ance Board accounts have become stagnant, it would be in the interests of the farming industry itself if something were done as suggested in New South Wales—abolish the Industries Assistance Board as soon as the Government can decide upon some comprehensive measure, and then put the Industries Assistance Board accounts under the control of a new board. I hope that before the session closes the Government will be able to indicate that something is to be done on these lines. It is most unsatisfactory that the Industries Assistance Board should have been allowed to continue for so long without some greater relief being given, or some better chances being afforded to farmers under the board's control to recover themselves from their unfortunate position. Unless something is done to encourage those farmers to get out of debt, they will be forced to go on from year to year, and in the end the State will have to forego a large proportion of the amount that is owing. And this might as well be done at once instead of waiting for years.

Question put and passed.

Bill read a second time.

In Committee, etc.

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

House adjourned at 10.22 p.m.

Legislative Council,

Wednesday, 28th September, 1932.

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

PERSONAL EXPLANATION.

Hon. E. H. Gray and the Electoral Department.

HON. E. H. GRAY (West) [4.33]: I desire to make a personal explanation in reference to the Chief Secretary's remarks concerning the Electoral Department yesterday. The ordinary man in the street, reading the "West Australian's" report of the Chief Secretary's speech yesterday, would regard it as a serious reflection on my personal honour. Since every action of mine in relation to the Electoral Department will bear the closest investigation, I desire to make this explanation. I know the Chief Secretary would not willingly express any opinion against me, and I am convinced that what he said was said on the strength of information given to him by the department. That information, I am sure, can be satisfactorily explained away. The headings used by the "West Australian" this morning over the report of the Minister's speech were —Electoral Claims. Minister's Strong Speech. Sensational Charges. "In plain English, Forgery." A case mentioned by the Minister yesterday was one in which a man was prosecuted on the charge of signing a false declaration or, as the Minister stated, of forgery. It had nothing to do with any of the cards put in to the Electoral Department by me for the West Province, or by

anyone working on my behalf. It had nothing to do with my charges against the Electoral Department, but put up by the newspaper in that way it is likely to have a very serious effect upon the public mind. So I think I am justified in seeking the indulgence of the House while I make an explanation. The Chief Secretary said yesterday that the questionaire which I had criticised was a plain and simple document that anybody could easily understand. It is simple, too simple for the purpose, because it is not practicable for any elector to claim the vote by just saying yes or no. Therefore it has given rise to a lot of misunderstanding, with the result that the people to whom the questionaire was addressed could not make head or tail of it. So in some cases they answered wrongly, and in others they were paralysed by the officials and the documents and the summons. Therefore the questionaire missed its mark, and instead of enabling the department to purify the roll of those names not entitled to be there, it had the opposite effect. Later, when the Minister was referring to the prosecutions, he stated that the police officials in charge of the cases could not be expected to understand the complex nature of the claims for enrolment. So first he said the questionaire for enrolment was a simple document, and later he said the police prosecutor could not be expected to understand cases of that character—which is very contradictory. I may tell members that the police official in charge of prosecutions in the Fremantle police court is a man of long court experience, of excellent intelligence, and has many years of service to his credit. I do not think any other member of the police force could handle the cases better than does the official entrusted with prosecutions by the Electoral Department.

Hon. E. H. Harris: Would you say that case was well handled by the prosecution?

Hon. E. H. GRAY: Yes, but it was a rotten case. The police official himself was in an unfortunate position, for not only did he have to fight his own case, but he received practically no assistance from the Chief Electoral Officer or the Registrar, who were present in the police court, and so he lost the case.

Hon. E. H. Harris: The prosecution did not prove anything.

The PRESIDENT: Order! I am allowing Mr. Gray a good deal of latitude in the making of his explanation, in view of the seriousness he attaches to the position.

Hon. E. H. GRAY: The Minister gave an account of the various cases that came before the court. Also he read a letter. I am a very calm and cool individual, but when one sees people treated as they have been, and when one has made every endeavour to implore the Electoral Department and the Attorney General to stay their hands because of the circumstances, the very calmest of men would be apt to feel strongly about it. I say that in the extraordinary circumstances my statement was justified. Several members to-day have suggested that it was a mistake to bring up this matter at all. But I hold that it would have been cowardly on my part had I refrained from mentioning the cases on the Address-in-reply; by my silence I would have been admitting that the Electoral Department was right in the tactics it adopted. I do not understand why these cases were instituted at all. My association with the department has extended over a long series of years, and I have here a number of cards which were referred to by the Minister yesterday and laid on the Table of the House.

Hon. J. Nicholson: Where did you get them?

Hon. E. H. GRAY: They were tabled yesterday, and so they are the property of the House. Amongst all these cards there is not one instance of any glaring infringement of the law. In most of these cards the only defect is an incorrect spelling of the name of the claimant. For instance in the case of a man named Paterson I spelt the name with two t's, whereas the correct spelling would have but one. In another case, a lady gave the wrong street number of her house. It was a lady in Buckland Hill. Actually there are no numbers in her street, and she may have given the number of the block on which the house is erected. That is denounced as a glaring infringement of the Act. Then there is a man, J. F. Taylor, an old-age pensioner; the name given on the card is J. L. Taylor, which probably is correct, while the name on the other roll is wrong. In another instance the name given to me was Poyner. Incorrectly, I wrote it on the card as Doyner, then scratched it out, and gave the name as Coyner. That is another glaring infringement of the Act. Then I spelt the name

of one Mathews with two t's, whereas there should have been but one. In the case of a man named Back, unfortunately the letter "l" was wrongly inserted, making his name Black. Then there was a lady named Grove, and quite wrongfully I put an "s" on the end of her name. Similarly I spelt one name Hines, whereas it should have been Hynes.

