

pathy to be extended to the widow and relatives of our late fellow member. I remember that in the very early days of the goldfields the late Mr. Saunders was closely associated with the mining industry. Those old associations come to us more particularly at a time like this. The late Mr. Saunders at all times associated himself with public life, and as a man who took a keen interest in the affairs of his fellows, he earned the respect of the whole community. On this occasion I do not feel that I can say very much, but I do wish to associate myself with the expressions of regret, and to extend my sympathy to those who are left to mourn their loss.

The PRESIDENT [4.41]: Before putting to the Council the motion which I will ask hon. members to pass, standing in their places as a mark of respect, I wish to say that the death of the late Hon. H. J. Saunders terminates for me a pleasant friendship extending over many years. The hon. gentleman who has gone from us was eminently an adaptable man. I remember that some months ago it fell to my lot to journey through a portion of the goldfields where he had resided for some years. The expressions of concern and sympathy in regard to his welfare and health which were voiced, not by any one class, but by every class of the community, showed that adaptability of which I have spoken. But while he was adaptable, it always seemed to me the hon. gentleman wished to engraft on this Australian life of ours some of the best features of the life from which he had come, the life of an English country gentleman, a life which has given to the Empire many like the late hon. gentleman, which has given to the service of the Empire not only in England but in the more remote portions of the Dominions, men who have done work which will never be forgotten and which can never be valued at its just estimate. I mourn with you the death of the late hon. gentleman, and I take this opportunity of associating myself with the motion so eloquently moved, seconded, and supported.

Question put and passed, members standing.

#### ADJOURNMENT—SPECIAL.

The MINISTER FOR EDUCATION (Hon. H. P. Colebatch—East) [4.43]: I move—

That out of respect for the memory of the late Hon. Henry John Saunders, a member for the Metropolitan Province, the House do now adjourn.

Question put and passed.

*House adjourned at 4.44 p.m.*

## Legislative Assembly,

Tuesday, 14th October, 1919.

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

#### OBITUARY—HON. H. J. SAUNDERS.

The PREMIER (Hon. J. Mitchell—Northam) [4.31]: I regret to have to inform the House of the death of the Hon. Henry John Saunders, late member of the Legislative Council. Mr. Saunders was for many years a well-known figure in the public life of the country. He became a member of the Perth City Council in 1895, and filled the position of mayor in the years 1890 and 1897. In the year 1894 he was elected to the Legislative Council, and when still holding that position was elected in 1903 to the Federal Senate on the occasion of an extraordinary election. Some time after that Mr. Saunders's health became so bad that he was obliged to relinquish his public duties. In 1918, however, he again became a member of the Legislative Council. Hon. members will agree with me that his loss will be felt from one end of the State to the other. He had a genial personality and was of a jovial disposition. As a mark of respect to the late hon. gentleman, I move—

That this House places on record its deep regret at the death of the Hon. Henry John Saunders, M.L.C., and tenders to his family its sincerest sympathy in the loss they have sustained and desires that the terms of this resolution be communicated to the widow and family of the late gentleman by the Speaker.

Hon. P. COLLIER (Boulder) [4.32]: It is with profound regret that I have to second this motion. It has not been my privilege to be acquainted for many years with the late Mr. Saunders, but from the short acquaintance I had with him during the past 12 months, since he became a member of Parliament, I formed the opinion that he was a genial and kindly soul. In this I am sure every hon. member will agree with me. It is true that Mr. Saunders took a very active part in the public life of this State, even before many of us who are here to-day

became members of either the Legislative Assembly or the Legislative Council. After a rest of many years the deceased gentleman again entered the public life of the State, and, during the short period he was permitted to serve this country, he carried out his duties well. I join with the Premier in his expressions of regret in the sad affliction that has befallen the widow and family of the late Mr. Saunders.

The MINISTER FOR WORKS (Hon. W. J. George—Murray, Wellington [4.33]): I should like to take the opportunity of expressing my sorrow at the death of the late Mr. Saunders. I was associated with him almost from the second day that I arrived in the State, in December, 1890, and our relationship has continued right through. I was connected with him in various business matters, and served under him in the Perth City Council when he was mayor of this city. I was also associated with him in politics. My sympathy goes out to the widow and family of the late hon. gentleman. For my own part, I would say that in his death I have lost an old and valued friend.

Mr. SPEAKER: May I be permitted, also, to support the motion. I knew the Hon. Henry John Saunders for something like 20 years and I always found him to be one of the most kindly disposed gentlemen it was possible to meet. May I add, that if he could not say a kindly word of some of his fellows, he would never say an unkind word.

Question put and passed, members standing.

#### QUESTION—AGENT GENERAL'S OFFICE, MINING INFORMATION.

Mr. DUFF asked the Minister for Mines: Is it the intention of the Government to place an official from the Mines Department in the Agent General's office in order to furnish up-to-date information regarding Western Australian mining to London inquirers?

The MINISTER FOR MINES replied: The matter is now under consideration.

#### QUESTION—RAILWAYS, FLAT RATE NAREMBEEN-KONDININ.

Mr. GRIFFITHS asked the Minister for Railways: 1, What decision has been arrived at in regard to the institution of a flat rate on produce and goods to and from the Narembreen-Kondinin section of the Yilliminning-Merredin railway? 2, If so, what is the decision?

The MINISTER FOR RAILWAYS replied: 1, No decision has yet been arrived at. 2, The matter is now under consideration.

#### QUESTION—STATE BRICKWORKS.

Mr. JOHNSTON asked the Minister for Works: 1, Are the Government aware that the State brickworks cannot supply its present orders for bricks until late in December, and that new orders cannot be supplied until January next at the earliest? 2, Are the Government aware that the private brick suppliers (companies) are in the same position? 3, Are the Government aware that the erection of at least fifty buildings is stopped owing to the impossibility of procuring bricks, and that in many cases the foundations of buildings have been done for months, and that the builders are still waiting for bricks? 4, Are the Government aware that this shortage is causing the unemployment of over one hundred men who can at once secure work if bricks are made available? 5, Would not an increased turnover decrease the cost of the production in this as in other commercial enterprises? 6, Are the Government aware that the demand for bricks will greatly increase next year owing to the erection of homes for returned soldiers and other citizens? 7, Will the Minister take immediate steps to have the plant at the State brickworks increased, and thus supply a pressing demand and also give employment to many men now compelled to remain idle? 8, In view of the Government's desire to increase production and employment, will he take immediate action to relieve the present position.

The MINISTER FOR WORKS replied: 1, No. 2, No. 3, No. 4, No. 5, Reduction in cost of production would follow an increased output, providing the necessary number of workmen could be relied upon, which hitherto has proved impossible. 6, The Government believe this will be the case. 7, The matter is under consideration. 8, Answered by No. 7.

#### QUESTION—STATE SAWMILLS, PRICE OF KARRI.

Mr. JOHNSTON asked the Minister for Works:—1, Has the price of karri, supplied by the State Sawmills, been increased as from the 9th October? 2, If so, by how much? 3, What is the reason for the increase?

The MINISTER FOR WORKS replied:—1, Yes. 2, About 10 per cent. 3, To meet the advance in wages agreed to as from 1st October, 1919.

#### QUESTION—WAGON AND CART BUILDING.

Hon. W. C. ANGWIN asked the Minister for Works:—1, Are there any private persons engaged in Western Australia in the business of wagon and cart builders? 2, Is the number of businesses sufficient to provide such competition as will prevent overcharge for manufacture of carts and wagons? 3, Are the existing manufacturers able to

cope with the demand in Western Australia? 4, Is he aware or has he knowledge of these private firms making excessively high charge for work manufactured by them? 5, Has he extended the operations of State trading concerns by entering into the business of cart and wagon building?

The MINISTER FOR WORKS replied:—1, Yes. 2, The Government have no means of ascertaining, and are therefore unable to reply. 3, Answered by No. 2. 4, Answered by No. 2. 5, Yes, so far as building one spring cart and a farming wagon is concerned, and some hundreds of poison carts. 6, No.

## QUESTIONS (2)—HAMPTON PLAINS.

### Mine Inspection.

Mr. DUFF asked the Minister for Mines:—1, Whether the Government Geologist (Mr. Maitland) asked permission of the owners to sample on behalf of the Government the Celebration Lease at Hampton Plains? 2, If so, to whom was the request made?

The MINISTER FOR MINES replied:—1, No. 2, During his inspection of the mine he informed the person in charge that he intended to take samples. The Government Geologist called on Mr. Francis, the Attorney for the Company, who is understood to be one of the option holders in the "Celebration" Lease, but was unable to see him. He informed his representative that he was proceeding to the mine for the purpose of carrying out an examination in accordance with Section 17 of the Mines Regulation Act.

### Water Supply.

Mr. LUTEY (without notice) asked the Minister for Works: Will the Government draw the attention of the water supply authorities to the need of a water supply for Hampton Plains with its growing population and the near approach of summer weather?

The MINISTER FOR WORKS replied: The Water Supply Department has had the matter under consideration for a couple of weeks. I expect a report from the Chief Engineer within the next 48 hours, and will let the hon. member see it.

## BILL—PRICES REGULATION.

### In Committee.

Resumed from 7th October. Mr. Stubbs in the Chair; the Attorney General in charge of the Bill.

New clause—Evidence may be taken by a Commissioner with or without assessors:

The ATTORNEY GENERAL: I move—

That the following be added to stand as Clause 7: (1) If the Commissioners shall so direct, any Commissioner may, either

alone or with two assessors, to be appointed from time to time by the Minister, examine and take the evidence of witnesses upon any matter within the scope of the Commissioners' authority..

(2) Any evidence so received shall be reduced into writing and signed by the witness, and may be taken into consideration by the Commissioners in making any report or recommendation upon the matter to which it relates. (3) The powers conferred by Section 4 may be exercised by a Commissioner and the assessors, if any, acting under this section, and the provisions of Section 5 and 6 shall apply.

The new clause follows on the amendment which has been suggested by the leader of the Opposition, and partly passed, as regards Clause 3; namely, that there shall be three commissioners. The hon. member asked me whether three commissioners would have to act together, or whether one of them could act separately. As the Bill stood, the three commissioners would have to act together. That meant that they would be doing the work of one commissioner. I think the object of the hon. member, however, was to go a little further, and to empower one commissioner to do a certain amount of work. The object of the new clause is to give one commissioner power, if directed by the other commissioners, to take evidence at, say, Katanning, or some other place outside Perth, and to lay that evidence before the commissioners, who could then make their recommendations to the Minister accordingly. In another respect this clause goes a little further, following on the suggestion of the member for Irwin that local boards should be appointed. If we appoint local boards entirely separate, however, we shall be rather duplicating our machinery. This new clause provides that in the event of a commissioner visiting Katanning with a view to obtaining some local knowledge which might be more readily rendered by persons in the locality, two assessors may be appointed to sit with that commissioner. The commissioner would then bring back that evidence to the commissioners to make their general recommendation. It would, I think, be impracticable for the three commissioners to go all over the country.

Hon. P. COLLIER: The first part of the amendment seems to me to meet what I had in mind when submitting my amendment last week. The other portion of the amendment I am not so sure about. I understand from the Attorney General's remarks that the two assessors would in reality have the same powers as two commissioners.

The Attorney General: To get evidence.

Hon. P. COLLIER: And to report?

The Attorney General: No. The evidence would be laid before the commissioners.

Hon. P. COLLIER: I may be wrong, but I understood from the Attorney General that they would have power to continue.

sitting and to make recommendations to the Commission.

The Attorney General: If I said that, I did not mean it.

Hon. P. COLLIER: They would only elicit facts in evidence, but not make any recommendations?

The Attorney General: That is so.

Hon. P. COLLIER: If that is the clear purport of the new clause, I do not offer any objection to it. I would like the Attorney General, however, to make clear what Subclause (3) of the new clause really covers.

The ATTORNEY GENERAL: That subclause refers to the powers under Clauses 4, 5, and 6 of the Bill. Clause 4 provides the necessary powers for getting evidence, and those are all the powers which the assessors, if appointed, will have. Clause 5 is simply a penalty clause, in respect of witnesses who fail to appear, or refuse, without lawful excuse, to produce books and so forth. Clause 6 refers to any person who attempts, or attempts to prevent, a commissioner from entering upon any premises. Assessors will have no power to make any recommendation. That is not their function. It may be that they will never be appointed. They would only be appointed as occasion arises. There would not be two permanent assessors. I think it is necessary to have this power in the Bill. It may be of assistance, and probably will be; certainly, it can do no harm.

