

The HONORARY MINISTER: We get quite a lot. A large sum is collected from the metropolitan area.

Hon. J. Cornell: Most of them ought to be abolished.

The HONORARY MINISTER: I do not think so. The prescribed fees payable under the 1941 Act and the proposed amendments in the Bill are as follows:—

	Present Fees.	Proposed Fees.
(a) Orchards of 4 years and greater age	1s. 6d. per acre	2s. per acre.
(b) Orchards under 4 years of age	1s. per registra- tion	No alteration.
(c) Nurseries	do.	do.
(d) Orchards not in compact formation	1s. 6d. per 100 trees, or 1s. 6d. per 400 vines	do.
(e) Vineyards growing grapes solely for winemaking	1s. 6d. per acre, with a maximum of £2 10s.	2s. per acre, with a maximum of £3.

Hon. G. B. Wood: How much more money will this amendment produce?

The HONORARY MINISTER: I can get that information at a later date. The new rates are those recommended by the Fruit Fly Advisory Board, of which ten of the members are grower representatives from all parts of the fruit-growing districts. It is interesting to recall that the fee of 2s. per acre is the same as that suggested by the Western Australian Fruitgrowers' Association when the legislation was under review in 1941. Although this body represented, in the main, growers of apples in districts hitherto absolutely free from fly infestation, its members realised that continued immunity could not be guaranteed. Recognising the value of control they volunteered to make a contribution at this rate towards a service which, though not at the time of direct benefit to themselves, was felt to be of great value to the industry as a whole.

Fees collected for 1942-43 amounted to £4,114, and for 1943-44, £4,147. The balances carried forward from year to year have shown a substantial decrease from £1,181 in 1940-41, to £189 in 1943-44. Of this sum, a large proportion represents registrations for 1944-45 effected prior to the 30th June last. It is estimated that at the end of this financial year there will be a deficit of £400 in the fund. However, this has been covered by a provision being made in this year's Estimates. The proposed increases will enable the retention of the present staff of the department and will possibly permit of the employment of temporary officers during

the period of the year when the greatest vigilance is required.

The improvement achieved in recent years in the control of fruit-fly has been considerable. Relaxation of present measures would undoubtedly result in a rapid increase in infestation, with possibly disastrous effects on the State's export trade in fresh fruits. This I think will be readily appreciated by all concerned, and I trust that no objection will be raised to the proposals. I move—

That the Bill be now read a second time.

On motion by Hon. G. B. Wood, debate adjourned.

House adjourned at 5.24 p.m.

Legislative Assembly.

Thursday, 14th September, 1944.

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

QUESTIONS (2).

KALGOORLIE-PERTH EXPRESS.

As to Allocation of Sleeping Berths.

Mr. KELLY asked the Minister for Railways:

(1) What method is adopted by the railway booking section at Kalgoorlie, in the allocation of sleeping berths on the Kalgoorlie to Perth express?

(2) Are any sleeping berths reserved for passengers joining the express at intermediate sidings?

(3) How many days prior to the departure of each day's express does advance booking commence?

(4) Are telegrams requesting sleeper bookings, acceptable to Kalgoorlie booking

office, and are they given preference in the order received?

(5) In the case of members of Parliament going to and returning from their electorates, will he give an assurance that provision will be made to ensure reasonable transport, especially when members give several days' notice of their desire to board the express?

(6) Is he aware that much unnecessary inconvenience is being occasioned the travelling public, through being unable to obtain definite knowledge at country railway stations of sleeper bookings?

(7) Would it not be possible for daily information to be made available at all main intermediate stations, regarding the booking of sleepers, so that persons desirous of travelling to the city, are afforded reasonable assurance of the allocation of a sleeping berth?

The MINISTER replied:

(1) First preference is given to telegraphic requests from outlying places, i.e., before the booking office opens for the Kalgoorlie public. Second preference is for the people in the queue at the booking office window. Third preference is to telephone requests and these clients are required to attend and pay fees within one hour.

(2) Yes, provided application is made prior to opening of bookings at Kalgoorlie, vide paragraph (1).

(3) Seven days.

(4) Yes, and given preference as stated in paragraph (1).

(5) Yes, they are given preference.

(6) No.

(7) No. It is not possible, as the limited sleeping berth accommodation allowed is all quickly taken up on the day the bookings open.

INFANT HEALTH CENTRES.

As to Increase of Government Subsidies.

Mr. MANN asked the Minister for Health:

(1) Has a decision been reached as to—

(a) The Government accepting responsibility for financing infant health centres, or (b) the Government paying increased subsidies to same as discussed at a deputation some time ago?

(2) If so what is the decision?

(3) If not when will a decision be given?

The PREMIER replied:

(1) (a) No. (b) No.

(2) Answered by No. (1).

(3) In due course.

BILL—UNIVERSITY OF WESTERN AUSTRALIA ACT AMENDMENT.

Introduced by the Premier and read a first time.

MOTION—COMMISSIONER OF RAILWAYS.

As to Extension of Appointment.

THE MINISTER FOR RAILWAYS
[4.35]: I move—

That the appointment by His Excellency the Lieut.-Governor of Mr. J. A. Ellis as Commissioner of Railways for five years commencing on the 15th January, 1944, in the terms of Executive Council minute laid on the Table of the Legislative Assembly on the 12th September, 1944, be approved.

Cabinet has given due consideration to this appointment. The Commissioner has gone through a very strenuous period. The war has hindered him in many directions, and we think he has done a reasonable job through a trying time. There has been a shortage of coal and as a consequence he has not been able to do everything that he desired. He has not been able to use the rollingstock to its full capacity. When I refer to the shortage of coal, I am not reflecting in any way on the Colliery coalminers, because I think they have been the most loyal in the British Empire, and have set an example to the rest of Australia. Because of the times in which we live the Commissioner has not had sufficient young men to do the necessary work. In addition, he has experienced a shortage of rollingstock, but that shortage has not caused such a difficulty as has the shortage of coal. In moving such goods as wheat he has not been able to keep to his contract. What the Commissioner said could be done would possibly have been carried out except for coal being short supplied. Manpower also has presented a difficult problem. Over 1,500 members of the staff enlisted, and the young men have left. As a consequence the Commissioner has not had the same efficiency as he would ordinarily have had. Taking everything into consideration we think he has done a very excellent job.

In addition to all these things there have been increases in costs in many directions. Wages have gone up nearly 50 per cent.,

and raw materials have risen correspondingly. It has been very difficult for the Commissioner, although there has been a great increase in revenue, to meet this rise in costs of between £700,000 and £800,000 per annum since 1939. So he has had a huge problem in that direction. On the other hand, if the railways were a private enterprise the fares and freights would be raised in accordance with the rise in costs. But the Government did not agree to increasing the costs.

Mr. Perkins: Are the fares raised on private buses?

The MINISTER FOR RAILWAYS: No, they have not been raised anywhere. The same fares are now prevailing as were in force in 1939. As a matter of fact the same freights prevail now as prevailed in 1914 in some instances, and in most instances the same as those that prevailed in 1920. If any member wishes to examine the increase in costs to which I referred he will see that they have created a big problem for the Commissioner of Railways. He has done extremely well in that direction. He has also had to meet the pay-roll tax since then, together with superannuation and the wartime insurance premiums. These items amount to nearly £200,000. I personally have kept in reasonable contact with him. I have a good deal of business experience—probably as much as any individual member here—and I believe it would be quite easy to keep the railways on a fair basis if they could be handled as a private owner would look after his own business.

Mr. Doney: The Midland Railway Company has had to meet these costs.

The MINISTER FOR RAILWAYS: The two cases are not comparable. The Midland railway is traversing 277 miles of the best country in the State, whereas the Government railways extend for 4,381 miles and traverse a considerable area of barren country. The Midland railway was built for the purpose of making profits. The freights on the Midland line are slightly higher than those on the Government railways, and this applies also to fares. In any event, wheat is being carried by the Government railways at a rate which is not economical. To make the railways pay we would have to increase the freight on wheat 1.12d. per ton mile. Super is carried for less than ½d. per ton mile and so the primary producer has not much to complain about in the matter of freights.

As a wheatgrower I have to pay my proportion and I realise that, in comparison with other places, wheat and super are carried here at very reasonable rates. I am also satisfied that no transport system in the world could profitably carry wheat and super at those rates. The Commissioner of Railways has served on quite a number of committees. He was a member of the Civil Defence Council, and he was chosen by the Commonwealth Government to carry out extremely important railway work for the prosecution of the war. Mr. Ellis was chosen from amongst all the Commissioners, which was a feather in his cap. I can also say in favour of the Commissioner that he is a hard-working man and diligent in all that he undertakes.

MR. SEWARD (Pingelly): The motion is a very important one, and raises a very important question. It seeks Parliamentary sanction for the re-appointment of the present Commissioner for a further period of five years. Seeing that the term of the Commissioner has expired and is about to be renewed, the time is opportune for the House to consider whether the present system of control by one Commissioner is the most suitable for this State. In the course of my remarks, I will indicate that I am opposed to the re-appointment of Mr. Ellis, but I am not opposing his re-appointment on the ground of any failings or shortcomings on his part. It is to the system of one Commissioner control that I want to direct the attention of members. Considerable changes and improvements have been effected in means of transport during the last 15 years. In road transport particularly a great advance has been made in that both vehicles and roads are very much better. In addition, we have the rapid and considerable development that has taken place during the years of war in air transport, and I venture to say that this is going to be a strong competitor with the railways in the post-war period.

Consequently we ought to face the question whether the control of such transport is not more than should be vested in one man, or whether the present system should be continued. I believe a better system would be to provide for a board, with a general manager exercising the authority now vested in the Commissioner. There is evidence from other places to support this view. If we examine most of the railway

systems we can call to mind, we find that a board or a number of commissioners is the system more universally adopted than control by one man.^c The most recent case I have in mind is that of South Australia. In that State, two Royal Commissions have sat to investigate the control and working of its railways, one in 1930 and the other in 1938. I quote the following passage from the report of the 1938 Royal Commission on Transport, page 41:—

The history of development in the administration of all large undertakings throughout the world shows a gradual emergence of the principle that the control of policy and administration should be vested in more than one individual, and a method of control by a board of directors has been almost universally adopted. Questions of policy are nearly always decided by a group of men. The experience of the last hundred years has proved that this method of controlling large undertakings has been the most successful, and the reasons for this are obvious. All human beings are liable to make mistakes, but the chance of errors of judgment is much less where questions of policy are finally determined by collaboration of several competent persons. Moreover, a board looks at such questions from points of view which are apt to be overlooked by the permanent official who is busily engaged in the details of the undertaking. Not only in matters of policy has control by a board been successful, but in matters of administration a board can also exercise a constant and necessary check. A general manager is often a much more competent officer when he has a board to whom he must justify his recommendations in major matters. The principle of a board of directors for the purpose of advising the Government, of deciding policy, and of constantly watching and checking administration should, in the opinion of your Commission, be adopted in connection with the control of the South Australian railways.

Such a recent finding is well worthy of our consideration. In advocating control by a board, the question of finance will probably be raised. It may be and probably will be contended by some members that the creation of a board would add to the expense of the railways by increasing the overhead charges. On this point, too, I shall quote a paragraph from the report of the South Australian Commission, as follows:—

It may be objected that a board of directors will add still further to the overhead expenses, which are already unduly high, but such an objection is without substance. The avoidance of one error of policy could pay for the expenses of the board for all time and, moreover, if a competent board be appointed, the overhead costs would certainly be less than they are at the present time. If the railway

policy of recent years had been submitted to a directorate such as is recommended, many projects which have involved very large sums would never have been agreed to and South Australia would have been saved an annual expenditure of at least £200,000 in interest alone.

It would therefore appear from the investigations made by these bodies that there is not much substance in the contention that the creation of a board will simply mean additional expense for the railways.

The Minister for Railways: What is the date of the report?

Mr. SEWARD: It is dated 1938. We must remember that finance takes a foremost place in railway administration. Railway finance has a marked effect on the State's finances. I am not going to contend that the railways exist to make a profit; in my opinion, and in the opinion of most people, they do not. They were given a monopoly of transport primarily to assist in the development of the State. That of course is obvious. We have many non-paying lines which probably will never pay. I know of one that never will pay, but it was laid to assist in the development of the State. I maintain it is unfair that the Railway Department should be financially penalised because of the expense incurred for the benefit of the State as a whole. If the railways make a profit on the year's earnings, that will be reflected in the Government's Budget; but if we look at the result of the department's operations for the past 21 years we find that the accumulated loss for that period was £3,036,151. That is spread over the past 16 years. Deficits have occurred in the last 14 consecutive years.

The Minister for Railways: That could have been avoided by raising freights and fares.

Mr. SEWARD: It could not have been so easily avoided, because the people would not have paid the increased freights and fares. The people would not have used the railways. It is not possible to continue raising prices as expenses increase, simply in order to make a profit.

The Premier: Railways are used to develop the country.

Mr. SEWARD: I said that.

The Premier: Yes.

Mr. SEWARD: Another point to be borne in mind is that these losses are being sustained on what is dead capital. Much

of the capital expenditure on which the railways are paying interest has been lost years ago—the £24,000,000 or £26,000,000. Much of the rollingstock has gone, as well as other equipment, and profits have not been employed in the replacement of this equipment but have been simply taken into Consolidated Revenue.

The Premier: We have been paying sinking fund on the capital all the time.

Mr. SEWARD: Yes, and interest is charged on that accumulated capital. So that when the Minister says the railways can raise freights and fares, I reply, "No, bring down your capital and give your Commissioner or your board of management a chance."

The Minister for Railways: Our capital is not very high and we have an equity.

Mr. SEWARD: The Minister may not think it is unduly high, but I do, especially for the current assets. We must take into consideration the worn-out rollingstock, the torn-up tarpaulins and the generally depreciated assets of the railways.

The Minister for Railways: New South Wales railways have a capital of £150,000,000.