Hon. J. Cornell: Are these people on the other roll under their correct names?

Hon. E. H. GRAY: I do not know. The department rejected all these names, but it does not say here whether or not they are on the other roll. These names may be right and the others wrong. I have examined all these cards, and I say there is not one to which serious exception could be taken. To come to the list quoted by the Minister in his speech. It was wrong that the department should have forwarded the names of these people, and it was unnecessary to quote them. These people have had enough publicity in the court already. It was not fair on the part of the department to mention the names again. The Minister referred to a man named Cahill, who was prosecuted. Representations were made to the Attorney General and the Electoral Office by me. The Attorney General said the matter was in the hands of the electoral officer, and the latter said it was in the hands of the Crown Law Department and the Attorney General. I could get no satisfaction. The Minister, in his speech, quoted correspondence with the electoral officer showing that on my representations a recommendation was made that the summons against this man should be withdrawn, and yet the summons was persisted in. The man was dragged into court. The ground for my representation was that he was entitled to vote. He is a young married man, and his baby was second in the competition for the State championship. That was one of the reasons I advanced why he should not be dragged into the court.

Hon. J. Nicholson: He was a householder on that ground?

Hon. E. H. GRAY: Yes. The Chief Electoral Officer recommended that the case be withdrawn, but it was proceeded with. The Minister made a big song over the fact that none of these people paid any rent. It is not necessary they should pay rent in order to claim a vote. That is a true statement, and when it is accepted the whole case of the department falls to the ground. The second case was that of a man who claimed a vote. His daughter owned a house but was seriously ill in it. The father and mother were looking after her. The man was the head of the house, was recognised as such, and was entitled to be enrolled as a householder, while his daughter was the owner. These facts were made clear to the department, and yet the man was prosecuted.

Hon. J. Nicholson: How could he be the householder and also be paying rent?

Hon. E. H. GRAY: He was bringing the income into the house. It is the practice of the department to enrol those who bring the income into the house, pay the rates, look after the dwelling and provide the sustenance for the family. Such people are looked upon as qualified for enrolment as householders. This man was entitled to be put on the roll. What I object to is that these people were subpoened to give evidence against their own relatives, and the questionaire was used to this end. Nothing I can say could be sufficiently condemnatory of such an unjust system.

The PRESIDENT: Order! I have given the hon. member very great latitude in connection with his personal explanation, because of what he deemed was the seriousness of the representations made concerning him. I hope he will confine his remarks to a personal explanation, and will not argue matters that are outside of those things which affect him personally.

Hon. E. H. GRAY: I appreciate being allowed to make this explanation. I now wish to quote a case that was brought before the court, one that has been used as a lever both by the department and the Press to throw discredit upon me. This is the case of a lady who was taken to court, and who had every right to claim enrolment. There were two sisters living together, one entitled to enrol as a householder and the other as the owner. They were sharing fifty-fifty in looking after the house and bringing the income into the house. This was an arguable case. The misunderstanding arose through the failure of the department to give me the opportunity they undertook to do, to investigate the case and explain it. These ladies received a notice from the department.

The Chief Secretary: Who was the lady?

Hon. E. H. GRAY: Georgina Ross. They became terror stricken. I was at the door of the house. I did not actually see one of the ladies, who was ill in bed. I was invited to go into the bedroom, but refrained from doing so. One of the ladies supplied me with the information and signed the claim card. When the summons was received from the department they were both scared to death. They denied I had ever been into the house, or had seen either of them. This case was fully explained to the Attorney General and the Chief Electoral Officer. I told them the woman was sick in bed, and that both were entitled to a vote. In the opinion of the department they were not so entitled, but they should not have been summoned without further investigation. This case has been used very largely against me, but I am satisfied that both women were entitled to enrolment. There are circumstances surrounding this case I do not understand. I had engaged counsel for the lady, and someone else had also done so. Thus there were two solicitors facing each other in the court to fight the case, and the costs of both counsel had to be paid. In justice to these people I had to see that they were provided with legal advice. Then there is the case of P. Gibbons, who claimed as a householder. This man was not entitled to be enrolled as a householder, but was entitled to be enrolled as a freeholder of land, as he was purchasing a block of land at Palmyra. That case was explained to the department.

Hon. J. Cornell: Why did he not claim upon that?

Hon. E. H. GRAY: He did not understand, and claimed as a householder. I explained the matter to the department, but the explanation was ignored and the case was gone on with. A man named Baker was in trouble, although he was not summoned. This case also was explained to the Chief Electoral Officer. I said that I knew of numerous cases where the wives had forgotten to present the cards to their husbands for signature, and had signed the cards in all innocence.

Hon. E. H. Harris: Do they sign cheques like that?