Mr. MUNSIE: The leader of the Opposition has placed on the Notice Paper amendments referring to Clause 3. Will the passing of this new clause, if it is passed, do away with those amendments?

The ATTORNEY GENERAL: I have anticipated, by moving this new clause, the passing of those amendments.

Hon. P. COLLIER: While I have no objection to the Attorney General's amendment, I may point out that the principle of local assistance has been followed to a much greater extent in the action taken by the British Government to deal with profiteering. I believe that the British Act, of which we have not yet details, but of which there has been some account in the latest newspapers from Home, is built up almost entirely on local tribunals, which have extensive and drastic powers, even to the extent of prosecuting, and of fixing prices.

The Minister for Mines: I have seen the British Act complete. It is in a recent issue of the "Times" weekly edition. I sent it to the leader of the Opposition yesterday.

Hon. P. COLLIER: A London newspaper of the 10th August, which I have here, contains the following, which may be of interest to the Committee:—

Government plan to stop profiteering. Local tribunals to investigate buyers' complaints. £200 fines and imprisonment. A bold and determined plan to deal with profiteering, which the Government is prepared to put into force at the

earliest possible moment, was outlined by Sir Auckland Geddes, President of the Board of Trade, in giving evidence before the select committee on high prices. In brief, the proposals, to be embodied in a Bill, which will be before Parliament rises for the summer recess, are as follows: Local tribunals, representing tradesmen and consumers, will be set up to hear complaints and to ascertain "by common sense" whether there is a *prima facie* case of profiteering in any trade except those which are already fully controlled. County tribunals will hear appeals by any trade, and will have the right, where they believe the retailer is a victim of profiteering, to pass the case on to a central tribunal. This will consist of experts and consumers, under a chairman of legal standing, and it will investigate the processes and the costs of production of the article involved. Local tribunals, if they find a case of profiteering established, will be able to inflict fines or to refer the matter to a court of summary jurisdiction, which can impose a fine of £200 and order six months' imprisonment. The system closely follows that which was set up under the Military Service Act. Sir Auckland Geddes points out that the local tribunal is a rough-and-ready machine, and that the Government relies on the common sense of its members.

That is what I had in mind. I have not seen the Bill.

New clause put and passed.

New clause: Sales subject to conditions in restraint of trade prohibited:

The ATTORNEY GENERAL: I move—

That the following be inserted to stand as Clause 14:—“(1) Any person who sells any foodstuffs or necessary commodities wholesale, subject to any condition, stipulation or agreement in restraint of trade as hereinafter defined, commits an offence against this Act, and any such condition, stipulation or agreement shall be void. (2) Any condition, stipulation or agreement restricting or having the effect of restricting the sale of any foodstuffs or necessary commodities retail below a certain price, or whereby free competition in the retail sale and the price to the consumer is prejudicially affected, shall be deemed in restraint of trade within the meaning of this section.”

Sometimes wholesale merchants supply articles to a retailer with a restriction that those articles shall not be sold for less than a certain price.

Hon. P. Collier: Sometimes! Very often.

The ATTORNEY GENERAL: The gist of the proposed new clause is in the definition. It has been suggested that this matter should be brought within the scope of the Act. It is within the scope of the measure and in many instances would tend to

prevent conditions which artificially restrict the prices of commodities to consumers.

Mr. Munsie: What effect would it have in a case, like that quoted in this morning's paper, relating to flour?

The ATTORNEY GENERAL: I have not read it.

Mr. Munsie: It is a very significant case.

Hon. P. COLLIER: I do not know whether we shall be able to accomplish all we desire under the proposed new clause. It will need to be drawn very carefully so that no loophole shall be available for the wholesalers to practice the method of fixing prices for the retailers. This has become a general practice throughout Australia. There is no end to the commodities in daily use, the retail price of which is fixed by the manufacturers or wholesalers. If any retailer sells at a price less than that fixed by the wholesaler, he is brought to heel very quickly by having his supplies cut off.

Mr. Smith: As in the case of proprietary medicines.

Hon. P. COLLIER: That is only one instance.

Hon. W. C. Angwin: No one can touch proprietary medicines while they are permitted to be advertised.

Hon. P. COLLIER: Not while they bring in such a good income by way of advertisements to newspapers. I am not alluding to the newspaper of the member for North Perth. When we endeavoured to deal with proprietary medicines, we felt the power of the Press from one end of the State to the other, and I could a tale unfold of the pressure brought on the Press, which they in turn hoped would be brought on us. Proprietary medicines are not the only articles of which the retail price is fixed by the wholesalers. Tobacco is another. Under this clause, we might be able to prevent such a stipulation on the part of a wholesaler or manufacturer, but it will be necessary to take drastic powers to compel the sale of these articles. Under the Bill, it will be an offence to withhold goods from sale at the prices fixed by the commissioner. In this morning's paper appears a signed letter, in which the writer states that he set up business as a baker in a small way. He was daring or foolish enough to start to undersell the bakers' ring.

The Minister for Mines: Why do you look at the member for Subiaco?

Hon. P. COLLIER: The bakers have a ring which operates from Midland Junction to Fremantle. When the Commonwealth price fixing was in vogue, the master bakers decided to raise the price of bread by a halfpenny per loaf in defiance of the price-fixing regulations. The Attorney General acted as counsel for the master bakers, and secured a win in court on a technical point.

Mr. Brown: He was not ashamed of it.

Hon. P. COLLIER: No, the Attorney General acted in a purely professional capacity. Incidentally, the increase of a halfpenny per loaf brought greatly increased profits to all the master bakers in the metropolitan area. They explained that increased wages and in-

creased cost of feed represented £5 or £6 a ton. The increase in the price of bread, however, brought them in £27 or £28. According to the writer of the letter, he was selling bread at a decreased price, and was paying his way. He applied to Ockerby's for flour—

The Minister for Mines: The Scheme has any quantity of flour and he could get it from them.

Hon. W. C. Angwin: Would the Scheme sell to him?

The Minister for Mines: Yes, to anyone, so long as they get the price.

Hon. P. COLLIER: I should not think the Scheme would join in any restriction such as is suggested.

The Minister for Mines: Ockerby's are out of it; the Scheme will supply him all right.

Hon. P. COLLIER: He should be able to obtain it somewhere.

Mr. Munsie: He should have been able to get it from Ockerby's under the old conditions.

Hon. P. COLLIER: It is rather surprising that Ockerby's refused, but it appears that they are working in conformity with some understanding with those who have flour for sale.

The Minister for Mines: Ockerby's might be getting a quantity ready for export, and might want it quickly.

Hon. P. COLLIER: I hope we shall be able to break up this ring of profiteering bakers. I am inclined to admit, though, having regard to all the circumstances, that bread is not one of the commodities which has been excessively high in price. I received a letter to-day, complaining of the price of bran and pollard. Since this Bill was introduced I have received so many letters from different parts of the State, pointing out that profiteering is prevalent here, there, and everywhere, that I have been surprised. It is more general than I anticipated. The letter was from the Town Clerk, Boulder, and stated—

I have by direction to draw your attention to the recent rise in the prices of wheat, bran, and pollard. There appears to be absolutely no justification for the rise in bran of 30s. a ton, and similar rises in the other commodities named. My council shall be pleased if you will kindly make close inquiries into the reasons for these rises in prices and see if some means cannot be adopted to have some contest over same. The fact is that poultry farming in this State is in a fair way of being ruined, and the price of bread must go up. The following is a copy of correspondence I have recently received. Needless to say it gives us no satisfaction on the goldfields. "Melbourne, 29th Sept., 1919. Dear Sir, I am in receipt of your letter of the 20th instant addressed to Mr. Rae, in reference to the price of bran. In reply I have to inform you that the prices of flour, bran, and pollard are controlled by this department and it is not

proposed to make any alteration at present in the existing prices. Yours faithfully, Signed, P. Whitton, Chief Prices Commissioner." Telegram dated 8th October, 1919, from ex Melbourne. "Prices orders relating to flour, bran and pollard repealed on 1st inst. Price of wheat for home consumption increased 6d. per bushel by Australian Wheat Board on 1st inst. Chief Prices Commissioner." Trusting you will give the matter your early attention. Yours faithfully, J. H. Henderson, Town Clerk."

Personally I have no objection to the proposed new clause, and I hope it will do some good.

Mr. MUNSIE: I hope the amendment will have the effect the Attorney General expects it to have. It is rather hard for members to consider a new clause after having only just heard it read. We should be given some little time to deal with it.

Hon. W. C. ANGWIN: We would at least expect the Minister to put it on the Notice Paper.

Mr. MUNSIE: I asked the Attorney General a question by way of interjection as to whether the amendment would apply to a case such as that which appeared in this morning's paper on the subject of flour. If the clause will not apply to such a case, I consider it should be made to do so. The letter to which I have referred is not a long one and is worth quoting. It reads—

Bakers' Flour Supplies—To the Editor.

Sir,—Several months ago I commenced business in Perth as a baker, and as I have not joined up with the Master Bakers' Association, but am selling below their price, there has been considerable heart-burning in consequence. Yesterday (Monday) my carter went to Ockerby and Co. for flour as usual and tendered payment and was told that I could not have any more flour as they were now only going to supply those who had contracts. Mr. Hopkins, the carter's employer, then rang up Ockerby & Co. and was told the same thing. I then went personally to see Ockerby and Co., and after threatening to report them to the Commonwealth Government for restricting trade the manager said I could not have less than five tons, but he could not say when I would be supplied, although other bakers can get any quantity they like. I then wired the Prime Minister as follows:—"Ockerby and Co. flour millers, have refused supplies of flour although tendered payment. Am selling bread below other bakers." I might say I am not indebted to any firm for flour or anything else, and in the interests of fair play I ask you to publish the foregoing letter.—Yours, etc., Jack Seward, Cavendish street, Perth, Oct. 7.

I contend that the new clause should deal with a case of that description. I take it that Seward has been in the habit of getting his flour periodically from Ockerby, and when going again to apply for some was

refused. Why? The inference is that it was because he has been baking and selling bread at less than the Master Bakers' Association have been doing. If the Bill were law and a man had a complaint similar to that of Seward, he could go to the commissioner, state his case, and if Ockerby or anyone else concerned could not furnish reasonable grounds for having refused to supply flour, he should be liable.

Hon. W. C. ANGWIN: I do not know whether the hon. member has read the clause or not. It says "who shall sell foodstuffs."

Hon. P. Collier: He would be liable under other clauses.

Hon. W. C. ANGWIN: I am going to suggest that the Government should take action in such a case and prevent Ockerby or anyone else from getting wheat, because at the present time the wheat is under the control of the Government.

The CHAIRMAN: That cannot be done under this clause.

Hon. W. C. ANGWIN: I know, but I notice it deals with restraint of trade. If we know that a dealer, by his action, is restraining trade or restraining the sale of foodstuffs, it should be the duty of the Government to take action to prevent that being continued. The Government do not require a Bill for that. They have the matter in their own hands. The farmers have been feeding the millers for years, and if the farmers have been robbed by anyone they have been robbed by the millers. We have evidence that that was done by one of the principal millers of the State. I make the suggestion to the Government, because it might be some weeks before the Bill becomes law. The Government could thus show that they were genuine in their desire to prohibit profiteering in foodstuffs, and they could take action in the direction of only supplying wheat to those millers who would supply bakers with flour at a reasonable price, or at a price which would enable the baker to supply bread at a cheaper rate than he is doing now.

The MINISTER FOR MINES: I am afraid the letter which has been quoted from the "West Australian" has caused hon. members to lose sight of the object of the proposed new clause, which is not designed to meet a case of that kind. With regard to that letter, it is not fair to condemn a man until he is heard, and after all, the quoted letter is the statement of a baker, and that statement may or may not be correct. I am not suggesting that such methods as are mentioned are not adopted. I believe they are. I know that very frequently a combination takes place amongst manufacturers, and that if anyone else suggests selling at a lower price they immediately get those who deal with him to decline to take supplies from him. The practice of a great number of wholesale houses is to give a rebate when an undertaking is signed that the purchaser has not obtained similar commodities from anyone else. There is the fruit combination, which is a very strong

one in Australia, and the same thing applies to them at the present time.

Hon. P. Collier: That is what the shipping people have done against the Commonwealth vessels.

