

bles and fruit. At the request of the conference I have made representations to the department, and I would like the Leader of the House to get into touch with the Minister for Agriculture with a view to instructing the Government Entomologist to proceed to the South-West as soon as possible and investigate this disease, together with the clover flea and lucerne flea, which prevail in and around Brunswick.

Question put and passed.

Bill read a second time.

#### *In Committee.*

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

*House adjourned at 6.13 p.m.*

## Legislative Assembly,

*Wednesday, 2nd September, 1925.*

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

### QUESTION—STATE BATTERY, MT. KEITH; REMOVAL.

Mr. MARSHALL asked the Minister for Mines: 1, Is he aware that certain vital parts of the Mt. Keith State battery have been removed to the Wiluna State battery and that further material is in process of being shifted? 2, Has this work been carried out with his knowledge?

The MINISTER FOR MINES replied: 1, (a) Yes. On the 8th January approval was given for reconstruction of Wiluna plant and the use of the gas producer and mechanical sampler from Mount Keith, which had been idle since May, 1922. (b) For some time the Department has been awaiting an opportunity to remove the engine from the pumping station to Wiluna for the same reason as set out in (a), but word has not yet been received that it has been removed. 2, Yes.

### QUESTION—STATE CHILDREN DEPARTMENT.

#### *Nurses' hours.*

Mr. PANTON asked the Honorary Minister (Hon. S. W. Munsie): 1, Is it a fact that nurses are working 72 hours per week night duty, and 60 hours per week day duty at the State Children's Receiving Depot, Mt. Lawley? 2, If so, will he immediately take steps to reduce the working hours in this depot?

Hon. S. W. MUNSIE replied: 1, Yes. 2, The matter is now under consideration. There is a difficulty regarding accommodation.

### QUESTION—HOTEL ACCOMMODATION, BASSENDEAN.

Mr. LUTEY (for Hon. W. D. Johnson) asked the Minister for Justice: 1, Is he aware that a special effort is being made by a company registered outside the State to secure a publican's general license at Bassendean? 2, Is he aware that while a large section of the local residents would support an hotel they are strongly in favour of its being erected and controlled by the State? 3, If a majority petition is presented to the Minister praying for a State hotel will he favourably consider the matter?

The MINISTER FOR JUSTICE replied: 1, Yes. (a) A petition from Bassendean has been forwarded by the Governor to the Licenses Reduction Board for report under Subsection 2 of Section 47 of the Licensing Act; and (b) an application has been made to the licensing magistrates in the Midland Junction Court for a provisional certificate for premises situated at Bassendean, in the Guildford licensing district, by one G.

Woodhouse, Secretary of the Swan Brewery Company. 2, The only direct evidence upon the point available is in the result of the local option poll, 1921, at which a large majority of the electors for the whole district concerned voted in favour of State management.

### **BILL—PRIMARY PRODUCTS MARKETING.**

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

### **MOTION—PRISONERS, TRANSPORT.**

Debate resumed from the 26th August, on the following motion by Mr. Sleeman—

That in the opinion of this House the present system of transporting prisoners between Perth and Fremantle gaol should be abolished.

**THE MINISTER FOR JUSTICE** (Hon. J. C. Willcock—Geraldton) [4.37]: I have no great objection to the motion.

Hon. Sir James Mitchell: It is your regulation.

Mr. Corboy: No, yours.

**The MINISTER FOR JUSTICE:** It does not seem to me that the motion will get us anywhere. It says that the present system of transporting prisoners should be abolished. We must have some method of transporting these people. It is just a question of doing the best we can with the facilities available. I hardly think the subject is of such importance that the House should be asked to come to a determination upon it. While there is perhaps some need for improvement, the matter is not so vital that the business of the State should be stopped while the House gives attention to it. I would favour the motion with a view to having some improvement made, but it is a question as to what facilities we have at our disposal for the transport of prisoners from one place to another. There are other things of importance which Ministers deal with that could equally well be brought before the House for discussion. We know we have not as much money as we would like to have. Someone might move that schools should be erected in places where there are only six or seven scholars. Another member might ask for hospital accommodation in places that stand in need of such facilities. The member for Yilgarn

(Mr. Corboy) might move for a medical man to be stationed at Ravensthorpe owing to the disabilities of the people there in the matter of medical attention. Probably every member of the House would agree to motions of that sort, but it is a question whether, when we get down to tin tacks, the money is available, and whether if money were available it could be used for a better purpose.

Mr. Teesdale: You could not compare the cost of a school with that of an ordinary common motor wagon.

**The MINISTER FOR JUSTICE:** A school fit to accommodate 20 children could be built for less than the cost of a covered motor van.

Hon. G. Taylor: Does the Minister consider the present treatment of prisoners harsh or cruel?

**The MINISTER FOR JUSTICE:** No.

Mr. Teesdale: The motion does not say anything about that.

Hon. G. Taylor: But the speech of the member for Fremantle did.

**The MINISTER FOR JUSTICE:** The same facilities for the transport of prisoners from Perth to Fremantle are made available for the transport of prisoners to Fremantle from any other part of the State. Prisoners are taken to the station at Kalgoorlie, put in the train, and taken to Fremantle in the ordinary way.

Hon. G. Taylor: When you get them here you now want to put them into a motor car.

Mr. Teesdale: You could have a covered-in coach from Kalgoorlie so that the public could not gape in. Every time a prisoner comes down it is a perfect zoo.

Mr. Corboy: Absolutely! Hear, hear!

**The MINISTER FOR JUSTICE:** When people are charged with an offence they are subject to the public gaze, and possibly execration while in court.

Mr. Thomson: Sometimes they are not guilty.

Mr. Corboy: There is no reason why you should continue the practice.

**The MINISTER FOR JUSTICE:** It has been the custom from time immemorial.

Mr. Corboy: Then we will continue all the old customs. Let us go back to serfdom.

Mr. Teesdale: What about the man who is proved to be not guilty?

Mr. SPEAKER: Order!

The MINISTER FOR JUSTICE: When a person is charged with an offence the public are allowed to go into the court to hear the case. I do not see any great objection to that. If people have not time to go to the court they can read all about the case in the paper.

Hon. G. Taylor: And see the photographs.

The MINISTER FOR JUSTICE: The greater the offence, the greater is the publicity given to the case. If a prisoner is taken from Geraldton he gets the same treatment as would be meted out to a prisoner travelling from Perth to Fremantle. Anyone who is tried in one of the country towns is pretty well known, and if he is removed to Fremantle he goes to the railway station in the ordinary way. It is not desirable that we should go back to the old days, when people were put in stocks and exhibited in public places.

Lieut.-Col. Denton: That is what you are doing to-day.

Mr. Corboy: You do not want stocks, but you do not want to improve upon them.

The MINISTER FOR JUSTICE: I want as much improvement in the system as possible.

Mr. Corboy: There is not much difference.

The MINISTER FOR JUSTICE: When it is all boiled down it becomes a question of the relative value of expenditure in improving the present system of transporting prisoners, and that of bringing about desirable reforms in other directions.

Lieut.-Col. Denton: You don't want to make a criminal of a man all his life!

The MINISTER FOR JUSTICE: I don't want to make a criminal of any man. I want to give him all the privacy possible.

Lieut.-Col. Denton: Then, help such a man.

The MINISTER FOR JUSTICE: The Government will help him.

Mr. Sampson: If you have a motor car, the expense stops the moment the car is pulled up.

The MINISTER FOR JUSTICE: The question of expense is another matter. The objection raised was regarding the existing facilities for transporting prisoners between Perth and Fremantle, but those facilities are the same as in every other part of the State. To improve the position as suggested by the member for Fremantle would mean an expenditure of £600 or £700 that is really unnecessary. That expenditure would be on

account of work that takes about five or six hours a week to do.

Mr. Corboy: Yet you keep two horses, three men and a vehicle to do the same work!

The MINISTER FOR JUSTICE: If we are going to discuss the administration of the Police Department, it can be done when the Police Estimates are before members.

Mr. Corboy: You must set one against the other.

The MINISTER FOR JUSTICE: The prison van was recently done up and it meets the requirements.

Mr. Corboy: Let us go back to the old days and use one of Cobb and Co.'s coaches.

Mr. SPEAKER: Order. Hon. members must not engage in a discussion.

The MINISTER FOR JUSTICE: There are more important matters for which expenditure is required than the proposal of the hon. member. The present facilities are fairly satisfactory. If members can impress the Treasurer with their point of view and he makes the money available, I shall be prepared to institute the proposed system. People charged with various offences have to face the publicity of the Police Courts, and other tribunals, and full particulars of the proceedings appear in the newspapers. I do not suppose that one person in a thousand who saw prisoners transported from Perth to Fremantle would recognise them subsequently nor would they know who they were or what they were charged with. Everything possible is done to see that no ostentatious display is made regarding the prisoners. They are taken to West Perth where very few people will see them, instead of being taken to the Perth Railway Station where 200 or 300 people may be waiting to catch their trains. At Fremantle they are taken away quickly and not more than 20 or 30 people would see them along the route.

Mr. Teesdale: I watched two trains packed with people pass three boys who were on the West Perth Railway Station.

The MINISTER FOR JUSTICE: I do not say that we could not possibly improve the position. Instructions are given, however, that prisoners are to be taken to the West Perth Station only in sufficient time to catch the train to Fremantle. They are not kept for half an hour or so for people to gaze at.

Mr. Teesdale: I do not blame the police. They do all they can.

**The MINISTER FOR JUSTICE:** Our suburban railway service is noticeable for its punctuality!

**The Minister for Works:** Since when?

**Mr. Corboy:** It must be since you have been Minister for Railways.

**The MINISTER FOR JUSTICE:** At any rate, the prisoners are not kept waiting there, because of the running of the train service.

**Mr. Corboy:** It is easy to see that you have a motor car at your disposal and do not require to use the trains.

**The MINISTER FOR JUSTICE:** That is quite wrong. I have not a car at my disposal, and I use the railway train whenever it is possible.

**Mr. SPEAKER:** Order! Hon. members must not interrupt.

**The Minister for Lands:** I travel each day by train and I have not seen any prisoners yet.

**Mr. Corboy:** You come in too early!

**The MINISTER FOR JUSTICE:** I have no objection to the House carrying the motion or to the Treasurer finding the money. This matter is like many others. In carrying out the affairs of Government, money is required for many things. If the House likes to pass the motion as a direct instruction to the Treasurer to find the money, I suppose he will take some notice of it. At any rate, the provision for transporting prisoners from Perth to Fremantle is not different from what applies in other parts of the State, and in view of the many important directions in which money is required, I do not think it is necessary to provide a motor van at a cost of about £700. Nor do I think it is necessary to devote the whole time of one unit of the police force to this particular work.

**MR. MANN (Perth) [4.52]:** There is a phase of the question that has not been touched upon. I refer to the added security in the transport of the prisoners. On two or three occasions prisoners have escaped when being escorted from Perth to Fremantle, or from Fremantle to Perth. The escapes took place when the men were being transferred from the horse-drawn vehicle to the train. If a motor car were used, prisoners could be taken direct from the lockup in Roe-street to the gaol. In such circumstances there would be less opportunity for escape than there is at

present. Prisoners are transferred from one vehicle to another so many times en route that the chances of escape are increased in that way. The proposals of the member for Fremantle (Mr. Sleeman) are worthy of consideration.

**The Minister for Justice:** They have been given consideration.

**Mr. MANN:** The great point about it from my standpoint is the great degree of safety that will follow in the transport of prisoners if a motor van were used. There is always a temptation for accomplices to endeavour to rescue prisoners sentenced to long terms of imprisonment. If a man is sentenced to ten years' imprisonment, he thinks it worth while taking the risk involved in an attempt to escape.

**The Minister for Justice:** What about the men who are transported from Kalgoorlie, Geraldton, Bunbury and other country places?

**Mr. MANN:** That is quite so, but here we have an opportunity to minimise the risk of escape.

**MR. TEESDALE (Roebourne) [4.55]:** I support the motion moved by the member for Fremantle, and I am sorry that the Minister has made it a question of £ s. d.

**The Minister for Justice:** That is what it is.

**Mr. TEESDALE:** I am sorry to hear the Minister say that. As to the departmental estimate of the cost involved, I am inclined to question the figure the Minister quoted. I do not think it would take so much to convert the present Black Maria into a motor vehicle, which could be used for both Perth and Fremantle requirements. The Police Department could operate it so that it would serve the purposes of the two courts. Some time ago I saw three young fellows on the West Perth station. I got out of the train to note what would happen. Two trains that were packed with people passed through. Along each train I observed a sea of faces at the windows. Probably one man would draw attention to the presence of the prisoners on the opposite platform, and everyone in the carriages gazed out upon these poor unfortunate devils. I say "poor unfortunate devils" advisedly, because those young fellows may not have been guilty. Later they may have been acquitted in court. One young fellow was apparently under sentence for

his first offence. The hardened criminal of the pronounced type does not care a rap about this sort of thing, but in this instance the boy hung his head and tried to hide his face from the gaze of the people in the passing trains. At a little expense we are justified in saving such a boy from humiliation. The fact that he could display such shame was sufficient indication to show that there was hope for him, and that he should be given a chance. It may have been his first lapse, and we should not hold him up before the gaze of hundreds of people. I could see that boy's face for a long time, until at last I was driven to writing to the newspapers drawing attention to the incident. I did not blame the present Government but I said it was regrettable that past Governments had not seen the necessity for affording prisoners a little more privacy. We do not want to make men callous and brutalise them. We should not say: "To hell with such people. We do not care a rap about them, and will go on with the game." We must try to uplift them and not submit them to the gaze of 400 or 500 people at the West Perth station. We should take such precautions so that later on when these boys leave prison, they can take their place in society without being immediately spotted. It would be a great thing if the present Premier were to provide these facilities.

The Minister for Justice: Would that apply all over the State?

Mr. Thomson: The trouble is that the transport of prisoners is more frequent between Perth and Fremantle than elsewhere.

Mr. Corboy: It does not apply because in the country areas the prisoners have a reserved compartment and there is not the same publicity.

Mr. TEESDALE: I am sorry that the Minister has not supported the motion. I might add that when I wrote my letter to the Press it was not looked upon as worthy of publication. That may be of interest to hon. members. Perhaps I made it a little too strong for the newspaper.

Mr. Panton: That was the trouble.

Mr. TEESDALE: I hope that the House will agree to the motion and even if it costs £400 or £500, the provision of a motor van will be a monument to the present Government that past Governments missed.

**THE MINISTER FOR LANDS** (Hon. W. C. Angwin—North-East Fremantle) [5.0]: I am surprised that the member for Roebourne (Mr. Teesdale) should point out to us his inquisitiveness respecting prisoners. The hon. member, it appears, goes out for the purpose of seeing what is done with them. He is anxious to see what a prisoner is like. I have seen prisoners at West Perth station—I saw two yesterday—but I could not say what they were like.

Mr. Teesdale: You were thinking about the deficit all the time.

Mr. Thomson: Probably quite a number could tell you what they were like.

**THE MINISTER FOR LANDS:** Some could, while others could not. Our action in regard to this matter is not altogether what we would like it to be. However, money cannot be found for every suggested improvement. I could give scores of instances where money is urgently required for more important purposes. Take the position of a group settler when he falls sick. There is down there no conveyance at all to take the poor beggar to the hospital. Think of a nurse having to go out miles into the bush between 3 o'clock and 4 o'clock in the morning to preside over a confinement on the main road because the unfortunate patient could not be got to the hospital in time.

Mr. Sleeman: That must be the fault of the administration.

**THE MINISTER FOR LANDS:** No, it is because there is no money for another hospital.

Mr. Corboy: I would be ashamed to say so if I were a Minister.