Hon. E. H. GRAY: A shrewd woman always signs her husband's cheques. In this case the lady was quite innocent. She did not want to disappoint the caller (myself), and she had forgotten to show the card to her husband. She then signed it herself. That can be proved by an examination of the Assembly claim already in the hands of the department. If the electoral officer had examined the Assembly rolls for South Fremantle, he would have found that the wife had signed the card; but so ponderous are the methods of the department that they had to send two detectives, who spent considerable time in trying to persuade the lady to admit that I had signed the cards and not she herself. The department wisely decided not to go on with the case. Then there was the case of a married man living in Coventry Parade, North Fremantle. That case was quoted by the Minister as a glaring instance of roll stuffing. The husband was renting the house, and the owner, a lady, was living in the house. The circumstances were explained to me. I advised the man to claim a vote as a householder. A questionaire was despatched to the owner of the house, who signed it stating that she was the owner and was living in the house. The card was referred to me. I paid him another visit and he told me the circumstances. I said "It rests with you. You are the head of the house and you have a right to claim a vote as a householder, but not as an owner. The lady is the owner and if the claims are put in that way they will be in order." He said, "I do not want any bother or to get you into trouble. You had better withdraw the card." Then there was the case of a lady in North Fremantle. Two sisters were living together in the house, one doing the housekeeping and the other going out to work. Under the ruling of the department the one who went out to work was entitled to be enrolled as a householder, and on my advice she was so enrolled. She was one of the ladies who were prosecuted. She was qualified to claim as a householder, but the department took the contrary view, and all this publicity ensued.

Hon. J. Cornell: I think the trouble was that the hon. member was too confiding.

Hon. E. H. GRAY: Proof of the weakness of the attitude of the department is shown by the fact that when the cases were explained the magistrate dismissed them. On these grounds I claim that every action of mine was fair and above board. I resent the imputation of the Chief Secretary that I have done anything dishonourable. It

does not pay a public man to do anything dishonourable or questionable. If I had been a strong party man, a Nationalist, or a Labourite, as the case may be, and had been particularly careful to put certain people on the roll and to avoid putting on others, I could have understood being persecuted by the department. My policy in every case has been to put everyone on the roll. I have always found this to be a very profitable procedure. Fortunately or unfortunately a big percentage of people do not vote on party lines, but when they see a public man trying to enrol them, when they have been admitted they naturally lean a little towards that individual. On that ground it pays to put everyone on the roll. I was wrong when I said that the expenses of the witnesses had not been paid. The truth is the fees were not paid in the first case, but on my advice the witnesses wrote to the department and since then have received payment. I am sorry I made that statement, because it was wrong, but it was made owing to a misunderstanding. My association with the department should have shown the officers that I had set out to make a clean and perfect roll. All my actions were in the direction of enrolling people entitled to vote for this Chamber. In no instance can the department produce any cards where I have wilfully misled any elector of the department. I trust that due publicity will be given to this explanation, and that the misunderstanding which has arisen in the public mind—for several people have approached me to-day—will be fully cleared up. I hope my explanation will be satisfactory, and that it will be plain enough to all that I stand for the enrolment of everyone who has a right to be enrolled for this Chamber, and that I do not resort to objectionable and dishonest practices in my endeavour to see that they are enrolled.

QUESTION—WHEAT BONUS.

Hon. A. THOMSON asked the Chief Secretary: 1, In view of the serious position facing the farming industry owing to the low price prevailing for wheat, has Cabinet made representation to the Federal Government requesting a bonus of at least 4½d. per bushel of wheat grown for the forthcoming harvest? 2, If not, in view of the urgency of this matter, and as the Premier is expecting daily to go to Canberra to discuss finance with the Loan Council, will Cabinet request him, on behalf of the wheat farmers of Western Australia, to urge that a definite announcement be made by the Federal Government insuring the farmers of a bonus of 4½d. per bushel, providing wheat does not exceed 3s. 1d. per bushel at the sidings?

The CHIEF SECRETARY replied: 1, The Government is in continual touch with the Commonwealth Government on this matter, and it is still receiving the closest consideration. 2, Answered by No. 1.

MOTION—RAILWAYS' CAPITAL ACCOUNT.

To inquire by Committee.

HON. A. THOMSON (South-East) [5.3]: I move—

> That in the opinion of this House a Committee should be appointed with the powers of an honorary Royal Commission—
>
> (1) To inquire into and report upon the Western Australian Railways' Capital Account with a view to reducing the amount upon which the Commissioner of Railways is expected to find interest and running costs.
>
> (2) To make such recommendations to Parliament as the Committee or Commission may deem desirable to enable the Railways to meet the competition of motor transport.