The MINISTER FOR MINES: I cannot understand what the Federal Government are doing in not discovering that this kind of thing is taking place. A number of retailers, too, are financed by wholesale houses, and while that is the case those retailers have to take their goods from those houses, and they are charged a different price from that charged to other retailers. While I do not agree that we should encourage a lot of small retailers, I consider we should prevent the wholesale houses from getting control of the retailers and thus compelling them to charge what prices they like. I do not know that the new clause will meet such a case, but if it is intended that we should protect the wholesale houses from restraint of trade by making such conditions, it will be well applied. We have what are known as universal houses, whose main line may be drapery, and whose side line may be patent medicines. The wholesale druggists, of course, must put their medicines on the market at one price to all retailers. The universal house will perhaps sell the drugs under the price advertised, in order to get rid of its rags. That kind of thing is unfair to the druggist. With regard to the letter which the leader of the Opposition quoted, the man who grows wheat expects to get the world's parity for it, and of course he is entitled to claim that. But as soon as he does so he must not lose sight of the fact that, according to the price paid to him for his wheat, so must the price be paid for the product of that wheat. Recently it was agreed that the price charged to millers should be raised from 4s. 9d. to 5s. 6d. per bushel. One of two things had to happen, either millers had to increase the price of flour to cover the increased charge or else increase the price of bran and pollard. As the consumers of flour outnumber those who use bran and pollard, the millers took the easiest method and increased the prices of bran and pollard. As they only get 12lbs. of bran as against 42lbs. of flour they naturally had to increase the price of bran per ton considerably more than the price of flour per ton. To get that 6d. or 9d. per bushel increase back again they had to put an abnormal increase on bran and pollard, and the consumer naturally complained. It is a very difficult proposition, and what we have to keep in mind is the fact that the man who produces a useful commodity is entitled to get the full value of it. What we should bear in mind is that other industries depending on wheat must not be handicapped by undue charges. We shall never get satisfaction until we can bring the consumers and the producers together. I am not convinced that price fixing is going to give the effect hoped for. The clause will remove some of the difficulties, but not all of them. Trading affairs are exceedingly in-

tricate, and if we were to study the question for the next two years we should scarcely exhaust it. The producer is entitled to world parity, and the consumer is entitled to be relieved of all unnecessary handling of the goods involving increased cost.

Mr. NAIRN: I doubt whether the Attorney General realises what will be the effect of the new clause. There are blacklegs in all sections of the community, even in commerce, and sometimes a trader, for the purpose of advertisement, will sell some special line at a ridiculously low figure. Every proprietor of a special article should have the right to protect that article. If the clause takes from him that right it will be doing an injustice. I am not convinced that the clause will protect legitimate proprietary lines. Has the Attorney General considered this?

The ATTORNEY GENERAL: The clause is drawn only so far as it would apply to price fixing. The suggestion that there may be conditions under which purchasers obtain a rebate if they undertake to purchase all their requirements from a certain merchant is quite outside the scope of the Bill, which deals, not with the restraint of trade, but with the fixing of prices. The hon. member for Swan asked whether I had considered the question of the sale of proprietary goods. I am not considering the sale of any particular class of goods. The object of the Bill is to regulate prices. If that object is sound, and if the House approves of it, it would be inconsistent to reject a clause because it may apply to some particular article. Possibly some proprietary medicines are handled subject to the condition that they shall not be sold below a certain price. I am not considering that.

Mr. Nairn: Do you not think you ought to consider it?

Hon. P. Collier: No. It ought to increase the output if somebody sells the line at a lower price than the proprietor wants for it.

The ATTORNEY GENERAL: If we are justified in interfering with prices, we ought to make that interference of general application. I cannot see why anybody should be exempt from that provision.

Mr. NAIRN: I do not think the Attorney General knows the first thing about the question; otherwise he would not have given such a reply. I only ask him if he is prepared to allow legitimate proprietary lines to be protected by their owners. The clause will take away that right of protection and an individual proprietor will be left at the mercy of any unscrupulous trader. Somebody remarked that such a proprietor would be selling more of his lines if they were sold below cost. The hon. member who made that remark knows nothing of business. A proprietary firm can only do their business by having distributors in various parts of the State. If one distributor allows the goods to go out below the fixed price, it is of no use other traders attempting to handle that line at the fixed price.

Hon. P. Collier: How is the proprietor prejudicially affected?

Mr. NAIRN: Because all other traders will refuse to handle his goods.

Hon. P. COLLIER: But the man selling at the lower price is handling them.

Mr. NAIRN: One man cannot handle the whole of a proprietary article. Moreover, the moment that man achieved his purpose of advertising by selling goods below value, he would immediately drop that line and pick up another. In the meantime, the proprietor's trade has been destroyed.

Hon. P. COLLIER: A most distressful case.

Mr. NAIRN: I want an assurance from the Attorney General that he will take this into consideration. He says he does not intend to do so. That is very unfair, and I hope he will reconsider his decision.

Mr. MUNSIE: I am dissatisfied with the Attorney General's reply. He has said the proposed new clause deals with nothing but price fixing. To my mind the Bill deals with price fixing, while the clause deals with restraint of trade.

The Minister for Mines: Only as affecting price fixing.

Mr. MUNSIE: But the new clause deals exclusively with restraint of trade.

The Attorney General: If so, it should have no place in the Bill.

Mr. MUNSIE: Yet the Attorney General wishes to insert it. If the clause is passed it will give the commissioners power to deal with the case quoted by the member for Swan. It will also be possible to deal with a case such as that quoted in this morning's paper.

The Minister for Mines: You would not be satisfied to deal with restraint of trade under this proposed new clause. What we are dealing with is the restraint of trade as it affects price fixing.

Mr. MUNSIE: The proposed new clause does not state that. It does not deal with the maximum price. This clause can cover the cases quoted by the member for Swan. If any retailer wants to sell at less than the maximum price he can be compelled, if this clause is passed, to sell at the maximum price.

Mr. GRIFFITHS: The member for Swan is barking up the wrong tree in regard to proprietary articles. In the older parts of the world many proprietary articles were sold at considerably below cost for advertising purposes, and I do not know that the manufacturers ever raised any protest. If any protection is needed it is needed for the small retailers in the suburbs. These will be the sufferers.

New clause put and passed.

New clause:—Sittings open to public; evidence on oath:

Hon. P. COLLIER: I move—

That the following be added to stand as Clause 6: 1. The sittings of the commissioners shall be held at such time and place as may from time to time be fixed by the chairman, and shall at all times be open to the public. 2. No evidence of

any person shall be received by the commissioners unless given on oath or affirmation.

I do not know that any member will say that the proceedings of this commission should be held in secret. Why should they not be open to the public? It may not be equitable in certain cases that information should be disclosed, and to cover that, discretionary power could be given to the commissioners. What could be disclosed except the financial position of those who will appear before the commission as witnesses? I do not know why the private, domestic and financial affairs of the great majority of the people should be made public property, as they are before the Arbitration Court, and why the comparatively small section of the community represented by the traders should be able to keep from the public those particulars affecting themselves.

Mr. Harrison: Do you mean that all this should be open to the Press?

Hon. P. COLLIER: Yes. I do not see why we should not know the profits of such a firm as Boan Bros. The public are made aware of the circumstances of the employees of that firm in the Arbitration Court, and I do not see why the public should not know the affairs of the firm itself. What is there that is secret about trade? I would not, of course, expect disclosures to be made that would injure a trader's financial position, or place him at a disadvantage in comparison with another trader.

The ATTORNEY GENERAL: The object of the Bill is to fix prices. It has not been brought forward for the purpose of establishing an inquisition concerning the private business of people. The powers given by the Bill to obtain evidence are given to enable the commissioners to fix a fair price for commodities, after allowing a reasonable margin of profit. It is not brought forward to enable them to inquire into the condition of the books or the balances of or any other particulars concerning a man's trade, or for that information to be made public for the benefit of a rival trader. The basis of trade is not cash but credit, and if we introduce any measure that will damage credit we shall damage trade. It ought to be the last object of hon. members to introduce clauses which will do general damage to the trade of the community, because if that is done we shall all suffer. It is recognised that the private affairs of traders, as such, should not be made public.

Mr. Munsie: That does not make it right.

The ATTORNEY GENERAL: If it is right to do harm to the community then it is right that these affairs should be made public, but in my opinion it is not right. Of what benefit can it be to the commissioners in their recommendations for the fixing of prices, which recommendations are made from the evidence that is placed before them, that the public should know the nature of that evidence? There is no analogy, in my opinion, between the publicity given to the



proceedings before the Arbitration Court and those which would take place before the Royal Commission. It is not necessary that the public should know one scrap about the private affairs of any trader in the community when prices are being fixed:

Mr. Munsie: It would give the public a general idea as to whether or not the commissioners were doing their duty.

The ATTORNEY GENERAL: Publicity is unnecessary in this case and will do general harm to the trade of the community. I trust that the proposal will not be carried into effect.

Hon. T. WALKER: I do not see the logic of the Attorney General's argument. The commission constitutes a court sitting to fix the fair price to the general community of the commodities they use. If the public can be interested enough to obtain the right for the utmost publicity to be given to the hearing of the claims of workmen in the Arbitration Court, surely they have an equal right as regards the hearing of evidence upon that which most intimately concerns them. The analogy is perfect. Every workman works on credit as much as the trader does, and if the credit is good in the one instance it is good in the other. Why should a workman be called upon to disclose to the public the whole of his private affairs, while the smug trader is permitted to keep all his affairs a secret? Our present Government is a traders' government. All the world over governments are traders' governments. The whole community is at the mercy of commerce. Commerce is king. It is the commercial strength of thought that directs the affairs of the world to-day; and that is why all the laws are in favour of commerce. The privilege of the world is now with the commercial bodies of the world. They are speaking through the mouth of the Attorney General here to-day. He says we should destroy credit immediately if the public knew what was told to the commissioners. If that is so, then credit must be rotten.

The Premier: What would publicity do in this case?

Hon. T. WALKER: It would give the whole body of consumers, who are the most interested, a foundation for their judgment as to whether they are being treated fairly or unfairly. That is the very object of publicity. Traders have their obligations to the rest of society, and the rest of society have the right to expect the traders to do their duty by them. The root of profiteering is that powerful sections can impose taxation upon the people by raising prices. The public have a right to object to that. It is the system of credit and the system of secrecy that have permitted of all the profiteering which is now crushing the world. But for the secrecy it would have been stopped at the very inception. Even now there would be no effort to stop profiteering were it not that in some parts of our Empire the people are goaded to the point almost of rebellion. I fear now that

we are not acting drastically enough, that the profiteering section of the community are behind the Commonwealth Government and the Government of this State.

The Premier: You are a lawyer, and you say that.

Hon. T. WALKER: I do say it from the transparent evidence of the facts visible to everybody and staring everybody in the face. I hope that I am a man as well as a lawyer, and that I shall always have sympathy for the people who have to place themselves at the mercy of this secrecy and this credit system. We have had rebellions against nobles; now we are taking this mild way of trying to scrape down a little the teeth of the kingly profiteers amongst us. The profiteers cry out, "Reveal nothing!" What at best could be revealed? Information leading to price-fixing. The commissioners are not to be given power to probe into the private affairs of traders.

The Attorney General: Under the amendment there would be full disclosure of everything the trader has.

Hon. T. WALKER: The public have a right to know that. The judges of the Supreme Court dare not sit in camera to hear cases. When commercialism came in, the great fight was to give publicity to our courts and freedom to our judges by making all trials public. That, of course, was a severe blow to the old order of things. The Attorney General now uses the very arguments that were used to protect the old nobility. He applies them not to the nobility of blood, but to the nobility of gold, of money. He is defending money as in the days gone by ribands and garters were defended. No harm can result from the utmost publicity in whatever concerns the welfare of the public. The consumers are the principal parties affected by this Bill, and yet the Attorney General urges that they should be prevented from knowing anything about the means adopted to fix the taxes that they have to pay, not to the State, but to the traders who fleece them. The Attorney General is absolutely unconcerned about the public, but he is deeply concerned about the traders who would go to perdition if the light of day were let in upon their doings. A system which depends upon keeping the bulk of the people in ignorance ought not to exist. No more harm can result from letting in the light of day upon proceedings which lead to the fixing of prices than from letting in the light of day upon the proceedings which lead to the fixing of wages by the Arbitration Court.