Mr. SEWARD: Yes, but New South Wales is not Western Australia. I am dealing with Western Australia. New South Wales has a calamitous bulkhandling system involving an expenditure of millions of pounds. I do not think we should follow New South Wales or any other State. I was dealing with the results of the department's operations for the past 16 years and, as I pointed out, there were continuous deficits; but during the six years immediately preceding that period we had surpluses amounting to £393,962. During those six years there was a surplus for four years, and a deficit for the other two. The last surplus was in 1928. I particularly draw the attention of the Minister to it, because I am not going to bolster up my case for a change in the administration of the railways on the unfavourable results of the latter period. My contention is that the railways have been falling back for the last 12 or 15 years and were in a bad condition when the war broke out. I am not laying the blame for that on the present Commissioner, as I contend the present system has outgrown its usefulness and there is need for an alteration. I shall not quote all the deficits to members. The largest one,

in 1930, was £404,000; but in 1939, 1940 and 1941 the deficits amounted to a sum of not less than £829,929; or just over £1,000,000 in all. The Minister must bear in mind that he has been able to collect a considerable amount of revenue during the past three years owing to war circumstances and that such revenue would not have been available to him in ordinary years.

The Minister for Railways: We charged a very cheap rate to the Commonwealth.

Mr. SEWARD: Yes, but that revenue would not have been available had it not been for the war.

The Premier: No, but we carried defence materials at a very cheap rate.

Mr. SEWARD: But the department would not have carried them at all except for the war. South Australia set aside over £1,000,000 out of its excess railway profits, while other States have benefited to a considerable extent owing to war conditions.

The Minister for Railways: You have not taken costs into consideration.

Mr. SPEAKER: Order!

Mr. SEWARD: The Minister, as well as the Premier, seems to be obsessed with the question of costs; but as the member for Williams-Narrogin pertinently reminded him a little while ago, the Midland Railway Co. made a profit.

The Minister for Railways: But that company is, not comparable.

Mr. SEWARD: I know it is not, for this reason, that the Midland Railway Co. has taken off the surplus charge of 9d. a ton on bulk wheat that was introduced when bulk wheat was first transported over the railways. That company did not know how the charge would affect its revenue, but has since found that it would not affect its revenue and has removed it. The Government, however, has not reduced its rate. I shall quote another case. A few years ago a man in my electorate ascertained that a stationary engine was for sale at a place near Geraldton. He went there to inspect it and found it would be suitable for his purpose. He came back to Perth and interviewed the Railway Department about getting the engine transported to Pingelly. On inquiring what the cost would be, he was informed that it would be £100, or about that amount. He said, "I cannot pay that; it will make the engine too costly for me." The department replied, "£100 or nothing." On his

return to Pingelly, someone suggested that he should interview the Midland Railway Co. He said, "What is the use of doing that? The engine will have to be transported over the same system and the freight will be the same." However, he did see the Midland Railway Co., which quoted him £60.

The Minister for Railways: Right to Pingelly?

Mr. SEWARD: Yes. The Midland Railway Co. did exactly the same work which the Government Railways would have done. The price was £40 below that quoted by the Government Railways. I remind the Minister that that company has made a profit.

The Premier: It is 50 years since it made a profit.

Mr. SEWARD: That does not concern this matter.

The Premier: And the profit was made out of sales of land, not out of the railway business.

Mr. SEWARD: Of course!

The Premier: Of course!

Mr. Watts: How much land has the company sold this year?

Mr. SPEAKER: Order!

Mr. SEWARD: I contend, therefore, in view of the alarming record of our railway finance, that it behoves this House to take cognisance of it, and to see if we cannot devise some means to avoid it. The ratio of working expenses to earnings averaged 75.8 per cent. in 1923. It rose to its highest level of 85.07 in 1930. In 1939 it was 80.9 and today it is 75.72. Yet in New South Wales the average is about 65 per cent., so there is room for marked improvement in that regard. The Premier has often indicated that when we earn more revenue we must expect to incur a proportionate increase in expenditure, but that is not so.

The Premier: It is so.

Mr. SEWARD: A business in full working capacity would expect, if it made an additional expenditure of £1,000, to get back £5,000 to £7,000 in return.

The Premier: We have never said that.

Mr. SEWARD: The Premier has not said exactly that, but whenever we have referred to the rise in the revenue the Premier has said that there has been a corresponding rise in expenditure. The increased expenditure should be much smaller than the increased revenue. That would be the case in a business concern which was operating

efficiently. It may be asked what kind of a board I suggest should control the railways. After a very full and careful investigation, members on this side of the House are convinced that a board is required on which the major interests connected with the railways should be represented. I suggest that on such a board the Railway Department, the employees, commercial interests and the primary producers, should be represented and there should be a general manager occupying a position similar to that held by the Commissioner at the present time. We would favour an extension of the present Commissioner's term for a limited period—not five years—during the time of transition until the board could be substituted. Possibly the Commissioner could be appointed to the position of general manager.

Justifying the appointment of the representatives I have suggested, I am not going to waste much time on the representative of the railways. Naturally the Railway Department takes precedence and its representative would be chairman of the board. Engineering, traffic and other matters would be adequately represented by this individual. The employees are certainly entitled to representation on the board. One of the benefits of such an appointment—and in this State it would be a minor benefit—would be that industrial matters connected with the railways would be more easily solved and more amicably conducted. In saying that, I do not overlook the fact that industrial relations with employees in this State have been very good for as long as I can remember, but if the employees were represented on such a board, the position would be further improved.

As an example, I would refer to the question of the deviation now being made around the tunnel at Swan View. To me it is amazing that we have been risking the lives of employees and passengers and jeopardising the rollingstock and also livestock carried on the railways for so long when the putting in hand of this work could have obviated such risks. Before the work was undertaken, I discussed it with various people and I was told that it would be a long deviation, that it would go across that gully and come out at this point, and I do not know how many miles long it was going to be. It seemed as though it would be a big matter, but the work is now in progress and we have some idea of its ex-

tent. I do not know what the length is, but I venture to say that the whole deviation will not be longer than a mile.

The Premier: A bit more than that.

Mr. SEWARD: Very little.

The Premier: Not very much.

Mr. SEWARD: It is just a deviation around a hill. Yet for years men have been asked to go through the tunnel on double-headed trains at the risk of their lives and the lives of passengers for the sake of avoiding the making of this deviation. The member for Toodyay reminds me that it was the employees themselves who finally forced the issue.

The Premier: Do you know the estimated cost?

Mr. SEWARD: I do not care what is the cost when human lives are at stake.

Mr. SPEAKER: Order! The member for Pingelly should address the Chair and never mind interjections.

Mr. SEWARD: I venture to say that the loss occasioned through the smash last year will not be very different from the cost of the work now being undertaken. That was only one smash and we might have had many more. If that had been a passenger train, God knows what the cost would have been! The matter of cost should not be considered when human lives are at stake. Had we had a board on which the employees were represented, that deviation would probably have been made 20 years ago. On account of that alone, I think I am justified in suggesting that the proposed board should have on it a representative of the employees. There are other reasons why the employees should be represented. Engine-drivers are supposed to run their trains on time; everybody expects that. Yet, with the rollingstock in its present condition that is almost impossible.

The engines simply will not pull their loads. I am not an engineer. I have never been an engine-driver and I know very little of machinery. Possibly it might be asked how I am qualified to speak on the matter. I judge it by the performance of the trains. In past years there was a train known, in better days, as the Albany express. It still bears the name, though it has no pretensions to it. It used to leave Perth at 4 o'clock in the afternoon. I was not concerned with what became of it beyond Pingelly, but I know that it got to Pingelly at 10.30 p.m.—that is, it was a 6½ hours journey. It

performed that journey regularly on time, but we have had a change in the last three years. Instead of leaving at 4 p.m., the train leaves at 3.15 p.m., and instead of getting to Pingelly at 10.30, it arrives at 11.30 or between 11.30 and midnight. So instead of taking 6½ hours to do the trip, it takes 8½.

The Premier: What does the Diesel do it in?

Mr. SEWARD: I am talking about the rollingstock in the railways.

The Premier: There is a fast service in the morning.

Mr. SEWARD: I am not denying that, but all the work is not done with the Diesel. I am not decrying the Diesel. It leaves at 8.15 and arrives at Pingelly at 1.30—a 5¼ hours journey. Not only that, but the steam train does the journey in the same time, when the Diesel is overcrowded. That demonstrates that the thing can be done.

The Premier: That has a lighter load, of course.

Mr. SEWARD: Yes. There is another matter I want to mention and I am sorry the Minister for Railways is not here.

The Premier: He will be here in a moment.

Mr. SEWARD: Not only is that extra time taken during the journey, but what happens when the train is en route? In the morning, the train runs from Perth to Narrogin. It leaves Narrogin in the morning and stops at Yornaning for water. Water is taken in again at Spencer's Brook. Those are the only stoppages for engine attention. But going back, the journey commences at 3.15 o'clock and there is a stop at Chidlows for water, then at Clackline for more. At York the engine is taken off for about half an hour, though the scheduled stop is for 10 minutes. Then the train goes on to Beverley, where the engine is taken away, cleaned, and watered again. Invariably the train leaves Beverley not less than one hour late. Years ago I left Brookton on a train which came down with a heavy load. The train left one hour late yet reached Perth on time.

The Premier: That is a down grade.

Mr. SEWARD: That is not so. From Mokine to Koojeddah is one of the stiffest grades, but an hour was picked up from Spencer's Brook. There is no hope of that being done today. Some delay is frequently caused at Spencer's Brook because the Kal-

goorlie express is behind time, and the Albany train has to wait until the express has passed through. There is no question that the engines are not fit to do the work required of them, and I think that if employees had been represented on a board such as I have suggested, things would not have been allowed to become as bad as they are at present. There is another matter of complaint. I admit that Wellington-street is the place where control of the railways is exercised but, while those in charge at Wellington-street know a lot, they have not a monopoly of knowledge. Frequently employees suggest improvements, but not the slightest notice is taken of their proposals. For instance, take the Albany express! That consists of corridor coaches, with two or three carriages with side-doors.

Conductors have frequently asked that the side-door carriages be put on the rear of the train, next to the guard's van, but in spite of that the department continues to put them on the front. The result is that at every station the side-door carriages are beyond the platform and the conductor has to rush up to them to issue tickets to passengers. Then it is necessary for him either to get on the running board of the train and crawl back to the corridor coaches or wait in the side-door carriages until the next station is reached. In addition, the conductor has to get out at sidings where there is no station official, change the staff, walk to the engine and return to the train. It is not fair to the men to ask that of them, but in spite of complaints no action is taken. I wish to refer to another matter that came to my notice. A man got on the train at a particular station and went into the ladies lavatory to wash his hands. Somebody told the conductor, who went to the man and told him that he was not allowed there. The man took no notice and the conductor repeated his remark.

A second time the man took no notice, and when the conductor spoke to him a third time the man said, "Well, what are you going to do about it?" The conductor replied that if the man did not leave at once he would have to report him. And this is what was done. What followed? In a subsequent issue of the "Railway Gazette" appeared a notice on the front page telling railway officials that they had to be civil to patrons. In such circumstances, can rail-

way officials be expected to bother their heads about lodging complaints? That man should have been prosecuted and the official should have been upheld, but that was not done. That is another reason why employees should be represented on the proposed board. If that were done the department would be the better for it. The primary producers should be represented on such a board because they are large users of the railways. I think I have indicated that, in addition, the commercial interests should be represented. Somebody might ask: "What about the passengers?"

The primary producers' representative could speak for country passengers and, so far as suburban passengers are concerned, I think that competition from other forms of transport will be sufficient to keep suburban railway traffic up-to-date. If it is not, the returns will soon drop and the authorities will recognise that something is wrong and needing rectification. However, in view of the alternative facilities available, city travelling is not as important from the standpoint I urge as is country travelling. If we had a primary producer representative on the directorate I suggest, he could ventilate any passenger traffic defects in the service. Now we are continually receiving complaints from country people regarding breakages on the railways with apparently no possibility of securing redress. Two instances came under my notice, particulars of which I sent either to the Minister or the Commissioner of Railways. These concerned the despatch of two combines to Kondinin. On arrival at their destination it was found that the hubs of the machines were broken. The hub is an important part of a combine because it contains the gears for working the machine. Frequently when that part has to be replaced the efficiency of the machine itself may be affected for years. Any man who has had experience of combines will be fully aware of that fact.

In this instance the machines were put on trucks in Perth and tied down securely with ropes. At some stage of the journey someone removed the ropes with the result that the machines shifted on the trucks and were damaged. The combines are worth more than £150 each and no redress was possible in that instance. That is most unfair. Then again numerous complaints have been received about sheep dying en route. They

fall and are trampled to death. In one case 40 sheep died during a small 50-mile journey to Kojonup. Yet the farmer could secure no redress.

The Minister for Railways: Whom do you blame?

Mr. SEWARD: I am not blaming anyone in particular at the moment. I am merely drawing attention to what has actually happened. We have lodged complaints, but nothing is done. Surely it would be possible for someone to accompany the sheep on the train and get off at each siding to see if the animals were all right.

The Premier: That is often done.

Mr. SEWARD: The trip I refer to was only a brief one; yet that sort of thing often happens. If we had a representative of the primary producers on the directorate, he could discuss such matters on terms of equality with the Commissioner of Railways, but if he is forced into the position of having to speak to the man who holds the gun there will be little prospect of getting satisfaction.

The Premier: What do you say often happens? That sheep on that journey get killed?

Mr. SEWARD: I did not say that. The 40 sheep that I referred to were killed on the brief 50-mile journey to Kojonup. That happened on a particular trip but I did not say that experience follows on each trip. Again there is the position of perishables. I have received complaints about eggs that are put in packs which are supposed to be securely done up; yet, I am told, when consigned by rail to Perth they seldom arrive without breakages. That does not happen with other forms of transport.

Mr. Cross: Have you been on the egg floor and seen the broken eggs?