On the 18th November last I submitted a similar motion but unfortunately it was not possible to have it finalised before the session closed. I deemed the matter to be of such importance that I have again placed it on the Notice Paper so that it might receive the consideration of this House. If members will do me the honour of reading the speech I made on the 18th November last, reported in "Hansard," page 5277, they will obtain a gist of my intentions. I will briefly touch upon one or two other points and will then leave the motion in the hands of members. When I dealt with the subject previously I pointed out that Queensland had written down its railway capital cost by £35,000,000. Since then the Premier of New South Wales and the Premier of Victoria have expressed their intention to seriously consider the advisability of reducing the capital cost of the railways in those States. If my motion had been passed be-

fore the House adjourned last session, I have no doubt that by this time we would have had the report of the committee, and in my opinion it would have contained a recommendation that we also should reduce the capital cost of our railway system. I am prepared to admit that in the transfer of the debt which is owing on our railways from the Commissioner to Consolidated Revenue, it will not in effect relieve the general taxpayer, because the system that has prevailed since the inception of our railways organisation has been such that while it has been deemed essential to construct railways to develop our vast unpeopled areas, the charges have been imposed and levied mainly upon the country people. As we know, 48 per cent. of the population of Western Australia live in the metropolitan area, and while they, like their country brethren, are supposed to own the railways, they have not in my opinion contributed their quota to the capital cost. I am rather anxious as regards transport facilities in our country districts because in the Governor's Speech we were told that amongst the legislation we would be asked to consider would be that dealing with transport. So far the general idea seems to be that from the Government point of view motor transport should be eliminated as far as possible, or that there should be imposed such a burden on the small truck owner as to drive him off the road. I crave the indulgence of the House to draw attention to additional competition which the Commissioner of Railways appears to be powerless to combat. Senator Johnston recently asked certain questions in the Federal Parliament. I believe I obtained, quite unconsciously, a certain amount of notoriety by drawing attention to the cheap freights on beer that is coming from Melbourne to Kalgoorlie. And it is an amazing thing to find that while that freight on beer is £7 10s. per ton, the freights on other articles that are brought across from South Australia and Victoria are still, by comparison, abnormally high. For instance, the freight on clothing is £17 a ton, on mining machinery £14, on jams, pickles and groceries £17 a ton, and on explosives £40 2s. 6d. a ton.

Hon. E. H. Harris: Who imposes those charges?

Hon. A. THOMSON: Those are the charges levied by the railway systems of Victoria and South Australia on goods that are sent across to this State by the Trans train, and I am drawing attention to the unfair competition with our own railway system, as far as certain articles are concerned. Our Commissioner of Railways is apparently helpless; he is not able to combat that competition, and the result is that it is acting detrimentally to the Western Australian railways.

Hon. J. Nicholson: Are the rates you quoted those in force on the Commonwealth railway?

Hon. A. THOMSON: Yes, from Melbourne and Adelaide to Kalgoorlie.

Hon. J. Nicholson: How do they compare with the freights from Perth to Kalgoorlie?

Hon. A. THOMSON: In some respects there is an extraordinary difference, and I have quoted several freights to show how unfair the Commonwealth railway competition is. If members will read the report on the economic position of the Australian railways, they will find some useful information contained in it. I propose to refer to one or two paragraphs in that report. The position as far as the State railways are concerned is that so far, with the exception of wool, there has been no material reduction in freights. We have heard a great deal about the competition that the State railways have experienced from motor transport in respect of wool, and I should like to draw the attention of the House to this fact: When I was going to school in Victoria, now more than 40 years ago, a considerable number of horse teams made their appearance on the roads, and the then Commissioner of Railways in Victoria protested strongly against that competition—just as is being done to-day—and pointed out that those horse teams were selecting the cream of the traffic, that is, the traffic that paid the higher freights. That is another reason why I should like to have the committee or Commission appointed, especially as the Government have expressed their intention of introducing a Bill to deal with transport. So far the transport officials of the Railway Department, instead of meeting the competition by reducing their freights, have rather tended to keep up their freights and endeavoured to crush or eliminate the competition. I am hopeful that a committee of investigation will recommend the introduction of legislation similar to that in

existence in Victoria, which enables the Commissioner of Railways to recoup the annual amount of the increase of expenditure, or of the loss resulting from such new lines of railway, notification having to be made from time to time by the Commissioners to the Auditor General, and if certified by him, to be provided by Parliament in the annual Appropriation Act and paid to the Commissioners. As I clearly indicated in the speech I made previously, the Commissioner of Railways in this State has had to take over lines which had been constructed purely for developmental purposes, and therefore it is unfair that he should be expected to pay interest and all working expenses upon a railway which he knows very well, when he takes it over, has no chance of paying. Again, we are aware of the costly method that has been adopted in connection with the construction of various railways. I am not blaming any section at all for this because it was the policy of the Government that happened to be in power, a policy that that particular Government believed to be the correct one. In my opinion, however, many railways constructed by day labour must have cost considerably more than would have been the case had tenders been called and contracts let. May I quote from a statement which appeared in the Press on the 24th of this month over the signature of A. E. Cockram, Chairman of Directors of the Griffin Coal Mine, a statement which goes to show that if the methods applied to the construction of the siding referred to, have in the past applied to the construction of other similar works, then there is every justification for asking for this committee of inquiry, in the hope of eventually securing a material reduction in the cost of our railways. Mr. Cockram's statement reads—

> When the Griffin mine was ready, my company applied to the Government for permission to construct the siding privately, or by contract. This was refused. At the same time the other new mine, the Stockton, was allowed to construct its own siding. The siding into our mine, only 2¾ miles, was done by day labour, and cost the absurd price of £22,000, including a small bridge across the Collie River, although the road was partly cleared and formed, being formerly an old wood line. The sleepers and piles were brought a considerable distance by rail when they could have been obtained alongside the job for less cost than the railage. A number of unemployed would have been glad of the contract at £8,000. Some little time ago we had an account, and a demand from the Railway Department for £6,529 8s. 4d., made up of depreciation, £1,310; interest, £3,169 8s. 4d.; and upkeep, £2,050 of the 2¾ miles of line that has only been down about three years How a 2¾-mile of railway line could depreciate £1,310 in three years, with only about two trains a day running over it, is beyond comprehension.