**THE MINISTER FOR LANDS:** The ex-Colonial Secretary built a new hospital at Denmark, but scores of the settlers live 20 or 30 miles away from the institution. Group settlers have died before they could reach the hospital. We cannot have hospitals at every desirable point, because we have not sufficient money for the purpose. To-day money is required to provide means of conveyance for people whom it is necessary to hurry to the nearest hospital. Occasionally, of course, prisoners who are innocent of the charge against them have to travel between Perth and Fremantle. I come up from Fremantle every day, generally catching the 9 o'clock train, but I have never yet seen a prisoner on the Fremantle railway station, although possibly if I

looked for them I could find them. At Fremantle the prisoners are taken from the gaol across to Point-street, brought in at the Perth end of the station platform, and put directly into the compartment reserved for them at that end of the train. They are not taken amongst the passengers at all. Prisoners arriving at Fremantle are removed from the train in the same way, and so are kept altogether away from the passengers. At West Perth, certainly, I have on occasions seen prisoners, but even there the publicity would be much less if the prisoners were kept on the station until the train got out. While the Government are as anxious as anybody else to avoid publicity for the prisoners, and to provide them with a closed vehicle, still, if a conveyance is already there and suitable for the work, and if money is required elsewhere for matters of greater importance, it is our duty as a Government to make the money available where it is most required. Since being Minister for Lands on going through the country I have been surprised at the hardships with which people have to contend, hardships in regard to roads and the difficulty of reaching a doctor. It must be remembered that some 85 per cent. of the group settlers are paying 1s. 6d. per week for medical attendance, notwithstanding that many of them, owing to the remoteness of their blocks, cannot obtain that attendance. If the money necessary to the reform asked for in the motion can be found without robbing other matters of greater importance, it will be found. But let us not be swayed by mere sentiment. The present practice has been going on ever since the Fremantle prison was established, and to-day there are fewer prisoners than there used to be in years gone past. Indeed the late Government had to close up one of the prison houses down there. The member for Yilgarn (Mr. Corboy) went back to the days of the stocks for a parallel. Does he seriously suggest that the stocks are comparable to the system of conveying prisoners between Fremantle and Perth?

Mr. Corboy: You make a public exhibition of them, just as was done in the stocks.

The MINISTER FOR LANDS: We are not making a public exhibition of them. There is no comparison whatever between our system of conveying prisoners and the stocks. The hon. member's allusion was nothing but a slur on the Government.

Mr. Corboy: No, that is not fair.

Hon. G. Taylor: Yes, it was one under the belt.

The MINISTER FOR LANDS: Nobody desires privacy for the prisoners more than do the Government, but their funds are limited. It is all very well to speak of £500 here and £1,000 there, but the difficulty is to find the money. The Government have under consideration other matters calculated to do far more good than the suggested reform.

Mr. Teesdale: I am surprised to hear of the expense entailed.

The MINISTER FOR LANDS: Well, it would be necessary to get a new car and to have a man specially detailed to drive it and look after it. When a man has a job like that he will not do any other work but attend to his car and drive it.

Mr. Sleeman: Who drives the Commissioner?

The MINISTER FOR LANDS: Who drives the inspector?

Mr. Sleeman: Is a man specially kept to drive him?

The MINISTER FOR LANDS: A man is kept specially to drive and attend to the Black Maria. We have no objection to this motion but, as I say, if the money required for the suggested reform can be spent to better purpose in relieving more distressful suffering, I will support its going in that direction.

MR. CORBOY (Yilgarn) [5.10]: This debate has rather surprised me. I am astonished at the Minister for Lands accusing me of endeavouring to give the Government one under the belt. Without casting aspersions on those sitting around me, I may say that I do not know that the Government have any more loyal supporter than I. It was totally undeserved. The Minister for Lands, it seems, expects us to be a lot of dummies and sit here and support him through thick and thin.

The Minister for Lands: I don't care whether you support me or not.

Mr. CORBOY: I am not speaking personally. I say the Minister, on behalf of the Government, apparently expects us to support him through thick and thin without having an opinion of our own. If he really expects that, he had better get out of his job.

Mr. C. P. Wansbrough: He not only expects it, but he gets it also.

Hon. G. Taylor interjected.

Mr. CORBOY: It is all very well for the hon. member, but in his day he had plenty of occasion to worry.

Mr. SPEAKER: The hon. member must address himself to the subject.

Mr. CORBOY: Well, if you will prevent other members from addressing themselves to me, I will be able to do so.

Mr. SPEAKER: The hon. member must be respectful to the Chair.

Mr. CORBOY: If I have transgressed in that respect, I regret it. I assure you I have every respect for the Chair. I want to support the member for Fremantle (Mr. Sleeman). We provide these unfortunate prisoners with the greatest possible privacy—after conviction. We exclude them from intercourse with their fellow men altogether—after conviction. But before they are found guilty, while it is still possible that they will be acquitted, we expose them to the public gaze, expose them in the hands of policemen and sometimes handcuffed. What does the motion ask for? Merely that the man who has stolen a few pounds shall be given the same privilege prior to his conviction as is given to a prisoner held on a capital charge.

Mr. Latham: Are they sent to Fremantle when remanded?

Mr. CORBOY: Some of them, not all. It is in the discretion of the officers in charge of the police station. If one goes out and cold-bloodedly, and in public, shoots somebody, one is provided with a motor vehicle to take him to Fremantle pending trial; but if instead he steals a few paltry pounds, even though he be in such difficulties as would almost justify his crime, then he must be taken to West Perth station and exposed to the gaze of the public travelling on the train. A prisoner who is charged with a capital offence is provided with motor transport, but the prisoner who commits a trivial offence—

Lieut-Colonel Denton: Probably his first.

Mr. CORBOY: Possibly his first, although as a rule first offenders are not sent to gaol; however, the person that commits a trivial offence is exposed to the public gaze. One thing that has astonished me during this debate has been the attitude of the Minister. There is an old saying that straws show which way the wind is blowing. I hope this is not going to prove an instance of the truth of that saying. I hope

this trivial matter, as the Minister terms it, is not going to indicate that officers of a department can lead a Minister by the nose.

Hon. G. Taylor: That is a very ungenerous statement.

Mr. CORBOY: Other ungenerous statements have been made during this debate. If I know the Minister, I feel convinced that he did not express his own sentiments when he said prisoners should be transported as they are being transported today.

Mr. Latham: I cannot believe that is true.

Mr. CORBOY: It is a matter of opinion. I believe the Minister did not express his own sentiments.

Mr. Mann: Then whose sentiments did he express?

Mr. CORBOY: I believe he gave the official views of the department of which he is the head.

The Minister for Justice: I did nothing of the kind; I gave you my own views.

Mr. E. B. Johnston: He always does.

Mr. CORBOY: Then I am disappointed to hear it. I thought better of the Minister than to believe he had done so.

The Minister for Justice: I am sorry to disappoint you.

Mr. CORBOY: I am disappointed. Even now I find it hard to believe that the Minister expressed his own views when he spoke.

The Minister for Justice: To what sentiments do you take exception?

Mr. CORBOY: I always understood the Minister was on the side of those who favoured meting out the most merciful and humane treatment possible to fellow men.

The Minister for Justice: That is what I said.

Mr. CORBOY: I leave it to the Minister to reconcile that interjection with the statement he made to the House this afternoon. I cannot reconcile the two. The Minister reminds me of a character in Sir Frederick Treves' story, "The Elephant Man." That is a most astonishing story of a horribly deformed human being who was exhibited for profit. The people awaiting trial—not convicted prisoners—are in the position of the elephant man; the police officers are in the position of the people who had the elephant man on exhibition; and the Minister is in the position of a certain individual in that book who undertook the advertising of the show.

The Minister for Justice: That is a rotten statement.

Hon. G. Taylor: It is only gallery stuff to tickle the ears of the people.

The Minister for Justice: It is a gross exaggeration.

Mr. CORBOY: I should be sorry to think it was an exaggeration. When the member for Fremantle (Mr. Sleeman) was moving his motion, this matter created some levity.

Mr. Teesdale: It must be very amusing to see some poor devil in trouble.

Mr. CORBOY: While the member for Fremantle was speaking, I had occasion to turn round and remark in an undertone that most members seemed to be amused at the motion.

Mr. Latham: Of course you are likely to misunderstand people.

Hon. G. Taylor: You misunderstood the Minister. We are not responsible for your misunderstandings.

Mr. CORBOY: Possibly people on another occasion misunderstood the member for Mt. Margaret.

Hon. G. Taylor: They made no mistake.

Mr. CORBOY: It is amusing to hear the hon. member's concern about the probity of the Minister and that we should accept at their face value the statements made this afternoon. I wonder what the same member would have said a few months ago in Geraldton had he been given an opportunity to say anything.

Hon. G. Taylor: On a question like this and a statement by the Minister, I would have adopted the same attitude. It was a straight-forward statement.

Mr. CORBOY: If the hon. member was candid I think he would say what I shall say of him, that had I been in his electorate at polling time I would have told the people to believe our side and not his.

Hon. G. Taylor: I would not have made use of criminals in order to get into Parliament.

Mr. CORBOY: I am not doing that, and so far as I know it has not been done by anyone.

Hon. G. Taylor: I would get in on better grounds than that.

Mr. Marshall: You will be out next time.

Mr. CORBOY: I hope that every member has sufficient of human kindness in his composition to believe that people prior to conviction deserve some privacy, which they do not get to-day. Because I hope that feeling

exists, I believe they will support the motion.

MR. SLEEMAN (Fremantle—in reply) [5.22]: I am astounded that a Labour Minister should have presented such a case as we have had from the Minister for Justice to-day. Because a member sees a chance to do some good for fellow men, who have fallen, he is told it is not of sufficient importance to bring before the House. On that I disagree with the Minister. I consider the matter of great importance, and certainly of sufficient importance to hold up the House for some time if, by so doing, I can secure greater consideration for the people concerned. The Minister said that the member for Yilgarn (Mr. Corboy) might move to secure a medical man for Southern Cross. If the member for Yilgarn thought the question of sufficient importance, he would be quite within his rights in moving the motion.

Mr. Corboy: If my efforts could have accomplished it, a medical man would have been there years ago.

Mr. SLEEMAN: The Minister pleads that because the present means of transporting prisoners has been the custom for some years, it should continue. Would he also argue that because it has been the custom to hang murderers, that also should continue? Does he stand for capital punishment simply because it has been the custom for many years?

The Minister for Lands: I do, in some cases.

Mr. SLEEMAN: Why did the Minister urge the abolition of special juries? They have been in vogue for a long time, and on his argument, surely should continue. Why should he not object to women entering Parliament because it was the custom so long to exclude them?

The Minister for Justice: All my argument was based on the expenditure that your proposal would involve.

Mr. SLEEMAN: All the Minister's argument was based on the point that because the present system had been the custom for some years, it should be continued.

The Minister for Justice: I ask that that statement be withdrawn. It is incorrect.

Mr. SPEAKER: Exception having been taken to the statement, I ask the hon. member to withdraw it.

Mr. SLEEMAN: I took a note of it at the time.

Mr. SPEAKER: The hon. member must withdraw the statement.



Mr. SLEEMAN: I withdraw, but I ask the Minister to repeat what he said.

The Minister for Justice: Go on with your speech or sit down.

Mr. SLEEMAN: If the Minister will not repeat what he said, I shall have to continue. There is not much difference between the old stocks system of punishment and the present method of transporting prisoners.

The Minister for Justice: Why do we take them to West Perth?

Mr. SLEEMAN: Because they get more publicity than they would if they were taken to the Perth station. They are on the West Perth station while at least two trains from Fremantle pass through with people gazing from the windows. I was travelling in a train one morning when a lady called the attention of her children to a policeman and a prisoner sitting on the West Perth station. The children did not appear to be interested, but the woman made them look at the man in handcuffs being escorted by the constable.

Hon. G. Taylor: That is not the Minister's fault.

Mr. SLEEMAN: I did not say it was. I almost feel that instead of being in Parliament, I have returned to my former occupation as a trade union organiser pleading with employers for a rise of wages for employees. The old argument trotted out is that the Minister cannot afford this reform. That is the argument of employers whenever an application is made for a rise.

The Minister for Justice: Unfortunately, it is true.

Mr. SLEEMAN: Then the Minister should say it is true when employees come to him for a rise.

Mr. Mann: He does, too.

Mr. SLEEMAN: A reference was made to my not being loyal to the party, and the member for Yilgarn was accused of hitting below the belt, or something of the kind. I am loyal to my party so long as the party is right.

Hon. G. Taylor: That is the sort of loyalty!

Mr. Latham: A provisional loyalty.

Mr. SLEEMAN: Outside of party questions, if I consider the party or the Ministers are wrong, I am prepared to cross the floor and show my disapproval. It is said that one prisoner on jumping into Black Maria said, to the constable, "Home, John." It is possible that some member of this House may yet have a ride in that convey-

ance. I do not place myself upon a very high pinnacle, so that I shall not have far to fall. If anything did happen, as is possible to anyone here, I would resent being transported to Fremantle via West Perth as is the practice at present.

Mr. Latham: You would resent being arrested as well.

Mr. SLEEMAN: Not so much, perhaps, if I was guilty. At Fremantle I have seen the public lining up to watch prisoners leaving the train and crossing the luggage room to get into the cab.

The Minister for Justice: A morbid curiosity.

Mr. SLEEMAN: In a recent case it was not possible to get into the Court-house because of the rush of hundreds to see the accused. Prisoners should be protected against morbid curiosity.

Hon. G. Taylor: How would you protect them from that portion of it?

Mr. SLEEMAN: Unfortunately that is not possible, but wherever protection can be given it should be given. The other day the "Mirror" complimented me on following its lead. I am not too proud to follow anybody's lead, but unfortunately I did not know that the "Mirror" had written on this particular question. I moved in the matter during July of last year, and kept moving until September. The Minister said that I had stated the cost of the reform at £600. I made no such statement. What I did say was that for a long time I was unable to discover who was prepared to take the responsibility. The Gaols Department said the cost would be £1,500. The Police Department estimated the cost at £500—a difference of £1,000. It has been suggested that this motion, if carried, can only be a pious resolution. My reply to that suggestion is that if the Government are to flout the opinions of this House, we might just as well shut up Parliament and let Ministers run the country by themselves.

The Minister for Justice: It is a question of money being available.

Mr. SLEEMAN: The member for Mt. Margaret (Hon. G. Taylor) said he would not use prisoners to get into Parliament. If he was referring to me, I will say that if I cannot get into Parliament without using prisoners I prefer to stay out. Further, I am not very anxious to come here if I have to toady to anyone in order to get here. My electors must put me out if I do not suit

them. However, I believe that in this matter 98 or 99 per cent. of my electors are behind me. I have met only one man opposed to the motion, and I have met him only since I moved it. That man said he would drag prisoners through the streets in chains to gaol. I hope the motion will be carried, and that effect will be given to it. There is no use in motions being moved and carried if no notice is to be taken of them. Certainly an expenditure of £500 should not stand in the way of a much needed reform. The present system is a degradation to the prisoners and a disgrace to the country.

Question put and passed.

### MOTION—FREMANTLE HARBOUR TRUST.

#### *To disallow Regulations.*

Debate resumed from the 26th August on the following motion by Mr. Sleeman—

That Regulations Nos. 140 and 238 of the Fremantle Harbour Trust, published in the "Government Gazette" of the 8th May, 1925, and laid on the Table of the House on Wednesday, the 12th August, 1925, be disallowed.

**MR. THOMSON** (Katanning) [5.35] I listened with interest to the mover's arguments, and no doubt if the House had voted after the speech of the hon. member his motion would have been carried without dissent. However, there is another side to the case. The hon. member said it was very necessary that these regulations should be disallowed because boats were coming into Fremantle with large cargoes of inflammable material. Until recently, he said, an efficient watch was kept on them. A few months ago, he went on to say, he had had occasion to complain that the regulations were not being adhered to; and he found that, presumably to overcome the difficulty, the Fremantle Harbour Trust had decided to amend the regulations. Before he complained that certain boats were not obeying the regulations, it was considered necessary for the safety of the port to have watchmen throughout the 24 hours. Now, however, the hon. member said, the Harbour Trust Commissioners declared that it was only necessary to have watchmen on duty until 5 p.m., the hour at which the waterside workers finished handling cargo for the day. Recently, he proceeded, complaints

had been made that naked lights were being carried on such boats, and that there were no watchmen on board to see to the safety of the vessels. The hon. member also declared that he had known a big buck nigger to be placed as watchman on a boat, and that that nigger was regarded as an efficient watch. If anyone went up the gangway, all the nigger could say was, "The chief officer," and off he would go to find the chief officer.

**Mr. Marshall:** On a point of order, is the hon. member in order in reading from a newspaper matter bearing on the current session?