Mr. SEWARD: I am not interested in seeing them broken on the egg floor. I am pointing out that it is possible to send forward consignments of eggs per truck without breakages, whereas breakages occur on the railways. That matter should be looked into. The Minister must remember that unless the railways provide satisfactory transport facilities the producers will not be content later on with being told that they cannot use their trucks, because petrol supplies will not be available.

The Minister for Railways: I have dealt with hundreds of dozens of eggs at Norseman and have had hardly any broken.

Mr. SEWARD: That is quite possible, but one swallow does not make a summer. Because the Minister has had that experience does not prove that the facilities are quite satisfactory. If the primary producers had a representative on the directorate he could discuss this matter with the Commissioner and possibly the difficulty would be overcome. As a matter of fact, the country passenger traffic today is not equal to what it was 40 years ago. If I wish to go by rail to Kondinin, which is 73 miles from Pingelly, the journey takes four days, there and back. Naturally I would do the journey by motorcar. When I was at Kondinin recently I wanted to find out about someone who was travelling down from Merredin, a distance of 63 miles away. I found that the train was three hours late, and so I did not wait. When passing through Bullaring I found the train on that line was two hours late. To ask people to spend four days on a journey that can be done in one day by motorcar is quite wrong. For years we have been pressing for the Diesel coaches to be used on the branch lines, which is their proper function, and to have the fast steam trains commissioned for the main lines.

The Premier: You know that the Government ordered a number of Diesel trains months ago?

Mr. SEWARD: That is all right, but the Government still runs the Diesel coaches on the main line and obviously they cannot cope with the passenger traffic. The members for Beverley, Williams-Narrogin and Katanning and others will verify my statement that passengers have to stand up in these coaches for four hours at a stretch.

Mr. Leslie: They have to stand for eight hours from Mt. Marshall.

Mr. SEWARD: Is that so? I sympathise with the railway authorities in that they cannot tell how many passengers will desire to travel on any particular day. The Diesel train has accommodation for 80 passengers in the two coaches—but if 120 passengers wish to travel, the size of the Diesel coaches cannot be increased. On the other hand, with a steam train it is quite easy to put on an extra coach and cater for the passengers desiring to travel. That is why the fast steam trains are far more suitable for the passenger

traffic on the main lines and the Diesel trains for the branch lines. We should give the people in the outer areas better means of travel than they have at present or, for that matter, have had for the last 40 years. They certainly deserve better treatment. They cannot afford four days for a journey to and from a centre that is easily done by car in one day. When people desire to make such journeys by car they are faced with the possibility of their petrol supplies being reduced.

The Minister for Railways: This difficulty exists right throughout Australia.

Mr. SEWARD: I am not concerned about that.

The Minister for Railways: I am. I was in the Eastern States recently and saw what happened there.

Mr. SEWARD: I am concerned about Western Australia, not about what happens elsewhere. I say that no conditions could be too good for the people in the outer areas.

The Minister for Railways: I agree with you there.

Mr. SEWARD: We will certainly not make progress if we are content to sit down and allow existing conditions to continue. For all these reasons I advocate a representative of the primary producers having a place on the directorate. As for a representative of commercial interests, the same applies to a large extent. Those interests require adequate transport for their goods over the railways. Another complaint that I frequently hear in country districts is indicated when I intimate that I have heard people say, "Oh! well, if we send our goods to so-and-so, we can get trucks, but if we send them to so-and-so we cannot get them." If the commercial interests had a representative on the directorate there could be none of that. Each interest would have proper representation and no-one would enjoy more favourable consideration than anyone else. For these reasons I move an amendment—

That after the word "That" in the first line the following words be inserted: "this House is of the opinion that pending the passage of legislation for and the appointment of a directorate of four members and a general manager (which directorate should include a railway expert as chairman, a representative of the railway unions, the primary producers and of commercial interests) and which directorate this House is also of the opinion is essential for improved railway management, control, finance and transport."

That is the first part of the amendment. The second part of my amendment is—

That in line 3 the word "five" be struck out and the word "two" inserted in lieu.

Point of Order.

Mr. Speaker: I cannot accept the second part of the amendment because it is in conflict with Section 7 of the Government Railways Act, which sets out that—

On the occurrence of a vacancy in the office of Commissioner, the Governor may—

Appoint a person to be the Commissioner who, subject as hereinafter provided, shall hold the office for the term of five years from his appointment, but any such appointment shall be subject to the approval of Parliament.

The hon. member would be in order in voting to reject the motion, but he cannot amend it to provide that the Commissioner shall be appointed for two years instead of five years. The Act sets out definitely that the term shall be for five years.

Mr. Seward: Can I move the first part of the amendment?

Mr. Speaker: I cannot accept that part of the amendment either. It is a case of accepting the motion for the appointment of the Commissioner or rejecting it.

Amendment ruled out.

Debate Resumed.

MR. PERKINS (York): I was going to support the amendment, but as it has been ruled out of order, the only alternative I have is to oppose the motion in the hope that it will be defeated, so that the Government will have an indication of the reform that members on this side of the House desire. For a long time I have felt dissatisfied with the administration of the Railway Department. There is no official that I desire to single out for criticism, but I believe the responsibility of deciding and administering the policy of such a large undertaking is too much to place upon the shoulders of any one individual.

The Premier: The Act says that the railways shall be under a Commissioner.

Mr. PERKINS: It is within the power of Parliament to alter the Act. I know from conversation with railway employees that there is a great deal of discontent in the service, and in recent times that discontent has been manifested to the public. Only a few months ago we had a strike on the question of taking the Garratt engines

through the tunnel at Swan View, and I believe that what occurred there is a fair indication of the attitude of the department. The administration must have known the difficulty of working, not only the Garratt, but also other types of engines, through the tunnel, and yet it allowed the matter to drag on until the men were absolutely forced into striking, and in wartime at that, in order to get their grievance properly before the public. I believe the public was entirely in sympathy with the men in that dispute. The department undoubtedly took the right action after the strike in deferring the further use of Garratt engines in the tunnel, but this and the subsequent action of the Government in arranging for the deviation around the tunnel has justified the attitude taken by the men. It is a deplorable commentary on the administration of the department that the men had to strike before they could get their grievances rectified.

If we had a different sort of administration, I think that at least there would be a better chance of getting such difficulties remedied than exists at present. I do not think that the men employed by the department are any different from men working in any other enterprise in the State, and any difference between the efficiency of railway men and men working in other enterprises is solely due to the way they are being used by the department. This is borne out by experience in many of the smaller country centres. Those who live in the country know of particular railway men giving efficient service, as good as is given by the men in any commercial undertaking in those centres, but when they are moved to a larger railway centre where they come under the red tape administration of the department, they seem almost to become different beings. Instead of aiming at giving service to the public, apparently they aim at leaving as much as possible to the other chap.

The Premier: That is a libel on the men.

Mr. PERKINS: No, it is a reflection on the administration.

The Premier: It is not.

Mr. PERKINS: There is no doubt about it. Similar things occur in commercial undertakings. Men classed as inefficient by one undertaking join another and give very good service. The difference is due to the administration, not to the qualities of the individual. However, I do not want to labour the point regarding the adminis-

tration. Probably other members, some of them with railway experience, are more competent to speak on the question, but I believe we are approaching a time when we should give serious consideration to the future of our transport system generally. During the last few years many big changes have taken place in transport systems. I touched on this subject when speaking on the Address-in-reply. I believe that better results could be obtained if we had a board representative of the various sections of the community than can be obtained by making one man responsible for all phases of railway working. After the war, it is certain that we shall have a big extension of bitumen roads throughout the State. I hope there will be a bitumen road running from Perth to Narembeen. Plans have been prepared for the work, and I understand from the Main Roads Department and the local road boards that the construction is to be put in hand immediately after the war. This being so, the Railway Department should be giving consideration to the question of entering the road transport business in order to cater for passenger service.

I live in an area served by the Diesel car. Other members apparently are endeavouring to get Diesel cars for their districts in order to improve the present service. But a Diesel car does not give a satisfactory service. I make that statement very definitely. At present the Diesel takes $3\frac{1}{2}$ hours to travel from Perth to York, a distance of 60 miles. Will any member say that, in this age of rapid motor transport, $3\frac{1}{2}$ hours to do 60 miles is a satisfactory service?

Mr. Seward: It is 60 miles by road.

Mr. PERKINS: Yes, and I cannot help it if the railways take a longer route. I am showing that the railways cannot provide a satisfactory service for many of our country areas. Even with a more or less direct route, the Diesel takes $7\frac{1}{4}$ hours to do the 160 miles to Bruce Rock. I believe that a road service could maintain a schedule of $4\frac{1}{2}$ hours from Perth to Bruce Rock. In making this statement, I am not speaking without facts and figures to guide me. I know that similar services are being operated in other parts of Australia and in other parts of the world. Road services in Victoria have been maintained at a high scheduled speed over long distances of as much as a couple of hun-

dred miles at 35 miles per hour. This compares with the speed of less than 25 miles per hour in our Diesel service. Obviously it is impossible to provide a satisfactory passenger service on the Western Australian railways without spending a tremendous amount of money. Undoubtedly a better service, if not an entirely satisfactory service, could be provided if the gauge were broadened all over the State to the standard of 4ft. 8½in., and if we got improved rollingstock. I imagine that to broaden the gauge all over our State would cost from £8,000,000 to £10,000,000. We have to ask ourselves whether we could do more good by spending the £8,000,000 or £10,000,000 in other directions, say in that of providing road services, than we could by spending that amount of money in trying to provide a satisfactory passenger service through the Railway Department.

That department does not give serious consideration to road transport. I have frequently travelled on the Diesel service from Perth to Bruce Rock, and from my knowledge of the country people, I am able to say that unless some service comparable to that of the private cars is provided, a large number of those people now using the Diesel car will revert to the old system of using private cars as soon as petrol and tyres again become available. If that happens, I do not believe sufficient passenger traffic will remain to justify any special passenger service on our country lines. That is the situation which the Minister for Railways should be facing up to. I believe he requires broader advice than can be obtained from one man who is made responsible for the whole of the vast ramifications of our railway system. There are many other matters of complaint against the railway system, but I believe sufficient has been said to cause the Minister to reconsider the position existing now. If he re-appoints the Commissioner of Railways without giving any consideration to broadened control of the system, then we are going to meet many difficulties which may easily result in very much greater losses on the system than we have experienced up to the present. Assuming that the amendment is out of order, my only alternative is to oppose the motion.

HON. W. D. JOHNSON (Guildford-Midland): I quite appreciate that this motion only admits either of acceptance or rejection.

While of course the discussion is in order, I would suggest that it would more fittingly apply to the Estimates than to this motion. However, the position is that the defeat of the motion would amount to a vote of want of confidence in Mr. Ellis, and I do not think any of us would like that. In my opinion Mr. Ellis, within the restrictive limitations imposed on him, has done a fairly satisfactory job; but the fact remains that our railways are not giving satisfaction to the general public, who are dissatisfied with the running of the system and the results obtained therefrom. I consider that the matter should be approached from the aspect of an amendment of the Government Railways Act.

Mr. Doney: We cannot do that here.

HON. W. D. JOHNSON: Parliament can do it. I suggest that the only way in which we can secure reform is by amendment of the Act. The Government today is only carrying out an obligation under the Act. I wish to emphasise that point; the Government is merely carrying out what Parliament has directed. If the direction under the Act is incorrect, if there should be another method of doing what the motion proposes, the Government Railways Act itself should be amended. I would like to see a review of that measure, which is 40 years old. If I were asked to approve of a measure passed 40 years ago, I would decline, because many tremendous changes have meanwhile occurred, and more so in transport than in any other subject that we can approach here. We have to appreciate that an Act passed 40 years ago cannot be applicable to the administrative needs of present-day transport. I agree with the member for York that we should go into the question of controlling road transport more directly, so as to bring it into and co-ordinate it with railway transport. Years ago I tried to get the Government of the day to take control of transport between Fremantle and Perth. It is very sad that this was not done, since it would have meant obtaining control of transport under the direction of the Commissioner of Railways.

Mr. Perkins: The public had very little confidence in Government transport.

HON. W. D. JOHNSON: No. The fact is that the public were not educated in regard to the matter. As soon as there is a proposal to extend State activities, there is

always organised opposition. The member for York in the course of his political career has never taken up the attitude of desiring to extend State activities. In this particular instance it would be quite sound. I agree with the hon. member in his contention that transport, if rightly controlled by the Government, would be equally applicable to roads and rails. But the point is that we cannot achieve anything in that respect without making amendments in the Government Railways Act. Again, there is a good deal of discontent among the railway employees not only because of what that Act declares but also because of the established attitude that what was good 40 years ago is, in the Commissioner's opinion, good enough today. He will not alter matters because, he says, there is precedent for them. Precedents may be 30 or 40 years old, but the Commissioner regards them as justifying him in doing things which are not altogether acceptable in the modern view of employer and employee.

Take, for instance, the amenities associated with factories! The law lays down very definitely that amenities must be provided not only for railway workers but all other workers. Private employers are compelled by law to provide amenities for their workers. For instance, the provision of canteens is insisted upon. In the workshops at Midland Junction there has been a great deal of dissatisfaction with respect to the amenities provided. I will admit that something has been done to remedy the trouble, but the position is still not altogether satisfactory, as I am being bombarded every week with complaints about the need for better equipment and more extensive accommodation at the canteen at Midland Junction. Quite recently I discussed with the Minister for Railways the question of amenities at the loco. running sheds and that matter has been under consideration for a long while. Only this afternoon I went to an activity associated with the co-operative movement to consider how we could re-organise building arrangements to provide for amenities that we were told we must immediately provide for the employees. While the private employer can be forced to do this, there is no means under the Government Railways Act by which the Commissioner of Railways can be forced to do so. It is only by industrial strength that such an issue can be forced and it is undesirable to employ that strength.