A private siding forced upon the company and constructed by day labour cost £22,000, while a contractor would have been prepared to do the work for £8,000. Thus for 2¾ miles of line the capital cost was swollen by an additional sum of £14,000. Therefore one is quite safe is assuming that many of the railways for developing the country, constructed by day labour, have been heavily over-capitalised, and it is not fair to the Commissioner to expect him to earn interest and running expenses on such inflated costs.

Hon. W. H. Kitson: Are you sure the statement is correct?

Hon. A. THOMSON: I assume that the chairman of directors would not make an incorrect statement, and I must accept it until it is contradicted.

Hon. W. H. Kitson: I would want a lot more proof than a mere statement.

Hon. A. THOMSON: I have not discussed the point with any member or with any representative of the company, but the figures were so striking that I thought them worth quoting as an argument in support of my motion. It seems that a grave injustice has been done to the Griffin Company in that they were not permitted to do the work by contract. The Commissioner of Railways allows the amount of depreciation I have quoted on 2¾ miles of line to serve the mine, while we have something like £24,000,000 of capital invested in our railway system on which no depreciation has been allowed. Another matter worthy of consideration is the price being paid by the department for coal. Mr. Holmes in speaking on the Address-in-reply, said it took 1½ tons of Collie coal to produce the same power as one ton of Newcastle coal. The Commissioner of Railways in New South Wales can draw his coal at the pit's mouth for 11s. 5d. per ton. The Commissioner here has just secured a reduction in the price of Collie coal to 15s. 9d. If we add 7s. 10½d. for the extra half ton to bring it to the equivalent of a ton of Newcastle

coal, the department here have to pay the equivalent of 23s. 7½d. per ton of coal, or 12s. 2½d. more than the Commissioner in New South Wales is paying. Possibly a saving can be effected there.

Hon. W. J. Mann: You are not advocating the use of Newcastle coal, are you?

Hon. A. THOMSON: I am drawing a comparison between the cost of coal in New South Wales and here. The extra cost of Collie coal greatly concerns the users of our railways. Frequently requests have been made to the Commissioner for a reduction of freights, but he has replied that it is impossible to reduce them because the railways are losing money.

Hon. E. Rose: Are the railways in New South Wales using the best coal?

Hon. A. THOMSON: I cannot say, but the Press recently announced that a tender had been received for 200,000 tons of Newcastle coal at 11s. 5d. per ton. I assume that the Commissioner of Railways would insist on having good steaming coal. However, my object is to direct attention to the disparity of prices and the need for an inquiry as to how the Commissioner might be able to regain the higher classes of traffic lost to the railways through motor competition. An interesting document was prepared by Mr. Forde, formerly Acting Minister for Transport, showing the trend of thought of railway commissioners who attended a conference in Melbourne. One paragraph read—

> The position has been accentuated considerably by large additions to capital and consequent increased interest charges. The extent to which freights and fares can be raised to compensate for increased operating and investment charges is limited by the capacity of the industries using the railways to bear the additional charges, and by the necessity for avoiding diversion of traffic to alternative means of transport.

In tabling the motion I have at heart the interests of the people in the country districts who have to bear the operating charges on the railways. I desire to ascertain by inquiry whether it is possible to obtain a material reduction in railway freights and handling charges. An interesting paragraph deals with road competition—

> The railways in all the States are suffering from road competition. In this they have been at a disadvantage in the following respects:—(a) Road motors have selected high-paying freight on which the railways rely to compensate for the low rates for primary products, road-making materials, etc. (b) They have not been charged with the full cost of the provision and maintenance of the roads which they use.

The roads have been constructed out of money, the proceeds of a levy on petrol, from which motor transport derives its power. Consequently the motors are really paying for the use of the roads.

> Motor carriers have in many instances conveyed merchandise at less than cost.

That does not affect us. A man cannot long carry on business at a loss.

> It is necessary for legislation to be enacted providing for this form of transport to bear its full cost.

It is essential to have an impartial inquiry. We should not bring into being a biassed transport body whose aim and object would be to prevent the utilisation of motor transport. An interesting paragraph deals with the South African railways—

> While in Australia each year now tells of losses and greater losses on the different railway systems, in South Africa, where the railway is a Union system and not one controlled by separate principalities or states, the financial position is improving

One can readily realise that the author of that paragraph was really advocating unification of the railways. In 1924-29 the railways in South Africa showed a substantial profit. The total earnings in 1929 were £26,000,000, and the gross working expenditure, including depreciation, was £20,298,000, leaving a surplus of earnings over gross expenditure of £5,792,000.

Hon. C. B. Williams: Worked by black labour.

Hon. A. THOMSON: No.

Hon. C. B. Williams: Do you say the railways in South Africa are not worked by black labour?

Hon. A. THOMSON: If we desire to secure a reduction of costs, the methods that have been adopted in the past will need to be overhauled. In 1924 the South African railways made a profit of £1,724,000.

Hon. C. B. Williams: Do not go back too far.