**Mr. SPEAKER:** Strictly speaking, the hon. member is not in order in reading from any newspaper in reference to any debate which has taken place in this House during this session.

**Mr. THOMSON:** I am quoting extracts.

**Mr. Marshall:** The hon. member is reading extracts from a newspaper bearing on a matter which has been debated during this session.

**Hon. G. Taylor:** He is only refreshing his memory.

**Mr. THOMSON:** I will let it go. I propose to show that the statements of the member for Fremantle are not in accordance with the facts.

**Mr. Sleeman:** Is it in order to say that my statements are not in accordance with fact? I ask for a withdrawal.

**Mr. SPEAKER:** I wish to draw the attention of the member for Katanning to Standing Order 125, which provides—

No member shall read extracts from newspapers or other documents relating to the debates of the House during the same session.

Another point of order has been raised as to whether the member for Katanning is in order in saying that inaccurate—I think that was the word used—statements had been made. I do not think that is out of order. If any statement is made to mislead the House or to reflect upon an hon. member, that statement is out of order. There must be no personal reflection. But it is quite possible that it may be in order to state that another hon. member has been inaccurate, or inaccurately informed.

**Mr. THOMSON:** I assure the member for Fremantle that I had no intention whatever of reflecting upon him. The hon. member has frequently expressed himself here as very strongly in favour of the Navigation Act. That Act has over-ridden

the Fremantle Harbour Trust Regulations. The Commonwealth Navigation Act Regulations, which apply to all ports in the Commonwealth, are extremely stringent, and place a heavy responsibility upon masters of vessels, and also their owners, to take every safeguard and precaution against fires. Under these regulations a ship's officer or reliable and competent member of the crew must be appointed when inflammable cargo is being loaded and discharged, to see that no matches, naked lights, or other probable causes of fire are allowed in any deck or hold where the work is being carried on. He must also remain in and closely inspect the deck or hold when discharge, loading or handling is completed, and report to the master or officer in charge as to the condition of the hold or deck. There is no question of the Navigation Department allowing its regulations in these respects to be regarded as a dead letter, and the local Deputy Director of Navigation exercises a vigilant watch to satisfy himself that the regulations are being complied with. Not only this, but the ship's agents in the interests of themselves and their principles do everything possible to ensure the safety of any vessel carrying inflammable cargo. It must be pointed out that the responsibility is placed upon the ship to maintain an efficient watch, and the placing of a watchman on board the vessel might mean that the master of the ship would have no control over a watchman whose employment is of a casual nature; and it is very doubtful whether in the event of an outbreak of fire, or in the strict carrying out of his duties, such a watchman would be as satisfactory and as efficient as a member of the ship's crew, say, an officer or other reliable person who would be directly controlled by and be responsible to the master of the vessel and would be fully informed as to what should be done in the case of any outbreak being discovered or likely to occur. Smoking on the wharves at Fremantle is an offence against the Fremantle Harbour Trust Regulations, irrespective of whether ships carrying inflammable cargo are lying alongside or not; and it is only reasonable to assume that in their own interests the staff of permanent watchmen employed by the Trust to patrol the wharves are instructed to see that the regulations are complied with in this respect. This permanent staff of watchmen is on duty throughout the 24 hours of the day, and the statement of

the member for Fremantle that there are no watchmen on the wharves at night is incorrect.

Mr. Sleeman: I rise to a point of order. I made no such statement. What I said was that there was no watchman on the boat.

Mr. SPEAKER: What is the point of order?

Mr. Sleeman: I made no statement to the effect that there were no watchmen on or about the wharves. I said there was no watchman on board the boat.

Mr. THOMSON: I am unfortunately debarred from referring further to the statements of the member for Fremantle.

Mr. SPEAKER: The hon. member must unconditionally accept the denial of the member for Fremantle.

Mr. THOMSON: I do so unreservedly. In any case there is no question of extreme danger at night, as under the Harbour Trust Regulations, which are strictly enforced, inflammable oils cannot be handled or allowed to remain on the wharves after sunset. The old regulation of the Fremantle Harbour Trust, which made it mandatory upon ship owners to pay the expense of watchmen placed on board their vessels by the Trust, was in force before the Federal Navigation Act became law, but with the bringing of this Act and its stringent regulations of 1924 into operation, the anomalous position arose that not only had the Federal regulations to be complied with and a ship's officer or competent watchman employed, but the Trust also put a watchman on board vessels, thus creating a double cost and a dual position. Obviously, therefore, the necessity for the mandatory clause of the Trust regulations disappeared with the bringing into force of the Navigation Act regulations; and this was apparently recognised by the Trust in abolishing the clause, although under the amendment inserted the Trust still reserved the right to place watchmen on board any such vessel if satisfied that an efficient watch was not being kept. I am giving all this information which is the result of the inquiries that I made. We are all deeply concerned about the administration of the Fremantle harbour.

Mr. Sleeman: You ought to be.

Mr. THOMSON: I am very much concerned for the reason that between 70 and 80 per cent. of the produce that goes out of that port is supplied by those who are engaged in primary production, and anything that is of vital importance to the port

of of vital importance to the people engaged in primary industries. On that account the Harbour Trust Commissioners were wise in their decision to refuse to continue the duplication of cost. After all, shipowners are not philanthropists; they are in business for profit, and naturally the charges imposed in a port are passed on to those who are providing the cargo. Consequently anything that will mean the cheapening of the handling of vessels, without of course doing any harm to any particular section, will have my support. For the information of the House I will set out the proceedings that have been followed at the port—

1. A copy of the Regulations is served on the Masters of all vessels by the pilot when he boards the vessels.

2. Red posters were placed on all the sheds on the wharves, until they were replaced by enamelled weather-proof slabs.

3. A copy of the poster and regulations was served on the secretary of the Fremantle Lumpers' Union so that his members would see the penalties for a breach of same. These were acknowledged by Mr. Rowe, Secretary of the Fremantle Lumpers' Union on the 30th May, 1924.

4. The Police and Customs were also advised by the Deputy Director of Navigation to report any breaches so that he might prosecute.

5. The whole responsibility being thrown on the master of the ship, the question arose as to whether the work could be better performed by the ship's officers or a watchman provided by the Harbour Trust, but paid by the ship, and the conclusion arrived at was that the officers were the proper persons to do so. The Harbour Trust was then approached, and sensing the fairness of the shipowners' request, excised the regulation compelling the ship to take their nominee watchman.

There is not the slightest doubt that the Deputy Director of Navigation carefully carries out the regulations and holds the masters and owners strictly responsible, and there have been only two complaints made that were found to be frivolous. One complaint was that smoke was issuing from the funnel of a steamer and that there was a risk of sparks coming into contact with cases of inflammable material and possibly igniting them, and the other that smoke was issuing from the funnel of a ship's galley. Both complaints were referred to the Deputy Commissioner and he stated they were frivolous. Yet the shipping agents have complained of the locomotives passing along the wharf emitting smoke and sparks, thus proving they were fully seized with the

importance for exercising the greatest care. I am mentioning this to show that the statements made by the member for Fremantle (Mr. Sleeman), no doubt in all honesty and sincerity, were not all facts by virtue that we have the regulations showing that the whole responsibility is placed on the master of the ship, and that the Commissioners have still the right to put on additional watchmen if they consider it necessary to do so. Lastly, that all people, police and Customs are able to report any breaches immediately to the Deputy Director of Navigation, and prosecutions will follow. Here is a copy of a letter from Captain Davies, Director of Navigation in reply to the Overseas Shipping Representatives Association, who requested Captain Davies to employ detectives to see that the regulations were carried out—

The Department took the initiative, as you are doubtless aware to better safeguard ships against fire in holds, due to improper use of lights and fires on shipboard, by making it an offence punishable by a substantial penalty, including in some cases imprisonment for any person, engaged in the handling of inflammable cargo on any ship, to have matches in his possession, or for any person whatever to ignite a match while in any hold or on any deck where such cargo is stowed is being handled. Considerable expense has also been incurred in the printing and distribution of notices, addressed to all persons concerned, warning them of the penalties attached to these offences. The Department, moreover, has no intention of permitting the law to be regarded as a dead letter. Any case, therefore, of a breach of the Navigation regulations in regard to the improper use of lights and fires, or the possession of matches, etc., on shipboard, that can be substantiated by reliable evidence, should be reported at once to the local Deputy Director of Navigation with particulars, with a view to steps being taken to prosecute the offender. The remedy for any laxity that may exist in regard to the observance of the law in this connection rests with the masters and agents of ships who should, it is considered, in the interests of themselves and their principals, promptly bring breaches of the law under official notice."

That is the information that has been supplied to me. Now I wish to read Clause 7 of the regulations under the Navigation Act, 1921-22. These regulations were signed by the Governor-General, and by Mr. Austen Chapman, then Minister of State for Trade and Customs. The clause reads—

The master or owner of a ship into or from which inflammable cargo is being loaded or discharged or on which that cargo is being loaded shall appoint or cause to be appointed

an officer or member of the crew or other reliable person who shall (a) remain in or frequently visit the hold or deck in or on which inflammable cargo is being handled; (b) closely inspect the hold or deck when the loading, discharging, or handling is completed and (c) report to the master or officer in charge as to the condition of the hold or deck and cargo.

Therefore, it is realised that this matter is entirely within the jurisdiction of the Commonwealth Navigation Act which insists that the regulations shall be put into effect, and there is no one more competent to look after the safety of a ship than a responsible officer. It has been pointed out in the statements supplied to me that in the case of fire, a watchman, from the shore is not in a position to know where the fire extinguishing apparatus is situated on a vessel, and that those who are familiar with the ship would certainly be able to deal more effectively with any outbreak. The member for Fremantle stated that he knew of cases where naked lights were used on ships that were loading or discharging inflammable material. If the hon. member is aware of that, he was lacking in his duty in not bringing the fact under the notice of the proper authorities. He professes to be anxious to safeguard the Port of Fremantle, and if he knew of his own knowledge of instances where naked lights were being used on ships that had inflammable cargo, it was his duty to report the matter to the Deputy Commissioner of Navigation who would immediately have seen that those responsible for such a dangerous practice were dealt with under the provisions of the Federal law. I regret that the hon. member, in his desire to safeguard the employment of possibly several more men, has seen fit to move that the regulation be disallowed. I hope that the House will not agree to the motion. It is in the interests of the State, generally speaking that as far as possible, the Fremantle Harbour Trust and all other public bodies administering affairs of considerable importance should receive encouragement in every possible way so long as they are not doing an injustice to any section of the community. The Trust should be encouraged to minimise the cost of working the Fremantle harbour, and I hope that the Government will stand firm and not agree to the motion, as it is not in the interests of economical working.

The Minister for Lands interjected..

Mr. THOMSON: If the Minister can prove any case of negligence it is his duty to

report it to the Commonwealth authorities who will prosecute.

The Minister for Lands: We do not want the Commonwealth authorities in it.

Mr. Marshall: Have you found a new-born baby in the Commonwealth Government? How long have you been a supporter of it?

The Minister for Lands: The Navigation Act does not apply within a harbour.

Mr. THOMSON: It applies to all ports.

The Minister for Lands: The State can over-ride it.

Mr. THOMSON: The Fremantle Harbour Trust has properly qualified watchmen on duty throughout the whole of the twenty-four hours.

The Minister for Lands: They cannot examine all the ships.

Mr. THOMSON: With the conditions that are laid down by the Federal Act making the ship responsible, it is an unnecessary expense to compel shipowners coming here to employ watchmen. I hope that the House will not agree to the motion.

**HON. S. W. MUNSIE** (Honorary Minister—Hannans) [6.0]: The Government have no objection to this motion, in fact they are in favour of it.

Hon. Sir James Mitchell: You do not mind it being carried?

Hon. S. W. MUNSIE: I want it carried.

Hon. Sir James Mitchell: But these are your regulations.

Hon. S. W. MUNSIE: That is all right. Prior to May, 1925, the wharf at Fremantle, and vessels carrying oil and other inflammable material, were practically policed by officers appointed as watchmen by the Fremantle Harbour Trust. The matter was brought before the Colonial Secretary with a view to amending these regulations. I am informed that the Minister was given to understand that the regulations then in existence conflicted with the Commonwealth regulations made under the Navigation Act. A draft amendment was then submitted to the Government, and all the information supplied by the member for Katanning (Mr. Thomson) was before them. As a result, the amended regulation was agreed to, and put through Executive Council. Since then the Colonial Secretary has watched the working of the regulation. From reports received he came to the con-

clusion that the wise course to pursue would be to revert, if possible, to the old regulation. The member for Katanning said that the Commonwealth regulation satisfactorily guarded the ship. I do not deny that, but the Commonwealth accept no responsibility in the event of anything happening. The shipowners would suffer loss, and the State would lose if the wharves and sheds were burnt. The Minister is of opinion that the old regulation better safeguards the interests of the State and the shipping as well. He asked the Crown Solicitor to give an opinion as to whether the old regulation was ultra vires or not. This is what Mr. Sayer said—

The fact that under the Commonwealth Navigation Act regulations have been made requiring the owner and master of a ship carrying inflammable oils to satisfactorily watch the ship for the prevention of accident or fire, does not preclude the Fremantle Harbour Trust Commissioners from making regulations enabling the Commissioners to place watchmen on board at the expense of the owners. (2) Regulation 140 as gazetted on 30th November, 1923, would not, in my opinion, be affected by the statutory rule in question under the Navigation Act.

He is pretty definite there that the regulation will stand—

(3) The regulation was, however, amended in July last, because it was deemed unnecessary to place watchmen on board in view of the Commonwealth statutory rule; but with the proviso that the Commissioners might place watchmen on board at the expense of the owner if of opinion that a ship was not efficiently watched under that statutory rule made pursuant to the Commonwealth Navigation Act. There is no provision under the Fremantle Harbour Trust Act requiring watchmen to be placed on board these vessels. The Commissioners are enabled to make regulations for the protection of life and property; but there is no direction by Parliament so far as I am aware, that watchmen must be placed on board vessels carrying inflammable oil. If, however, the Commissioners have thought fit, notwithstanding the statutory rule under the Navigation Act, to preserve the right under Regulation 140, as gazetted on 30th November, 1923, it would, in my opinion, have continued a valid regulation.

Hon. Sir James Mitchell: What is the date of that?

Hon. S. W. MUNSIE: I have not the date, but this is a copy of his opinion.

Hon. Sir James Mitchell: Since the member for Fremantle moved his motion?

Hon. S. W. MUNSIE: No, prior to that.

Hon. Sir James Mitchell: Why did you not alter the regulation without the motion if you wished to do so?

Hon. S. W. MUNSIE: The regulations have only just been placed on the table of the House.

Hon. Sir James Mitchell: If you felt they were wrong why did you not alter them yourselves? They are yours.

Hon. S. W. MUNSIE: The Leader of the Opposition is wrong. The regulations were put up some time ago, but they have only recently been presented to the House. Once a regulation goes to the Executive Council, the Government have no power to cancel it. It must be disallowed by either House of Parliament.

Hon. Sir James Mitchell: Of course you have power.

Hon. S. W. MUNSIE: The Leader of the Opposition does not know where he is. The Government have no power to undo or make any regulation in connection with the Fremantle Harbour Trust. These regulations have to be submitted by the Trust.

Mr. Davy: The Government may veto them.

Hon. S. W. MUNSIE: Before they are passed by Executive Council, but not after. The regulations do not come into operation until they have received the sanction of Executive Council. We are afraid of danger from the operation of the new regulation.

Mr. Mann: Was this motion moved in the interests of the Government?

Hon. S. W. MUNSIE: Yes. The Government want the regulation cancelled, and to revert back to the old regulation in order to safeguard the property of the State. The Minister is convinced that, under existing circumstances, we are not sufficiently protected.

Mr. Mann: What has occurred to influence the Minister?

Mr. Sleeman: He has the truth now. He did not have it before.

Mr. Mann: Were there any fires?

Hon. S. W. MUNSIE: I would not like a fire to occur on a vessel carrying explosives or oil, for if she were alongside the wharf the whole place would be burnt. The Minister is afraid of something like that occurring if the new regulations stand.

Mr. Mann: Something must have happened to cause him to change his mind.