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

Mr. LUTEY: I hope the new clause will be passed; otherwise I do not expect much benefit from the Bill. I regard the measure as so much camouflage to gull the public into a belief that the Government are doing something to benefit them. Most members realise that very little good will result from the measure, especially if the amendments

of which the leader of the Opposition has given notice, are not included. Without the amendments, I should wish the Bill to be defeated in this House. The more light we have on the question of prices, the better it will be. It is only right that the deliberations of the commission should be held in public. The unrest prevailing in other parts of the world is due largely to the high cost of living, and no doubt we in Western Australia shall get our turn of this unrest. It is essential that the public should know exactly what is being done under legislation of this kind. The Attorney General objects to publicity because it will disclose the private affairs of traders. It would be in their interests to hold the proceedings in public. Retailers are as much at the mercy of the big profiteers as are the consumers. Recently retail butchers on the goldfields were harshly criticised on account of the high price of meat; yet, under the prices paid to the wholesalers, the retailers were selling at a loss. Still, the general public would hardly believe it. If the proceedings of the commission were reported, the public would know exactly what was happening, and the honest trader would have no need to fear the publicity.

Mr. MUNSIE: I am surprised at the Attorney General's opposition to the new clause. The object of the Bill is to fix prices in the interests of a majority of the people. We wish to protect the people against being overcharged and fleeced. If the evidence is to be taken by the commission with closed doors, the Bill might as well be thrown into the waste-paper basket, as it will not do one ha'porth of good. Under a war measure, the Federal Government are still controlling Australian shipping, and last week the shipowners were granted an increase of 10 per cent. in freights and fares. If the shipowners had had to give evidence in open court and testify to their profits, as proved by their balance sheets during the last four or five years, no Government in the world would have permitted an increase. But they were sheltered behind closed doors; they were able to make any statements they liked, and the public know nothing of the proceedings. All the public know is that they will have to pay. When the Federal price-fixing regulations were operating—Mr. Rae was the Commissioner for this State—the master bakers, in defiance of the regulations, increased the price of bread by one halfpenny a loaf. We do not know what evidence the master bakers tendered to Mr. Rae in support of their application. A deputation waited on the Commissioner, protested against the increase and produced facts and figures to prove that the increase was not justified. We desired that the Press should be admitted, and a pressman actually entered the room but, before a word was spoken, Mr. Rae ordered the pressman out. We protested that it was in the interests of the public that the Press should be represented, but Mr. Rae said it was not a public matter and he would decide whether it

should be held in private or not. The master bakers increased the price of bread by one halfpenny a loaf and, when the matter was tested in the court, the bakers won on a technicality. If the inquiry had been held in open court, the public would have been able to judge for themselves whether they were being charged a fair price. The public are not unreasonable. If a trader can show that he is charging only a fair price, why should he wish for secrecy? Why all this protection for the trader? Balance-sheets, which have been published, show that traders have been making enormous profits during recent years. If they have legitimate grounds for increasing the present prices, what have they to fear from publicity? The mere fact of the inquiry being an open one will have a greater influence in the direction of regulating prices than will the actual prices when fixed by the commission. If the new clause is rejected, I shall be done with the Bill. I shall not care whether it passes or not; it will not make a ha'porth of difference. This new clause is the Bill, and without it we might as well be without the Bill.

Mr. TROY: the amendments in the name of the leader of the Opposition will be the most important part of the measure, and without them the Bill cannot possibly be successful. I am amazed that the Attorney General should see such danger in the proposed new clause. All it provides is that the proceedings of the commission shall be open to the public, and that evidence shall be taken on oath. If it is reasonable for a worker in the Arbitration Court to have to give full particulars of his financial position—the amount of his savings, whether he owns a home, how much he has paid off it, and what his liabilities are—how much more necessary is it under a penal Bill of this description that the profiteer, a man who is sinning against the community, should openly declare his reasons to justify an increase in the price of commodities. The Attorney General desires to have a Bill passed containing penalties but there is no provision by which we can get at the real facts of the case. If the credit of the business man is endangered by details of his business being made public, is not the credit of the worker also damaged when he has to admit before the Arbitration Court that he owes money to butchers and bakers?

The Attorney General: No, he does not do it.

Mr. TROY: He does, and I have had experience of it. A Royal Commission sitting in the Eastern States to-day is able to obtain from the Income Tax Commissioner the income tax which a person pays annually. A Royal Commission also has power to examine a man's banking account and some people welcome that. Something was said recently about the profits of the Vacuum Oil Co., and it was stated that that would be one of the concerns whose business would be endangered by the new clause. That company have taken the opportunity to appear before a

commission sitting in Adelaide and the manager has been only too pleased to place all the business transactions of the company before the public. He has actually gone to the expense of sending to almost every person in the community an article from the South Australian "Register," which article of course was paid for as an advertisement.

Hon. P. Collier: And it appeared 18 months after the indictment of the Interstate Commission.

Mr. TROY: That is a company whose credit we are told will be ruined if the new clause is inserted. The objections come with ill grace from the present Government, for when hon. members on that side of the House were in Opposition, they insisted on the full facts of the State trading concerns being made public. I have a recollection of the time when Mr. Gregory sat here on a Royal Commission appointed by the Federal Government, and when he did his best to compel the manager of the State sawmills to disclose details in connection with the working of that concern.

Hon. P. Collier: Not the manager, but the Minister for Works.

Mr. TROY: Hon. members opposite, I remember, clamoured to have the details of the State trading concerns disclosed so that they should become known to competitors who might take advantage of them. What is sauce for the goose ought to be sauce for the gander, and if it is a fair thing to compel the State to disclose its business operations, it should also be a fair thing to compel private people to do likewise. I hold also that unless evidence is given on oath it is of no value. I have heard it boasted that a manager of a large business establishment went into the Arbitration Court once and gave fictitious figures so as to show that his company were making a loss. That sort of thing occurs every day. A commission is investigating wheat transactions in Sydney at the present time, but Mr. Georgeson, one of the parties concerned, is not prepared to repeat on oath the statements he made a few months ago. The doctor says that he has dreadful forebodings. We find also that Mr. Grahame, a Minister of the Crown in New South Wales, is in a similar position. When this kind of thing occurs, I am not prepared to attach any value to statements that are not made on oath. The local representative of a wholesale firm whose head office is in the Eastern States will be asked by the commission certain questions and he will reply that all the prices are made up in the Eastern States where the books are kept, and he will add, "I will try to get the information for you." That is what will happen here, and the commission will not have power to call witnesses in the other States, and since the majority of businesses in this State are conducted from the Eastern States we shall have no hope of getting evidence on oath which will be of value. Evidence on oath must be given in open court where a barrister can often insinuate evidence which is not evi-

dence at all. He may ask a witness, "Is it not a fact that you had to leave New South Wales because of certain corrupt transactions?" The witness can deny it, of course.

The Attorney General: You do not know much about courts if you say that.

Mr. TROY: No, but I read. How often in a libel case have I read where a counsel has insinuated as facts evidence which did not exist at all, the object being to try to destroy the reputation of a witness? It is a common practice.

The Attorney General: A common practice of the inexperienced.

Mr. TROY: An hon. member in this House was foolish enough to bring an action for libel, and if he had any reputation it was torn to shreds by the insinuations of counsel which were not facts at all. If that sort of thing can be allowed in open court, what is wrong with having the Commission's investigation in public where a man's character or reputation is not at stake, but where he must put forward the plain facts of his business. The Bill has not for its purpose the appointment of a Commission to destroy a man's business; it aims at allowing a man a fair profit, yet we are told that because an open court holds an investigation that is going to ruin a man's business. The opposition to the provision is simply ridiculous.

Mr. LAMBERT: I hope the Attorney General after reflection will see that but little harm can be done to the trading community by having the greatest possible publicity. In this State we are dependant on the Eastern States and the Old Country for the biggest portion of our requirements, which are handled by importers having business houses in the Eastern States. I believe the Attorney General is seeking to remedy wrongs that have existed for years past. To have allowed wealthy importers under the cloak of patriotism to wring extortionate profits from the people of Australia and then to lend that money to their own country at extortionate interest is a discredit to the Parliaments of Australia. The Attorney General would be wise to provide for all publicity, of course under reasonable safeguards. Just the same, no consideration should be shown the importers of this State. During the war they have fleeced the country to such an extent that I am not mistaken in saying they are responsible for nine-tenths of the industrial unrest of to-day.

Mr. JONES: I do not see how the Attorney General can substantiate his plea for secrecy. In almost everything that we read we come across references to the code of commercial morality which exists to-day. Surely the Attorney General would not have us believe that there is no such morality! If that morality really exists, then there is no need for secrecy as to the commercial transactions of any business firm. Too much evil has arisen from the crime of secrecy. Secret diplomacy and secret treaties have been responsible for the graves of millions

of our fellow men in Europe. The very word "secrecy" conveys to the mind something to be ashamed of. I cannot believe that our business men have anything at all which they would hide from publicity. How can the publishing of the transactions of those firms interfere with their trade? Take the millers: They buy at a fixed rate, and the standard wages they have to pay have been fixed with the fullest publicity. The Attorney General has told us that trade is built up on a basis of credit, and that if we damage credit we damage trade. What does the Attorney General mean by credit? I have turned up several authoritative definitions of the term, and the one which appeals most to me is "credit is a man's right to the future product of his industry." Publicity can do no damage to credit if credit represents the product of a man's industry. We all desire that a man shall get the full product of his industry. Does the Attorney General mean that if we damage a man's right to the future product of his industry we shall be damaging trade? I admit that I could wish the Attorney General had made his meaning clearer. The party I represent believes implicitly that the labourer is worthy of his hire. If a man is manufacturing or distributing goods, he is doing a service to the community and should be paid for it. When he is doing that honestly, it should not injure him in any way if publicity is given to the inner workings of his business. If the Government say that the proceedings of the commission must be in secret they are tacitly admitting that there is something to be ashamed of in our commercial system, and that our commercial men are neither clean nor straight.

Mr. WILLCOCK: The Bill has been introduced more particularly to allay public dissatisfaction in connection with profiteering. Bills of this kind have been introduced into the various State Parliaments, and many excuses have been brought forward since for the rise in prices, in an endeavour to prove that this is not due to profiteering. If profiteering is not the cause of this increase in prices, no one should object to telling the commissioners how much profit is being made in a particular business. There is no other way of allaying public distrust in the commercial community than to give publicity to the proceedings before the commissioners. The evidence that will be given will be taken on oath, and people who read it will know that it is true. The commissioners can rule that trade secrets in connection with the manufacture of any article need not be made public, if to do so would benefit a competitor. What we are dealing with is the price at which certain articles are produced, and the price at which they are sold. If the margin of profit obtained by a merchant is reasonable, no harm can be done to anyone. Already the Vacuum Oil Co. have invited the public to inspect their books to show that they are not profiteering. That being so, I see no reason why

any commercial distributor should object to doing the same thing. Many of our local distributors advertise the fact that they are the servants of the public, and are placing their goods before them at a reasonable profit. If this proposal is adopted, the public will have an opportunity of determining how much, if at all, profiteering does exist.

The ATTORNEY GENERAL: I am prepared to admit that some of the amendments which have been made to this Bill have helped to improve the general text of it, but this particular proposal is foreign to it. It has been brought forward to effect some object which is really not necessary for the carrying into effect of the principles embodied in the Bill. It is contemplated by some hon. members that the commissioners will constitute a court to sit in public, call evidence, and give their decision. That is a false analogy. The commissioners will not constitute a court. They will be in a position similar to that of the Commissioner of Taxation. Their functions will be to inquire into and examine the books of traders, and call for every scrap of evidence that may relate to the fixing of prices. Their function differs from that of a judge in that the commissioners have power to examine these books and, from the evidence which they themselves obtain in that way, make a report. A judge cannot give evidence before himself, but gives his decision. The commissioners are agents to obtain evidence, which they do by a personal inspection of the books, and the evidence they obtain will guide them in making, not a decision, but a recommendation to the Minister as to what price should be fixed for a certain article. Under Clause 4 the commissioners are given power to examine the witnesses on oath. Whenever the commissioners have witnesses before them giving personal evidence, no doubt they will administer the oath and take evidence in that way. That is not the only evidence which the commissioners have to consider when they make their report to the Minister. They also have power to enter upon premises and obtain the necessary documents, and a large portion of the evidence upon which their recommendation will be made will be obtained by the commissioners themselves. Let hon. members leave out any question of party feeling, and treat the Bill as one the definite object of which is to fix prices. Hon. members are all trying to get a Bill which will do this. If that is the object of the Bill, why depart from it? Why give publicity to the private concerns of any single individual, if by so doing we are not advancing the objects of the Bill, but may inflict a considerable hardship upon some innocent member of the community? This is not a Bill for the punishment of individuals. I submit that members will not advance one iota the object we have if they insist upon the evidence given before the commissioners being made public. I trust the proposal will not be adopted.