The member for York pointed out, in connection with the tunnel, that it is undesirable these reforms should be made as the result of the collective strength of the employees. There is another point. The Labour Party's platform lays down that in the control of State instrumentalities the workers should have some say in the management. We have preached that for many years. Personally, I consider it quite sound. I have always been in favour of shop stewards and shop committees whose duty it is to try to maintain good understanding among the workers, especially in a concentrated place like the workshops at Midland Junction. The workers in that way can speak with authority through their representatives on matters affecting managerial administration or affecting the employees themselves. The workers should enjoy such a right, but the railway employees, because of the provisions of the Government Railways Act, have not that privilege. Consequently, the Labour Party's platform is not being implemented because the Act will not allow of its implementation. I would therefore like the Government Railways Act to be considered from that point of view, as we must appreciate that a measure passed in 1904 is not suitable in 1944.

Great changes have taken place in methods of transportation since 1904. Other forms of transport have come into use and that is why I contend the Act should be reviewed. The motion has my wholehearted support, as in my opinion Mr. Ellis should be re-appointed. The Government has carried out the provisions of the Act and has laid on the Table of the House the Executive Council minute recommending his appointment, subject to the approval of Parliament. I think the Government is wise in its selection and I also think it right that Parliament should approve. It is also right, in my opinion, that we should take this opportunity to express a wish that a review be made as early as possible of the Government Railways Act with a view to ascertaining whether we cannot get a more up-to-date measure.

THE PREMIER: The member for Pin-gelly, in speaking to the motion, criticised the railway administration on the score of finance. Generally, when a new Railway Minister takes office the administration desires to know what policy to adopt. It wants to know whether the Government wishes to

run the railways as a commercial concern, or whether it is the policy of the Government that the railways should be used in developing the country. Whenever I have been asked for an expression of policy I have always said that the railways are to be carried on primarily for the development of the State. If they were to be run as a commercial undertaking, every item of expense would have to be justified and any service the people required the department to give would have to be paid for by the people. That has not been so in the past, nor do we expect that it will be in the future.

As a matter of fact, Western Australia has more railway lines constructed for developmental purposes than has any other country in the world; we have a mile of railway for about every 100 people. We cannot expect the railways to pay if we are to give the people living in the outback portions of the State a fair deal. We have endeavoured to cater for those people. In addition, industries which are in a parlous condition have been assisted, wherever possible, by reduction in freights or perhaps by free carriage of some of their materials. For instance, in the early days of our agricultural industry, housing material was carried to the country at a very low rate. If children had to travel to school they were carried free on the railways.

The Minister for Railways: And other departments do not make up to the Railway Department the cost of the carriage of their goods.

The PREMIER: No. The railways must stand on their own. For propaganda purposes we may desire to be able to say what assistance the Government is rendering to the agricultural industry through the Railway Department. Our Agricultural Vote is well over £100,000, all of which is paid by the taxpayers of the State. If we should desire to spend £200,000 to assist the agricultural industry, all we have to do is to get the amount from the Treasury, credit the Railway Department with £100,000 and debit the Agricultural Department with £100,000, being the subsidy on the carriage of super. The freight rate for superphosphate, it is admitted, is the lowest in the world, whether the other countries be black or white. As the Minister for Railways has said, the rate is about 1½d. per ton per mile, whereas

the average cost of transport is about 2d. per mile. We are, therefore, carrying superphosphate at 25 per cent. of the ordinary rate.

The Minister for Railways: New South Wales has made a profit of £800,000.

The PREMIER: And the Victorian Government has written off much dead capital as it has been termed. We have not very much dead capital in our railway system; because, as members will have seen each time the department's report is laid on the Table of the House, each officer in charge of the various branches—the traffic, the permanent way, the locomotive and other branches—gives a certificate that the portion of the department under his control is being maintained in an efficient manner. I would remind the House—as I did by interjection—that we pay sinking fund on the railway debt and that that payment will continue for the next 43 years. At the expiration of that time the whole of the debt incurred prior to 1927 will have been repaid and we will have no debt.

Mr. Watts: The Commissioner will still have his accounts kept on an interest basis on that total sum.

The PREMIER: No. He will not. In 40 odd years—I do not suppose any member present today will see the happy day—the capital sum which was incurred in the construction of the railways prior to 1927 will have been repaid.

Mr. Watts: Why is not a credit given from year to year on that basis?

The PREMIER: Because under the sinking fund arrangement we have to pay interest on the amount of debt which is redeemed by the National Debt Sinking Fund, so that the accumulations will enable us to earn enough on a 10s. per cent sinking fund to repay the debt in 40 years. A simple arithmetical calculation will prove that it would take 200 years at a half of one per cent. to wipe off the capital; but because interest still has to be paid at 4½ per cent. on the redeemed debt the railways are not receiving any benefit at the present time. Very often, in order to counteract deterioration, what is known as special maintenance is voted from revenue for the purpose of putting new assets in the railway system. Another vote is the Betterments Vote. I do not know what has been spent from that lately, but in the past it often amounted to from £10,000 to £15,000

a year. That is used to create new assets.

A comparison has been made between the State railways and the Midland Railway. The Midland Railway Company is in a fortunate position. It has one railway line, which goes through good country. It has no branch lines where there is only one train a week or fortnight. There is a passenger train daily each way and goods trains are available whenever required. If we wanted to make a comparison with the Midland line we should take the Perth-Kalgoorlie line, which has made immense profits. Those profits, however, have had to be distributed over the whole system and have not balanced losses on other lines. For instance, we built a line to Big Bell in order to honour a promise given to a mining company which expended a certain amount of money in developing the Big Bell mine and produced about £100,000 worth of gold every month. Unfortunately the mine closed down. Had we continued to run the train to Big Bell we would have had about one passenger a month and 20 or 30 lbs. weight in parcels. Consequently we had to discontinue running a train over that line which, however, remains a charge against the capital cost of the system.

There is another outback mining area from Mt. Magnet to Sandstone to which one train a week or a fortnight is run. At Port Hedland there is a train once a week when train traffic is offering. Sometimes a small motor coach is all that is required to take all the traffic. On some of the lines in the district the member for Pingelly represents there are only one or two trains a week. We cannot expect those lines to return money when traffic is not offering. However, if the Government proposed to pull up any of the lines, all the opposition in the world would develop. I think that the line from Denmark to Nornalup carries about three or four tons of traffic once a week or once a fortnight.

Mr. Hill: That is because it is not completed.

The PREMIER: It is completed to Nornalup.

Mr. Hill: Not right through.

The PREMIER: What would happen if it were completed? There would be a bigger loss.

Mr. Hill: No.

The PREMIER: The hon. member can put that up whenever he likes. We had a special session of Parliament to deal with

that line. The railway was constructed from Denmark at a pretty heavy cost because it is difficult country, but there has never been more than one train a week or a fortnight. Financially the scheme was never warranted but it was part of a plan to open up to group settlement all the area between Northcliffe and Nornalup. The building of the line has not been justified by events. The policy seemed all right but it turned out to be not correct. In the post-war reconstruction period it may prove of value. The Minister for Lands has had an inspection made of that area and the railway may prove some day to have been justified, but at present it is not paying axle grease, much less working expenses and interest on the cost of production. That has to be paid, and things like that go to make the financial position of the railways worse. The wages paid on the railway system were £3 9s. a week in 1932. They have increased to £5 a week. Yet no alteration has been made in freight charges. No commercial concern would ever dream of doing things like that. If costs increased by 30 per cent. a business concern would not for one moment agree not to increase charges.

Mr. Seward: Freights have been increased.

The PREMIER: We reduced freights considerably, when the transport Act was passed. In order to get back somewhere near the original position some freights, that had previously been reduced, were increased but there was no general increase. There has been no general increase in railway freights for years. Every month or two the Minister for Railways has to sign approval for certain freight concessions. Every three or four weeks there is a list of charges in respect of which consideration has been given in the interests of various people. In wartime we have allowed soldiers to go to Wiluna for 5s. I would like to see any motor transport company attempting anything like that! The Railway Department is not a commercial concern but a developmental concern subject to Government policy. I am not here to say that everything is all well with the department. I do not take up that attitude at all, because I am not satisfied that everything is well with the department.

I concur in Mr Ellis's re-appointment. He has not had a fair spin in that he has been asked to go away and do very important war work at the behest of the Com-

monwealth Government. He has put in about three-quarters or five-sixths of his time away from the State in order to further the nation's war work. Mr. Essington-Lewis, Director General of Munitions, has a tremendously high regard for Mr. Ellis, and he almost demanded that Mr. Ellis be made available to the Commonwealth Government in connection with transport matters and the organising of locomotives and trucks to transport stuff between Darwin and Adelaide, and also to assist with the Queensland railways. Not only Mr. Ellis, but also the Chief Mechanical Engineer was made available to the Commonwealth Government. Unfortunately at the same time the Chief Traffic Manager, Mr. Gilmour, was very ill and still is. He has not been able to give personal administration to the traffic section of the railways. Therefore we have the Commissioner of Railways, the Chief Mechanical Engineer and the Chief Traffic Manager all away from their jobs at the one time. In such circumstances we cannot expect any system to be satisfactory. The Government was dissatisfied with the position that developed, but we could not foresee that someone would be sick and that someone else would be absent for two years on a job that was expected to last two or three months.

I frankly admit that the Government is not satisfied with the administration of the Railway Department but we cannot blame any one when the three highest administrative officers of the department are away doing war work. Also it is impossible to get sufficient manpower to do many of the necessary things in the interests of the railways. We do not blame Mr. Ellis for the present position. Had he been here all the time, I think that things would be better. We do not blame the officer acting for Mr. Ellis because he had his own job as well as the Commissioner's to do, and each of those jobs is enough, if not too much, for one man. I agree with some of the criticism levelled at the administration of the Railway Department. Things could have been much better, but not with the depleted staff, and officers doing their own job and someone else's in addition. Consequently those people who stepped into the breach did more than the ordinary amount of work, and I do not think that anyone believed that they should

have made improvements on the previously existing position.

While the Government is anxious for Mr. Ellis to do everything possible in the way of assisting the war effort, it realises that he must now do his own job, and that Mr. Mills, Chief Mechanical Engineer, who has been about 2½ years away from the State, should return. We also realise that an appointment has to be made in the place of the Chief Traffic Manager, who, unfortunately, broke down under the strain of work during wartime. A permanent appointment has to be made there, and I think the position is being considered now. If that is not done, we must put on to the job a man who has a reasonable chance of carrying it out. I am not defending the railway administration. I make reasonable allowances for what has happened, but I am not satisfied and neither are other members of the Government, nor, do I believe, is the majority of the members of this House.

The member for Guildford-Midland said that Mr. Ellis is a capable man and, if given the opportunity, could do a much better job for the railways. I am also of the opinion that we have outlived the time when the railway administration should be centred in one man. If it is considered that he should have some assistance either by way of a board, or of assistant commissioners, or some other means, then that point will have to be determined in the future. We cannot expect the system to be carried on in the way that it has been during the war without manpower, or to the extent that it has been short of manpower. The Government, in this connection, has had a difficult time and so have the railways, but we cannot be repeating that, and excusing the railways on that account all the time. That is the present position, but it has to be improved in the future. That is the attitude the Government adopts.

If the Commonwealth wants someone else from the Railway Department to assist in its railway organisation, well, we feel that we have done more than our share. That remark applies not only to the Railway Department. In my own case the secretary of the Premier's Department has been seconded to the Commonwealth Government. From the Forests Department the Conservator of Forests, Mr. Kessell, one of the best foresters in Australia, if not the best, is doing work

for the Commonwealth Government. The Auditor General is also doing a lot of Commonwealth work, and so are other State Government officers. We cannot, therefore, expect our administration to be right up to the mark when most of our highly placed officials are doing Commonwealth work at the expense of their own. I have no objection to the criticism raised. As the Government has appointed Mr. Ellis, his appointment should be confirmed by the House. I think there will be an improvement in the administration because these highly placed officers will be back doing their own work. The criticism raised this evening is not entirely unwelcome because it should, to some extent, stir up the complacency of some of the railway officers who have not had the administrative heads over them to stir them up.

Mr. Thorn: They want whipping into action!

The PREMIER: That is the Commissioner's job and if he is not here it is not done. The Deputy Commissioner has done a fairly good job in the light of all that he has had to do. We do not complain of the criticism, which is not altogether undeserved, but there is a reasonable and logical explanation of any shortcomings.

Sitting suspended from 6.15 to 7.30 p.m.

MR. WATTS (Katanning): In view of what you have said, Mr. Speaker, on the question of amending this motion, it now appears to be impossible for any amendment to be moved to it. That, so far as I am concerned, is a matter for some regret, because it places me in the position of having to make up my mind whether to oppose the motion completely or to support it. I would have preferred to have been able to accept some such amendment as that suggested by the member for Pingelly, because I have no desire to make it appear in any way that my dissatisfaction has any relation to the person whose name appears in the motion. I want to make that perfectly clear. At the same time, it appears to me that to accept the motion as it stands would be to confirm the continuance of the existing position so far as railway management and control in Western Australia are concerned. That seems to me to be the more undesirable the longer I give it consideration.

The re-appointment of the Commissioner of Railways for a further period of five years was dated as from the 15th January last. In consequence, something like eight months of the five years have already expired before even the matter has been submitted to Parliament in accordance with the terms of the Government Railways Act. Therefore, in my view, acceptance of the Premier's motion at this stage without complaint would be merely to say to the people of Western Australia that we are all satisfied with the status quo as it exists today, and as it has existed in the past for a number of years in connection with the railways of this State. I think the right course to have pursued would have been to have submitted to Parliament during last session an intimation of the intention of the Government as to the matter of the re-appointment of the Commissioner of Railways for a further term of five years so that we might have been able to discuss alternative measures without having an accomplished fact to deal with—which, as I understand it, is the present position.