Hon. A. THOMSON: If the hon. member were as interested in securing reduced freights for the country as I am, he would

welcome the fullest discussion and the fullest inquiry.

Hon. C. B. Williams: The railways in South Africa are worked by black labour, and you will not admit it.

Hon. A. THOMSON: If the hon. member took a trip to South Africa he would find that the railways were not worked by black labour.

Resolved: That motions be continued.

Hon. A. THOMSON: The point I wish to make is that these profits are stated to have been obtained in face of the fact that during the last six years a sum of £8,762,000 odd has been set aside from earnings to cover depreciation of plant, equipment, and rolling stock. In Australia, unfortunately, no such provision is made, and no moneys are set aside for depreciation of railway assets. That is the end at which I aim. If it is good enough for South Africa to provide for depreciation of plant, equipment and rolling stock, serious thought should be given to a similar question in Western Australia. I trust that the House will give due consideration to the matter, and see fit to appoint the committee for which I have asked. I believe that such a committee would prove to be in the interests of the Railway Department itself; and most assuredly would it be in the interests of the users of the railways. Let me remove an idea which possibly may be entertained by some hon. members who have interjected, the idea that in referring to results achieved by the South African railways I am advocating the employment of black labour. What I do advocate is the inauguration of a system which has enabled the South African Railway Department to set aside considerably in excess of £8,000,000 for depreciation. As regards developmental railways, it is absolutely essential, I recognise, to put out developmental lines for the purpose of opening up this vast territory of ours; but it is not fair to expect the Commissioner of Railways to find interest and running expenses in respect of railways which are constructed not solely in the interests of the railway system, but in the interests of the State as a whole. The general taxpayer, I contend, should bear his proportion of the cost of opening up and developing new territory. I commend the motion to the House.

On motion by the Chief Secretary, debate adjourned.

BILLS (5)—FIRST READING.

1, Constitution Acts Amendment Act (1931) Continuance.

2, Factories and Shops Act Amendment.

3, Fruit Cases Act Amendment.

4, Industries Assistance Act Continuance.

5, Swan Land Revesting.

Received from Assembly.

BILL—PEARLING ACT AMENDMENT.

Second Reading.

Debate resumed from the previous day.

HON. G. W. MILES (North) [5.42]: In supporting the second reading of the Bill, I thank the Minister for having brought the measure down. He has stated in detail the reasons for the Bill. One is to give the Minister more power to control the output of shell. It is in the interests of the industry that this should be done. For the last year or two the output has been limited. However, it is necessary that additional power should be vested in the Minister, so that he may be able to regulate definitely the quantities of shell to be produced. Further, it is necessary that Thursday Island and Darwin should fall into line. For the past two years both those places have been limited in regard to output. If some step of the kind is not taken, if the industry is allowed to go on producing more shell than the world's markets can absorb, the price of the commodity will fall. My personal view is that pearling, next to gold mining, is now more solid than any other Western Australian industry, for the simple reason that pearlers know exactly the price they will get for their commodity. That cannot be said of any other industry, except gold mining, at present. I need not detain the House by discussing the Bill. Deputations from the Pearlers' Association have waited upon the Government to ask for the measure. I congratulate the Chief Secretary on the introduction of a Bill which meets all the requests made by the Pearlers' Association.

Question put and passed.

Bill read a second time.

BILL—CATTLE TRESPASS, FENCING AND IMPOUNDING ACT AMENDMENT.

In Committee.

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

The CHAIRMAN: Before proceeding with the consideration of the Bill in Committee, I desire to make an appeal to hon. members. I know they recognise there has been a change in the Clerks of the House since last session. I hope members will bear with me and the new officers and, as far as possible, place their amendments on the Notice Paper. If they cannot do so, I trust they will endeavour to conform to the Standing Orders by providing the necessary three typewritten copies. I trust they will endeavour to do what I request for a while at any rate, until the new officers and I can get into smooth working order.

Clause 1—agreed to.

Clause 2—Amendment of Section 30 of principal Act:

Hon. E. ROSE: The clause refers to two types of fences that shall be regarded as sufficient for the purposes of the measure, but does not include netting fences. I think such a provision should be included.

Hon. W. J. MANN: I support Mr. Rose. I know of many fences comprising four wires and netting.

Hon. E. Rose: Some fences have two wires only and netting.

Hon. W. J. MANN: Seeing that reference is made to two types of fences, if netting fences are not included they may not be regarded as sufficient for the purposes of the Act.

Hon. J. Nicholson: In that event, the dispute could be taken to arbitration.

The CHIEF SECRETARY: The clause sets out that the term "sufficient fence" shall be construed to mean any substantial fence reasonably deemed to be sufficient to resist the trespass of great and small stock, including sheep, but not including goats and pigs. The two types of fences specified in the clause may be regarded as the minimum necessary to comply with the terms of the Act.

Hon. W. H. KITSON: I think the Bill should include netting fences as being sufficient for the purpose of the Act. How does the Bill vary from the provisions of the Act?

Hon. J. M. DREW: If my memory serves me aright, under the existing law the question of what is deemed a sufficient fence has to be determined by justices of the peace. It becomes a question of fact. The clause represents a great improvement on the section that it amends, because it gives the justices something to go on. There may be other types of fences not specified and it will be for the justices hearing a case to decide whether such fences are sufficient for the purposes of the Act.