Hon. P. COLLIER: The Attorney General's remarks have not in any degree strengthened the opposition to my amendment. He has talked all round the amendment, and all round clauses which have already been passed, and has argued every aspect of the question; but he has not even attempted to give one practical, tangible, concrete reason why the amendment should not be accepted. He has drawn false analogies. He says this price-fixing Commission would not be a court, but would hold a position on all-fours with that of the Commissioner of Taxation. There is absolutely no parallel whatever between the two positions. The Commissioner of Taxation is an officer who has no discretion whatever, but administers an Act of Parliament of which every phase has been laid down for him. On the other hand, the commission would be essentially a court, vested with extreme and extraordinary powers, and sitting to hear evidence upon the cost of production and distribution of any article or commodity. After hearing the evidence, this court of three commissioners may fix the price of any article or commodity. I do not know of any body which could be more analogous than this commission would be, to a court. True, this is a price-fixing Bill; but the public, who will have to pay the prices fixed under this measure, have a right to know what evidence such prices are based upon. The Attorney General says that publicity would not assist the commission. If we follow that argument out, it leads us to the proposition that Parliament and the Supreme Court and the Arbitration Court need not sit in public, since publicity is of no assistance to either Parliament or the courts in arriving at conclusions. I myself regard publicity as a distinct advantage. Instead of travelling backwards on the road of publicity, rather let us accelerate our speed in the forward direction. The searchlight of public criticism should play upon Parliament and upon the courts, and also upon the proceedings of this commission. If the view of the Attorney General prevailed, none of the valuable information which has been furnished by the Interstate Commission regarding costs of production and distribution throughout the States would be at the disposal of the Australian public. The interests of the commercial community cannot be placed above the general interests of the people. So much is plain from the very fact that by this Bill we seek to curtail the privileges of the commercial community in regard to the fixing of prices. If in the public interest the man who sells the commodity of labour must make known to the general public what it costs him to feed and clothe his wife and his children and himself, why should not the man who sells such a commodity as tea or sugar go before a public tribunal and say what profit he must have in order to successfully carry on his business? I can quite understand that in some cases there would be a desire for secrecy. Things which have transpired in the commercial world during

the past few years indicate that in the interests of certain concerns secrecy is essential. The reports of the Interstate Commission show why there is a desire for secrecy. They show that cormorant combines—such as the Vacuum Oil Company, who latterly have been spending thousands, or tens of thousands, of pounds in advertising in every Australian newspaper their belated defence, and in sending, I suppose, to every Parliamentarian in Australia their defence 18 months after a member of the firm has been branded by the Interstate Commission as a liar—have good reasons for desiring secrecy. It is an undoubted fact that during the past four or five years millions of money have been stolen from the pockets of the Australian people by a section of the trading community, who can only be described as public criminals, as thieves who have taken advantage of war conditions to rob their fellow men. If such traders had had to come before a public tribunal to justify increase of their prices, millions of pounds would not have been plundered from the pockets of the people. I have no doubt that we shall be able to obtain the services of three absolutely impartial and honest men as commissioners under this measure; but if those commissioners make a recommendation to a Minister as to the price of a foodstuff, even I, as a citizen, shall want to know upon what the recommendation is based. The Minister, under the Bill as it stands, would not necessarily have that information. The public will want to know, for instance, whether the commission consider ten per cent, a fair thing, or 20 per cent., or 30 per cent. In Great Britain there was none of this secrecy in war time. The boots manufactured in England during the war had the prices stamped upon them; and after the closest investigation into the capital invested in the leather manufacturing industries our own Interstate Commission recommended that prices should be stamped on the boots in order to check unreasonable increases after the boots left the hands of the manufacturer or those of the wholesaler. Evidently much greater freedom was conferred by the Federal Government on their Royal commission than is proposed by this Bill. For my part I consider it the crux of the Bill that the sittings of the commission should be public. The commission would never want to investigate the details of any man's credit transactions, for example. The subject of the commission's inquiry, even if the commissioners were sitting in private, would be the cost of production in the case of a manufacturer, or the cost of conducting a business in the case of a retailer, and what would be a fair return on the capital invested. And that is all the information that would be made public if the commission's sittings were held in public. I hope the Committee will carry the amendment. It cannot possibly do any harm. Public tribunals set up by Parliament to deal with matters of vital interest to the public should conduct their proceedings in public.

New clause put and a division taken with the following result:—

Ayes	14
Noes	18
Majority against	4

AYES.

Mr. Angwin	Mr. Munsie
Mr. Chesson	Mr. Rocke
Mr. Collier	Mr. Troy
Mr. Green	Mr. Willcock
Mr. Jones	Mr. Wilson
Mr. Lambert	Mr. O'Loghlen
Mr. Lutey	(Teller.)
Mr. Mullany	

NOES.

Mr. Angelo	Mr. Maley
Mr. Broun	Mr. Mitchell
Mr. Brown	Mr. Money
Mr. Draper	Mr. Nairn
Mr. Duff	Mr. Pilkington
Mr. Durack	Mr. Scaddau
Mr. George	Mr. Smith
Mr. Griffiths	Mr. Hardwick
Mr. Harrison	(Teller.)
Mr. Johnston	

New clause thus negatived.

New Clause—Prices to be exhibited:

Hon. P. COLLIER: I move—

That the following be inserted to stand as Clause 15—"Every wholesale and retail dealer in food-stuffs or necessary commodities shall conspicuously print and exhibit, and at all times keep exhibited on his business premises, a list of the food-stuffs and necessary commodities in which he deals, and the maximum prices and the conditions of sale, as determined from time to time under this Act."

The object is that when prices have been fixed by the commission, traders in those particular goods shall display a printed list of the prices. The Commonwealth provided for this under their price fixing regulations and there should be no objection to it.

Mr. ANGELO: While I favour the proposed new clause, it might be difficult in small communities to procure printed lists and to make alterations from time to time. I move—

That the proposed new clause be amended by striking out the words "print and."

Hon. P. COLLIER: I should like to hear the Attorney General on the meaning of "printing" under the Interpretation Act. Only in remote regions would there be any difficulty in obtaining a printed list quickly and cheaply.

Mr. Duff: The list could be printed by hand.

The ATTORNEY GENERAL: Under Section 4 of the Interpretation Act, expressions referring to writing include references to printing; but expressions referring to printing do not include writing. Therefore the

list would have to be printed. So long as the list was legible, the hon. member's object would be attained.

Mr. MUNSIE: Will the proposed new clause meet the object of the leader of the Opposition? Under the Federal regulations, the lists stated that commodities had been increased so much in price plus railage, etc., and, when the customer saw the lists, he knew no more than the man in the moon what the prices of goods were.

The CHAIRMAN: There is an amendment before the Chair to strike out two words. After that has been disposed of, the hon. member may discuss the proposed new clause.

Amendment put and passed.

Mr. WILLCOCK: Any alteration to the prices fixed by the Commission should be exhibited within a certain time.

Hon. P. COLLIER: The new clause provides that they shall be exhibited as determined by the Commissioners from time to time.

Mr. WILLCOCK: If that meets the position, I am satisfied.

New clause as amended put and passed.

New Clause—Percentage of profit to be ascertained:

Hon. P. COLLIER: I move—

That the following be added to stand as Clause 16: The Commissioners shall ascertain, and may state in any report upon which their recommendations for the fixing of prices is based the percentage of profit made during any specified period by any trader in any business to which the report relates, on the amount of capital (including borrowed money) employed by the trader in such business.

The object of the new clause is merely to permit the Commissioners to give the same information to the public, and to include it in their report as the Interstate Commission did, namely, the percentage of profits on capital invested, that is, 10, 12 or 15 per cent. as the case may be. This will not disclose the profit or any confidential matters connected with any business, it will help to do something in the direction of giving the public some idea of the percentage of profits made to capital invested.

Mr. MONEY: The new clause may have the effect of defeating the object of the Bill, which is price fixing. If the Commissioners have to delay the fixing of prices until they ascertain the percentage of profit of a business, it will be bound to delay price fixing for a considerable time. The words of the clause are mandatory—"The Commissioners shall ascertain."

Hon. P. COLLIER: I can scarcely conceive that the commissioners will be able to fix prices at all unless they first ascertain the profits made on the sale of the goods. How otherwise will they be able to fix the price? The prices to be fixed will be based upon what the commissioners consider a fair percentage of profit on the capital invested.

Mr. PILKINGTON: I do not quite understand what is meant by some of the words in this clause. I do not quite follow—"The Commissioners shall ascertain . . . the percentage of profit . . . by any trader." That does not seem quite clear. It should be "every" trader. Nor do I see the object of the word "shall." The desire of the leader of the Opposition can be obtained by saying the Commissioners "may" ascertain, and the word "any" should be "every," so that the new clause should refer to every trader. The intention is that it shall be open to the Commissioners to ascertain any profit and that they may state it in their report.

Hon. P. Collier: I have no objection to the substitution of the word "may" for "shall."

Mr. PILKINGTON: There is another point in the clause about which I am not quite clear. It says "on the amount of any capital (including borrowed money) employed by the trader in each business." I do not know whether it is intended that the profit, less the interest paid on borrowed money should be stated or not. If it is not stated, the information will be of a very vague character.

Hon. P. Collier: I should think it would be stated.

Mr. PILKINGTON: It would be an incomplete report if they did not include it. I move an amendment—

That in the proposed new clause the word "shall" be struck out and "may" inserted in lieu.

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

New clause: Pending determination of prices dealers to notify intention to increase:

Hon. P. COLLIER: I move—

That the following be added to stand as Clause 17—Pending the determination of prices as aforesaid, no person shall, in any proclaimed area, increase the price at which any foodstuffs or necessary commodities are sold, or offered for sale by him, until the expiration of seven days after notice in writing shall have been given by him to the Commissioners of his intention so to do. Every such notice shall specify the food-stuffs and necessary commodities to which it relates and the then current prices and the proposed increased prices thereof. Any contravention of this section shall be an offence against this Act.

The object of this amendment is to prevent any increase in price taking place until such time as the Commission shall have had an opportunity of investigating the merits of the proposed increase. If, for instance, there is an article which is not a declared commodity under the Act, or the price of which has not been fixed, and a trader intends to increase the price of that article,

it will be necessary under the proposed new clause to give seven days' notice to the Commissioner of the intention to increase the price. The Commissioners will then be afforded an opportunity of inquiring into the merits of the proposed increase. The new clause is based upon a recommendation made by the Interstate Commission. It was declared by that Commission that it was much easier to prevent an unjustifiable increase than to secure a reduction after the increase had been made. I do not think any great hardship will be inflicted on any trader if he has to give seven days' notice of his intention to increase the price.

Mr. PILKINGTON: I can quite imagine that in many cases the new clause will not work a hardship, but there are cases in which it may do so. Suppose a price were fixed for meat, butter, and so forth. We know that there are continual and sudden fluctuations in the prices of these commodities in Western Australia. It would put a retailer in a difficult position if he had to purchase on a market which had suddenly risen owing to a scarcity of meat. He would not know how to buy if he had to give seven days' notice. There would be caused just that sort of difficulty which it is hoped the measure would help to prevent.

Mr. MONEY: Is it the intention that this clause should operate only in respect of prices fixed by the Commissioners, or is it to operate in respect of all goods at present day prices, fixed or unfixed?

Hon. P. COLLIER: It was my intention that it should apply only to such goods the price of which had been fixed. For some time to come there must be a considerable list of goods, the prices of which will not have been fixed by the commissioners. In respect of such goods notice shall be given of proposed increases. I realise that in regard to the price of meat, it would be impossible to give seven days' notice, but I should imagine that the prices of all such lines of foodstuffs will be quickly fixed by the commissioners, although, of course, in some instances the commissioners may decide to allow prices to remain unfixed.

The ATTORNEY GENERAL: I think the difficulty could be overcome by a slight amendment. I suggest that after "commodities," in line 4, the words "prescribed by regulation" be inserted. It certainly will not do to give the provision general application, although in respect of certain goods, it would be very useful to have such a clause in the Bill. It will be impossible for the Commissioners to fix all prices immediately, and traders should not be at liberty to increase present selling prices without notice.