We cannot alter, except by defeating the motion, that which has already been done by the Executive Council and, if the House approves of the motion, then there is no reasonable prospect of any betterment in Government administration and control of the railways until the 15th January, 1949. That is a long time, far too long so far as I am concerned. It is for these reasons that I am obliged to say that while I think that the Commissioner of Railways, Mr. Ellis, is capable and deserving of protection in his high position in the railway service, it is not proper that the single Commissioner system should continue because, in my view, it simply means risking the continuance of conditions that have existed in the railways not only during the period of the war, for which there would be some excuse, but over a period long before the war started. There has been steady retrogression. Year in, year out, long before hostilities commenced, there were representations from both sides of the House regarding the state of affairs which has existed.

In 1937 a motion was moved in this Chamber asking for the appointment of a Royal Commission to inquire into railway management and administration. Speeches were made from both sides of the House

which indicated strong support for the reasons given as to why that Royal Commission should be appointed. However, when the motion for the appointment of a Royal Commission was submitted to the House, it was defeated. Still no action of any description was taken to remedy or alter the state of affairs that was then complained of by members on both sides of the House. Now we find that the appointment of the Commissioner for the full term of five years was made on the 15th January, 1944—at a time when Parliament was not sitting, had not sat for two months or more, and was not likely to sit for five or six months. So it seems to me, much as I regret having to say it, that the representations that have been made over a period of years by responsible members on both sides of the House have been thoroughly and completely ignored by His Majesty's Government in this State.

It is not for me to come here this evening to discuss the first substantive motion that has been moved by the Government in relation to the railway service of the State for the past seven years and say that I support it in its entirety. I would have been prepared to support it in some amended form but cannot do so because there are no means of amending it, in view of the terms of the Government Railways Act and the circumstances underlying the motion. In fact, it cannot be altered in any way at all. So, while I would have preferred to have supported an amendment moved by the member for Pingelly or some other similar amendment, so that a reasonable period of re-appointment of the Commissioner of Railways in his present position could have been arranged and in the meantime this House could have indicated, either in the way suggested by the member for Pingelly or in some other way to be suggested by some other member, what it thought ought to be done, I cannot have the privilege of seeing that some compromise such as that is effected. I am obliged, therefore, to say that I oppose the passage of this motion.

In his remarks before tea, the Premier discussed the financial problem of railway administration in Western Australia. He assured us that arrangements had been made for the amortisation in a period of approximately 43 years from now by sinking fund contributions under the Financial Agree-

ment of the debt with which the Commissioner of Railways, as the head of the Railway Department and responsible for its finances, is loaded. The Premier appeared to find some satisfaction in the idea that in 43 years the Commissioner of Railways would be relieved of the obligation of £26,000,000 with which he is faced today and upon which he is asked to find interest out of his earnings. Well, it is a very poor prospect to me if the Railway Department and its administrative control has, over a period of 43 years, to accept responsibility for the liability annually upon that sum of £26,000,000. It seems to me very necessary, as far as the Commissioner or the management, whichever it may be, and the book-keeping methods are concerned, and very desirable indeed that there should be some earlier arrangements made for a readjustment of the financial position.

I think I am correct in saying that every penny of expenditure on the railway system of this State from its inception to the present time is carried as an obligation in the books of the Railway Department, and upon that obligation the department is expected to pay interest from year to year. It is quite obvious that in those circumstances every item that has been purchased, whether it now exists or not, throughout the whole 70 years or so during which there have been railways in Western Australia, is charged up to the finances of the Commissioner. Many items so paid for have entirely disappeared; many have substantially depreciated in value, some because of loss of settlement or for other reasons, and even if they exist have ceased to have any value at all. Some of the minor developmental railways might be written off as a total loss, and would be so written off by any concern whose bookkeeping methods were other than those that have been practised by the department.

I remember some years ago, not long after I entered this House, having asked the Premier, who was then Minister for Railways, as to the writing-down or revaluation of the railway liabilities with a view to making it easier for the Commissioner to balance his budget as a Commissioner and for the State as a whole to deal with any other obligations that might arise; in other words, putting his department upon a decent financial footing and upon a business basis. The Premier, in response to that question, used

as an argument the point of view that, whereas it had cost only £2,000 per mile to build a railway years ago and now might cost £10,000 per mile to build that railway if it were not in existence, it was fair and reasonable that the cost of the railway should have charged up to it all that it had cost in the first instance and the cost of the necessary emendations in the meantime, because it would cost more today than it had cost at the time it was built. I do not think that is the method upon which ordinary depreciation is charged.

The cost of an article at the time it was purchased or acquired is the sum of money from which depreciation is subtracted. The value of the asset in the books of the concern is usually the value remaining after that simple sum in arithmetic has been done. If that were the case with the Commissioner of Railways, he would probably find that he was in a position today to pay the obligations to which he is committed, because I venture to say the figure he would be charged as owing would be considerably less than £26,000,000. But he has not been blessed with the writing-off of assets that have been lost; he has not had his capital indebtedness reduced by any sum in the nature of profits that have been made over the period of railway administration; he has not been given a fair opportunity of carrying out his financial business in a businesslike manner.

Now let me turn to one or two other aspects of this problem. The Premier, by interjection, also referred to the position of the Midland Railway in that it was assisted by the rents it collected from land vested in the company and existing adjacent to the railway line. I take the Premier's word for it that this forms portion or a substantial portion of the revenue of the Midland Railway Company, which enables it to keep on a more even keel than is the present position of the State railway system. But for what reason is it that the State is not in a similarly favourable position from a railway point of view? It is because, throughout the history of land settlement in this State, we have adopted this method: We have thrown Crown lands open for selection and run out railways to serve those Crown lands; people have then acquired those Crown lands on conditional purchase, and we call the annual instalments under the conditional purchase

system by the name of land rents—some-what of a misnomer, I think, because they are in the bulk, not rents but instalments of purchase money to be met by 40 or thereabouts of half-yearly instalments. They represent the purchase price of so much per acre, in exchange for which a freehold grant is issued. Thus they have actually amounted, in the main, to a realisation of a substantial portion of the State's assets.

The land of the State was, I would suggest, practically the only asset that government in this State started with; and the asset has been turned into money by land sales, and mostly, or in a substantial proportion, on the conditional purchase basis to which I have just referred. And what have the Governments of the State done with those instalments? When I criticise this proceeding I do not intend my criticism to be directed against the present or any other Western Australian Government, because in my view there has been an error in this respect on the part of all of this State's Administrations. The money from land sales has been paid into Consolidated Revenue, and used as revenue, instead of being used, as in my opinion it should have been, to relieve and finally liquidate the capital cost of the railways which were thrown out to develop that class of country and make it usable for settlement at all.

In consequence the people of this State through the successive Governments of the State, have reduced the Commissioner of Railways to a position where he has an enormous liability, where he has, as the Premier has said, any number of railways thrown out purely for developmental purposes which he has been asked to include in his service but which, through other miscalculations of one kind and another, do not pay axle grease upon their cost. There we have the position. The Commissioner, loaded with this liability, is expected to maintain and improve a service which stands today, as I believe, in consequence mainly of the maltreatment given it through its whole history, as an impossible proposition. The treatment accorded to the Commissioner is a standing disgrace to this country. He has been asked to maintain an enterprise under conditions which would have rendered any other en-

terprise, privately or Government owned, similarly treated, bankrupt or insolvent.

The Premier: But the Government makes up the interest payments.

Mr. WATTS: When the Commissioner's monthly, quarterly and annual statements are issued, the total amount of interest due on £26,000,000 is shown.

The Premier: Each person in Western Australia contributes £1 per head.

Mr. WATTS: I say that the history of the trouble goes back a long way beyond the present Administration. I wish to be entirely fair, as the Premier also is. The history of our railways amounts to this, that we have realised the assets of this country, which have been made into realisable assets by throwing out railways, and we have collected the capital thus made available, turned it into revenue and charged the amount up to the Commissioner of Railways as a liability. The whole proceeding has been preposterous from start to finish. The time came in 1936 when this House would not agree to a Royal Commission to inquire into these various things. Now the time has come when there must be some change in the control and the administration of the railways of Western Australia. That is the reason why I would have liked to support such an amendment as that moved by the member for Pingelly, since it would have recognised the right of Mr. Ellis to a renewal of his appointment while the question of some change in administration would have been gone into, and would also have postulated that the House is not satisfied with the present position, and is not going to be satisfied with it. And neither are the people of Western Australia!

If I wished, I could refer to many items which have come under my notice during the last few years in regard to the difficulties people are experiencing in this State because of the obvious impossibility of the Commissioner and his staff coping with the problem of the railways, a problem mainly financial and mainly caused by errors of the past which are facing the Commissioner and his staff, with the result that our people are almost insulted when they are asked to travel on the State railways. To say that our railways cannot be improved, to say that they cannot be made to get back a substantial portion of the custom which they obtained in earlier times, is ridiculous. For long distances the

railways will always be, in my view, the ideal method for heavy transport—at least for a long time to come. In a country like this, given a reasonable method of comfort the people will travel on the railways for many years to come.

If our railways in the post-war period are left in the same condition as they are in now and have been for the last 15 years, then how many people will travel on them? Their last state will be worse than their first. So it is high time that this House and the people woke up to the fact that improvements can be made and should be made, which will bring back to the railways a substantial portion of the traffic they used to have and I believe they would be entitled to have if something was done in the way of improving them. But that something, in my opinion, can only be tackled under a new method of management and under a new method of finance in which the mistakes of the past, although it is too late to remedy all of them, can be partially rectified and those in charge of the railways will be given a reasonable opportunity to run an efficient service. That end will, in my belief, not be found impossible in Western Australia if the right way to go about it is tackled.

MR. CROSS (Canning): One is somewhat surprised at the attitude adopted by the Opposition, and especially by the so-called Country Party. It is quite evident to me that members opposite have overlooked many salient points in connection with the case they have attempted to put up. During the last five years, even if Mr. Ellis had been in Western Australia all the time and had devoted all his efforts to the task, he could not have effected many improvements.

Mr. Withers: Then the system must be wrong!

Mr. CROSS: There are several reasons for that, and not the least of them is the changed conditions imposed on our railway administration by war conditions. I would remind members that the administration has had to run the railways with the same mileage open for traffic. There are 4,381 miles of railways in Western Australia, and during the last five years the earnings of the railways have increased from £3,500,000 to £4,380,000. The increased cost was considerable although the work has been done

by approximately the same number of men. Another point to be considered is that the department has not the same quantity of rollingstock that it previously had. Last year it had 30 less of the best type of locomotive than it had five years ago. The reason for that is that locomotives were unobtainable owing to war conditions.

Mr. Thorn: Who told you they were the best type of locomotives?

Mr. CROSS: The department had 350 fewer wagons.

Mr. Thorn: What about the Minister's speech?

Mr. CROSS: Never mind the Minister's speech. The hon. member cannot make a speech himself. When one remembers that the department had less rollingstock and that it was quite unable to replace the worn-out vehicles and that it could not obtain parts from oversea, and when one also remembers that the flower of the manhood of the system enlisted and that the department was left with an increased number of older workers, the fact that so much extra work has been and is being done reflects considerable credit on the department. What has happened? Certainly there have been delays. To earn over £750,000 additional income in one year, with less rollingstock, meant that practically every train had to leave its base overloaded.

Members are aware that whether the train has been the Kalgoorlie Express, the coal train from Collie or a wheat train, each train has been absolutely loaded to the limit, with resultant unavoidable delays. Let me remind members opposite that before the war hundreds of thousands of pounds were expended during a period of a few years in re-grading in order to give better services and to enable bigger loads to be carried. As in every other undertaking, if an efficient service is to be had, it must be paid for. Let me remind members opposite that, despite the change in money values and increased wages costs, railway freights have not been increased proportionately. Whenever mention was made of increasing railway freights—and I have been in this House about ten years—

Mr. Thorn: Too long!

Mr. CROSS: —we heard a great deal on the subject from members opposite. Let members consider the quantity of super carried by the railways at a rate involving

absolute loss to the department. In no other part of the British Empire are fertilisers carried at such a low rate.

Mr. Hill: What about New Zealand?

Mr. CROSS: In Great Britain, where the railways carry on at a profit, a different method of finance is employed. Since the war the various companies have amalgamated and are now run under a single control. Those railways have, however, increased their freights by 25 per cent. If our department had increased its freights in consonance with the changed value of money over the years, what a bitter howl we should have had from the Opposition members! The Government has been sympathetic and has not increased freights in the ratio it should have done. The Commissioner has had no chance of effecting improvements in the last year or two for the reasons I have indicated, nor will he be able to do so in the near future unless he is furnished with the necessary money. Our railways present a big problem when it is realised that our population is only about 480,000 and that we have over 4,300 miles of railway to maintain. Before the war people in some districts were trying to send the cream of the freight by road, using the railways for the low-paying freight such as wheat and fertiliser. They did not propose to have that transported by road; it would be too expensive to do so.

Yet members opposite contributed to that system of taking high-paying freight away from the railways, leaving the railways to carry the unprofitable freight. If they desire improvements to be effected to the railways, money must be found for that purpose. The taxpayers have already paid—as the Premier indicated by interjection a few minutes ago—£1 a head towards the interest on our railway debt. I am sure the Government has given careful consideration to the matter of the reappointment of Mr. Ellis. The time is rapidly approaching when some change will have to be made in the administration of the railways. The Commissioner of Railways has also under his control the Tramway Department and the Electricity Supply Department. The two latter departments should each be under separate control. The Commissioner of Railways has sufficient to do to control the railways, and in my opinion the other departments warrant the appointment of an expert to control them. There should be a commissioner appointed for each of the

three undertakings. I consider Mr. Ellis competent to fill the position of Commissioner of Railways. I am surprised that Opposition members overlook the fact that the officers and men of the Railway Department have been working under tremendous strain. The job they have done under extraordinarily trying conditions in wartime certainly redounds to their credit. I support the motion.