Hon. S. W. MUNSIE: The member for Fremantle gave instances of what has been happening since the regulations have been in operation. The Colonial Secretary is

satisfied that the old regulation, if these are disallowed, will be best in the interests of the State for the protection of the State's property. I am going to support the motion.

**MR. DAVY** (West Perth) [6.10]: Little good can accrue if we pass this motion, even if it were desirable to disallow the regulations. All that existing regulation 140 says is that the Trust Commissioners place watchmen on board of ships, etc. It does not say they shall or must do so. It is simply a piece of information given to shipowners as to the practice of the Trust Commissioners. The old regulations give purely discretionary power to the Commissioners.

**Hon. S. W. Munsie**: They were carried out.

**Mr. DAVY**: That may be so, but if they were not carried out no one could criticise the Commissioners for not doing so. The regulation does not bind them. Regulation 238 simply says that the Trust Commissioners place watchmen on board of ships with oil or spirits on board. That also is a statement of policy. If the Commissioners are men of character, as I hope they are, and like to have their own way, even if we disallow this regulation, and they again become possessed of the old powers, and they are still of opinion that it is not necessary to have watchmen on board of ships, they will continue what they would have done under the regulation we propose to disallow. We are beating the air. If we disallow this regulation we shall not compel the Commissioners to do anything more than they have previously done. Under the new regulation the Commissioners are giving plenty of warning to shipowners that they may have to put watchmen on board their vessels. I think they have just as much power under the new regulation to insist upon night watchmen being placed upon ships as they have under the old one. It is not a wise policy for this House light-heartedly to disallow regulations made by a body like the Fremantle Harbour Trust. We have created them and given them entirely independent power. We are a lot of laymen interfering with experts. These Commissioners are paid their salaries to run the harbour and know what is necessary for its proper protection and regulation. We do not know, and cannot know, anything about it, and

cannot pose as experts in harbour matters. Notwithstanding this, we propose to say that this regulation of the Commissioners shall be disallowed. It is very much like teaching your grandmother to suck eggs. We ought not to disallow this regulation.

**THE MINISTER FOR LANDS** (Hon. W. C. Angwin—North-East Fremantle) [6.14]: The new regulation is entirely different from the former one. It makes it compulsory for ships to have watchmen. The watchmen have to be employed by the shipowner, whereas the old regulation provided for the Harbour Trust employing the watchmen.

**Mr. Davy**: If they choose.

**The MINISTER FOR LANDS**: When such a thing was necessary.

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

**The MINISTER FOR LANDS**: Before tea I was pointing out that the difference between the two regulations was that the Fremantle Harbour Trust could put watchmen on the boats under the old regulation, whilst under the new regulation the responsibility falls on the shipowner or the master of the ship. I am informed that effect is not being given to the regulation to-day. I am told that a ship always kept a general watchman on board, and that he is kept now for the purpose of giving an eye to the oil as well as to his other work. At the time the new regulations were approved by the Government it was definitely understood that there would be no alteration in the system. It has not worked out as the Government were given to understand. Unfortunately the Harbour Trust have often put up to the Government regulations which have not worked out as the regulations implied. It may seem peculiar that the Government should approve of a regulation and then support here a motion for its disallowance. However, there is no other way. When a regulation is put up, one must rely on the information given. The regulation is explained to one, and then one finds out from other sources that the regulation is not working in accordance with the information given beforehand. Thereupon the only course is to have the regulation disallowed. The Government themselves cannot disallow a regulation without a further recommendation from the Harbour Trust,

and it is not likely that a Harbour Trust official will admit an error. For the general safety of the harbour the Government find it necessary that these regulations should be disallowed. Then the responsibility will be thrown entirely on the Harbour Trust, and, as pointed out by the member for Katanning (Mr. Thomson), we shall not have to depend on Federal officials. The hon. member said that all we had to do was to report the matter to the Director of Navigation, when everything would be all right. However, before the report reached the Director, serious damage might occur. Consequently it is thought advisable to revert to the old system. The member for Katanning also said the object was to provide employment for certain men. That is not the case. Some men should be employed at the present time, and it was understood that the ship owners would employ them. However, the ship owners did not do so. In regard to many matters brought before the Government we are given an impression that an improvement will take place, and after trial the result proves to be the opposite. Then we endeavour to remedy the matter. The only way in which this particular matter can be remedied is by action in this House, and I hope the motion will be carried.

**MR. SLEEMAN** (Fremantle—in reply) [7.37]: I am sorry that the member for Williams-Narrogin (Mr. E. B. Johnston) said the other evening that the trouble in this connection was due to a change in the personnel of the Harbour Trust. He said there was no trouble during Mr. Basil Murray's term. I had a great respect for Mr. Murray, and, as he is gone, I regret that his name has been mentioned. The regulation in question was passed by the Harbour Trust Commissioners before Mr. Basil Murray's death. I shall not say more on that aspect of the subject.

**Mr. E. B. Johnston**: I was merely drawing attention to the change in representation.

**Mr. SLEEMAN**: The member for Katanning (Mr. Thomson) said my statements were not in accordance with the facts. All I can say is that the information supplied to the hon. member has misled him as much as the Government were misled when they approved of these regulations. Had it not been for misrepresentations put up by certain officials, the regulations would never

have received Ministerial endorsement, and therefore would never have gone through Executive Council. The hon. member further stated that the Navigation Act overrides the Harbour Trust regulations. It has been proved beyond a shadow of doubt that the Navigation Act does not over-ride the Harbour Trust regulations, and that the Harbour Trust Commissioners are perfectly at liberty to make regulations for the safety of the port and city of Fremantle. While shipping is attached to the wharf, it is regarded as part and parcel of the wharf; and for the safety of life and property at Fremantle a strict watch must be kept. The hon. member also stated that smoking on the Fremantle wharves is an offence. If that is so, it is an offence honoured only in the breach, for it is not stopped. Prior to the new regulations coming into force smoking was stopped alongside oil ships. No one while smoking was allowed to come within so many feet of either end of an oil ship. I repeat that naked lights and galley fires have been used on oil ships in spite of complaints. I have been informed by one of the watchmen that during the day a fire was lit in one of the galleys on an oil ship, with the result that the sparks were going all over the hatchways. He complained about this, and the fire was put out; but before he had reached the overhead bridge, after leaving the ship at 5 o'clock, he saw by the sparks that the fire had again been lit. The member for Katanning referred to the primary producer's need for better treatment. Seeing that the primary producer pays no wharfage on wheat, it is hard to know exactly what the hon. member wants. Perhaps he would like the Harbour Trust Commissioners to pay the primary producers a shilling for every bag of wheat that goes over the wharf. The producer of wheat does not pay for the handling of his product. The Harbour Trust Commissioners lose every day on the handling of wheat.

**Mr. Mann**: Does not the wheat industry bring ships into the harbour?

**Mr. SLEEMAN**: Yes, but the wheat does not pay for the cost of handling. The member for Katanning further stated that the watchmen do not know where fire-fighting appliances are kept on board of the ships. One of the duties of watchmen is to make themselves conversant with the whereabouts of those appliances on each ship. All the watchmen are men with sea-



faring experience; they are not appointed without such experience. They make themselves acquainted with the position of the fire-fighting appliances on every ship. When these regulations were put up, there was deliberate misrepresentation to the Minister.

Mr. Mann: By whom?

Mr. SLEEMAN: By the Harbour Trust Commissioners or their officials.

Mr. Mann: That is a very serious allegation to make.

Mr. SLEEMAN: I make it, and I know what I am saying.

Mr. Mann: Do you say they conspired together to deceive the Government?

Mr. SLEEMAN: They conspired to deceive the Minister. They also told the Minister that a better watch would be kept and that more men would be employed under the new regulations. The Harbour Trust Commissioners misrepresented the case to the Minister with a view to getting this regulation through. I do not know whether they did it out of pure spite against the watchmen who complained previously that ships were not being properly watched.

Mr. Mann: Do you think they are as petty as that?

Mr. SLEEMAN: They are even more petty where their own affairs are concerned. I know Mr. Tom Carter too well. I know how petty he is. I know that purely out of spite he became responsible for one of the worst strikes Fremantle ever knew.

Mr. Davy: Now you are getting silly.

Mr. SLEEMAN: Then let the member for Perth be quiet.

Mr. SPEAKER: Order!

Mr. Davy: You are getting back on somebody who cannot defend himself here.

Mr. SLEEMAN: I do not think that particular gentleman needs much mercy.

Mr. Davy: Do you think he wants any?

Mr. SLEEMAN: He will not get any as far as I am concerned.

Mr. SPEAKER: Order!

Mr. SLEEMAN: The member for West Perth said Regulation 140 did not provide for watchmen being employed. It provides that watchmen may be employed.

Mr. Davy: At the discretion of the Commissioners.

Mr. SLEEMAN: They were always employed under the old regulations, but under the new regulations they are not employed.

The masters of ships refuse to put watchmen on while these regulations are in force. Therefore, for the protection of life and property at Fremantle it is essential that these regulations should be disallowed.

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

Ayes	..	..	..	21
Noes	..	..	..	13

Majority for .. .. 8

#### AYES.

Mr. Angwin	Mr. McCallum
Mr. Chesson	Mr. Millington
Mr. Collier	Mr. Munzie
Mr. Corboy	Mr. Panton
Mr. Coverley	Mr. Sleeman
Mr. Cunningham	Mr. Troy
Mr. Heron	Mr. A. Wansbrough
Miss Holman	Mr. Willcock
Mr. Kennedy	Mr. Withers
Mr. Lutey	Mr. Wilson
Mr. Marshall	(Teller.)

#### NOES.

Mr. Angelo	Mr. Mann
Mr. Barnard	Sir James Mitchell
Mr. Davy	Mr. J. H. Smith
Mr. Griffiths	Mr. Taylor
Mr. E. B. Johnston	Mr. Teesdale
Mr. Latham	Mr. Maley
Mr. Lindsay	(Teller.)

#### PAIRS.

AYES.	NOES.
Mr. W. D. Johnson	Mr. Richardson
Mr. Clydesdale	Mr. Thomson
Mr. Lamond	Mr. C. P. Wansbrough

Question thus passed.

#### BILL—MINISTERS' TITLES.

Received from the Council and, on motion by the Premier, read a first time.

#### BILL—PUBLIC EDUCATION ENDOWMENT AMENDMENT.

Received from the Council and, on motion by the Minister for Lands, read a first time.

#### BILL—REAL PROPERTY (COMMON-WEALTH TITLES).

Returned from the Council without amendment.

**BILL—DIVORCE AMENDMENT.***Second Reading.*

Debate resumed from 26th August.

**MR. DAVY** (West Perth) [7.52] : I moved the adjournment of the debate the other night because it seemed to me the Bill was about to pass its second reading without any consideration. Any Bill to alter the law of divorce is so important that time ought to be given for its consideration in relation to the principal Act. In 1919 this House and another place passed a Bill amending the divorce law, and the immediate result was that people could get a divorce within six weeks of the time they decided to apply for it. That was the law that made failure to obey an order for the restitution of conjugal rights equivalent to desertion, without the expiration of the prescribed time. Half the lawyers in the town were waiting for that amendment of the law to put through certain divorces. Yet this House and another place had not the faintest notion of what they were doing when they passed that Bill.

**Mr. Mann**: Was any injustice done?

**Mr. DAVY**: I will not say there was; but I am instancing this to show that it is possible to pass through this House and another place measures with the details of which members are not familiar any more than they realise the probable results thereof. That was shown in that the 1919 amendment was repealed in the next session.

**Mr. Mann**: Yet that Bill was introduced by a solicitor.

**Mr. DAVY**: I do not suggest that that makes any difference. The fact remains that members did not know what they were doing, and that they repealed the law as soon as they discovered what they had done. The Bill before us is a very simple one, but I do not think it goes far enough. It is intended to help certain women who although de facto they find themselves permanently deserted by their husbands, can obtain no relief to help them to get that desertion recognised and turned into a divorce. In that respect the Bill is acceptable. But it is not complete. All that it does is to provide that, where two people are separated by agreement or separated by an order of the Court, and the husband

is either ordered by the Court to make payments or has agreed to make payments from time to time, if he fail to make those payments regularly for three years divorce may follow. There is this to be considered: we might well have a case where two married people have agreed to separate, but where the husband, being a man of property, instead of undertaking periodical payments has settled property on his wife. If the Bill pass, in cases where a periodical payment is agreed to, the wife, in the event of her husband failing to make payment, can get a divorce; but where the husband settles something outright upon her she cannot get a divorce any more than she can now. It is difficult to see why a woman who has property settled on her should not get a divorce, whereas another woman who merely has a promise of regular payments should be able to obtain a divorce. Divorce has nothing to do with support. Women do not want a divorce from their husbands in order that they might get support; they want a divorce so that they may be free to marry again and live the life nature designed for them. So, as I say, the Bill does not go far enough. However, particularly if our one lady member will turn her attention to the Bill and see how it affects women and what women it will not help, we may be able to amend the Bill in Committee and make it cover all cases of the one kind, not merely some of them. There are also one or two doubts as to the interpretation of the Bill, but they also could be fixed up in Committee. The Bill does not go far enough, but it certainly will remedy the disability under which one class of wives suffer, and therefore I think it should pass its second reading with a view to being amended in Committee.

**THE MINISTER FOR LANDS** (Hon. W. C. Angwin—North-East Fremantle) [8.0] : I do not altogether agree with the member for West Perth (Mr. Davy). I know of a case to which this measure would apply.

**Mr. Mann**: There are a good many such cases

**The MINISTER FOR LANDS**: There is a woman whom I have known since she was a baby. She and her husband entered into a separation agreement, he to pay an allowance for the maintenance of the children, but soon afterwards he cleared out to

the Eastern States and has not been heard of since. Though there was desertion, under the agreement entered into, she could not sue for divorce.

Mr. Davy: The Bill will remedy that.

The MINISTER FOR LANDS: Yes. Had that man been possessed of property, is it likely that he would have settled a certain amount on his wife for the maintenance of the children if there was a possibility of another man coming along shortly to get the benefit of it?

Mr. Davy: He would not get the benefit.

The MINISTER FOR LANDS: He would, if the woman married again.

Hon. G. Taylor: I should think the first husband would take care to protect the children.

The MINISTER FOR LANDS: Some men would; some would not. I have known second husbands to get possession of the wife's property, sell it up, pocket the money and clear out.

Mr. Sleeman: They would be very foolish women to let the second husband get the property.

The MINISTER FOR LANDS: But the women were unsuspecting at the time. If the Bill be enlarged as the member for West Perth suggests, there is a danger of the children being robbed of their maintenance, or of not getting the attention they would otherwise receive. A woman who has to work to keep her children is placed in a very awkward position, in that she has to be exceedingly careful of her movements. Thus she has not the freedom she would have if she were divorced. In the case I mentioned, the woman desired only her freedom; she had to work.

Mr. Davy: Why should not women on whom property has been settled have their freedom as well as other women?

The MINISTER FOR LANDS: The member for West Perth said the husband might make over property to the wife, intended for the maintenance of the children, instead of giving her an allowance. I have more faith in second wives than I have in second husbands. I speak from experience; my mother died when I was a baby and I know what a good stepmother is. If we adopt the proposal of the member for West Perth, the children might suffer through not getting the full benefit of property intended for their maintenance. The Bill

should be passed, but I hope its scope will not be enlarged.

MR. LATHAM (York) [8.4]: I support the second reading. Though the member for West Perth thinks the Bill does not go far enough, it is certainly a step in the right direction. It will give relief to many women who are unfortunately placed, and anything we can do in that way should be done. Many amendments could be made to our divorce laws to afford relief to women placed in the position mentioned by the member for West Perth. When the Bill reaches Committee, we may be able to amend it to cover other cases.

MR. MANN (Perth—in reply) [8.5]: The member for West Perth is the only one who has raised any objection to the Bill, and his objection is that the measure does not go far enough. He admits that the Bill will give relief to a number of women in need of relief. I am satisfied that the measure will import a certain amount of justice and equity into the divorce laws, and will give women relief which I think it was believed they would get when the provisions of the original measure was passed. I do not think it was ever expected that this disadvantage would be imposed upon women who are unable to help themselves.

Question put and passed.

Bill read a second time.