Mr. PILKINGTON: The object of the leader of the Opposition can only be achieved by administration. Not only meat, but fruit and vegetables will require to be specially provided for. The success of the measure will depend very largely on the way in which it is administered. The

clause as it stands will create great difficulty, while the amendment suggested by the Attorney General must result in a long list of articles requiring frequent variation in prices.

**The ATTORNEY GENERAL:** We require to make the clause apply to everything the price of which is not highly variable. We might make it apply to all foodstuffs and necessary commodities other than specified lines; it could be done that way, but I still favour the suggested amendment.

**Hon. P. COLLIER:** I agree with the member for Perth that the success of the measure will depend entirely upon its administration by the Commissioners, backed up by the Government. Even without this provision the Government could deal with the question under the clause giving them power to make regulations.

**The Attorney General:** I doubt if it would do as well as the amending of the clause in the way I suggest.

**Hon. P. COLLIER:** Certainly the Attorney General's suggested amendment would give a clear instruction to the Government to make specific regulations.

**The ATTORNEY GENERAL:** I move an amendment—

That after "commodities" in line 4 the words "prescribed by regulations" be inserted.

Amendment put and passed.

**Mr. PILKINGTON:** There still remains a vagueness as to the prices at which any foodstuffs are being sold. One would find in grocers' shops the same lines sold at different prices. The question is, what is meant by "prices"?

**The Attorney General:** Does it not mean the price at which a person is selling?

**Mr. PILKINGTON:** There would be considerable difficulty in ascertaining what the current prices were, and there might be some difficulty in ascertaining the price at which a trader was selling. However, I suppose that could be ascertained from his customers.

**Hon. P. COLLIER:** In an attempt to get it into the shape I desired, I had this clause redrafted three times by the Solicitor General. This point was specifically mentioned in our discussion. The question of fixing the current price was canvassed, but we concluded that it would be very difficult to determine what was the current price. We thought it would be easier to get more definite information as to the price at which a trader was selling. I think the point might be left to the Commissioners. I conclude that no arbitrary action would be taken under this clause. At all events I am at a loss to suggest any improvement to it.

New clause as amended put and passed.

Postponed Clause 14 — Declaration of secrecy.

**The ATTORNEY GENERAL:** This clause is not affected by the amendments which have been made, nor will it be affected by Clause 3, which is to be recommitted. The form of declaration as shown in the schedule is simply a declaration to be made that, except in the course of his duty, the officer will not directly or indirectly communicate or divulge any information relating to any other matter, etc. There is no necessity to alter the clause.

Clause put and passed.

Schedule, Title—agreed to.

Bill reported with amendments.

## BILL—FIREARMS.

Second Reading.

Debate resumed from 9th October.

**Hon. P. COLLIER (Boulder) [9.37]:** As explained by the Attorney General, this Bill is a very short and simple one. The Act, which it seeks to amend is one of the oldest we have on our statute-book and it has not been amended during the years of responsible government in Western Australia. The only distinction I see between the Bill and the Act of 1885 is that it greatly extends the area over which licenses will have to be obtained for the carrying of firearms. To-day it is necessary only to have a license for the carrying of firearms within a municipal area, or within five miles of the bounds of a municipality. The Bill seeks to abolish that provision, and to compel every person in the State over 14 years of age, who has occasion to carry firearms, to obtain a license.

**Mr. Money:** Or owns firearms.

**Hon. P. COLLIER:** Yes. The word "owner" embraces a good many people. I do not see the need for the Bill. There have been no complaints that I have heard as to the reckless use of firearms in any part of the State. I do not know that any harm has been done to the people of the State because of persons enjoying the privilege of carrying firearms outside the areas described in the Act, that is, within five miles of the boundary of a municipality. The present Act does not make it necessary for a license to be obtained by the occupier of any lands when he is using or carrying for use a gun for the sole purpose only of scaring or killing birds or vermin, or of firing at a mark or target on such lands, or by any person using or carrying for use a gun for the purpose only of scaring or killing birds or vermin on any lands by order of the occupier thereof. All those prescribed within that paragraph of the existing Act are now to be brought under the scope of this Bill. Those who have to protect their holdings in the country districts, the owners of orchards who have to scare away birds which destroy the fruits of their labours, and those persons in the agricultural districts who shoot game of various kinds, have to make frequent use of firearms.



Mr. Johnston: Also in the case of the rabbit pest.

Hon. P. COLLIER: I admit that firearms do not provide an effective method for keeping down rabbits, because it would be too expensive and too many guns would be required, as well as too much ammunition, but I do admit that firearms play some part in keeping down the rabbit scourge in Western Australia. I have not heard that there has been any request from local governing bodies for this Bill.

Mr. Underwood: It was passed 30 years ago, and has not yet been amended.

Hon. P. COLLIER: If that be the sole argument for introducing this Bill—

Mr. Underwood: That is how the Attorney General put it.

Hon. P. COLLIER: I think that more useful employment could be found for us in dealing with other measures. We should not be called upon to occupy our time in debating a measure purely for the reason that it has not been amended for over 30 years. I suppose we inherited this from the days before responsible government.

Mr. Underwood: We have to change our Acts every 30 years.

Hon. P. COLLIER: If that is so there may be some justification for the Bill.

Mr. Underwood: That is the only way to put it.

Hon. P. COLLIER: No case has been made out to justify our insisting upon those who live in the country districts, and are called upon to use guns in connection with their livelihood or occupation, taking out a license before so doing. I do not see why every person in a household should be called upon to obtain a license and pay 5s. for it. It is not only a matter of licensing a gun, but if there are six members of the family and only one gun is in the house, each one of the half dozen members of the family would have to obtain a license.

The Premier: A repeating rifle in a house is one too many.

Hon. P. COLLIER: We might even find that in the particular case I have instanced 36 licenses would be required for the one household, when there are only six persons who would use the one gun.

The Premier: That is the law to-day.

Hon. P. COLLIER: The Premier is wrong. This Bill seeks to make every person in the State over the age of 14, who has a gun or has occasion to use one, obtain a license. I am sure the Premier would not be a party to imposing such a disability upon the agricultural community, and those who are doing their best to keep down the rabbit pest. I see no reason for the Bill at this stage, and cannot give it my support.

Mr. PICKERING (Sussex) [9.40]: I must oppose the Bill. It is inimical to the interests of the farming community, inasmuch as orchardists and agriculturists generally are obliged to use firearms frequently in the protection of their crops. In the South-West we have large numbers of crows, which con-

stitute a great nuisance. The only way that we can protect our crops is to shoot those birds. We also have "twenty-eights." These are very nice in a pie, and are best put there by the use of a rifle or shot-gun. We also have opossums, which destroy our orchards, and kangaroos, which damage our crops.

Mr. Smith: Opossums are protected.

Mr. PICKERING: We protect them with the rifle.

Mr. Johnston: You are breaking the law.

Mr. PICKERING: We would rather do that than lose our crops. We also have the kangaroo rat, and many other pests which can only be controlled by the use of shot-guns. If the farmer has to provide a license for every individual on the farm it will constitute a serious tax upon his property. I intend to oppose the second reading of the Bill.

On motion by Mr. Johnston debate adjourned.

## BILL—INEBRIATES ACT AMENDMENT.

### Second Reading.

Debate resumed from 9th October.

Hon. W. C. ANGWIN (North-East Fremantle) [9.44]: This is another Bill about which the Attorney General has told us very little. We have a statute in existence empowering the Government to open institutions for the purpose of looking after inebriates. This Bill provides that private enterprise can also open institutions with the approval of the Inspector General of the Insane. When the Attorney General moved the second reading of the Bill it was expected that he would inform hon. members whether there was any demand for it, and whether any person had applied at any time for leave to open a private institution for the purpose of looking after inebriates. I am of opinion that a private institution will be of very little use in this direction. There will be great difficulty in getting private people to make sure that an inebriate does not obtain intoxicants if he desires to do so. I saw evidence of that prior to the passing of the existing Act in 1912. Under the Bill the only person to decide whether a building is suitable for the housing of inebriates will be the Inspector General of the Insane. I do not know what special ability that official has in the matter of architecture, to make him a judge in this respect.

The Attorney General: Is it not really the office, and not the man?

Hon. W. C. ANGWIN: Let us take the office. We do not know who may be Inspector General of the Insane next week. But the official, whoever he might be, might have fads. Though trained as a medical man, he might not be possessed of large knowledge as regards the construction of buildings. The Government architect would be better qualified to give an opinion. If the Bill passes

the second reading, I intend to move an amendment providing that either the Inspector General of the Insane or some other person appointed by the Governor shall pass upon the question whether a building is suitable for the detention of inebriates. But why are the Government anxious to have this measure passed? Is it their intention not to provide for inebriates in future? Is it their intention that in future only private institutions shall take care of inebriates? Some time ago there was a Government institution for that purpose at Whitby Falls, but that has been closed down. Another Government institution of the same nature at Claremont has also been closed. There is now an institution for women paying patients only at Cottesloe. Probably the Government intend to close that institution also, if they can get private people to take up the work. But I consider it is the duty of the Government, and of the Government alone, to look after such patients. In Australia we should not revert to the old world principle of establishing private institutions of this kind. They should be Government institutions only, as provided by the existing Act. So far as members of this House are aware, there has been no demand for private establishments for the care of inebriates. I hope the Attorney General will consider the advisableness of withdrawing this Bill and leaving the law as it stands to-day.

Question put and passed.

Bill read a second time.

#### BILL—VERMIN ACT AMENDMENT.

Second Reading.

Debate resumed from the 7th October.

Hon. P. COLLIER (Boulder) [9.51]: I listened very carefully to the introductory speech of the Honorary Minister, but confess that I was unable to grasp clearly what are the reasons for the amendments proposed in this Bill. The main purpose of the measure appears to be to delete the words "situated within the South-Western Division of the State" from certain sections of the Act. In other words, the intention of the Bill is that the Vermin Act shall not apply at all to any portion of the State now described as lying within the South-Western Division. I am not sure whether it was the intention of Parliament, when the Act was passed last year, that that should be so. In dealing with a question of this sort, which is concerned with certain boundaries of the State, members would be greatly assisted if a map were prepared such as we had before us when the principal Act was under discussion last session. However, this is not a Bill to which one can object on the second reading; and if the Minister in charge of it can in Committee give satisfactory reasons for the proposed amendments—small and slight as they are—I for one shall be prepared to give them

reasonable consideration. I do not oppose the second reading.

Question put and passed.

Bill read a second time.

#### BILL—PEARLING ACT AMENDMENT.

Second Reading.

Debate resumed from the 7th October.

Hon. P. COLLIER (Boulder) [9.54]: This is another of the leaflets with which we have been dealing lately—small amending Bills which in themselves do not seem very important. I have spent some little time in going through the measure, and I listened carefully to the Colonial Secretary's speech introducing it; but I confess that the subject is one of which I have very little technical knowledge. The measure, indeed, deals solely with that portion of the State, the far North, of which the majority of members have but little knowledge. As to the effect of the Bill on the whole business of pearling and pearl dealing in that portion of the State, hon. members representing north-western constituencies will, of course, be best able to speak. If no objection comes from them, I for my part do not know sufficient of the merits of the measure to raise any objection to it. I understand that it passed another place, where also there are several members possessing a lengthy and intimate experience of north-western business. I am not aware that those hon. members raised any serious objection to the Bill. I should like to be assured by the Colonial Secretary, however, that the people of the far North who will be affected by the proposed amendments—and some of the amendments are important—are aware of the contents of the measure, and that copies of the Bill have been circulated amongst them.

The Colonial Secretary: The amendments are proposed in order to meet the wishes of the Pearl-ers' Association.

Hon. P. COLLIER: I do not know whether the Minister will say that the whole of the proposed amendments meet with the approval of the Pearl-ers' Association. Although I have no actual knowledge, I take it that there are North-Western interests other than those connected with the Pearl-ers' Association, which will be affected. There are traders, and others concerned in the sale and purchase of shell, who may not be members of that association. I do not know that the Bill has been circulated in the North-West, or that all sections affected have had an opportunity of learning its contents.

The Colonial Secretary: There has not been time to send the Bill to the North and get it back.