MR. McDONALD (West Perth): I think the member for Pingelly by his amendment has served a useful purpose in raising discussion on a matter of the first importance to the people of our State. Transport is an essential feature not only of our existing industry but of the progress of the State, and in our railways we have invested one-quarter of the national debt of our State. I consider, however, that no ground has been shown that would justify the House in refusing to renew its confidence in the present Commissioner of Railways. In Mr. Ellis we have a man of high capacity and one in every way possessing the qualities necessary for the high office he holds. In any event, the House would be quite unable to come to a determination on a matter of this kind without hearing what the Commissioner had to say.

Mr. J. Hegney: Are you suggesting inviting him to the bar of the House?

Mr. McDONALD: No, but I suggest there are occasions when an Assembly like this is not qualified to discuss a number of things, because it cannot make the necessary inquiries and obtain the facts upon which to base a judgment. But there is nothing which, in my opinion, would justify the House in not possessing that confidence in the Commissioner of Railways that he has hitherto enjoyed, and which the Government proposes to renew by this further appointment. At the same time, we all agree that the position of our railways is far from satisfactory, and I do not think that position can be attributed wholly to the war. There were shortcomings before the war began. It has been a matter that has been going on for a considerable number of years. I was pleased to hear the Premier frankly admit that the railways are far from what we desire and far from what the State needs. What I am concerned about is that we should take the earliest possible steps to overcome any disabilities in the railway system of our

State. I can see no reason why those steps should not have been taken already; at all events, they should be taken immediately. We all know that transport has been revolutionised during the last few years. The war alone has taught the world lessons about transport of which we did not even dream five years ago. Whole armies are shifted hundreds of miles by aeroplane, and tanks, guns and freight of immense weight are moved by the same means. Whole armies move over the roads by motor transport which in the old days would have gone by train.

Mr. J. Hegney: Trains are still used to move troops.

Mr. McDONALD: That is true, but railway transport of troops and freight is only part of the transport system, and it is the slowest part. Any army that depended on railways as against a rival army with modern means of transport would not last a month. The war has taught us that. On the Address-in-reply, I had occasion to make some remarks—

Mr. SPEAKER: The hon. member is not in order in quoting what he may have said during the Address-in-reply.

Mr. McDONALD: I will put it this way: I have had occasion previously to make remarks about the railways and transport systems, and some months ago ventured to suggest that the time had arrived to make a survey of the transport system in this State. What I am rather disturbed about is the absence of any forward-looking plan on the part of the Government with regard to transport. It is disturbing to find that constructive new ideas are coming from private members on the opposition side of the House. The Government has the advantage of expert advisers and of the services of its Commissioner and other officers, and should take a lead in telling Parliament and the people what ideas it has for the future of transport in Western Australia. That is particularly desirable because we have certain reserves put aside for making good the lack of repairs that have piled up in the last few years, and we all know that if the railway system is to be relied on as it was in the old days, an immense amount of money will have to be spent on it. The member for York referred to putting in a standard gauge for our railways at a cost of £8,000,000 or £10,000,000. He did not suggest that was

necessarily desirable, but mentioned it as a possible measure.

It would be fatal if we embarked upon such a capital expenditure in this State and assumed a debt which we had to repay in due course—and on which in the meantime we had to pay interest—in respect of a form of transport which, in a year or two, or in a few years' time, may be largely obsolete. It is, therefore, incumbent upon the Government and Parliament to see that there is at the earliest possible moment—and the time is now opportune—an inquiry into the form transport is likely to take in this State in the future. It may well be that such an inquiry would recommend that railway expenditure should be on a short-term basis until we have acquired definite ideas as to the nature of transport in this State in the future. It may be that we should spend a certain amount to bring the railways on to a more efficient basis, though carefully avoiding expenditure that would be based upon the existence of the railways, as they have been in the past, for any length of time in the future.

Modern transport methods are not going to be held up because we have put a large amount of money into railways. They are going to assert themselves, whatever we may have locked up in our railways. If we do not use modern methods, our industries have no chance of competing with the industries of more progressive States and countries. All these factors—that is, the role not only of the railways but the role of road and, more particularly, air transport—are the elements that would require to be considered in any investigation made. I welcome the occasion for this discussion, which has been brought about by the amendment of the member for Pingelly, and I hope that such an inquiry will be established by the Government as soon as possible with the idea that it will be helpful and constructive, and will assist the Commissioner and his officers and all the people who work in our railways to place the system on a basis that will help it to take into account the developments of modern transport practice, and on a basis where those engaged in it can have the satisfaction of knowing they are running an efficient and popular service. In the meantime, while we accept the disabilities of our railway service and acknowledge

that, in part at all events, they are due to war conditions, and while we appreciate that many railway officials have done difficult work under adverse circumstances during the war, I feel that the House should accept the motion of the Minister for Railways and renew the term of the Commissioner of Railways, at the same time taking some steps to assist him in the future to place the railway system upon a more satisfactory basis.

MR. LESLIE (Mt. Marshall): I am very sorry indeed that the motion submitted by the member for Pingelly could not be proceeded with. In view of the criticism that has been raised here tonight, both on this and the other side of the House, it might be possible to postpone further consideration of this motion in order that ways may be found of giving effect to the suggestion which the Premier himself in the course of his remarks supported, namely, that the control and administration of the railways has reached the stage where it is not a one-man job. If this appointment is confirmed at this stage it will continue for another five years.

The Premier: No. We can amend the Act.

Mr. LESLIE: Yes, but we have still entered into a contract with the Commissioner giving him control under the conditions of the present Act.

The Premier: He could be one of the commissioners if we want two or three.

Mr. LESLIE: Yes, but there is an element of doubt about it. I suggest that if the Premier and the Minister for Railways are really sincere in their desire to improve the position they might endeavour to meet the situation in the way I have outlined. It should hardly be necessary for me to mention the fact, in view of the remarks that have been made, that the control of the railways is not a job for one person, but for several individuals possessing knowledge of public requirements and transport problems and difficulties. While I confess that a commissioner with the engineering knowledge possessed by Mr. Ellis may be all that is required in engineering matters, I submit that because the brewer at the Swan Brewery may be the finest in the Southern Hemisphere he has not necessarily the qualifications to be a successful brewery manager.

The Premier: In New South Wales a brewery manager, by the name of Clare, was appointed Commissioner of Railways.

Mr. LESLIE: That is most interesting. If he was a brewery manager it shows that he has the qualifications that I suggest are so necessary, namely, managerial and administrative ability.

Mr. J. Hegney: He was in the wrong place in a brewery.

Mr. LESLIE: Well, he is in a good place now. A good jam boiler may not be a good jam factory manager. Similarly the best engineer might not necessarily be the best man to undertake transportation control and administration. The railways are a public utility, and as such must be viewed from the public aspect; that is in the way the member for Pingelly has submitted, as representative of every section of the community. Many of the difficulties, troubles and complaints which we have heard here today, and which are being heard from the public all the time, are not necessarily due to the Commissioner himself. They are probably due to the fact that, owing to the present system of control, there is actually a lack of understanding of what is needed. For instance, only last week I travelled on a train from my own area when children were returning to school. A carriage without any lavatory accommodation was provided. It was filled with school children who had to travel for a supposed period of six or seven hours but which was really much longer.

Only last Saturday, while in my electorate, my attention was drawn to the fact that an expectant mother accompanied by another woman passenger, was obliged to ride in a mixed train, or a goods train with a coach attached. On the journey to Perth she suffered the indignity of having to appeal to the guard to stop the train so that she could ease herself, and suffered the further humiliation of having to walk a long way in the bush before finding the convenient privacy of a little bush cover. These occurrences are due to the fact that there is an absence of transportation knowledge and of the requirements of the travelling public. It will be a bad lookout if we do not now make plans, as the Premier is so fond of telling us he is doing in other directions, to meet the post-war situation in regard to travelling. The members of the public are compelled to use our railways today, but what will be the position

after the war when they have the freedom of travelling by any other means, unless we are prepared to provide them with an attractive and fully satisfying service? Not only is there the question of passenger travelling, but we meet complaints from every direction in regard to stock trains. For instance, we hear of the unsuitability of particular types of stock trains supplied to certain districts.

No apparent recognition is taken of the fact that stock have to remain for, perhaps, one or two nights in the train before reaching the metropolitan markets. Open-roofed trucks are provided for stock coming from these long distances, whereas roofed trucks, which should be sent to those parts, are made available to stock owners in the nearer areas where the stock is required to spend, perhaps, only a day or some shorter period in transit. Also the question of the speeding up and reorganisation of the branch services has been mentioned tonight. We shall get those improvements, not by waiting a long time, but by tackling the problems straight away. The Premier, by interjection, mentioned that the policy of the railways was to develop the State and not to make profits. I was glad to hear that statement, but in some way or other the railway reports and financial results do not quite bear him out. The Premier also reiterated that statement in the course of his speech. I should like to say that the figures in the Commissioner's report last year reveal, if they are properly analysed, facts which do not quite bear the Premier out. For instance, the deficit for the 1943 financial period amounted to £1,056 less than that of the 1942 period. Yet, during that time, our trains travelled 27,455 less train miles. Possibly that shorter train mile travelling accounted for the reduction of £1,056 in the loss on the operations of traffic for the year.

But it is interesting to see where some of these reduced working figures and, perhaps, increased traffic figures, arise. For the suburban area during the year ended 1943 the passengers carried totalled 1,818,681 more than in the previous year. The extra train miles travelled for that extra service were 52,456. In the country districts the increased passengers conveyed in the year 1943 amounted to 741,013, with a decreased train mileage of 97,992 miles. If the railways are largely developmental in their

financial policy then there should have been a considerably increased reduction in the deficit compared with that of the previous year. I suggest that if we had travelled 97,992 fewer miles in the country districts to convey an increase of 741,013 passengers, whereas in the suburban areas we have travelled 52,456 more miles to convey 1,818,681 passengers, it clearly indicates that it is in the suburban areas that the benefits of the departmental policy have been enjoyed. I say that because I assert there is a measure of inequality in the burden of railway charges at present. I shall deal briefly with the everlasting evergreen question of supposed cheap superphosphate freights. If ever a fallacious argument, to repeat the word that the Minister for Lands used yesterday, was advanced, I contend it is that cheap freight on superphosphate has been charged.

The Premier: It is a fact.

Mr. LESLIE: I concede that the charge is a low one.

The Premier: But it is still a fact.

Mr. LESLIE: The superphosphate haulage is largely a question of back loading. Inevitably the trains would be run, and the super is merely back loading. The only charge that should be levied on the superphosphate should be to cover the extra cost of haulage of weight. The fact that certain trains have to run and services have to be maintained should not enter into the matter at all. The conveyance of superphosphate is really a service to the railways, and I suggest that that should be taken into consideration. If we have regard to that fact and analyse the Commissioner of Railway's report, using the figures in their true perspective for the purposes of comparison, I am satisfied that, without any suggestion of drawing odious comparisons as between suburban and country traffic, all would agree that the suggestion that country districts have benefited from cheap superphosphate freights is quite erroneous.

At the beginning of this year the Commissioner of Railways added an extra charge on superphosphate to pay for the wear and tear on tarpaulins. It was suggested that the additional wear and tear was due because of war conditions, to an alteration in the quality of the superphosphate which, in consequence affected the tarpaulins. I asked the Minister if that was a fact and, while he did not actually tie

up the deterioration with war-caused disabilities, he did say that the position was not analogous and the charges could not be compared with other increased haulage costs because there could be no comparison. Notwithstanding that, we find that in the Railway Department's report for the year ended the 30th June, 1943, the following appears:—

Proposals designed to ensure that the department would be remunerated for services rendered on a basis consistent with the increases in costs to which it is subject as a result of the war and other causes, and to provide in some measure for post-war rehabilitation, were accordingly submitted, but the Government did not see fit to increase charges in any way and the public are therefore receiving the benefit of pre-war charges for freights and passenger transport, despite the tremendous rise which has occurred in the cost of rendering the service.

Mr. Cross: And that is true.

Mr. LESLIE: The Commissioner of Railways this year may repeat that statement in his report but he should also add that the public, with the exception of the farmers who use super, have not had any increase in costs imposed upon them as a result of the war. Unfortunately in the present set-up, irrespective of whether members of this House are in agreement with the additional charge or otherwise, our hands are tied and we cannot rectify the position. I am satisfied in view of the fact that the farmers have been singled out as the only section of the community to have an additional war-caused burden placed upon their shoulders, members sitting on the Government side of the House should, in common justice, support me in an endeavour to have that charge removed. I would like to see members representing rural areas, whose constituents are called upon to pay this charge, lending additional weight to representations we could make to have the charge removed—but the voice of this House is stilled, and nothing can be done.

While that position continues, I suggest, in all seriousness, that the Government might see its way clear to remedy conditions that the Premier and others on the Government side of the House agree are not satisfactory. I suggest that could be done without the motion under discussion being proceeded with. The Government could reconsider the whole position with a view to amending the Government Railways Act—

perhaps an inquiry could be held—and within a reasonable time we could have the whole system of railway control and administration arranged along lines that would be satisfactory to the Government, to Parliament and to the people generally. Unless the Government is prepared to withdraw the motion, I regret very much that I shall have to record my vote against it, not because of any personal animus against the present Commissioner of Railways but because of the reasons I have just advanced.

MR. J. HEGNEY (Middle Swan): I have listened with a great deal of interest to the criticism voiced regarding the administration of the railways. No doubt there is considerable justification for much of that criticism. I come in contact a good deal with railway men and know that for a number of years there has been much dissatisfaction, particularly with the administrative heads. I do not think that state of affairs should be permitted to continue. I shall not reiterate much of what has already been stated. The Premier, in, so to speak, apologising for the Commissioner of Railways, pointed out that the officer was not in the State for a portion of the year because he was engaged in defence work, in which circumstances he was not able to exercise proper control. I know of a number of instances I could mention that would indicate that the Commissioner of Railways was here when they happened. When the previous Works Manager, Mr. Johnson, and the Chief Mechanical Engineer, Mr. Broadfoot retired, Mr. Mills, who was at that time Chief Draftsman, became Chief Mechanical Engineer. Then the position of Works Manager had to be filled. Mr. Raines was then foreman fitter in the Midland Junction Workshops.