*In Committee.*

Mr. Lutey in the Chair: Mr. Mann in charge of the Bill.

Clause 1—agreed to.

Progress reported.

## BILL—BILLS OF SALE ACT AMENDMENT.

*Second Reading.*

MR. DAVY (West Perth) [8.9] in moving the second reading said: I hope members will excuse me if I assume that some of them are not familiar with the meaning of the measure and the nature of the commercial document with which it deals. I hope they will not think I am adopting a superior attitude if I define a bill of sale. A great number of people who

are not engaged in commercial life, or who have not been put to the necessity for borrowing money, have rather a hazy idea of what a bill of sale is.

Mr. Panton: Can you tell us where we could borrow on it?

Mr. DAVY: For a consideration, perhaps; the hon. member cannot get cheap advice from me. A bill of sale is really a mortgage of chattels. It is a document similar to a mortgage of land, except that instead of referring to land it refers to chattels. Members will realise—some know from experience—that a man's credit often depends upon the extent of his ownership of land or chattels. The ownership of land can always be readily ascertained by a search at the titles office, but the ownership of chattels is not to be proved except by the fact that the owner has possession of them. Possession is the *prima facie* evidence of the ownership of chattels. In trade many people rely upon a man possessing a piano, a shop of goods, or a flock of sheep, in judging whether he is worthy or not worthy of credit. Under the existing Act it is provided that a bill of sale may be registered, and it is provided for certain purposes that registration shall be conclusive, and that failure to register will render a bill of sale null and void against certain persons. But it does not render the bill of sale null and void for all purposes. It is quite possible, under the existing law, for a man, who has given credit to a party that he sees to be the apparent owner of certain chattels, to find subsequently when he seeks to realise a judgment on the chattels that they belong to someone else of whom he has never heard. Registration of course is intended to give all the world warning that the chattels in the possession of a certain person are not entirely his. Under Section 25 of the Act a bill of sale, unless registered, is null and void as regards a trustee or liquidator. When I refer to a bill of sale I include also a debenture. It is a similar document, but has reference to incorporated bodies. When a local authority or a company desires to borrow money, the loan is secured by means of debentures. Under Section 25 a bill of sale is void unless registered as against a trustee in bankruptcy, or a trustee under the Bankruptcy Amendment Act, and finally it is null and void as against sheriffs and bailiffs and other persons seizing chattels under a judgment of the court. If a man

holds a bill of sale, although it is unregistered, and hears that a judgment has been obtained against the grantor, he may rush in and grab all the chattels, while the man who obtained the judgment, and who perhaps advanced the money on the strength of the party apparently being the owner of the chattels, finds the proceeds of the judgment snatched from under his nose. The Bill proposes that no bill of sale shall be valid unless it has been duly registered. A man who has possession of chattels shall, unless warning by registration has been given to the world, be deemed to be the owner of the chattels. That is the main proposal in the Bill. There is another proposal designed to simplify the attestation of bills of sale. Under the Act a bill of sale has to be attested by a witness who then has to make an affidavit, and he has to find a suitable person before whom to make that affidavit.

The Minister for Lands: They are very plentiful.

Mr. DAVY: In the country there is frequently difficulty in finding one. In many instances long journeys have to be taken to find a person before whom an attesting witness to a bill of sale may make his affidavit. A great deal of delay occurs in matters of this kind. It sometimes happens that powers of attorney have to be taken out in order that the bill of sale may be executed. It is proposed in the Bill that it shall be sufficient for the attesting witness to make a declaration. No ill results could possibly occur from such a simplification of the procedure. There is one provision in the Bill as printed to which I take the strongest objection. Last year I was asked to take charge of the Bill in this House, but I objected to this particular provision. The people responsible for the Bill did not see eye to eye with me, but since then they are quite prepared that I should amend this particular provision. I refer to the clause that requires that the registration of bills of sale shall be retrospective. I could not agree to that. Many bills of sale are in existence that are not registered, and that, it is agreed, should not be registered as between the parties. It appeared to me to be wrong to direct that a bill of sale, the parties to which had agreed that it should not be registered, should be dragged into the light of day and registered. The kind of case in which that might happen would

be where a man had borrowed money on his stock and the lender had agreed that the bill of sale over the stock should not be registered. Registration should not interfere with bills of sale of this kind.

Hon. G. Taylor: This Bill will not have any retrospective effect.

Mr. DAVY: No. It cannot affect any bill of sale at present in existence, if the House agrees to the amendment I propose to move in Committee wiping out all retrospective effect. This matter largely affects the commercial community and their dealings amongst themselves, but I realise that members should keep an eye on such a measure.

Mr. Hughes: We will have to keep two eyes upon it.

Mr. DAVY: Yes, and I hope members will use their brains in dealing with it. I trust the second reading will be carried and that my proposed amendment will be passed through Committee. I move—

That the Bill be now read a second time.

On motion by Mr. Hughes, debate adjourned.

## **BILL—INDUSTRIAL ARBITRATION ACT AMENDMENT.**

### *Second Reading.*

Debate resumed from the 27th August.

**MISS HOLMAN** (Forrest) [8.20]: I consider I am qualified to speak on this Bill as I have had a good deal of experience of industrial matters. Nearly all my working life I have been confidential clerk employed by the Timber Workers' Union, and most of that time was spent in dealing with arbitration matters, helping my late father, and doing work in the office. In 1914 I had experience of my first case, and from 1918 onwards have had further experience. I am glad the Bill provides for the retrospective principle. I could quote many instances where this principle would have been a great boon to the workers. In the timber workers' case the claim was lodged in February, 1919, but the verdict was not given until December, 1920, and the award was not finally signed until 1921. In that instance the basic wage was made retrospective. It is true the employers did give two voluntary increases during that time, but these did not amount to what was set out in the award finally delivered by the court. If awards

were made retrospective it would do away with the efforts of employers to delay the court and prevent the payment of the rate to the workers, thus doing them out of the wages to which they are justly entitled. A great deal of this sort of thing has been done in the Federal Arbitration Court. I was in the court in 1923 when for weeks on end the employers dealt with technicalities, with the result that there was much delay in bringing the case to finality. First one point and then another was raised. The employers brought up the question of jurisdiction, and kept the argument going while the workers were waiting for the award and were being deprived of the benefits they might otherwise have enjoyed. The costs of the union were greatly increased. I see it is intended by the Bill that notwithstanding the expiration of the term of an award, it shall continue in force until a new award has been made. In the previous debate the Leader of the Opposition remarked, when dealing with the Government's intentions to give the timber workers a 44-hour week, that this was opposed to the award. The member for York (Mr. Latham) also said it was an interference with the award. I should like to know what those members consider the action of the Nationalist Government in 1922 was, if not an interference, a political interference in the wrong direction. I might quote a letter sent to the union in this regard. Here is part of it—

Unless, therefore, at the expiration of three months from this date the conditions as prescribed by the agreement are reviewed and modified by mutual consent, it will then terminate. It is proposed that the working hours per week shall be increased from 44 to 48, and that the basic wage shall be 12s. 10d., etc.

The words "mutual consent" are an intimation that if the other side did not do what was required it would be done by other means. The Government of the day were endeavouring to create a precedent for those who were to follow, and to take away from the workers the results of their labours.

Hon. Sir James Mitchell: You are wrong.

Miss HOLMAN: Such a thing had not been attempted since 1904. That the Government did not succeed in this case was due only to the decision given in the Potosi case, when notices were posted up by the company that after such and such a date

wages would be reduced. Another sample of political interference with the court was when Mr. Justice Higgins was conducting an inquiry into the 44-hour week. The Prime Minister, Mr. Hughes, was then prevailed upon by the employers to alter the constitution of the Federal court and to place three judges on the bench. The object of this was to prevent the question from being properly dealt with and for the sole purpose of thwarting those who were claiming the 44-hour week. This was also an interference with the proper working of the court. There are many other ways of interfering with awards. Employers are not bound to give the minimum wage nor the maximum hours. They are bound to consider the welfare and the conditions of their workers, not to stick to the lowest wage and the highest hours that an award gives. One member spoke of the breaches of awards by employers.

Mr. Marshall: That is a poor argument.

Miss HOLMAN: Employers are the real offenders. The workers are bound by the award, and the employers have matters practically in their own hands. They take advantage of any technicality they can. They search for technicalities and delay the court while they argue them. In one case, where an award of 1s. a day above the basic wage was granted, we were kept waiting while the employers fought tooth and nail for a variation. It would be correct to say that some of the employees have still not received their just dues in this matter. Another award of the timber workers was settled in October, 1923. Sleeper loaders were included in the award. The employers went to the court three times. On the first occasion the judge said the award meant what it said, on the second occasion he made a provision for the length of the sleepers, and on the third occasion it was claimed that the award meant something else. In the end the employers got almost what they wanted through appealing to the court and putting all these points up to the judge.

Mr. J. H. Smith: Many employees receive more than the minimum wage.

Miss HOLMAN: Some do, but 50 per cent. of those connected with our industry do not. The actions of the employers have caused a delay of 12 months, so that the employees have not had that to which they were entitled. Breaches of the award

numbering scores could be mentioned as having been made by the employers. I refer to such things as the posting up of awards, the measurement of logs at the bush landings, the non-payment of wages, the fact that sleeper cutters are kept waiting for their money, and so on. These are all breaches of the award. I should like to see the court given the fullest possible power to deal with all such questions. In the original Act there is a provision that the court shall have power to deal with industrial matters, and amongst those powers is one regarding the dissolution of apprenticeships. An apprentice was discharged by Brennan Bros., wrongfully as it was claimed on behalf of the union, for insubordination; and the case was taken to court. The President of the Arbitration Court ruled that because the apprentice had been discharged, the Arbitration Court had no jurisdiction. It is very peculiar that the court could make rules dealing with apprentices, and could settle penalties and so forth, but that once the girl was discharged the court had no jurisdiction simply because she had been discharged. I should like to see the court given the fullest powers possible in that respect. The Bill also deals with the basic wage, a big step in the right direction. Since 1907 Arbitration Courts have been delivering awards, and the workers have been labouring for wages based on the harvester judgment of that year, when the budgets of nine housewives, the experience of one house agent, and the wages paid by municipal councils and similar employers were taken into consideration and a wage of 7s. per day was decided upon as fair and reasonable. In the timber trade to-day we are still following on the same old lines. The wage of the bush worker is based on the cost of living figures obtaining in 20 country towns, not one of which is connected with the bush work of this State. In fact, not one of the Western Australian country towns has anything to do with the timber centres. The Western Australian country towns are Kalgoorlie, Geraldton, Northam and Bunbury.

Mr. J. H. Smith: But Bunbury has to do with the timber centres.

Miss HOLMAN: Not as regards stores. Under the Bill the court would set its own standards, and I see that the standard is to be fixed from time to time. In the past the living wage has always been fixed on the basis of the increase in the cost of living during a past period, and the increased wage

had always to be spent in the future period and so was always in arrears. If the court has the power to settle the wage from time to time, the workers will have a chance of a reasonable wage in the future. The basic wage is fixed as a fair and reasonable wage for 52 weeks in the year but very few workers get 52 weeks' work in the year. There are very few indeed who do not have some lost time. We have an instance now in the case of the Manjinnap No. 1 State mill being burnt down, and 150 men being thrown out of work. I would like to know what those men have to fall back on out of their £4 4s. per week. The basic wage is fixed for a man, his wife and three children. Many of them have more than three children to keep. I know of families at timber centres where there are seven children under 14 years of age. I do not know that a basic wage is fair and reasonable when it is based on three children while so many families in the bush have more than that number. A man cannot make ends meet on the basic wage.

Mr. J. H. Smith: But £4 4s. is the minimum.

Miss HOLMAN: Fifty per cent. of our men are on the minimum. The £4 4s. does not cover too much extra in the way of clothing or food for children, and covers nothing in the way of luxuries. In the Press the other day there was a little report of Millars' Company's profits for the year—I think the amount was over £100,000. Here it is a case of men and women dealing with companies who have no soul above the making of profits. I consider that this Bill should prove of importance to many workers. By arbitration in the past we have got rid of perhaps the worst forms of sweating, and to-day the great majority of workers are governed by awards. We know it is far better for the workers to have their industrial troubles settled by arbitration than to resort to drastic methods; but we know also that the workers never strike unless forced to do so, and that when they do strike it is the women and children who have to suffer. Therefore, any legislation making for the betterment of the workers is something to be applauded. I think I cannot conclude my remarks better than by quoting Mr. Piddington, who said—

Though machinery has multiplied the output of the individual worker, it has left him just where he was in the command of his own hours for recreation or self-information, or for the use of his time as he likes.

**HON. SIR JAMES MITCHELL** (Northam) [8.37]: The more we listen to this debate, the more certain ought we to become that what we want in this country is a great many more men of enterprise who will give employment. It is quite evident from what we have listened to that there is a dearth of employment. It is quite evident, too, from the remarks of members opposite that in their opinion all we should consider in the framing of Arbitration Acts is the smaller thing affected by this great question. The member for Menzies (Mr. Panton) told us the other night that as a rule the employer and the worker were both in fault. He said he had had them both up before him at once. Just imagine the member for Menzies going to an establishment and having both the employer and the employee fined! Mr. Panton: It does good, too, sometimes.

Hon. Sir JAMES MITCHELL: There is something else for us to do in framing legislation. We must be reasonable and sensible, and must pass a measure that will do some real good. The present Bill is based entirely on the Minister's experience when he was the great union leader of this State. Every power he would have liked to possess when leading men has been inserted in this Bill. If he could have had this law when he was the leader of the unionists, it would have suited his book exactly. The Minister's experience in arbitration has been all on one side. He has always led the workers. However, there are two sides to a question. Probably the people least fitted to draft an Arbitration Bill are the people on either side—the employers and the employees. So it is for this House, and especially for members who have not had quite so much active participation in industrial troubles as the member for Forrest and the member for Menzies, to give special consideration to the Bill in hand. Undoubtedly in the past dreadful conditions existed, people were overworked and underpaid, and young children were compelled to work, and to work for long hours. Unquestionably arbitration has brought about a wonderful improvement. But in considering this measure we ought to avoid the tendency to bring ancient sins down into modern times. Most of the employers in this State want to be good employers, and I believe employers generally are more interested in the workers now than was the case at any stage in the history of the world.

Mr. Withers: They employ the workers out of charity!

Hon. Sir JAMES MITCHELL: The hon. member interjecting does not employ any workers. Some day he will do so, and I hope sweet charity will then control every action of his. Of one thing I am quite certain: we shall do justice to all men if we can make this Bill a measure for the honest working man. Then all people will be quite satisfied. Let us not attempt to do the impossible by this Bill—to protect the man who will not work, to protect the man who wants to be paid far more than he earns. We cannot do those things, and we have no right to attempt to do them. The honest worker wants work. He wants good wages, of course, and good conditions. He can have all those things in return for honest work. He is getting them to-day more than he has ever had them before. Nowadays conditions are better and wages are better. A great deal has been lost by the workers in unnecessary strikes. The previous speaker said, quite truly, that the workers never strike unless they are forced to do so. I do not know whether the hon. member meant that they are forced by union leaders to strike.

Mr. Panton: Economic circumstances usually force them.

Hon. Sir JAMES MITCHELL: No. I think that 99 times in a hundred the workers are led by agitators or by incompetent people. We have a strike of that nature in Queensland to-day.

Mr. Hughes: We have had a strike of judges. None of them would take the Arbitration Court. Who engineered that strike?

Hon. Sir JAMES MITCHELL: I think that the hon. gentleman who is seeking to join the legal profession should not at this early stage of his career reflect upon the judges. Workers are often forced to strike.

Mr. Panton: It depends on circumstances.

Hon. Sir JAMES MITCHELL: I do not want to deal with individual cases; but take the last strike we had here, the tearoom strike. The employees were working under an award which had about six weeks' currency when they went on strike. They did not go on strike because they were dissatisfied with the wages. Negotiations were going on for a renewal of the award. In fact, the employees were to get better wages under the renewal than those for which they went back eventually. What they struck

for was preference to unionists. No sane man would believe that he could carry on business under a clause which meant that he would have to employ such people as were permitted to join unions and as were furnished to him by union leaders. During the currency of the agreement the leaders took the employees out because the employers would not agree to grant preference to unionists. The employers were willing to renew the agreement on improved conditions, but the union leaders declared for a strike.