The CHIEF SECRETARY: I think the clause is clear as indicating what will be regarded as a sufficient fence.

Hon. J. NICHOLSON: The Minister's assertion is quite correct, but I would point out that there is hardly any other Act that has come in for as much adverse comment as the Cattle Trespass, Fencing and Impounding Act, the provisions of which are very confusing. I realise the importance of including a reference to the type of fence mentioned by Mr. Rose. If that course were followed, it would be advantageous. The Bill leaves matters at issue to be determined by justices, but if we were to specifically include a reference to netting fences, it might overcome difficulties in the future. By so doing, we would relieve the justices of the necessity to determine whether such a fence as that suggested by Mr. Rose was sufficient for the purposes of the Act.

Hon. Sir Charles Nathan: Why not include picket fences too?

The CHIEF SECRETARY: The inclusion of such a provision would do nothing beyond serving to overload the Bill with unnecessary words. Hon. members have apparently overlooked the inclusion of the words, "without limiting the generality of the foregoing definition," before the reference to the two types of fences specified in the clause. As the clause stands, it will cover picket fences, and I know of one picket fence that is used round a stock yard. I do not see the necessity for including each and every type of fence that assuredly will be regarded as sufficient for the purposes of this legislation.

Hon. J. Nicholson: Then why include a six-wire fence?

The CHIEF SECRETARY: The hon. member is a legal man and knows that those

included will be regarded as the minimum types deemed to comply with the requirements of the Act. The hon. member is simply playing with the position.

Hon. W. J. MANN: I do not agree with the Minister. Acts that have been passed have left many such things to be decided by justices of the peace. The less we leave for that purpose the better. I have great admiration for justices of the peace. On the other hand, I have lived in a country town and know that many squabbles have arisen between neighbours as to what constituted a proper fence. Probably that question has caused more trouble than anything else in country towns and has almost led to family feuds in many instances. We should make the Act as clear as possible and so prevent the possibility of litigation. We should take away as much as we can from the justices for decision.

Hon. E. ROSE: In cattle and sheep districts, three- and four-wire fences are used. Will they be regarded as sufficient? Some justices will say that such fences are not sufficient. If I run cattle and my neighbour runs sheep, must I put up a sheep-proof fence to keep his sheep off my land?

Clause put and passed.

Clauses 3 to 5—agreed to.

Title agreed to.

Bill reported without amendment and the report adopted.

BILL—STATE TRADING CONCERNS ACT AMENDMENT (No. 2).

Second Reading.

Debate resumed from the previous day.

HON. J. CORNELL (South) [6.0] The only object I had in moving the adjournment of the debate was to afford opportunity to compare the Bill with Order of the Day No. 4. The two Bills are closely related. The Bill before us proposes to repeal the existing machinery under which the State Ferries are operated, while Order of the Day No. 4 is for a Bill to vest the control of the ferries under a new authority. An awkward position might ensue if the Bill before us were passed before Order of the Day No. 4 and some contingency arose to impel the House to disagree with Order of the Day No. 4. That would serve to deprive the State Ferries of any machinery of manipulation at all, for we could not then vest them in any new authority.

Hon. J. Nicholson: We must pass this Bill before the one vesting the ferries in the Commissioner of Railways.

Hon. J. CORNELL: But debate might centre upon Order of the Day No. 4 should any objection arise to the transfer of the ferries to the new authority. However, if the House be satisfied, I have nothing further to say. If the proposed transfer can be made, there can be no objection to the Bill now before us, for it will then follow that Order of the Day No. 4 can be agreed to.

Question put and passed.

Bill read a second time.

In Committee.

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

Clauses 1 to 3—agreed to.

Clause 4—Trading concern abolished:

Hon. A. THOMSON: I presume the intention in transferring these ferries to the Commissioner of Railways is to reduce expenditure.

The CHIEF SECRETARY: The hon. member is quite correct. Actually the Commissioner of Railways has been running the ferries for the last two years. The transfer is to be made with a view to reducing overhead expenses.

Clause put and passed.

Clauses 5 to 7—agreed to.

Title—agreed to.

Bill reported without amendment and the report adopted.

BILL—GOVERNMENT FERRIES.

Second Reading.

Order of the Day read for the resumption of the debate from the previous day.

Question put and passed.

Bill read a second time.

In Committee.

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

Clauses 1, 2—agreed to.

Clause 3—General powers for the provision, maintenance and working of Government ferries:

Hon. A. THOMSON: In the Railway Act no provision is made for depreciation, and seemingly there is in the Bill no provision for the depreciation of the ferry steamers. If the ferries are to be run the same as the railways have been run, then in a few years we shall have piled up a big capital cost with no provision made for depreciation.

The CHIEF SECRETARY: The information I have received is that depreciation would be dealt with the same as in any other concern. Paragraph (c) of the clause makes certain provision.

Hon. A. Thomson: But that is only the same as obtains in the Railway Department.

Hon. J. M. DREW: Subclause 2 of Clause 15 reads as follows:—

> All expenditure incurred in the provision, maintenance, alteration, repair and management of Government ferries, all costs of administration, all contributions to funds for the replacement of depreciating property, and to reserve funds, and all interest, instalments of principal, or contributions to sinking funds in respect of borrowed money, shall be defrayed out of moneys to be appropriated by Parliament for the purposes of this Act.

