refer to our engine stock. I have some interesting statistics on the subject. I quoted some figures a few years ago. It is rather interesting to compare the efficiency of our engines to-day with 1929. The average cost of the F.S. class of heavy goods engines is £5,749. The interest cost per day works out at 15s. 8d. on that class of engine. The average daily run of those engines to-day is 41 miles. The tables are contained in the report of the Commissioner for Railways and can be examined and checked by members. There is something seriously wrong with that position. When we realise that those engines frequently set out on a run of 300 miles, it is obvious that some must be a long time off traffic or there must be many of that class of engine kept off traffic, in order to have such a low average daily run as 41 miles. Take next the P. class of express engines, which cost £9,279 each. The interest per day works out at 25s. for a year of 300 days. The average daily run, taking a month of 28 days, is 84 miles and in 1929 the average daily run was 75 miles. I will next deal with the question of carriage stock. With our passenger carriages, we have a ratio of half a ton of coach weight per passenger. On the latest corridor stock employed on our express trains, the ratio is from about one ton per passenger down to five-eighths of a ton per passenger. If we take the ordinary metro buses, we find the ratio is under five cwt. per passenger. When we realise the effective power of the engine is directly affected by the weight it has to haul, we appreciate what a tremendous load is necessary to haul passengers about the country. Then we have the question of motor competition, which is referred to in the second part of Mr. Thomson's motion. All who consider the motor transport problem must sympathise to a large extent with the people who patronise that form of conveyance, particularly if we compare the facilities they enjoy with the service they secure from the Railway Department. I am not minimising the efforts made by the department to provide an efficient service, any more than I minimise their attempt to keep expenditure down and secure better returns. We impose a seri-

ous load on the railway system, by not enabling them to keep up with modern equipment, and to compete with motor services by giving the department efficient machinery with which to make the effort. Our passenger train times, compared with those taken by road traffic, do not make attractive reading, nor even if we compare our times with those taken by other railways. We are proud of our Kalgoorlie express which takes 16½ hours to do a run of 375 miles, giving an average of 22.7 miles per hour. Over certain parts of the track the train reaches a speed of between 35 and 40 miles and occasionally attains even higher speed. I think we should maintain an average speed of 30 miles an hour throughout the journey. There is room for improvement from that standpoint. We cannot expect the people to patronise the railway service, seeing that they can do the journey so much more quickly and more comfortably by motor.

Hon. A. M. Clydesdale: The train averages 32 miles an hour from Adelaide to Melbourne and the express from Sydney to Melbourne averages about 34 miles.

Hon. H. SEDDON: I take South Africa for the purposes of my comparison because the gauge is the same as ours. The trip from Capetown to Johannesburg, a distance of 600 miles, takes 27 hours. There is much to be said in favour of speeding up our railway trains, not so much from the point of view of speeding up the train itself as from the cutting out of unnecessary stoppages. For example, if the train has an efficient dining car attached to it, what necessity is there for stopping at stations en route for refreshments? An efficient dining car should be able to provide the refreshments that are obtainable at railway stations and by that means cut out unnecessary stops. In England, the fast passenger trains do not stop to take water. The system is provided with troughing from which the engines can take water as they speed along. There is much to be said in favour of increasing the average rate of trains. Recently I had occasion to travel from Perth to Northam. The express took from 5 p.m. to 7.45 p.m. to do the journey. I travelled by motor car and did the same distance in 1½ hours. A similar trip from Perth to York took two hours in a motor car, whereas the train takes four hours. In view of those differences, can it be wondered that people, to whom time is

money, patronise the quicker service that is provided by motor transport, compared with that made available by the railway system? When we consider the position in relation to the country areas, there is no comparison at all. The passengers are regarded on country trains as a somewhat necessary evil. We realise that the work of the railway service is largely that of dealing with goods traffic, but there is much that could be done in the direction of providing country lines with motor services. Motors could be installed with a little extra hauling power to enable them to drag a trailer. By that means daily services could be provided where now weekly or fortnightly train services are available for the people in the country areas.