Mr. Sleeman: The union leaders must have very great powers.

Hon. Sir JAMES MITCHELL: Yes; powers far in excess of their ability to lead the rank and file wisely. In Sydney to-day they have far too much power, and one union leader at Fremantle is exercising a great deal more power than is good for the people. When strikes occur during the currency of an award it is evident that the men are not forced out by the employers. Not all employers are perfect employers, any more than are all workers perfect workers. We are faced with a very serious responsibility in framing the Bill, and I ask members to remember that what we have to do is to create continuous employment at good wages. In these days, when men are out of work, it is ridiculous for Parliament to approach the question of arbitration as if we were here to do something to discourage employment. What is the use of holding up arbitration as if it were necessarily either against the employers or against the workers? We have magnificent workers and magnificent employers, but not enough of either. In this country no man should be out of work, so long as we afford necessary protection to the worker. But we do not want an army of people appointed, as has been done under the existing Act, to make work for the court. Let us even say that all our duty is to the worker—I am prepared to take up that position—and I am certain we shall frame a good Bill; but when we only pretend to serve the worker it is about time the worker himself came to some understanding of the position in which he finds himself. This unemployment that we have to-day is not the creation of a moment; it is the result of the systematic discouragement of enterprise. One worker cannot employ another, but one good employer can employ many



workers, and if the employers of the State could be encouraged to do far more than they are doing, what a glorious future it would open for the worker! I will say for the Minister for Works that he has always honestly tried to believe he was right in any action he took for the benefit of the workers; he always believed he was right, and often he was right, although sometimes he was very wrong. The father of the present member for Forrest (Miss Holman) worked for the good of the workers, and did so with a tremendous courage. He never had any fear about telling the men that he thought they were wrong. The same may be said of the Minister for Works. But in arbitration we have drifted into that habit of fixing wages on the cost of living. The member for Forrest has said the basic wage should cover the cost of living of a man with his wife and three children. It would be a good thing for the State if all the married men had three children. Then we were told about the man with seven children. Napoleon, when asked to name the greatest woman in France said, "The woman who has reared the greatest number of children." I agree with that. I like to see such mothers, and the fathers too, rewarded. But when we fix the rate of wages on the cost of living, we are certainly not doing justice to the worker. There is something more than that to be had. A man should be paid the worth of the work he does. Arbitration can be very good or very bad. I do not think it can ever be very good while we base wages only on the cost of living. We require to see that people get an adequate reward for adequate service. It is of no use the people of this State thinking they are going to make progress if all the time there is to be this continual fighting. The worker has a great many deductions from his wages. He has to pay into the trade union funds a considerable sum.

Mr. Panton: How much do you think?

Hon. Sir JAMES MITCHELL: Far too much, in many instances, 30s. Then there are all sorts of levies upon him. When an election is at hand he has to find a little levy to help meet the party candidates' expenses. In to-day's paper I saw that seamen are to pay 5s. per week to help those on strike. So many deductions are there from the worker's wages that he does not get a fair deal. Then of course we hear about those who are making undue profits. The

other day a friend—a good honest worker—said to me, "There are profiteers in the land." I said, "Yes, some charge too much, while some do far too little when they work for you, and so they take money out of your pocket in that way." If a landlord puts up the rent more than he ought to do, it is about the hardest thing that can be done against the working man. I have no sympathy with the profiteer, nor have I any sympathy with the man who will not do a fair day's work, particularly when his work is for his fellow working men. Some 80 per cent. of the spending power of this country goes through the hands of the workers. That being so, is it not about time to tell them that their wages ought to be good, their conditions fair, and their employment assured, but that the cost of living depends largely on the way in which they do their work?

Mr. Hughes: Do you suggest that they should fix their own rent?

Hon. Sir JAMES MITCHELL: I suggest that the hon. member has not a mind above rent. Years ago when I saw one trade after another being organised, I could not help feeling that they were organising against the other workers of the State. Of course the men's leaders told them that everybody providing employment was a millionaire, and that they could not do themselves any harm by making things difficult for him. The men were not told that the man who suffers in the end is the worker. We can make the Bill acceptable to all if we make it suit in proper fashion the working man, but we cannot make it a good Bill if under it we expect to give men money they do not earn. My friend, the member for Forrest, will have many more people out of work if she attempts it. We should not in the Bill give any power to unscrupulous people—and there are unscrupulous people leading the workers to-day. The Minister for Works in moving the second reading said that his speech of last session was still fresh in the memory of us all, and in consequence he would not have much to add. Let me tell him that I intend to read his speech to the House.

Mr. Panton: What have we done to deserve that?

Hon. Sir JAMES MITCHELL: And I will read yours, too.

Mr. SPEAKER: The hon. member has no right to threaten the House.

Hon. Sir JAMES MITCHELL: No, but I have a perfect right to read the hon. member's speech. However, I may leave that for the moment. The Minister said that, experienced as he is in arbitration, he had made up his mind. Since he has made up his mind, I know that he is sufficiently Scotch to stick to it. I know we shall have very little chance to alter one word of this Bill. That to my mind is the great misfortune the workers are suffering under at present. The Minister said he was experienced in arbitration. That will be agreed. The Minister said he could not be convinced. That, too, will be agreed. The Minister surely recognises that in framing this Bill we are undertaking the most serious responsibility with which we shall be faced this session. There are three parties to be considered—the employer, the worker and the public. Arbitration that does not have regard to the public as well as the other two parties can never succeed and can never be satisfactory to anybody. The present Act recognises that there are three parties, and it should be our aim to do justice to all three. I believe in arbitration. At present it is not succeeding well; arbitration awards are being flouted and the Arbitration Court is being set at defiance. Still, I hope arbitration will prove successful and good for all of us. If we are to continue arbitration, the employers and the workers, too, must respect the decisions of the court, and the time has come when the Government must uphold the decisions of the court. During the recent catering strike, which I must mention, the order of the court was disobeyed. It will be remembered that the judge ordered the strikers back to work because the award of the court was still current.

Mr. Hughes: Do you know that employers in that industry commit hundreds of breaches each year?

Hon. Sir JAMES MITCHELL: It is easy to commit breaches, and we want to avoid the possibility of breaches being committed. Do the employers pay the wages prescribed by the court?

Mr. Hughes: Do they? There are hundreds of breaches a year. Proceedings have to be taken in order to recover wages.

Hon. Sir JAMES MITCHELL: What we want to do is to see that men get the wages prescribed and that the hours of

employment are reasonable, but we do not want to include in awards an unlimited number of conditions, some of them impossible, some not understood. Often the representative of the workers or the representative of the employers has to approach the court to ask for an interpretation of the court's award.

Mr. Hughes: Do you know how many cases they have had to threaten in order to get the wages?

Hon. Sir JAMES MITCHELL: It is not my business to know. What I do know is that the wages fixed by the court are paid and that the hours fixed by the court are worked.

Mr. Marshall: The wages fixed by the court are not paid and the hours are not adhered to.

Mr. Latham: The hours are reduced frequently.

Mr. Marshall: And one of the greatest flag-flappers in the State is amongst the offenders.

Hon. Sir JAMES MITCHELL: The court fixes all sorts of conditions, and even the people who appear before the court cannot understand them. Time and again they have to go back to the court and ask the meaning of certain words in the awards. The Minister said that nothing had happened since the Bill was presented last session. Much has happened. We have had a great deal of experience since then. There has been lawlessness almost from one end of Australia to the other. In Sydney things are certainly in a very unfortunate condition. Shipping is held up, not our shipping but overseas shipping that comes to our ports. The Minister would do well to remember that if all the ships coming to Australia are impounded, there will be no trade with Australia and there will be much unemployment. If ships are not permitted to come to our ports and take away the timber that is cut—

The Minister for Works: What has that to do with this Bill?

Hon. Sir JAMES MITCHELL: A great deal.

The Minister for Works: It has nothing at all to do with the Bill.

Hon. Sir JAMES MITCHELL: I shall make it have something to do with the Bill.

The Minister for Works: Yes, you will drag it in by the hair of the head and make it have something to do with the Bill.

Hon. Sir JAMES MITCHELL: This is our affair. I am pointing out that it is so much our affair that the Minister had better sit up and take notice. If overseas ships are not allowed to load up at our ports and get away again, in a few weeks' time he will find that none of the timber mills will be working. Is not that our affair? I agree with the Minister that the wages paid on ships belonging to other countries cannot be our affair.

The Minister for Works: I never expressed any opinion about that.

Hon. Sir JAMES MITCHELL: But that is the cause of the strike.

The Minister for Works: It has nothing to do with me.

Mr. Teesdale: You said it was not your affair.

The Minister for Works: Neither it is.

Hon. Sir JAMES MITCHELL: We in Australia are nearer to a revolution than ever we were. Fortunately our people are almost all British and most of them are level-headed. Still, we are nearer to a revolution, much nearer than ever in the history of Australia. I am speaking now of Australia and not of Western Australia. In framing this measure, however, we must have some regard to what has happened, notwithstanding what the Minister for Works says.

The Minister for Works: When we had our trouble here we faced the situation and settled the trouble. Why cannot they do the same?

Hon. Sir JAMES MITCHELL: You did not settle it.

The Minister for Works: Yes, we did, and with the same gentleman. Why do not they do the same thing?

Hon. Sir JAMES MITCHELL: I know the Minister's opinion of Mr. Walsh and I know he expressed it freely at a meeting at Fremantle, but Walsh continued to do a great deal of harm at Fremantle even after that.

The Minister for Works: Not very long after.

Hon. Sir JAMES MITCHELL: And his influence is still very great. This measure will be dealt with fairly fully in Committee, and I hope members will approach it with a full sense of their responsibility. I do not propose to serve the leaders of the

Trades Hill; neither do I propose to serve the leaders of the other side. I shall endeavour to make the Bill one that will be fair to the employers and to the workers. There is a great section of people whom we cannot satisfy, but if we try we can satisfy all honest workers. The Minister proposes that the court shall be constituted of a president and two lay members. I hope the president will be appointed as is a judge of the Supreme Court, not for seven years, but for life, and that he will enjoy all the protection and all the privileges that a judge of the Supreme Court enjoys. I hope that when we have finished with this Bill the lay members will no longer be entitled to sit on the bench. There is no doubt they are partisans. If we are to have lay members they should sit as assessors, and should officiate only for the particular industry with which they are familiar. A temporary appointee as president of the court is very undesirable and the sooner we have a permanent president the better it will be. The Minister was unable to get a judge to fill the position. The judges of the Supreme Court have filled the position for many years and they were not inclined to continue. I consider the judges should not be asked to do such work in future, or indeed any work apart from their judicial duties. Many boards are contemplated under this Bill. Some are to be controlled by the court and some, not the most important, will be controlled by the Minister. The Minister proposes to take power to refer matters to the court. That is altogether wrong. We should give the court ample power and should endeavour to police its awards and see that they are enforced. I do not say that this has been done by any Government in the past, but the time has come when we should consider the advisableness of doing it. We must do something to prevent so many strikes and so many stoppages of industry. If we can accomplish that, we shall have done something of material benefit to the people.

The Premier: We can only do that by widening the powers of the court and making them more elastic.

Hon. Sir JAMES MITCHELL: I think so, too. After all, arbitration depends upon the President of the court rather than upon the Act. In framing the Act we are apt to set up too much for the court to do. The important points are those of wages and hours.

The Premier: Unless the court has the powers, it cannot go outside and that causes trouble.

Hon. Sir JAMES MITCHELL: The conditions bring about the strikes. The awards of the court cover so many things, and in so many ways, apart from wages and hours, and those things that are not nearly so important as are wages and hours are the very things that cause stoppages and trouble. We have to remember that ours is the responsibility of framing the measure, and we should face the task knowing how much depends upon it. This is the most important measure we shall have to deal with this session. The future of the country depends upon it. Whether we shall have industry established and whether enterprise will be given an opportunity depend a good deal upon this measure. We cannot continue as we are going on at present. There is no reason at all why we should not endeavour to frame a measure to make it impossible for unscrupulous people, no matter which side they are on, to bring about trouble. To-day we should have many industries in our midst. That we have not many more is not altogether due to the fear of strikes, though it is in part. In part it is also due to the unfortunate position we occupy in the Federation and having to tax people at a high rate, whereas in other parts of Australia taxation is very light. That affects enterprise. Let us frame an Act that will do justice to all people and be an encouragement to them. I do not suppose anyone could claim that the Act is working properly to-day.

The Premier: The present Act is dead. Arbitration will be dead unless we amend the Act.

Hon. Sir JAMES MITCHELL: That is true.

The Premier: Unless we pass the Bill this session arbitration will be dead.

Hon. Sir JAMES MITCHELL: It is as dead as Julius Caesar. If we pass this it will be dead and buried.

Hon. G. Taylor: This will finish it.

The Premier: No.

Hon. Sir JAMES MITCHELL: I have no feeling in the matter. All I want is to be permitted to help in framing this measure. If we can frame this from the point of view of helping the whole State and all the people in it, we shall have a good Act.

The employer must be protected and encouraged, and enterprise must be assisted. If that is not done there will be a great deal of unemployment, and it will grow. What we have to do is to get out of our minds all small happenings, and get away from the habit of accusing employers of creating the trouble.

Mr. Marshall: They are so virtuous we can hardly lay an accusation against them.

Hon. Sir JAMES MITCHELL: I am not accusing the worker.

Mr. Marshall: And I have suffered at the hands of employers.

Hon. Sir JAMES MITCHELL: The workers have suffered at the hands of the hon. member.

Mr. Marshall: I was practically a slave for 30 years.

Hon. Sir JAMES MITCHELL: Let the hon. member do the workers a good turn by assisting us in framing a good Bill. I hope that in Committee we shall have ample time to consider it. What we are anxious for is to have an Act that will work well. If our suggestions are not even considered, I think the State will suffer.

The Premier: There will be no attempt to force the Bill through.

Hon. Sir JAMES MITCHELL: I am glad to hear that. I am not going to oppose the second reading, though I am against many of the clauses. I agree with the Premier that we must endeavour to improve the Act this session. Many people are opposed to arbitration, but no one suggests anything to take its place. The Premier knows that if we wiped out arbitration to-morrow there would be chaos in the country for the next 12 months. I hope the Minister will be reasonable, and that if he has anything in his mind for the good of arbitration, he will tell us about it. I also hope he will listen to what we have in our minds. If we can come together on this matter we shall do what is right by the whole State.

**MR. MARSHALL** (Murchison) [9.20]: I do not desire to cast a silent vote on this Bill. I have had some experience of arbitration and its activities, and am of an opinion that is entirely opposed to that of the Leader of the Opposition. It is doubtful whether one could find one clause in the Bill that does not improve our arbitration

system, and there is not one that could be commented upon harshly. The Leader of the Opposition referred to honest workers and honest employers. That is rubbish.

Mr. Teesdale: It is not rubbish from his point of view.

Mr. MARSHALL: It is all in the point of view. I do not know whether the hon. member is trying to make a bigger fool sitting down than he does when he stands up.

Hon. Sir James Mitchell: I do not think the hon. member should be permitted to refer to another hon. member in that strain.

Mr. SPEAKER: I ask the hon. member not to be personal, and to address himself to the subject.

Mr. MARSHALL: If members will permit me to address the Chair I will do so.

Mr. Teesdale: Do not insult other people.

Mr. SPEAKER: The hon. member can always have the protection of the Chair if he draws attention to the necessity at the time. If the hon. member wishes to be both Chairman and member he must take the consequences.

Mr. MARSHALL: Certain members have made rash statements about bodies of industrialists who take advantage of their powers to refuse to obey arbitration awards. But for those statements I would not have risen. Before the court to-day there are hundreds of enforcement cases, in which an attempt is being made to force the employers to obey the orders of the court.

Hon. G. Taylor: You can do that, but the employers cannot force you to obey the orders of the court.

Mr. MARSHALL: That is entirely incorrect. In the hon. member's electorate he must have seen mines closed down by the employers because they refused to obey such orders.

Hon. G. Taylor: They could not pay.