Hon. P. COLLIER: If there is any section of the community who will be materially affected by legislation, that section should have an opportunity of knowing

what is proposed. Any Bill affecting other portions of the State is before the public long enough to afford those concerned an opportunity of voicing discontent or raising objection or making protest. Whilst I do not suggest that measures should be sent out to districts concerned, accompanied by requests for the opinions of the people affected, yet I consider we are bound to afford all those who will be affected an opportunity of knowing what is being done. It would not be fair if the people in the North-West who will be affected by this Bill were to wake up in a month's time to find that legislation of importance to them had been passed by both Houses of Parliament unknown to them. However, that is a matter on which members representing the North-West will be able to speak with better effect than I can. For my part, I do not oppose the second reading.

Mr. DURACK (Kimberley [9.59]): I am quite in accord with the remarks of the leader of the Opposition as to the necessity for the provisions of this Bill being made known to the people engaged in the pearling industry. Personally, I do not know whether those people have had copies of the Bill, but from other members representing the industry I understand that the Bill is largely the production of persons interested in pearling. Most of the suggested amendments, I understand, have come from the Pearlers' Association. At the same time, I am not entirely certain that the Bill has been circulated in the North-West.

The Colonial Secretary: The Bill has not been circulated there, but full information regarding the contentious clauses has been communicated to the Pearlers' Association.

Mr. DURACK: So far as I have read the Bill, it appears to be one which will remove certain disabilities now appertaining to the industry. We know that illicit pearl dealing is one of the difficulties with which the industry has to contend, and some of the clauses will in a great measure help to meet that. I need not dwell much upon the general aspect. The importance of the industry is apparent to most of us from the information the Colonial Secretary gave when moving the second reading. We have been told that the world's production of pearl shell approximates 2,000 tons, of which Western Australia contributes something like 1,403 tons and Queensland 237 tons, leaving to the rest of the world an output of only 360 tons. That shows the importance of the industry to this State. I believe there was an effort to make greater use of the industry in the direction of fostering button manufacturing here, but when we consider that the demand for buttons in this State would be very limited, I do not see how it could be successful. Certainly we should like to see more use made of the industry.

Hon. P. Collier: I understand that industry was established by the late Attorney General.

The Minister for Mines: Do not be too sure about the term "established."

Hon. P. Collier: He always said "established."

Mr. DURACK: I would have liked to see greater opportunities afforded to returned soldiers to engage in this industry. Last year I, in conjunction with other members, approached Senator Millen and pointed out the possibilities of engaging returned soldiers in this industry. He recognised that something might be done and promised to inquire into the matter, but we have heard nothing since then. It appears that the amount of assistance offered to returned soldiers to engage in the industry is limited to £250 each. It would not be possible to do very much with that sum, and I cannot understand why the Chamber of Commerce could not see their way clear to support this proposal to any extent.

The Minister for Mines: The Chamber of Commerce?

Mr. DURACK: Yes; the matter was referred to the Chamber of Commerce, but that body was not prepared to support an advance of more than £250 to each returned soldier.

The Minister for Mines: The Chamber of Commerce could not support it.

Mr. DURACK: The Chamber of Commerce would not approve of granting assistance beyond the sum of £250.

The Minister for Mines: They are only agents for people elsewhere.

Mr. DURACK: I understand the Repatriation Board submitted the matter to the Chamber of Commerce for suggestions. This industry, like many others, suffered considerably during the war. In 1913, the value of pearl shell and pearls produced in this State exceeded £300,000. In 1915 this amount had fallen to a little over £129,000. This industry could be extended greatly. The establishment of another port between Derby and Wyndham—a very essential requirement—will help much to develop this industry. Hitherto divers objected to go outside that base of operations, but when we have another port established between Derby and Wyndham, this industry should develop to much greater proportions. The association of pearlers in the North feel very grateful to the Government for the assistance extended to them during the period of distress. The Colonial Secretary pointed out that the pearlers were labouring under a great disability. After the war broke out the value of shell fell from over £200 to £100 a ton. The Government came to their assistance with an advance of £25, making the price £125 a ton. The price offered by buyers was then raised somewhat in excess and later the Government were asked for further assistance, and they raised the price another £15, making it £140, with the result that the outside traders, or the gentlemen who manipulate the market in Europe, again found it necessary to advance on the price and this enabled the industry to be carried on to some

extent. On behalf of the pearling association, I desire to express gratitude to the Government for having recognised the importance of the industry and for having come to their assistance as they did.

Hon. P. Collier: I believe that was our Government; it is as well to mention which Government.

Mr. DURACK: We all know how the North responded to the call of country in connection with the late war, and how conspicuously the district of Broome stood out in regard to the number of men who enlisted. The large number of enlistments from the district was responsible in a great measure for the depression which existed in the industry for four years.

Hon. P. Collier: It is a testimony, too, to the warmth of the climate.

Mr. DURACK: There is now a spirit of buoyancy in the industry and the pearlers are satisfied there will be no occasion to again call on the Government for assistance, and that the little liability, if it has not already been paid, will very soon be paid. Pearl shell at present is bringing £215 a ton. I am glad the Government have brought down this Bill, as it will assist greatly to overcome some of the disabilities under which the pearlers labour. I support the second reading.

The MINISTER FOR MINES (Hon. J. Scaddan—Albany) [10.7]: The member for Kimberley has introduced a phase of the question affecting the pearling industry which should receive the closest attention of the House and of our traders. The pearl shell industry is of tremendous value to the State, but up to date we have not obtained the full value from it. Pearl shell is secured in waters adjacent to our shores, and the industry is in the hands of practically a few who, as the hon. member said, manipulate the market. It will be discovered on close scrutiny that while the pearlers obtain in round figures £200 a ton for shell, the value increases about threefold, namely, to about £600 a ton, by the time it reaches the manufacturers. This is due largely to the fact that the pearl shell is shipped in bulk without being classified, and those who handle it in Europe get a much higher price for a good deal of the shell which is in demand. The shell taken from our North-West coast represents practically the output for the world; a little only is obtained from Thursday Island and other places. In regard to the manufacture of pearl shell, cheaper shells are secured in shallow water and are put on the market for making buttons and other articles, and those cheaper shells would sometimes almost deceive an expert. When I was in Melbourne recently, I saw in the Department of Repatriation a number of articles made from pearl shell. Those articles were obtained following on inquiries made in this State as to the possibility of establishing pearl button making, the object being to establish this industry for returned soldiers. Amongst the

articles inspected were buttons which, we were told, were pearl buttons. With me was a gentleman from Western Australia who knew pearl shell, and while he admitted that almost all the articles were of genuine pearl shell, he pointed out one set of buttons which were not of real pearl, and he showed us the difference between the common shell and the pearl shell. Even in the Repatriation Department, they had no one who could distinguish between the common shell button and the genuine pearl button. In Japan, a shell is obtained and manufactured into articles which at first glance appear to be pearl. After a little wearing, however, the gloss put on during the process of manufacture wears off. More often than not, a yellow streak is found in the common shell which is not a characteristic of the pearl shell. I made an effort to get the button manufacturing industry established here, but the Repatriation Department hold the view that it is not a healthy industry which they could ask returned soldiers to undertake. The department also pointed out that the market in Australia is very limited, and that we would have to depend on the export of the article for a market. When we realise that we practically control the output of ocean shell, it seems to me that if there is a world's market, we should secure it for our own benefit. There is a great deal of waste in manufacturing articles from pearl shell, but very little capital and machinery are required to establish the industry and, if it could be established, we would have the advantage of the difference in price received here and the price paid by the manufacturer in England to obtain the shell to transform it into the finished article. When I point out that this difference amounts to £300 or £400 a ton, members will realise that there is a fair margin available which would enable us to work under Australian conditions and put the article on the world's market. Side by side with the manufacture of pearl shell, we should have an opportunity to introduce articles made from turtle shell, generally known as tortoise shell. We have any number of turtles in the North-West not exploited at all, and yet they are very valuable for their shell. However, it is difficult to induce anyone to invest the capital necessary to turn out the manufactured article. While this does not come under the heading of pearling operations, it represents an adjunct which could be established by the State or by the Commonwealth. I hold that the Commonwealth Government are responsible for assisting to establish this industry, just as they propose to assist other industries. But I am afraid we are too apt to look at these matters solely from the standpoint of raw material without looking to see that the persons engaging in these industries are able to make a living out of their operations. I hope this Bill will enable the pearlers to carry on their operations under better conditions, and will provide an opportunity to exploit the turtle

shell industry. There is always a possibility of manipulation, not only in connection with buying and selling the shell, but of the quantity of shell actually secured, and I hope the pearlers of the North-West are not unaware of this possibility and will refrain from doing anything which, though it might mean a temporary benefit, may eventually prove disadvantageous to the State and the Commonwealth. We are keeping an eye on the matter in the hope that the industry will be retained to us, and that we shall get every advantage from the shell in our territorial waters and outside. Much shell is taken from outside territorial waters, over which we have no control, but to operate successfully, pearlers must operate from our shores. Still, there is a possibility of operating from other coasts and if outsiders control the buying and selling, they may practically close up the pearl shell industry. I hope the pearlers of the North will see that this industry is retained to the Commonwealth, and that the best advantage will be taken of the opportunities to manufacture the shell into articles for the world's markets.

Question put and passed.

Bill read a second time.

In Committee.

Hon. G. Taylor in the Chair; the Colonial Secretary in charge of the Bill.

Clauses 1 to 9—agreed to.

Clause 10—Amendment of Section 64:

Mr. DURACK: Will the Colonial Secretary explain how this clause affects Section 64 of the Act?

The COLONIAL SECRETARY: Section 64 of the Act provides that a licensed dealer may have more than one registered place of business, while Section 58 provides that no pearl dealer's license shall be granted or transferred to a person who is licensed to sell intoxicating liquor under a publican's general, wayside house, Australian wine and beer, or Australian wine license. The clause has been put in the Bill to prevent illicit pearl dealing and it will help more easily to discover those who engage in illicit trading. Take a store where pearl dealing has been allowed in the past. It has been a very hard thing to discover anyone who has taken a pearl into a store to sell illicitly. Pearls have been taken there for the purpose of sale and the holder of the pearl, as a blind, has made the purchase of a small article. The clause will prevent that kind of thing.

Mr. Durack: What about Section 64 of the Act? It is in opposition to the clause of the Bill.

The COLONIAL SECRETARY: A man can have as many places as he likes provided they are registered for pearl dealing.

Mr. Durack: Under the Bill he can only have one place. Is it the intention to prevent a man from having two places of business?

The COLONIAL SECRETARY: That is not the intention of the clause. A man may have any number of places so long as he registers them.

Hon. W. C. ANGWIN: The clause appears to me to be dangerous. Take the case of a jeweller who deals in pearls for the purpose of making them into brooches or other articles. He will be prohibited from carrying on pearl dealing in his place of business and he will be debarred from purchasing pearls.

The Minister for Mines: The clause only applies to certain areas.

Hon. W. C. ANGWIN: It does not matter what part of the State a jeweller may be in; he may be in business in Carnarvon or in Broome. We have to be careful we do not impose a hardship on those who want to honestly deal in pearls.

The COLONIAL SECRETARY: The object of the clause is to prevent illicit trading in pearls, and it will assist the inspectors to more easily discover illicit pearl dealing. The fear that the hon. member expresses is groundless. The clause will not hurt jewellers at all.

Mr. HARRISON: The object of the clause is to protect an industry which is more important in the north-west of the State than any other. Illicit dealing in pearls has been carried on to a considerable extent by pearl shell openers and the clause will have the effect of preventing that. Therefore, we are justified in passing it.

Clause 11—agreed to.

Clause 12—Amendment of Sections 84 and 88.

Mr. PICKERING: Why is it desired that "magistrate or inspector" be struck out with the object of inserting "superintendent?"

The COLONIAL SECRETARY: In Sections 84 and 88 the words "inspector or magistrate" appear. This has been found to lead to confusion, and it is considered advisable to delete the words and insert "superintendent." It will not be necessary to make a special appointment.

Mr. PICKERING: It seems to me occasion might arise when none but a magistrate should have power to deal with the business.

Hon. W. C. ANGWIN: There is no interpretation of "superintendent" in the Act. Who is to be the superintendent?

The Colonial Secretary: It is already in the Act.

Hon. W. C. ANGWIN: Not in the interpretation section.

The Colonial Secretary: No new appointment will be required; one of the inspectors will act as superintendent.

Clause put and passed.

Clauses 14, 16, 19, 21, 23—agreed to.

New clause—Insertion of new section:

The COLONIAL SECRETARY: I move—

That the following be added to stand as Clause 13—"The following section is hereby inserted at the end of Part III.

of the principal Act:—'93a, the fees payable in respect of the various matters mentioned in the seventh schedule to this Act shall be as therein respectively set out.' "

This relates to fees chargeable under the seventh schedule.