It was proposed to appoint someone else, but, because of representations, Mr. Raines secured the position. Not long after that appointment was made, the department decided to create the position of Assistant Chief Mechanical Engineer. As one who knows something about the administration of the workshops over many years, I can say that that was the first time such an appointment was made. An assistant Chief Mechanical Engineer was appointed who ostensibly became superior to the works manager. That, in my opinion, and in the opinion of the fitters, engineers and others

in the workshops who have a fair knowledge of railway practice, was wrong and has caused a great deal of dissatisfaction.

Something similar happened recently and it should not have happened. A friend of mine who had been a boiler inspector for a number of years, found that he could not carry on any longer and it was decided to appoint an acting boiler inspector. The man who got the acting appointment was a leading hand in the boiler shop and had figured 12 months or more ago in a dispute at the Midland Junction workshops. The employees in the boiler shop went on strike because of the overbearing attitude of this man. A board was appointed and, without question, it whitewashed this individual. He has been recompensed by being appointed an acting boiler inspector, whereas a fully qualified man who might have got it, has been passed by. I obtained this information from the highest authority, a man more qualified to speak on the ability of a boiler inspector than the one who made the appointment.

Mr. Thorn: The man who was appointed was very efficient.

Mr. J. HEGNEY: The other man had passed the examination and has the qualifications. I know of this from information received from the chief boiler inspector, who is my authority for the statement. There is no question that the Commissioner should take more notice of those a little lower down the scale, and then possibly the conditions would be much happier for all concerned, but when he takes the advice of the officials nearest to him and accepts whatever they say, right or wrong, there must be dissatisfaction.

An important appointment was made not long ago at Geraldton. Talk of a strike followed and a board was appointed to investigate the merits of other men who had an equal claim to be appointed. The magistrate decided in favour of the applicant, but the Commissioner had told those concerned before the board sat that he would not abide by the decision of the board. After some unrest that matter was straightened out, evidently to the satisfaction of the others concerned. From conversation I have had with members of the Railway Union, I know that dissatisfaction exists in various parts of the service. Consequently I say that the Commissioner should be guided

by the opinions of those lower down the scale rather than accept the opinions of his immediate advisers. The same argument applies in politics. While members of the Executive may have a fair amount of ability and hold sound views, there is no doubt that the general opinion of the party as a whole might be superior to that of the Executive. If criticism of the railway administration at the top could be eliminated and a happier position established, it would be better for all concerned.

The member for Guildford-Midland mentioned the matter of a canteen. For years attempts have been made to get a canteen established at the Midland Junction Workshops. When serving my time I remember the late Mr. Barker, then a fitter at the workshops, being a protagonist of this idea. That was a good many years ago, and still the men are striving to get a canteen. We had to wait for the war to find canteens established where large numbers of men are employed. Although there is a canteen for the munitions annexe, use of it is not extended to all the employees. When Commonwealth Ministers have visited this State, they have appreciated the difficulties and deficiencies and have urged that the matter be taken up with the Commissioner with a view to having a canteen provided.

As regards the re-appointment of Mr. Ellis as Commissioner of Railways, the Executive Council minute has been tabled and, as the Speaker has ruled that no amendment may be made to the motion, we have no alternative to ratifying that minute. I have no personal feeling against any of the administrative officials of the department, but from time to time I hear substantial criticism of them. This criticism has been brought to the district council of the A.L.P. time after time and various matters have there been ventilated with a view to seeking a remedy.

Another request that has been made from time to time and should have been adopted long ago is the abolition of first-class coaches on the railways. I receive many complaints from residents of Bassendean and other districts along the line about the overcrowding of trains at peak periods. Because of the overcrowding, people get into the first-class coaches, and almost immediately a ticket inspector puts in an appearance and those who have second-class tickets

are called upon to pay the difference in fares. People have complained bitterly of this experience and there is certainly room for improvement in that direction. I understand that there would be a loss of revenue amounting to about £3,000 if the first-class carriages on the railways, which have continued for so many years in the metropolitan area, were now abolished. However, there is no first-class or second-class on the Diesel cars, but only one class; and the case is similar on buses and trams. The South Australian Government, I understand, abolished first-class carriages some years ago.

Mr. McDonald: I do not think so.

The Premier: No.

Mr. J. HEGNEY: In the metropolitan area.

The Premier: That is so in Sydney.

Mr. J. HEGNEY: The district council of which I am a member has from time to time raised the question, and has sent several deputations to the Minister for Railways to urge that the first-class differentiation should be abolished in the metropolitan area. However, we have made no progress. Evidently the railway administration is opposed to the abolition. However, the time has arrived for that abolition to be effected. Today workers in many vocations are holding high administrative posts with great ability. Some are in the manpower office, and others in engineering positions. Such men would serve with equal ability in similar positions in civil life. Our friends opposite have condemned the Commonwealth Government for setting up too many boards and delegating authority to them. Under the Government Railways Act a board, if set up, would have authority to carry on the administration of the system. I wish to emphasise that there is nothing personal in my criticism on this subject. Undoubtedly what has been said here tonight on railway administration will not fall on deaf ears.

Mr. Ellis is head of the railway administration, and he may give more life to the running of the railways by reason of the criticisms which have been uttered here this evening. The member for Mt. Marshall referred to children travelling to and from school on the railways. In that connection I have had experience of travelling to York, when I had to stand up all the way. The Railway Department does not seem able to

anticipate the number of children that will travel. The department's answer to complaints is, "We have sent out forms of inquiry to the schools, but have had no replies." With the experience of years to guide them, the railway officials should have some idea of the number of children travelling at school holiday time. Within the last three weeks, when returning from Manjimup I observed that women and children had to put up with getting into the carriages from the track. The goods-van of the train was pulled opposite the door of the goods-shed, with the result that half the passenger coaches were pulled out beyond the station. There should be a little more imagination used in such cases throughout the railway system. A good deal of reform is needed in the system.

MR. HILL (Albany): I oppose the motion because today in this State we are paying heavily for the fact that we have not an efficient railway administration. We must face facts, and one of the outstanding facts today is that our present Premier has been Premier since 1934 except for a period of three years. Therefore the Premier must accept a lot of personal responsibility for the very unsatisfactory condition of the railway system throughout the State. The member for Guildford-Midland and the member for West Perth referred to the revolution which has taken place in transport. Twenty years ago that outstanding statesman, Mr. Stanley Bruce, realised that a change was taking place in transport, and he declared that our aim must be a complete national system of transport which would enable our producers to compete in the world's markets. With the object of providing such a system the Commonwealth Government brought experts to Australia to report upon the situation. We are now paying heavily because the recommendations of the experts were not adopted. I wish to draw attention to the fact that all policy must be based upon a sound foundation. One fact has been overlooked in Western Australia. I refer to paragraph 37 of the Buchanan report on ports.

MR. SPEAKER: Order! I do not see that the Buchanan report has anything to do with this motion.

MR. HILL: It all deals with railways.

MR. SPEAKER: But the hon. member is dealing with ports.

MR. HILL: In South Africa, where the railways have made a profit of over £20,000,000 in five years, they do not try, as we do in this State, to run the country for the benefit of the ports.

MR. SPEAKER: Order!

MR. HILL: Some of the ports of Western Australia are under the control of the Railway Department.

MR. SPEAKER: The hon. member is entitled to discuss such ports, but none other.

MR. HILL: Our Premier has ruled that wheat must go to the nearest port of shipment, and our railway administration has divided the State into four zones. I contend that that policy is wrong, and that it has proved a failure. We have heard quite a lot about the haulage of wheat. In South Africa they have put a first-class terminal at the two most efficient ports and passed the economy on to the users. Our railways are handicapped by the inefficiency of our ports. The port of Albany is under the control of the Railway Department. In 1938-39 our railways were greatly concerned because our rollingstock, which should be used in carrying stuff to the ports, was being used on short haulages at the port of Albany itself. Another matter we hear quite a lot about is haulage of super. This is due to another blunder on the part of the present railway administration. Haulage of empty trucks is far more uneconomical than haulage of super. The placing of super. works at Picton is a blunder, and has cost the Railway Department £250,000.

The Premier: I did everything possible to get super. works started at Albany.

MR. HILL: When I was first elected to this Chamber, the superphosphate companies agreed to provide a superphosphate works on the Albany waterfront.

The Premier: They never agreed to it.

MR. HILL: Mr. Cuming, of Cuming Smith, informed me to that effect.

The Premier: Mr. Perry, the general manager, never agreed to it.

MR. HILL: I must refer to the serious congestion at the port of Fremantle. The matter is one which affects not only our State but the whole of the Allied nations.

MR. SPEAKER: The port of Fremantle has nothing to do with the motion. If the hon. member is talking about the railways at Fremantle, that is a different matter.

Mr. HILL: The leading railway men of Australia were over here to see what could be done and found that the railways were unable to utilise the port of Albany as far as they would like to. Another port which is under the control of the railways—

The Premier: That is quite wrong. They did not do anything of the kind. They made recommendations about Albany.

Mr. HILL: The information I have is that the Railway Department could not carry out the work.

The Premier: Oh, no! That is not so.

Mr. HILL: The information I have is that one of the reasons why the Railway Department could not undertake the work—

The Premier: You had better get off that matter. It is secret information.

Mr. HILL: Perhaps I had better be quiet on that point, as it is secret information. I desire, however, to draw the Premier's attention to this phase of railway administration: At a certain northern port, well known to the Premier, some ships had to load wheat on a Sunday night. The shed was under the control of the Railway Department. The ships wanted lighting facilities. One ship used three units of electricity, and those three units cost the ship £8 15s. 5d. Another ship used three units of electricity for which it had to pay £4 16s. 11d. That charge is made up as follows:—

	£	s.	d.
Three units at 6d.	0	1	6
Labour, 27 hours at 23s. 9d. per day	3	3	0
War loading	0	3	0
20 per cent. for tool hire	0	13	6
20 per cent. for administration	0	15	11
	4	16	11

The Minister for Works: Who supplied the electric power?

Mr. HILL: I do not know, but the Railway Department attended to the lot. I have details here, but I must not say too much. As the port of Albany is under the control of the Railway Department, may I refer to one matter in relation to it?

Mr. SPEAKER: The hon. member can refer to anything that the Railway Department is controlling.

Mr. HILL: That port is and has been controlled by the Railway Department for many years. Many years ago Mr. Herbert Hoover, afterwards President of the United States, was at Albany, and said, "If we had

this harbour we would reclaim all along that foreshore."

The Minister for the North-West: You took him seriously!

Mr. HILL: In 1912 the people of Albany wanted a reclamation scheme. Buchanan—

Mr. SPEAKER: Order! Buchanan has nothing to do with the motion.

Mr. HILL: I am dealing with the reclamation scheme.

Mr. SPEAKER: The hon. member is getting away from the railways and sheds at Albany. He is getting into deep water.

Mr. HILL: No, Mr. Speaker. You are mistaken. I am dealing with shallow water. Forty years ago sailing ships had their ballast railed at Albany and this was dumped into the shallow water. Two acres of land were reclaimed; and, in reply to a question of mine a few days ago, the Minister for Railways informed the House that for those two acres of land the Railway Department was collecting a rent of £200 a year.

Mr. Needham: The Minister was speaking about Bunbury.

Mr. Thorn: Do not mention that.

Mr. HILL: I will deal with that later. Today we want land at Albany and the Railway Department could create a wonderful asset at a cost a long way less than the value of the land, but the department will not do it. Our need today is not only a changed railway administration, but an administration that will aim at putting our transport on a sound footing, and that will base its policy on the needs of the future and not on the mistakes of the past.

Question put and passed; the motion agreed to.

On motion by the Minister for Railways, resolution transmitted to the Council and its concurrence desired therein.

BILL—SHEARERS' ACCOMMODATION ACT AMENDMENT.

Read a third time and transmitted to the Council.

BILL—TESTATOR'S FAMILY MAINTENANCE ACT AMENDMENT.

In Committee.

Mr. Marshall in the Chair; the Minister for Justice in charge of the Bill.

Clause 1—agreed to.

Clause 2—Amendment of Section 3 of the principal Act:

The CHAIRMAN: The member for Nedlands has an amendment on the notice paper.

The MINISTER FOR JUSTICE: The amendment to which I intend to agree—

The Premier: The amendment has not been moved.

The MINISTER FOR JUSTICE: I desire to inform the Committee that the contents of the Bill were brought forward by a prominent member of the legal profession. The measure did not originate in the Crown Law Department, as I think the Committee in the first place thought it did. The amendment was suggested by Mr. Arthur Haynes, with the object of bringing this legislation into conformity with the Act of 1939. The Act gives the court a very wide discretion as to the benefits which a testator may bestow, and it allows the court to vary the will and allot the estate as it thinks fit. The Crown Law officers thought that was a reasonable proposition, but felt the powers were a little too wide. The principal Act was copied from similar legislation in force throughout the British Empire, but it was suggested that this discretionary power to alter, add to or substitute a new executor should be given to the court. The proposed amendment will bring the parent Act more into conformity with what I think are the wishes of the Committee, and will make the Act more explicit. I feel that the amendment—

The CHAIRMAN: I remind the Minister that no amendment has been moved.

The MINISTER FOR JUSTICE: I suggest that the amendment of which notice has been given by the member for Nedlands might be agreed to without opposition.