Mr. MARSHALL: They would not pay. What virtue is there in striking? There is no advantage gained by the worker. It is his only weapon against the employer. The employer can kindly condescend to use economic pressure to force him to do things which he cannot resist unless he strikes. Awards have been issued in this city and some of our leading citizens, who are reputed to be faithful adherents of the law,

have forced employees to sign for the award, but are paying them 10s. or 15s. a week less than is provided in the award.

Hon. G. Taylor: They ought to be punished.

Mr. Thomson: What are you doing to allow it?

Mr. MARSHALL: We cannot prevent it.

Hon. G. Taylor: You are sleeping on your job.

Mr. MARSHALL: I care not for arbitration court awards. If there is an increase in unemployment and people are competing against each other to secure work, and if there is competition between male and female workers I care not what the award is, it will be upset. The fact that people are compelled to compete one against the other for a living will bring down wages, irrespective of what the court may say those wages ought to be. That is the position in the city to-day.

Hon. G. Taylor: I do not think you can substantiate that.

Mr. Hughes: I know some people work 105 hours for £1 a week.

Mr. MARSHALL: The object of this Bill is to expedite the work of the court. It also sets up machinery with a view to coping with every industrial trouble as it arises. Most of these troubles have arisen because of the delays in the court.

Mr. Teesdale: Rubbish!

Mr. MARSHALL: There have been as many as 180 cases cited for hearing before the court, and by virtue of influence the last case listed has been the first one heard. It is not altogether the fault of the workers that they take up a stand in regard to arbitration. I think the Bill will provide the necessary machinery to expedite the delivery of awards and the hearing of enforcement cases. The Bill covers all the facilities required in such instances. I compliment the Minister upon bringing down the Bill. I trust members will be fair in dealing with it. All the virtues are not on the side of those who employ. I hope that in Committee members opposite will be just as conscientious towards the employees as they are towards the employers.

On motion by Hon. G. Taylor, debate adjourned.

**BILL—TRAFFIC ACT AMENDMENT.***Second Reading.*

Debate resumed from 25th August.

**MR. GRIFFITHS** (Avon) [9.27] : I realise the difficulties confronting the Minister in framing a Bill that will meet the situation and cater for the main roads of this big State. I was disappointed that certain alterations, which I felt sure the Minister would have embodied in the Bill, have not been made to it since it was last discussed in the Chamber. A Main Roads Bill has repeatedly been asked for by the Roads Board Association. They want one embodying the principles of the Victorian Act. This Bill still proposes to perpetrate what was threatened last year, a board of control which will be practically an adjunct to the Public Works Department. The member for Toodyay (Mr. Lindsay) yesterday referred specially to the personnel of the board. He also mentioned that the road boards in his electorate were willing to pay for roads, but objected strongly to the raising of funds which were to be spent elsewhere. The hon. member was very anxious to learn what a proclaimed area would comprise. No doubt the Minister will explain that when replying. The six road boards I represent are particularly concerned about the taxing clause of the Bill, inasmuch as it will take away the whole of the fees for main road operations. Mr. Willmott, speaking to me recently about Bridgetown, said that the Bridgetown board had some 220 miles of road, only 14 miles being main road. Thus a fair share of the income of the Bridgetown road board might be entirely taken away in respect of the 14 miles of main road, and an inadequate balance would remain for the upkeep of the 206 miles of subsidiary roads, roads which are more important to the district, seeing that they lead from the farms to the sidings. The road boards in my electorate would be similarly affected; they would be left with nothing for the subsidiary roads, which I repeat are the most important. With regard to the schedule, I cannot for the life of me see why a motor vehicle used only for three months in the year should pay the full tax. The Minister himself says that motor lorries from this aspect are a bad proposition, but the settlers have been forced to take on those lorries by lack of railway communication. An annual license fee of about £50 on the

top of the capital cost lying idle for nine months of the year means a heavy pull. The suggestion is that where a motor truck is used for only three months of the year, and used only for the carting of wheat and super, the schedule should grant the same concession as obtains in Great Britain, namely, that the owner shall be taxed at half rates.

The Minister for Lands: Do you think any farmer would have a motor truck to use for only three months of the year?

**MR. GRIFFITHS**: Yes.

The Minister for Lands: I do not.

**MR. GRIFFITHS**: I could bring before the Minister in the morning a farmer who is a case in point, who uses his motor truck simply to cart wheat to the siding and to cart super back to the farm.

The Minister for Lands: I suppose he uses his horse for everything else.

**MR. GRIFFITHS**: An ironshod vehicle cuts up clay roads much more than a motor lorry does. The concession I have suggested is very advisable. I hope that by the time the Main Roads Bill comes forward the Minister for Works will have given serious consideration to the proposal made by the member for Katanning (Mr. Thomson) last night. Owing to the evolution of road transport, a Traffic Bill is absolutely necessary, and a Main Roads Bill is also essential. It would be in accordance with the wishes of the Road Boards Association if a select committee were appointed to assist the Minister in framing a suitable measure. The Minister himself in his opening speech said he was not prepared to adopt such a course; however, I hope he will not prove obdurate. I am not speaking in any spirit of fractious opposition, but I wish to warn the Minister that country road boards view with concern the probability of all their revenue being taken away. Plantagenet, for instance, has a great length of main roads, 48 miles, while other road boards have only 14 miles. It is a problem to allot the fees in such a manner as to give each road board an equitable opportunity. The question is highly complex, and conditions in the city are utterly different from those in the country. I wish to enter my emphatic protest against the proposal to take away the whole of the fees. Road boards do not mind so long as they have a hand in the spending of the money, and so long as the money is spent in their

districts. These taxes were originally imposed with the idea of the money being expended in the locality in which it was raised. Probably the Minister will say that that will be the case under the Bill. However, I repeat that in the country districts the most important roads are those leading from the farms to the sidings.

**MR. MANN** (Perth) [9.40]: Most of the members who have spoken on this Bill are members with country interests to consider. However, the measure does affect a large number of people who have interests in my electorate. It occurs to me that one of the reasons for the introduction of the Bill, apart from the provision of revenue for main roads, is to deal with the unlooked-for motor competition which the railways have had to encounter during the last two or three years. Motor lorries now load goods in the city for destinations as far as Merredin, and even beyond, on roads that are not suitable for such traffic. I would go so far as to say that the Bill should be considered from the point of view of the competition to which the motor lorries are subjecting the Railway Department. As regards the city, however, this measure will so affect certain transport facilities as to play into the hands of motor transport. The Bill is going to affect the legitimate carrier, the man who has for years conveyed goods from the Perth railway yard or the Perth wharves to warehouses in the city. If that man is going to be so penalised as to be compelled to put up his charges, the people who now patronise the railways for the conveyance of goods from Fremantle to Perth, will probably drop the Railway Department altogether and employ a carrier who has a motor service running between Fremantle and Perth. The Bill proposes to increase the charges on horse lorries by from 300 to 400 per cent.

The Minister for Works: We propose to reduce them 50 per cent.

**MR. MANN**: I have here two cases on the contrary side. One is that of a man who started as a navvy with one dray, and who by hard work has managed to get several drays. Last year he paid £15 in fees; this year he will pay £75 5s. In another case the fee on a lorry with 4-inch tyres has risen from £2 to £8 14s.

**MR. MARSHALL**: What dates are you taking?

**MR. MANN**: I refer to last week, when the man went to register.

The Minister for Works: I tell you that I am reducing those fees by 50 per cent.

**MR. MANN**: I do not know how the Minister proposes to do that.

**MR. MARSHALL**: Have you forgotten to read the Bill?

**MR. MANN**: I have read the Bill. Another provision of the measure is—

If any substance other than petrol is used for power or motor vehicles, motor or steam wagons, or locomotive or traction engines, an additional 20 per cent. of the above fees will be charged.

Is it intended that the owners of those vehicles shall not be allowed to use local coal or coke, but must use petrol and imported power? There are two transport engines using coke.

The Minister for Works: Do you not think that such engines should pay more than ordinary lorries?

**MR. MANN**: No; they do not travel at anything like the speed of a motor lorry.

The Minister for Works: They should never be permitted on our roads, because we have no road made to carry them.

**MR. MANN**: But they do not carry any greater weight than does a motor lorry, and they do not go at half its speed. Yet they are penalised another 20 per cent. The Bill also provides that it shall not be possible to have any of the load of a lorry protruding over the side. Most lorries are built with a tray. Lorries conveying chaff are compelled to let the bottom bars protrude six or eight inches over the side and slope back from the top of the tray to the floor of the lorry. If this be not done, the load cannot be safely built up. So, too, with corrugated iron, the bottom cases must slope from the top of the tray to the floor of the lorry.

**MR. A. WANSBROUGH**: How far do they overhang the lorry?

**MR. MANN**: About six inches. It is the only safe way of stacking certain loads.

**MR. LATEY**: That is different from 18 inches.

**MR. MANN**: It would not be so bad if it were provided that the load shall not overlap more than a given measure. The provision as printed is utterly impracticable. It is agreed that there should be control over the bus traffic. But we should be fair. To-day the tramcars are

plastered with advertisements inside and out.

Mr. Marshall: The Tramways are making a good thing out of it.

Mr. MANN: Very well, but the Bill proposes to prohibit advertisements in or on buses.

The Minister for Works: No, we are only taking power to do it. It will not be operative while the trams display advertisements.

Mr. MANN: That may be all right while the Minister remains in control, but it is taking a power that may be abused later. However, I accept the Minister's assurance that while he remains in office the provision will not be put into operation.

The Minister for Works: Not while the trams are doing it. Personally, I do not think either should do it.

Mr. MANN: Certainly if it is fair for one, it is fair for the other. Another objectionable feature of the Bill is that, in addition to paying tax, the owners will have to pay license fees. Surely the Minister will consider the advisability of abolishing the license fee since he is going to inflict so heavy a tax, and since the owner has to take out a license for every vehicle, notwithstanding that he has only sufficient horses and drivers for 60 per cent. of the vehicles. In my view it should be the driver, not the vehicle, that is licensed. However, let us not compel the owner to take out a license for every vehicle, when probably he is using only 50 per cent. of his vehicles at the one time. Again, if it be necessary for the owner to take his vehicle off the road as the result of damage or destruction, he should be entitled to a rebate for the unexpired period of his license.

The Minister for Lands: You know what it all means—throwing heavier rates on the ratepayers.

Mr. MANN: If you are going to increase the cost of transport 300 per cent. or 400 per cent., who is going to carry it? The transport contractor will have to pass it on to the merchant, who in turn will pass it on to the consumer. Those for whom I am speaking are not in competition with the railways, but are actually working in conjunction with the system. If they are going to be so burdened with impracticable conditions and heavy taxation, those employing them will cease using the railways

and will send their goods by motor transport.

The Minister for Lands: If the others are similarly taxed, what difference will it make?

Mr. MANN: But they are not.

The Minister for Works: They are being taxed much higher. I am reducing it for horse-drawn vehicles, and leaving it unaltered for motor vehicles.

Mr. MANN: Under the existing regulations the term "load" is used, meaning the load being carried. Under the Bill the tare is part of the weight, and on taking out his license the owner of a vehicle with 2in. tyres has to declare what weight he is going to carry. If he declares a load beyond that which under the Tyres Act he is entitled to carry, he is told he cannot declare that weight, that he is permitted to carry only so much less. And he is given this staggering notice, "As the tare of your lorry is 30 cwt., your load will be that much less."

The Minister for Works: It proves that in the past he has been evading the law.

Mr. MANN: No, previously there was no question of tonnage. They were taxed on the wheels. A vehicle with a 1½in. tyre was allowed to carry 12 cwt. To-day if the vehicle weighs 8 cwt. it can carry only 4 cwt. Perhaps the Minister did not know that that would be the effect of the Bill.

The Minister for Works: The police should have done their duty and prosecuted those fellows, who had no right to carry those loads on such tyres.

Mr. MANN: Is 4 cwt. a reasonable load for a vehicle that previously carried 12 cwt.?

Mr. Thomson: It would pay the owner better to get a wheelbarrow.

Mr. MANN: Many lorries that previously carried 3 tons will not now be allowed to carry more than 2 tons. In consequence the owners will have to scrap those lorries or rebuild them. I am sure the Minister did not intend the Bill to have that effect. When in Committee I will move several amendments on the lines I have indicated, and I trust the Minister will be reasonable and accept them.

**THE MINISTER FOR WORKS (Hon. A. McCallum—South Fremantle—in reply)** [10.0]: I wish to emphasise that this Bill is not a party one and I hope that all members will exercise their free judgment and



try to make it as good a measure as possible. The great bulk of the criticism has been directed not against this measure, but against the Main Roads Bill. The speech of the member for Katanning (Mr. Thomson) was directed entirely against that Bill.

Mr. Thomson: I beg to differ from you.

The MINISTER FOR WORKS: The hon. member stated that he suggested last session the advisableness of referring this Bill to a select committee and he regretted that I had not accepted his suggestion. As a matter of fact this Bill was referred to a select committee.

Mr. Thomson: No, only the schedule.

The MINISTER FOR WORKS: Here is the motion I moved—"That the Bill be referred to a select committee." The question was put and carried, and a select committee was appointed. The whole of the Bill was referred to the select committee.

Mr. Thomson: But all it discussed was the schedule.

The MINISTER FOR WORKS: I was chairman of the select committee and that statement is entirely wrong. The whole Bill was discussed by the select committee.

Mr. Thomson: No.

The MINISTER FOR WORKS: The hon. member was not present and therefore does not know. He has become confused over the two measures. The other Bill is a twin measure and it is hard to discuss one without mentioning the other. He was wrong in directing criticism against this Bill when that criticism had nothing to do with the question.

Mr. Thomson: It is unfortunate you were not present when I spoke.

The MINISTER FOR WORKS: If I had been, I would have put you right. The member for Toodyay (Mr. Lindsay) complained, that the Commissioner of Police was to be made the sole licensing authority, and he said that I had departed from an understanding arrived at last session. I disagree with him. I think the clause embodies the decision arrived at last session, and it is in conformity with the request of the Road Boards Conference. The conference asked that the commissioner be made the licensing authority and that the commissioner be given the right to depute his authority to a road board secretary or any other reputable person in places where there were no police. That power is contained in the Bill. The road boards have pressed for the Commissioner of Police to be the licensing authority

and I hope the House will stick to it. It has been shown on more than one occasion that a road board secretary is placed in a most unfortunate position when it comes to enforcing payment of license fees against members of his own board. We had an instance where a board was dissolved and the chairman had not paid his rates for four years, while another member of the board had not paid his rates for a considerable time. It would place the secretary in a most invidious position to expect him to institute prosecutions against men upon whom he depended for his job. In the metropolitan area it has been proved that since the police have been the licensing authority, considerable fees have been collected that were not collected when the local authority did the work. We expect to have a similar experience in country districts. I have been asked to indicate what would be a proclaimed area. A proclaimed area comes in under the Main Roads Bill, but it is mentioned that traffic fees will be used for main roads within the proclaimed area. The power to proclaim an area will be vested entirely in the main roads board. The Minister will have no say whatever in it. Under the measure the board must take into consideration the amount of money at their disposal and the obligation they will have to undertake in proclaiming an area. When they proclaim an area they have to take over the main roads, and the obligation to maintain them will fall upon the board. The board will have an estimate of the revenue they will get and they will take into consideration the length of main roads within the area that that amount of money will keep in order, and then they will proclaim that area. As the income improves, they will gradually extend the area and so be able to operate on a wider basis.

Mr. Thomson: Would you agree to the proportion of fees retained being no greater than the proportion of main roads to the mileage of other roads?

The MINISTER FOR WORKS: No. It has been pointed out by the member for Avon (Mr. Griffiths) how greatly the length of roads differs in various districts. Look at the miles of main roads the Plantagenet Road Board has, whereas some boards have only a small length. The member for Toodyay said his board was prepared to keep the main roads of his district in order, but did not want to subscribe to keeping other main

roads in order. Would the hon. member argue that the taxpayers of his district do not use the main roads in other districts?

Mr. Thomson: Quite a large number do.