Hon. A. Thomson: That proposal has been put up to the railway authorities for years past, but they have ignored it. I can never understand why the department adopt that attitude.

Hon. H. SEDDON: Recently a reply was furnished in this Chamber with regard to the provision of crude oil coaches. The Commissioner made a certain comparison regarding the cost of those coaches and instanced the steam coach that is used on the Armadale line. He gave the cost as 9.8d. per mile and gave the cost of the petrol-driven coach as 16.2d. per mile. I do not know whether members have seen those coaches. They are clumsy, heavy concerns constructed in accordance with the old principles of railway coach construction. We have seen the effect of heavy weights dragged around the country by engines, in comparison with the loads that have to be handled. By way of contrast, I draw attention to the enormous development that has taken place with the compression ignition engine of the Diesel type, and the suitability of that engine for use in this State. There is a fleet of buses operating in London, driven entirely by Diesel engines. The solution of the difficulty our railways are confronted with in competing with motor traffic is to secure the design of a more suitable coach on the same lines as our motor buses, to be driven with the advantage of a Diesel engine. If that were effected, a vastly improved service could be provided on our country lines and thus enable the department to win back the passenger, and much of the goods traffic that is so important a feature in the task of making our railways pay. Another factor

to which I am justified in referring is that our railways should not be made a close preserve for Collie coal. At the present time a large proportion of the heavy operating cost is due to the high price paid for fuel. If Collie coal were placed in a position of having to compete on a thermal basis with imported fuel, we would secure our coal much more cheaply than we get it to-day, and the working costs of the railways would show a considerable improvement. If we are to enable the railways to retain the traffic that rightly belongs to the system, we must provide more efficient equipment and better conditions that will enable them to compete on a better basis and help to secure the return of the high-grade traffic that has been lost to the department. I want again to refer to what is being done in other parts of the world. The London, Midland and Sheffield Company have not less than 1,000 motor vehicles supplementing their goods services. Those vehicles are worked from principal centres and by going out and picking up loads for the railways, a door to door service is provided. We have that service here only with motor transport. That has materially improved the position of the railways in England by securing the highly-paid freight lines that mean so much to any railway system. In this State goods sent by rail from Fremantle have to be carted to the railway station and then carted from the station in Perth to the warehouse. If the goods are sent by motor truck, the motor can be backed into the warehouse at Fremantle, loaded up, conveyed to the warehouse in Perth and unloaded direct into the premises. If we could improve the position of the railways along the lines I have indicated, we would do much towards making the service pay and towards securing a reduction of freights. I offer these suggestions because in times like the present when the Government are looking around for schemes for the absorption of the unemployed, the railway system provides an opportunity. The department can carry out the construction of the improved vehicles in their own workshops with their own employees. By that means the railways could be provided with a more efficient means of transport. Reference has been made to the construction of new railways. We have heard a lot about the difficulties under which the farmers are labouring. We have been told, too, of the diffi-

culties regarding the provision of agricultural railways. I do not know that we shall improve the position of the farmers by providing railways in districts where the rainfall is uncertain. Consequent taxation may rather increase the difficulties of farmers. We can judge by experience in other parts of the world where a different method of dealing with the dry areas is adopted. I refer principally to the United States of America, where the Government enable the farmers to go in for alternative crops. They assist the farmers by giving them water supplies so that they can carry stock and are therefore not confined, as are the farmers in the dry areas of Western Australia, to wheat alone. In the circumstances that obtain here, if the wheat crop does not pay, the farmer has lost everything for that year. In other parts of the world, through the assistance rendered in the provision of water supplies enabling stock to be carried, the farmer has an opportunity to make something on his stock, should the wheat fail, and thus show a saving on the year's expenditure.