New clause put and passed.

[Mr. Stubbs took the Chair.]

New clause—Insertion of new Section:

The COLONIAL SECRETARY: I move that the following be added to stand as Clause 15—

Beach-combers' licenses: 15. The following sections are inserted at the beginning of Part V. (Miscellaneous) of the principal Act:—101a. (1.) An inspector may, subject to this Act and the payment of the prescribed fee, grant a beach-comber's license in the prescribed form, which shall give a general but not an exclusive right to collect and remove pearl-shell from such portion or portions of the sea-shore of Western Australia north of the Tropic of Capricorn as shall not for the time being be included in a pearl-shell area or be subject to an exclusive license. (2.) The fee for a beach-comber's license shall be the same as that for a general license. (3.) No person shall gather, collect, or remove pearl-shell from any part of the sea-shore of Western Australia north of the Tropic of Capricorn, except under the authority of a beach-comber's or some other license granted under this Act. Penalty: Twenty pounds or a daily penalty of Two pounds. (4.) For the purpose of this section, "sea-shore" includes all that portion of the shore of the mainland or any island or reef which is uncovered at the lowest tide. (5.) The provisions of section sixteen shall apply to a beach-comber's license, as if such license were mentioned therein. Pearl-cleaners' Licenses: 101b. (1.) Any resident magistrate of any magisterial district lying wholly or partially to the north of the twenty-seventh parallel of South latitude may, subject to this Act, on application grant to any person who, in the opinion of such magistrate, is a person of good character and reputation, a pearl-cleaner's license. (2.) The fee for a pearl-cleaner's license shall be Two pounds. (3.) Such license shall authorise the licensee to act as a pearl-cleaner. (4.) No person shall, north of the twenty-seventh parallel of south latitude, act as a pearl-cleaner, except under the authority of a pearl-cleaner's license. Penalty: Fifty pounds. (5.) "Pearl-cleaner" means a person who cleans, cuts, or alters pearls or improves the shape or appearance of pearls, or receives pearls or has pearls in his possession for the purpose of performing any of the operations aforesaid thereon. (6.) Every licensed pearl cleaner shall keep a book in the prescribed form, and immediately

after the receipt of any pearl shall make an entry in such book of the name and address of the person from whom he received it, and the pearl-cleaner shall also enter in the book a record of the nature of any work done on any pearl, and the name and address of the person to whom he has delivered any pearl, together with any other prescribed particulars. Penalty: Twenty pounds. (7.) Every person delivering or receiving any pearl to or from any pearl-cleaner shall sign in the pearl-cleaner's book a note of such delivery or receipt setting out the date thereof. Penalty: Twenty pounds. (8.) The provisions of sections sixteen, sixty-three, and sixty-eight shall apply mutatis mutandis to and in respect of pearl-cleaners and pearl-cleaners' licenses, as if such cleaners and licenses were mentioned therein.

Shell buyers' licenses: 101c. (1.) Any inspector may, on application and on payment of the prescribed fee not exceeding three pounds, grant a shell-buyer's license. (2.) Such license shall authorise the holder to purchase pearl-shell from any holder of a ship, exclusive, general, or beach-comber's license, but not from any other person. (3.) No person shall at any place north of the twenty-seventh parallel of south latitude purchase any pearl-shell except under the authority of a shell-buyer's license. Penalty: Fifty pounds. (4.) Every holder of a shell-buyer's license shall, on demand by a magistrate or an inspector, give an account of all pearl-shell purchased by him during any period mentioned in the demand. Penalty: Twenty pounds. (5.) The receipt or acquisition of any pearl-shell by way of pledge or exchange shall be deemed a purchase for the purposes of this section. (6.) The provisions of section sixteen of this Act apply to a shell-buyer's license as if such license were mentioned therein.

Additional powers of inquiry by inspectors: 101d. Any inspector may put to any licensed pearl dealer or cleaner such questions relating to his business and transactions under or in connection with his license as he may think fit, and may require such dealer or cleaner or any agent, clerk, or servant of his to produce and exhibit for inspection all documents in his possession, custody, or power relating to or containing any entry relating to such business or transactions, and to allow the same to be examined.

This relates to beach combers' license fees. Before the new clause is put, I desire to amend it. I move an amendment—

That in Subclause 2 of the new clause 101c, after "beach comber's license" the words "or a shell buyer's license" be inserted.

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

New Clause—Amendment of Third Schedule:

The COLONIAL SECRETARY: I move—

That the following be added to stand as Clause 20:—"The Third Schedule to the principal Act is hereby amended by increasing the fee for a pearl dealer's license from £10 to £50."

Originally the fee was fixed especially low in order to induce small men to come in and buy pearls. However, it has not had that effect, and so the department think it advisable that the fee should be increased. The average number of licenses issued is only 13.

Mr. ANGELO: It is not advisable to increase the license fees so far as Shark Bay is concerned. The shell there is altogether different from that found at Broome, and the pearls are not as large or as valuable. If the fee is increased to £50 the solitary pearl buyer who occasionally visits Carnarvon will not go there. The pearlery will, therefore, be at the mercy of the Broome buyers who pass up and down the coast. Two of the banks at Carnarvon have taken out licenses at a cost of £10, but if the fee is increased to £50, I doubt very much whether they would renew them. I move an amendment on the amendment—

That the following words be added:—"except for dealers domiciled south of lat. 25 for which the license fee shall be £10."

The COLONIAL SECRETARY: I cannot accept the amendment. It would mean that if pearl dealers stationed at Shark Bay could take out this cheap license, many persons below this latitude would deal in pearls. Instead of carrying on illicit dealing in Broome they would take out their license at Shark Bay. The amendment is too dangerous.

Mr. ANGELO: The danger mentioned by the Colonial Secretary does not exist. The boats that go to Broome nearly all miss Shark Bay, and the only one that does go there is the Bambra. Unless my amendment is carried pearl fishers at Shark Bay will not be able to dispose of their product, and will have to wait until it has accumulated sufficiently for them to send it to Broome. No illicit pearl buying has been discovered at Shark Bay.

Hon. W. C. ANGWIN: No doubt the buyers at Shark Bay are more honest than they are elsewhere. I agree with the Colonial Secretary that it would not be advisable to make this distinction in the license fee. As the pearl buyers have requested that those who deal in pearls shall not be engaged in any other business it is apparently a very lucrative occupation. A man could be domiciled at Shark Bay and take out a license there, but he would buy his pearls in Broome and save himself £40. The Minister should not give way in this matter. The pearlery should be made to pay for the privileges they are asking for. Apparently the ordinary traders in the North are not sufficiently honest to be allowed to deal in pearls, be-

cause if they wish to do so they must have no other business than that of pearl dealing. People who ask for such a legislative declaration should pay for the privilege.

Mr. ANGELO: I must correct two statements made by the last speaker. The Shark Bay pearlery have never been approached regarding this Bill, which has been asked for by the Pearlery Association of Broome. The position of the Shark Bay pearlery is totally different from that of the Broome pearlery. At Broome pearls of a value of £3,000 or £4,000 are found; the pearls found at Shark Bay rarely exceed £10 in value. Further, the holder of a £10 license who is domiciled at Shark Bay could not proceed to Broome to operate there under that license, since my amendment prevents him from operating above a latitude which is south of Onslow. If he went to Broome to operate he would have to pay an additional £40 license fee.

The Colonial Secretary: But pearls could be taken from Broome to Shark Bay and sold there.

Mr. ANGELO: There is only one pearl buyer visiting Shark Bay occasionally, and a license fee of £50 would put him out of the business.

Mr. Chesson: The Shark Bay pearls are got by white labour.

Mr. ANGELO: That is so, and the disposal of those pearls should not be unnecessarily burdened.

The COLONIAL SECRETARY: I cannot accept the amendment, but if it should be found that the license fee works hardship the Government will introduce an amending Bill. The member for Gascoyne says that a licensed pearl buyer visits Shark Bay only occasionally. That being so, the buyer must hold a license at Broome.

Mr. Angelo: No. He has boats of his own.

THE COLONIAL SECRETARY: I do not think the amendment is necessary.

Amendment put and negatived.

Clause put and passed.

Clause 22—Addition of Schedule:

The COLONIAL SECRETARY: This clause provides a schedule of fees which will be payable in connection with the administration of the measure.

Clause put and passed.

Title—agreed to.

[The Speaker resumed the Chair.]

Bill reported with amendments.

## BILL—MIDLAND RAILWAY.

Second Reading.

The MINISTER FOR MINES AND RAILWAYS (Hon. J. Scaddan—Albany) [10.58] in moving the second reading said: This measure requires but little explanation. The gist of it is stated in the memorandum

prefaced to the Bill. Indeed, the Title practically states the contents of the measure, which has for its object the vesting in the Midland Railway Company of the lands acquired for the purpose of its railway and to apply to its railway certain of the provisions of the Government Railways Act, 1904. The lands in question were, in effect, granted to the company in fee simple by the Act No. 24 of 1886; but the vesting of them in the company has never received Parliamentary approval in the form of a statute. The present Bill in that connection merely provides that the strip of land upon which the railway has been constructed shall be vested in the company in fee simple. Then, as regards the application to the Midland Railway of certain provisions of the Government Railways Act, that position actually obtains at the moment, but this Bill will place the application on a legal footing, which to-day is lacking. The measure will give the company power to do what they have been and are doing without legal warrant. Whatever feelings hon. members may entertain towards the company, it will be agreed that if the company are to be permitted to operate a line of railway between Midland Junction and Walkaway they should operate it under an Act of Parliament, whereby they can be properly controlled. The powers which it is now proposed to grant are those common to all railway traffic. A perusal of the Bill will show that certain provision of the Government Railways Act, applying to the State railways, will not apply to the Midland line. On careful consideration of the Bill as first drafted, the Government were of opinion that certain of the powers of the Commissioner of Railways had been conferred on him because Parliament thought it right that he should receive some preferential treatment as compared with ordinary common carriers. Moreover, although the commissioner of Railways is given certain powers under Act of Parliament, it is not essential that he should exercise them. For instance, certain obligations are cast on the Commissioner with respect to maximum penalties, but the conditions set out in the Act are not always applied. Then the Commissioner is very much privileged with regard to the operation of the railway system. We have not included Sections 20 and 39 of the Government Railways Act, 1904. By an error, Section 40 of the Act was not included in the Bill and, when the Bill reaches the Committee stage, I shall move to insert it. Section 20 provides that the Commissioner may use locomotive engines consuming any kind of fuel. This has caused discontent among country members and so we have not included this provision in the Bill in order that we might take proper precautions against the Midland Company's locomotives setting fire to the country. Under the Government Railways Act, the Commissioner is not liable by action for loss of time in operation and the liability for loss of life is limited, but we have often waived that limitation. If, however, the company's liability were limited under

Act of Parliament they would insist upon their rights under the Act. Therefore we have not included that particular section. The Bill further provides for the vesting in the company of the lands on which the Midland Railway is constructed. We still retain the right to construct roads across their railway, and such roads will remain in possession of the Crown. The company have the right to construct and maintain their railway over crossings, but provision is made that the bed of certain rivers over which the railway crosses shall continue to be vested in the Crown. The Midland Railway Company may use any tractive power, but shall be deemed to be a common carrier. We have incorporated certain provisions from the Government Railways Act and, while the company desire those other privileges enjoyed by the Commissioner of Railways, we do not think it was contemplated they should be enjoyed by other than the public service. Passengers and goods must be carried over the Midland Railway at rates approved by the Minister for Railways. Section 22 of the Government Railways Act provides that the Commissioner may fix charges, and Section 23 empowers him to make by-laws and regulations subject to the approval of the Minister. Although the Midland Railway Company may from time to time embody the charges and rates fixed by the Commissioner of Railways, they also will require the approval of the Minister. The whole purpose of the Bill is to vest in the company the land on which the railway is constructed and to permit them to carry on their railway operations in accordance with the practice of the past. In the circumstances, I think the House will agree it is desirable to set out these powers in an Act of Parliament. The question has been under consideration by successive Governments during the last 10 or 12 years, but each Government appear to have concluded that there were other matters of great importance requiring prior consideration. Even at this late stage, however, it is advisable to put these matters into legal form. I move—

That the Bill be now read a second time.

On motion by Hon. P. Collier debate adjourned.

*House adjourned at 11.5 p.m.*