The MINISTER FOR WORKS: I suppose a majority of the landholders in that district own motor cars and use principally the main roads outside the district. Yet they do not want to contribute to their upkeep. That is the whole cause of complaint by local authorities throughout the State, namely that the main roads are used by people who do not contribute to their upkeep. The member for York (Mr. Latham) made a statement that at present farmers are entitled to exemption for carts used solely on their farms. Here is the provision—

Provided that any vehicle license required for any vehicle belonging to the Crown or to any local authority or belonging to any fire brigades board or used exclusively for purposes connected with protection against fire or ambulance work or for any locomotive or traction engine used solely for ploughing, reaping or threshing, or for agricultural purposes, shall be granted without any fee.

Mr. Latham: The ruling we had from our solicitor was that unless we caught a vehicle on the road, we could not make the owner pay a license fee.

The MINISTER FOR WORKS: We have provided for concessions, and they are concessions that are not given in any other part of the continent.

Mr. Latham: Read Subsection 2 of Section 5.

The MINISTER FOR WORKS: That is an entirely different question. The provision I have read is the one that exempts certain vehicles from licenses.

Mr. Latham: If a man is using a vehicle exclusively on his farm, he does not have to pay a license fee.

Mr. Davy: The owner cannot be subject to a penalty unless he uses it on the road.

The MINISTER FOR WORKS: I know that a ruling has been given by the Crown Solicitor, but I do not think any lawyer would contend that there is any exemption other than for a locomotive or traction engine.

Mr. Davy: Only inferentially.

The MINISTER FOR WORKS: There is no provisional exemption except for a locomotive or traction engine as I have indicated.

Mr. Davy: You could not do anything to a man who used his vehicle without a license and not on a road.

Mr. Latham: Or if he used it on the farm.

The MINISTER FOR WORKS: The member for York was under the impression that carts and vehicles were already exempt. I say they are not. There is no provision to exempt them. I am making the first clear definition of what vehicles are exempt.

Mr. Thomson: You could not fine a man if he never took the vehicle out.

The MINISTER FOR WORKS: To do so would be unfair, but that has not been made clear up to the present.

Mr. Thomson: It has not been enforced.

The MINISTER FOR WORKS: No, but an effort might be made to enforce it, and the law at present does not provide for an exemption. Provision is made in the Bill to give the farmers quarter rates, and exemption for all the vehicles used on their holdings. In no other part of the continent is that done. Yet we are told we are not going far enough and that further exemptions should be granted to people engaged in primary production. I consider we have gone as far as we can be expected to go. It has been contended that all main roads should be constructed out of loan money. This would mean that maintenance as well as construction would have to be paid for out of loan funds. I decline to be a party to that proposal. We are drifting into a very dangerous position; everything is done out of loan. We are passing everything on to posterity and heaping up a huge liability. To suggest that roads, which wear out so quickly and require such heavy expenditure for maintenance, should be provided for out of loan funds is absolutely unsound. It is economically wrong, and I will not be a party to such a principle.

Mr. Thomson: That is a matter of opinion. You are overtaxing the present generation.

The MINISTER FOR WORKS: I know it is popular to let one's friends off lightly and pass the charges on to others.

Mr. Thomson: You are not letting us off lightly. We are the most heavily taxed community in Australia.

The MINISTER FOR WORKS: The hon. member says that when he knows that the farmers will only pay quarter fees?

Mr. Thomson: Only on the vehicles used on the farms, but they will pay as much as anyone else on their motor cars.

The MINISTER FOR WORKS: There are many carriers who do not have their vehicles on the road for more than four months in the year.

Mr. Mann: Will you give them the same concessions

The MINISTER FOR WORKS: No. Despite the concessions that have been given I am told I must go on giving others. There must be a limit.

The Minister for Lands: Soon they will want to be paid for running their vehicles.

The MINISTER FOR WORKS: Approximately 50 per cent. of the revenue for the main roads board will be raised within the metropolitan area. I am getting figures tabulated and hope to have them ready for the Committee stage. I have circularised the road boards, and am getting information prepared that is as accurate as possible.

The Minister for Lands: We had better have a metropolitan party again.

Mr. Mann: It is necessary.

The MINISTER FOR WORKS: The money that is raised in the metropolitan area will be used largely in the country.

Mr. Thomson: We are not optimistic enough to believe that.

Mr. Mann: You are taxing every conveyance.

The MINISTER FOR WORKS: In the city the main roads are constructed, but in most of the country districts they are not even constructed; they are just made.

Mr. Thomson: If you take away half the revenue of the road boards what do you propose to give in place of it?

The MINISTER FOR WORKS: Deputation after deputation waited on me, some of them comprising 30 people, and they said, "Give us good roads; we will pay for them." Those who use the roads should be called upon to pay for them.

Mr. Lindsay: Motor car owners would say that.

The MINISTER FOR WORKS: The local authorities say it too and many other people in the country.

Mr. Thomson: They did not think you would take all their revenue.

The MINISTER FOR WORKS: They want good roads, but do not want to pay for them. They cannot have it both ways. They cannot have good roads and ask for

a centralised policy for main roads, and still retain their present revenue.

Mr. Thomson: They have that in Victoria.

The MINISTER FOR WORKS: I decline to be a party to the principle of constructing main roads out of loan money. It is economically unsound.

Mr. Thomson: That is a matter of opinion.

The MINISTER FOR WORKS: I am not going to have it said of me afterwards that I was a party to that policy. Cannot the hon. member see the distinction between a railway and a road? A railway lasts for years, and may improve in value as the country is opened up, but roads soon deteriorate and the maintenance is a big item. It is unsound to spend loan money on road construction and road maintenance. I will not be a party to passing on an enormous obligation to our children. It is said we are collecting these fees to prevent competition between the motor traffic and the railway service. The Government will not handle one penny of the fees. All the money will go to the local authorities. If the Government desired to prevent competition with the railways they could neglect the roads altogether, and allow them to drift into a state of disrepair. Motor traffic would then come to an end.

Mr. Davy: You would not dare to do that.

The Minister for Lands: We would dare anything.

The MINISTER FOR WORKS: I was told I would have to construct a particular road and that it must not be left over until the winter. I did not construct it and the work is not yet done. When I am told that I dare not do things, I am immediately put upon my mettle.

Mr. Mann: It was your water pipes that smashed it up.

The MINISTER FOR WORKS: I have nothing to do with that. I have treated the local authorities better than anyone else, and yet they held this threat over my head. A previous Government spent thousands of pounds on the road, but it is in a worse condition than ever. After giving them £3,000 out of the traffic fees, the local authority asked me for another £12,000. I was told I must make the road. I did not make it, and I will not make it.

Mr. Mann: It was your pipe line that broke it up.

The MINISTER FOR WORKS: After assisting the board to rebuild the road are the Government not to be permitted to use it? If we do use it, and our lorries cause some damage we are told we must remake it.

Mr. Mann: You abandoned the railway for motor traffic and you smashed up the road.

The MINISTER FOR WORKS: That is incorrect. Long before the work of the pipe track was started the road was impassable.

Mr. Mann: It is worse now.

The MINISTER FOR WORKS: The road was in a bad state when the previous Government were in office, and it has been neglected by the local authorities since. They thought they would force the hands of the Government. The argument that these fees are put on to prevent competition with the railways is a fallacious one. The most effective way of preventing that would be to allow the roads to drift into a state of disrepair.

Hon. Sir James Mitchell: You are introducing new matter in your reply, and we have no chance of refuting your statements.

The MINISTER FOR WORKS: If something is not done for our main roads people in the country will be unable to carry on their business. The roads will soon become impassable. Nothing has been done to the main arteries running out from the city. People have been waiting to see what will happen with regard to the Main Roads Bill and the Traffic Bill. While they are in suspense there is not much chance of anything being done.

Mr. Thomson: How much money do you expect to raise?

The MINISTER FOR WORKS: It is expected that about £190,000 will be placed at the disposal of the board for the first year.

Mr. Lindsay: Will these be fees from the whole State or only from the prescribed areas?

The MINISTER FOR WORKS: We cannot say what the Board will do. The board will have power to prescribe areas, but will be limited in the resources placed at their disposal. They will not be able to reach out. When passing through Kalgoorlie yesterday I noticed that the town clerk said the traffic fees would be lost to the Kalgoorlie municipality to the tune of a thousand pounds a year, and that this sum

might be used to make roads in the South-West or the wheat areas. If the town clerk thinks the board will prescribe Kalgoorlie as coming within the area in his time he has greater confidence in the progress of the institution than I have. There is no hope of the board reaching the goldfields area in my time. Their operations for many years will be limited. This is one of our proposals to finance our roads. Outside of this we are making no suggestion for money for main roads. We are not asking for any further provision.

Hon. Sir James Mitchell: Then you will not have any main roads.

Mr. Thomson: What about the land tax?

The MINISTER FOR WORKS: There is no suggestion to increase the land tax. The land tax has been fixed with the income tax for two years, and therefore cannot be altered.

Hon. Sir James Mitchell: It can be altered if Parliament agrees.

The MINISTER FOR WORKS: This Bill will be treated in Committee on non-party lines. I have merely set out my views, and I shall not be at all offended if they are not accepted. The Bill represents what I consider is the right thing to be done. I shall be perfectly open and candid in supplying members with all the information obtainable, and I hope that by the time the Committee stage is reached, I shall have the returns that I expected from the local authorities.

Mr. Mann: When are you going into Committee?

The MINISTER FOR WORKS: Not to-night; but we must get on with business.

Mr. Mann: Not to-morrow, I hope?

The MINISTER FOR WORKS: I do not know what business the Premier has on the list for to-morrow. Something must be done, some provision must be made; we cannot drift indefinitely as we are drifting now.

Mr. Thomson: Why not let a select committee be appointed?

The MINISTER FOR WORKS: This is the Bill as it came from the select committee, with the slight exceptions to which I have referred.

Mr. Mann: Will you arrange for a debate in favour of people who have paid their licenses for the coming year?

The MINISTER FOR WORKS: No. I cannot make the law retrospective.

Mr. Mann: It is an inducement not to pay at present, but to wait for the Bill to go through.

The MINISTER FOR WORKS: People liable have to pay their tax for this year. The enforcement of the law rests with the local authorities. It is not for me to instruct them what they are to do or how they are to act. The law is the law of the land, and stands there for the authorities to administer.

Question put and passed.

Bill read a second time.

*To refer to Select Committee.*

MR. THOMSON (Kataunung) [10.32]: I move—

That the Bill be referred to a Select Committee.

I do not wish to elaborate the motion, but the Bill contains many provisions which a select committee could materially improve. I know that many country districts feel very keenly the proposal to take away from them the whole of the fees. The Minister has clearly indicated that he will not accept an amendment in that respect, though he states this is a non-party measure. I hope the Minister will accept my present suggestion. The matter is of grave importance, and we all feel the necessity for having an Act somewhat on the lines of the Bill. However, the Bill can be improved, and therefore I hope a select committee will be granted.

MR. J. LINDSAY (Toodyay) [10.33]: I second the motion.

THE MINISTER FOR LANDS (Hon. W. C. Angwin—North-East Fremantle) [10.34]: I hope the House will not carry the motion, for the reasons which the Minister has already stated. On the 26th November last this Bill was referred to a select committee, the members of which were Messrs. Griffiths, Panton, Sampson, Withers, and the Minister for Works.

Mr. Thomson: But that select committee only dealt with the schedule.

The MINISTER FOR LANDS: The whole Bill was sent to the select committee.

Mr. Thomson: That is not so according to my information.

The MINISTER FOR LANDS: Apparently the hon. member accuses the members

of the select committee of not doing their work. If the House refers a Bill to a select committee, it refers the whole Bill; and if the select committee do not take into consideration the whole Bill before reporting to the House on the Bill, they fail in their duty. However, I do not believe that that select committee failed in its duty. I believe its members carried out the duty imposed on them by the House. The Minister for Works has told us that with the exception of one or two minor matters mentioned by him the Bill is the same as that which emanated from last session's select committee. It seems as if the hon. member thought he had made a mistake last year, as if someone had been at him since then. It would be better for him to get up and say, "I made a mistake last year, and the select committee did not do their work." That course would be preferable to getting up here now and asking for another select committee. During the 20 years I have been a member of this House I have not known the same Bill to be sent to two select committees. Surely we have confidence in the members of the committee, who were appointed by the House; we ought to take some notice of their report.

Mr. Thomson: But you know very well the Minister for Works would not accept any amendments to last year's Bill.

The MINISTER FOR LANDS: The select committee reported on the Bill, and after that report members accepted the Bill with the amendments made by the select committee.

Mr. Thomson: It was the schedule that was referred to the select committee, and nothing but the schedule.

The MINISTER FOR LANDS: If the select committee did not consider the whole Bill, they neglected their duty.

HON. SIR JAMES MITCHELL (Northam) [10.36]: As a rule it undoubtedly facilitates the passage of a measure to refer it to a select committee, but this Bill has already been before a select committee and reported on. That, however, was in a previous session. If the Minister for Works does really mean that the Committee stage of the Bill is to be treated on non-party lines, then every one of us will have the right to persuade members opposite to do what is just and proper, and we shall be in a very different position from that in which

we found ourselves when considering the Bill last time. It is a most important measure, and undoubtedly the assistance towards making main roads under it will not extend far beyond the metropolitan area for some considerable time. It is clear that country road boards are very much concerned about how they are to carry on. I suggest to the member for Katanning (Mr. Thomson) that since the Minister has said that he will allow the Bill to be considered on non-party lines, we should accept that assurance. That procedure will be far more valuable to us than the appointment of a select committee, though I agree that in matters of this kind it is customary and right that the people most concerned should be heard.

Mr. Thomson: That is the object I have in view in suggesting a select committee. The road boards could come before the select committee and submit their case.

Hon. Sir JAMES MITCHELL: The road boards had an opportunity of appearing before last session's select committee.

Mr. Thomson: No. They had no opportunity.

Mr. Mann: The select committee only lasted a couple of days.

Mr. Thomson: The select committee only dealt with the schedule.

The Minister for Works: That is wrong.

Hon. Sir JAMES MITCHELL: If the select committee were limited to the schedule, that is a very different thing. Further, if they are likely to achieve no greater success in dealing with the rest of the Bill than they have achieved in dealing with the schedule, we need not waste any time over a select committee, because the schedule is now as rotten a piece of legislation as ever it was. I suggest to the Minister that the Committee stage be postponed till next week, so that we can hear from the local authorities in the meantime. Since the Minister is going to give us an opportunity to deal with the Bill on non-party lines, I think we might accept that, and if he will make the consideration of the Bill in Committee an order of the day for Tuesday next, hon. members might well be satisfied.

**THE MINISTER FOR WORKS** (Hon. A. McCallum—South Fremantle) [10.40]: The hon. member in moving for a select committee was thinking of the point that the license fees were to be taken from the

local authorities and pooled. But whether that becomes law or not will depend on the Main Roads Bill. If there be no Main Roads Bill the whole of the fees will go back to the local authorities and there will be no main roads policy at all. So it is not this Bill, but the other Bill for which the hon. member should be moving the appointment of a select committee. It has been said that last year only the schedule was dealt with by a select committee. I have here the report of that select committee. It shows that the select committee dealt with Clauses 2, 4, 5, 18, 21 and so on, and dealt with the subclauses and with the licensing authority and with the repeal of Section 12 and the amendments to Section 61 and, finally, with the schedule. So the select committee went right through the Bill. Yet we are told that it dealt only with the schedule.

Mr. Thomson: Was any outside evidence called?

The MINISTER FOR WORKS: I do not think so.

Mr. Thomson: That is my point.

The MINISTER FOR WORKS: No, it was not your point. Your point was that the Bill did not go to a select committee and, subsequently, that the select committee dealt only with the schedule. You were entirely wrong in both statements. The Bill did go to a select committee. The select committee dealt with every phase of it and this House adopted the select committee's recommendation. Every member of that select committee is still in the House—they were Messrs. Griffiths, Panton, Sampson, Withers and the mover—the Bill is the same Bill altered only in one or two instances that I have fully explained, and therefore it is not worth while sending the Bill to another select committee.

Mr. Thomson rose to reply.

Mr. SPEAKER: The hon. member has no right of reply. Standing Order 120 reads as follows:—

A reply shall be allowed to a member who has made a substantive motion to the House, or moved the second reading of a Bill, but not to any member who has moved an Order of the Day (not being the second reading of a Bill) an amendment or instruction to a Committee.

Question put and negatived.

*House adjourned at 10.45 p.m.*