Hon. T. Moore: That assistance has been persistently rendered here.

Hon. H. SEDDON: I am referring to our dry areas in particular, because there are a large number of farms in the Southern Cross district in particular where no water supplies have been provided. The farmers there cannot carry sheep or stock.

Hon. E. H. H. Hall: That applies to many other districts too.

Hon. H. SEDDON: Possibly. It would prove more profitable to the State if railway facilities were not provided until water supplies were secured as a first instalment. Better use should be made of the rainfall by providing catchments and conserving water. We cannot justify the extension of our railway system until we have dealt with the question of railway freights and meeting our interest charges. I have not quoted theoretically; the figures can be contrasted with the figures obtaining in other railway systems. I cannot support the motion but it has given members an opportunity to discuss the railway position generally and perhaps more widely than we otherwise could have done.

On motion by Hon. A. Thomson, debate adjourned.

## BILL—METROPOLITAN WHOLE MILK ACT AMENDMENT.

### *Second Reading.*

**THE HONORARY MINISTER** (Hon. W. H. Kitson—West) [9.17] in moving the second reading said: The Metropolitan Whole Milk Act was passed last year with the object of placing the milk industry on a much better footing than that existing at the time. Members will remember the agitation which took place then mainly on account of the very low prices producers were compelled to receive for milk. I do not think I am exaggerating when I say that that industry was in an extraordinarily bad position; indeed, the position was chaotic. The Act which was passed was merely an experiment. It provided for the appointment of a board to administer the Act, but notwithstanding many real difficulties that the board had to meet, and which to a great extent have been overcome, the Act has proved a benefit to all those interested in the industry. The people interested have stated without hesitation that there has been a considerable improvement. Some have gone so far as to say that this legislation, experimental though it was, has been a pronounced success. The powers conferred on the board are limited, while the duration of the Act itself is very limited, seeing that it expires at the end of 1935. During the short time the Act has been in force it has become apparent that certain amendments are necessary for its proper and smoother working, and also to enable the board to function more efficiently. Some of the amendments proposed are more or less alterations of definitions; some are made for smoother working and the election and appointment of the members and chairman of the board. Others apply to the condition of licensing and the payment of fees by those who are licensed. The definition of "milk" in the Act reads—

"Milk" means the natural lacteal fluid product of an animal, intended for human consumption as milk, and includes fresh cream for use other than in the manufacture of butter.

It has been found that that part of the definition is not as wide as it should be and as a result the board consider it necessary—mainly on account of the fact that some people contend that milk that has been treated in some shape or form is not the natural product of the cow—to widen the

definition so as to include milk which has been chilled, pasteurised or concentrated. The definition of cream is not as wise as it should be for the purposes of the board. Some contend that fresh cream does not include cream that has been scalded or pasteurised, and consequently there have been difficulties in that direction. Another amendment deals with the election of the board and the time when they should take office. While the Act provided for the board in the first place, no provision was made for the re-election of members who were originally appointed. Neither is there anything in the Act setting out the time from which they should take over their duties. The Bill provides that the first election shall be held in March of next year and that the new members of the board shall take office as from the 1st July of that year. That is purely a machinery amendment but it is absolutely necessary. Then a difficulty presented itself in connection with the licensing of dairymen and milkmen. Section 21 of the Act provides that no person shall treat milk intended for sale to consumers in the metropolitan area except under authority of licenses issued by the board. When a depot-keeper is licensed, he is also entitled to vend milk as a milk vendor, but the only charge the board is entitled to impose in that case is a nominal one. The Bill will alter that position so as to enable the board to impose a fair charge on the depotkeepers. Again, there are some people in the industry who treat milk which they themselves produce and which is distributed by themselves. It is considered that it would not be fair to penalise those who perhaps are supplying a better article as a result of their own efforts. The Bill deals with that phase of the industry. Then, when it comes to the question of the payment of charges, certain difficulties have arisen there, and it is proposed that instead of calling upon those people to pay the fees in one amount, it is intended that it shall be spread over the whole of the year. There are difficulties because one cannot say at the commencement of the year just how many gallons will be handled by a depotkeeper, or how many gallons will be distributed by the distributor, and so on. Consequently, it has been found necessary to make an alteration which would be fair and equitable to all concerned. With regard to the question of fees to be charged, provision is