Mr. McDONALD: On the second reading of the Bill, I said I was prepared to support the measure. I do not think there will be any great danger in a testator's choice of an executor being interfered with to any unreasonable extent. I suppose this particular amendment, if it becomes law, will not be availed of in the case of more than one out of 100 executors. I have had experience of the removal of an executor and, if it were not for this particular provision, such a removal would have to take place through a separate process. It is not easy and it could be expensive. Most of the estates that come under the Testator's Family

Maintenance Act are small estates. But while the amount may be small, it is very important to those who otherwise would be left without adequate means of support and it is most desirable that expenses should be kept as low as possible. The last case in which I had occasion to express an opinion was one where the testator went to another State, leaving his wife here with very little means of support, and made a will giving his property—not very large but very important to the wife—to a stranger whom he appointed executor of the will. Ultimately we had to tell the widow that, although she had all the merits, the expenses of dealing with the matter would be so great that to proceed further would not be justifiable. This measure will keep down the expenses. The member for Nedlands had some apprehensions as to this particular Bill, and his amendments, which I desire to move on his behalf, will safeguard what he feared; that is, any undue power in removing an executor who has been appointed by a testator. I move an amendment—

That in lines 3 and 4 of proposed new Subsection (5) the words "or interested in" be struck out.

The idea of the member for Nedlands was to restrict the right to apply for the removal of an executor or the appointment of an additional executor to those who have a direct right to participate in the estate. I think his idea was—he did not discuss this with me—that people who might be interested in the estate merely as creditors should not be in a position to take advantage of the section but that the right should be restricted to those beneficially entitled to the estate under an order of the court.

Amendment put and passed.

Mr. McDONALD: Also under this proposed new subsection, the power to remove an executor or appoint an additional executor is one that may be exercised at the discretion of the judge. Speaking on the second reading, the member for Nedlands said he thought the judge should be given some direction as to the extent to which his discretion could be exercised. On behalf of the hon. member, therefore, I move an amendment—

That in line 5 of proposed new Subsection (5) the words "in its discretion" be struck out and the following words inserted in lieu:—"if it is proved to the satisfaction of the court that the executor

or executors or any of them appointed by the testator has or have been guilty of abuse of their office or other dereliction of duty.’’

In other words, the court will be required to exercise discretion according to fairly well-known rules of practice in the courts and the addition of the words suggested will safeguard executors from any arbitrary action, if that should be possible or likely, and will require the court to abstain from interfering with the choice of a testator unless the executor has been guilty of abuse of office or dereliction of duty.

Amendment put and passed.

Mr. SEWARD: Since this measure was previously discussed, I have remembered a case that happened in the Eastern States many years ago. As this clause stands, all the powers of the testator's executor can be transferred to a new appointee. The instance I have in mind is one in which an executor was appointed who happened to be of a different religious persuasion from that of the testator, and when it came to the administering of gifts he practically omitted from the distribution all the charitable organisations with similar religious beliefs to those of the testator. That was the rankest piece of injustice I have ever seen perpetrated and, if this measure goes through as printed, I fear that exactly the same thing might be possible here.

The Premier: No, this only deals with the testator's maintenance.

Mr. SEWARD: No. All the powers of the executor are being transferred to the new man, and that means that he has the full powers of the executor of the will. If a certain distribution had to be made he would determine how it should be done.

The PREMIER: That is not right. Under the parent Act the testator must make reasonable provision for those people dependent on him. If he does not do so, the will can be taken to the Supreme Court for an order to be made declaring how the various dependants shall be treated. The Minister mentioned the case of a person who dies without making proper provision for his dependants. A testator should bear the same responsibility to his dependants as if he were alive. A man cannot avoid supporting his wife if he is alive and has the means to do so. If he attempts to do that, his wife can bring an action and recover maintenance from him. In the same way, if he dies a de-

pendant can bring an action against his estate and if dependency is established a reasonable order can be made for the dependant's maintenance. This does not provide that a man's will can be set aside and certain other provisions made, or that the new trustee or executor can alter the terms of the will, cutting out the dependants or anyone else. The Bill must be read in conjunction with the parent Act, which deals with testator's maintenance. The executor cannot exert his own free will in that kind of thing. He gets from the court his directions as to how the will should be altered to make provision for the dependants, and when he is appointed to do the job he has authority to do only what the court has ordered.

Mr. WATTS: I would like to think that the matter is as clear as the Premier indicates. There are some grounds for the question raised by the member for Pingelly, though I would not like to assume the attitude of the judges of the High Court and give a final decision. The parent Act enables an order of the court to be a codicil of the testator. We are now extending that power and saying that in certain circumstances one executor can be wiped out and another appointed.

The Premier: But he still has to stick to the terms of the will, or codicil.

Mr. WATTS: Yes, but the objection raised by the member for Pingelly is that the executor first chosen has the confidence of the testator, and that is why the position of an executor has always been so superior to that of an administrator. Immediately the testator dies he can act on the strength of the will. He has not to wait for a court order to take preliminary action. In the case the member for Pingelly has in mind the testator provided in his will that a certain sum of money should be distributed annually among charities at the executor's discretion. They were not named by the testator. If the executor is of the same religious persuasion as the testator he would probably distribute the money on lines that the testator would approve but, if by virtue of a codicil under this Act, that executor is removed and another of a different frame of mind appointed, then the wishes of the testator would be honoured more in the breach than in the observance.

The Premier: I do not think that applies here.

Mr. WATTS: Whether or not that position could arise under this measure I do not feel competent to say, but I believe that the point is not quite so simple as the Premier thinks.

Mr. McDONALD: It is barely possible that the circumstances mentioned by the member for Pingelly could arise under this amendment because, although the court may make provision for the maintenance of the dependants of the testator, there may still be a balance of the estate which could go to charitable bequests made by the testator.

The Premier: But he would not be able to alter the will to that extent.

Mr. McDONALD: We cannot in legislation attempt to provide against all possible contingencies. The one mentioned by the member for Pingelly may, happily, be regarded as not likely to arise, in the first place because testators nearly always name their charities—very seldom do we find discretionary powers given—and in the second place, the executor appointed by the testator may exercise an unfair discrimination if there are no named charities, and in the third place I can assure members that the judges are a very cautious race and will take a great deal of care before appointing any new executor. In most cases they would appoint the Public Trustee, or a professional trustee company unless they were sure that any particular individual was completely worthy of the responsibility about to be reposed in him. I think that the difficulty envisaged by the member for Pingelly, although it could conceivably occur, is not one that is very likely to do so. I have not had an opportunity to discuss this measure further with the Crown Solicitor. I am still not quite satisfied that one or two practice difficulties may not arise, but I do not suggest that the Bill should be held up on that account. I will look into the matter in the near future, and if there are any amendments necessary to ensure that the measure will operate satisfactorily in practice, the Minister might be prepared to have them put forward in the Legislative Council.

Clause, as amended, agreed to.

Clause 3, Title—agreed to.

Bill reported with amendments.

BILL—FRUIT GROWING INDUSTRY (TRUST FUND) ACT AMENDMENT.

Second Reading.

Debate resumed from the 5th September.

MR. THORN (Toodyay) [9.30]: This is a small amending Bill to deal with Section 3 of the Fruit Growing Industry (Trust Fund) Act. The Bill is of a dragnet nature, the object being that the levy set out in the Act shall apply to all fruit delivered to factories. That will cover fruit delivered to dehydrators, to fruit-juice factories, and so on. I am afraid the growers are getting into a rather bad habit in taxing themselves. When the citrus growers were brought under the Act, they were not consulted. They simply woke up one morning to find that they had been taxed to the extent of $\frac{1}{2}$ d. per case. That also applied to the growers of apples and pears. Certainly they elected their executive bodies when they formed the W.A. Fruitgrowers' Association, and the Citrus Council. However, I am afraid that very often the growers themselves are not consulted about these matters, and I think it would be far more democratic if they were. As the Minister pointed out, funds are being built up to enable such diseases as black spot to be better controlled. It must be appreciated that we have already dealt with another measure—the Dried Fruits Act Amendment Bill—which also imposes a further tax on the growers.

Mr. SPEAKER: Order! The hon. member cannot discuss that Bill.

Mr. THORN: That is so, but I am merely making a comparison and indicating that the growers will have to pay something extra under both measures. It means double taxation for the purpose of controlling fruit diseases. In my opinion, the growers should be consulted more about such matters. Then again, I would like to know how much of the fund built up under this legislation is used for the purposes of administration and how much is actually applied to the purposes for which the money is raised. I suggest to the Minister that annual returns should be placed on the Table of the House, as is done in connection with other trust funds. It is only fair that we should know how the money is used. Often we find that more is spent upon administration than on the objects sought to be aided. I do not object to the element of control, which is essential and for the bene-

fit of the growers. The control of diseases affecting the orchards must be beneficial, but nevertheless a statement should be rendered to Parliament each year indicating the use to which the funds have been applied. Undoubtedly the Minister has received requests from the bodies elected by the growers to introduce the amending legislation, and in the circumstances I shall not oppose the Bill; but I certainly wish a more democratic system of consulting the growers themselves were adopted. As a representative of a fruitgrowing district, I am at times subject to considerable criticism by growers who ask why a certain course was adopted and why I allowed it to happen. All I can say to them is that the executive they appointed desired the alteration. In my opinion, the executive body should consult the individual growers more.

MR. HILL (Albany): In view of the remarks of the member for Toodyay, I desire to make a short explanation. As one who is interested, I heartily support the Bill. The trust fund comprises the fruitgrowers' own money, which is raised and applied for the benefit of the industry.

Mr. Thorn: That is what I said.

Mr. HILL: For many years the fruitgrowers had their own small organisations, with voluntary subscriptions. Later, the separate bodies were affiliated to form the W.A. Fruitgrowers' Association. We had not sufficient funds to meet the requirements of the organisation, and none was available for the purpose of fighting diseases that attack orchards. After considerable work by the executive of the association, an arrangement was made, through the fruit shipping agents, for a levy to be paid on every case of fruit exported. I do not know whether that was legal, but no grower disputed the legality of the levy. The money was paid into a trust fund and we built it up until it amounted to several thousand pounds. When there was an outbreak of black spot, codlin moth, or apple scab, we had the necessary funds with which to assist growers to fight the disease. In addition, the fund was availed of for organising purposes. When the war broke out and the export of fruit ceased, the fund became sadly depleted because of outbreaks of black spot.

The Minister for Agriculture: Apparently some members do not understand why the legislation was introduced.

Mr. HILL: It was introduced at the request of the fruitgrowers themselves. The amendment in the Bill will have the effect of altering the word "cases" to "bushels." When we speak of a case of fruit, we usually have in mind a bushel. During last year, thousands of bushels of apples were sent to factories in bags; hence the amendment of the legislation became necessary. Some fruitgrowers sell substantial quantities direct, and the Bill will bring them under the Act. As to the democratic phase mentioned by the member for Toodyay, I do not think there is a more democratic body in Western Australia than the Fruitgrowers' Association. Every grower is a member of the association, and is entitled to attend branch meetings. A conference of delegates will be held in Perth next week. I trust that the House will pass the Bill, for it applies to funds that will be used for the benefit of the fruitgrowing industry.

MR. OWEN (Swan): During the debate on the Bill, reference has been made to the circumstances in which the Act itself was passed and the House was informed that the growers themselves had asked for the levy to be imposed in order that a fund might be created with the object of dealing with outbreaks of diseases and for administrative purposes. Prior to the outbreak of hostilities, funds were provided by means of a levy on export fruit. At the outset, apples and pears were specifically mentioned, but last year the citrus growers, at their own request, were also made contributors to the fund. Since then it has been ascertained that a number of growers have evaded payment of the levy. They included men who were selling fruit direct, as indicated by previous speakers, and the amendment will have the effect of requiring them to subscribe to the fund. It will also have the effect of covering fruit delivered to factories for processing, and for converting into fruit juice.

I and many other growers send fruit into the factory, and because the factory has no authority to deduct the levy, we receive our cheques and later get a reminder that we have not paid the levy. What one has not received one never misses, but having received a cheque, one does not always like to pay out the money afterwards, and so in some instances the levy is difficult to collect. This amendment provides that the

factories may collect the levy from the growers. As has been mentioned by the Minister and two previous speakers, the growers agreed through their organisation to this amendment. I was present at two meetings at which growers agreed to citrus growers being included in the fund. Other branches including growers of stone fruit have talked of forming an organisation and in that case they would subscribe to the fund. I support the second reading.

THE MINISTER FOR AGRICULTURE

(in reply): There are only one or two comments I wish to make. I know of no case of legislation of this type in which the growers have not been consulted before the Bill was introduced. Although it is not incumbent upon me to table reports of organisations working in their own interests and using their own money, I am quite prepared to confer with them and furnish information to the House at any time. During the last day or two I have seen the returns of last year's operations of this fund, and to allay any fears that the member for Toodyay or other members may have in regard to the cost of administration, I may say that speaking from memory the cost last year was £38. All the moneys are used by the growers in their own interests.

Mr. Thorn: I want that information to give to the growers.

The MINISTER FOR AGRICULTURE: It is available and may be tabled at any time. The reports of these funds may be found in the Public Accounts.

Question put and passed.

Bill read a second time.

In Committee.

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

House adjourned at 9.15 p.m.

Legislative Council.

Tuesday, 19th September, 1944.

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

QUESTIONS (4).

TRANS. RAILWAY.

As to Kalgoorlie-Fremantle Extension.

Hon. A. THOMSON asked the Chief Secretary:

Will he lay on the Table of the House copies of route, plans, and estimated cost in 1935 of the proposed extension of the Transline from Kalgoorlie to Fremantle, which was prepared by the State railway engineers in conjunction with the Commonwealth Railway Department?

The CHIEF SECRETARY replied:

Yes. Herewith copy of the report of the Chief Civil Engineer dated the 6th February, 1935, and copy of railway map showing the proposed route. Detailed survey plans are not available.

BRAIDWOOD CASE.

As to Tabling Police Files.

Hon. H. S. W. PARKER asked the Chief Secretary:

Will the Minister for Police lay on the Table of the House all files relating to—

(i) The enquiry and prosecution of one Braidwood for stealing from the Public Works Department;

(ii) The charges recently laid against Detective-Sergeant S. A. Smith?

The CHIEF SECRETARY replied:

Yes.