made that the gross charges shall not exceed  $2\frac{1}{2}$  per cent. of any licensee's gross proceeds from the business carried on under the license in any one year. The Bill also gives power to the board to sue for any amounts due. This power is necessary, as the board, if it is to function properly, must have sufficient revenue. I believe there have been instances where certain persons have definitely refused to meet the charges which have been levied by the board, and it has therefore been found necessary to embody the amendment to meet the position. Then there have been other difficulties with regard to small shops which sell milk in small quantities. It is proposed, where they sell less than 1,000 gallons per annum, that instead of those shopkeepers being called upon to pay a fee in accordance with the quantity of milk sold, they shall be charged an inclusive fee of £1 per annum. That can be collected in a lump sum and it will be found to meet with the approval of most of those concerned. All the amendments are necessary to assist the board to carry out their duties efficiently. The Bill is essentially one for discussion in Committee and I shall be glad when it reaches that stage to supply any other information hon. members may require. I move—

That the Bill be now read a second time.

On motion by Hon. R. G. Moore, debate adjourned.

## BILL—FRUIT CASES ACT AMENDMENT.

*Second Reading.*

**THE HONORARY MINISTER** (Hon. W. H. Kitson—West) [9.31] in moving the second reading said: The object of the Bill is to enable stricter supervision to be exercised in connection with the use of second-hand fruit cases, and in that way to endeavour to prevent the spread of disease and pests into districts which to-day are free from them. The principal Act was passed in the year 1919, and at that time fruit in cases was carried principally by the railways. Very little fruit was then carried by motor trucks over any distance at all. To-day, owing to the advent of the motor truck, cases of fruit are being sent over long distances without any supervision such as would take place were the fruit being carried by

rail. This Bill, if carried, will have a double effect. Firstly it will provide closer supervision over fruit carried in secondhand cases. Secondly it will place our Railway Department in a position to compete with motor traffic, which to-day is playing so large a part in the transport of fruit and other products. Under the principal Act there is nothing to prevent fruit from being conveyed in secondhand cases by road. For example, one can send a case of fruit from Perth to Kalgoorlie by motor truck in a secondhand case, but one cannot send fruit in a secondhand case from Perth to Midland Junction by a train. Hon. members will realise, therefore, that there is necessity for this amending Bill. Fruit may be brought to the Perth markets by road in a second-hand case. If, upon its being sold in the Perth markets, the buyer desires to despatch that fruit by rail to any part of the State, he cannot do so unless he is prepared to unpack the fruit and pack it in a new case. That seems rather an unreasonable position, more particularly in view of the fact that the original Act was passed with the object of preventing the spread of disease and pests into clean districts. There is no restriction on road transport. It is also a great disadvantage to the Railway Department. I regard it as only right that the two modes of transport should be placed on the same footing. Further, I understand that there has been considerable difficulty in tracing the grower of fruit offered for sale in the markets, and that in many instances the name appearing on the fruit cases is not the name of the grower of the fruit which is in them. The Bill therefore proposes to place on the person whose name appears on the case the onus of proof that the fruit in the case was not placed there by him. That is another essential provision, and one which will overcome some of the difficulties experienced in the past. Those are the principles involved in the Bill. Although I have a great deal of information bearing on the measure, I think that this too is a Bill which can be better dealt with in Committee than at the second reading stage. I move—

That the Bill be now read a second time.

On motion by Hon. A. Clydesdale, debate adjourned.

*House adjourned at 9.25 p.m.*