I think that makes full and proper provision for depreciation.

Hon. A. Thomson: Not for writing down.

Clause put and passed.

Clauses 4 to 14—agreed to.

Clause 15—Receipts and expenditure:

Hon. A. THOMSON: Subclause (2) of this clause, read out by Mr. Drew, is only for replacement of depreciating property. I should like the Minister to consult his colleagues and see if he could not get it established that a certain small amount shall be provided by way of depreciation, which ultimately will cut out the cost of the ferries.

Hon. Sir Charles Nathan: Will not the sinking fund do that?

Hon. A. THOMSON: That is merely provision for sinking fund on borrowed money. I want to establish the principle that we should do the same as private persons do, namely, provide a fund for depreciation. It is amazing to think that in the Railway Department the first sleeper laid down by the Commissioner of Railways is still a capital charge on which interest has to be found. I should like an assurance from the Minister that he will consult his colleagues as to this, and allow the Bill to be recommitted for the insertion of a clause making proper provision for depreciation. Under the provisions we have here, even if a ferry steamer were to be blown up or burnt, the Commissioner of Railways would still be expected to continue paying interest on the total amount of capital in the ferries.

The CHIEF SECRETARY: I will leave the Bill in the report stage this afternoon, so that this matter can be dealt with at a later date.

Clause put and passed.

Sitting suspended from 6.15 to 7.30 p.m.

Clauses 16 and 17—agreed to.

Clause 18—Employees:

Hon. E. H. H. HALL: Does this mean that the employees of the Government Ferries are to become employees of the railways, and will they be enabled to travel by free passes on the railways?

The Chief Secretary: They will be in the same position as the tramway men.

Hon. A. Thomson: Will they also be entitled to long service leave?

The Chief Secretary: I take it they are entitled to it now.

Clause put and passed.

Clauses 19 and 20, Title—agreed to.

Bill reported without amendment.

BILL—INSPECTION OF MACHINERY ACT AMENDMENT.

Second Reading.

Debate resumed from the previous day.

HON. E. H. HARRIS (North-East) [7.33]: Following a conference of chief inspectors of machinery of Australia held in Sydney in 1919, it was resolved unanimously that each State should be requested to introduce

legislation on uniform lines, particularly with regard to the issue of certificates to qualified drivers. I believe South Australia was the only State which amended its legislation in conformity with that resolution. The reason advanced for the introduction of certificates covering electric winding engines was that existing legislation did not apply to them when electricity was used in lieu of steam engines. The idea was to have certificated men in charge of the larger type or class of engine, but not necessarily in charge of the smaller one. The Bill before us refers to small engines, but there is no definition of the size of any engine. I am reminded of what occurred over the regulations under the Mines Regulation Act, when several members pointed out that there was no definition of the size of a mine. The Chief Secretary said those regulations would not apply to small mines. The same difficulty occurs under this Bill with respect to small or large engines. When it comes to a question of amending the law as to granting certificates to men controlling electrically driven hoists, some horse-power should be mentioned in the measure as a guide to anyone who may be engaged in that calling, as to the type of engine that would require to be driven by a certificated man.

Hon. J. Nicholson: Do you suggest any particular size of engine?

Hon. E. H. HARRIS: It might be left to the department to state what the horse-power should be. The department also seek to add the following words: "or an electric winding engine." These electric winding engines were operating in Collie when we passed the amending Act in 1922. It was believed then that the measure covered the types of engine already in operation, but apparently it did not. Since then additional engines have been erected on the Wiluna gold mine. The only other electric hoist I know of in this State is the one which operated 20 years ago on the Associated Gold Mine in Kalgoorlie. In 1921, when Sir Hal Colebatch was Leader of the House, I severely criticised some clauses of the Bill then before us, regarding the breach of faith on the part of the Government which sought by that measure to repudiate the rights of enginemen who, years before, under the Mines Regulation Act, had certificates issued to them entitling them to drive any and every class of engine other than a locomotive. It did not seem quite clear whether or not the Bill did cover locomotives. I was successful in raising an objection on that occasion, pointing out that the Government were doing an injustice to those men who in the early days held a certificate which covered every class of engine. After the debate, by arrangement, we conferred at the Minister's office on the following day. An amendment was drafted and subsequently moved on the recommittal of the Bill. Sir Hal Colebatch it was who moved the addition of the following words:—

> Notwithstanding anything contained in this section to the contrary, the holder of an unrestricted first or second-class steam engine-driver's certificate granted under any Act in operation at any time before the commencement of this Act, may, by virtue of this certificate drive and have charge of any engine to which, except for this Act, such certificate would have applied, including an internal combustion engine other than a locomotive or traction engine.

This was embodied in the Act which we are now seeking to amend. By that amendment, I succeeded in preserving to the enginemen the rights they formerly held. It has been argued that a man who, in the early days, had secured a certificate was not perhaps so competent as might be some of the latter-day drivers, who had opportunities to go, say, to the School of Mines or other places where they qualified to handle internal combustion engines. My argument then was that if these men retained their privileges, and an employer invited applications for a position, he would have the opportunity to select either the man who had had his certificate granted 20 years before, but had gained experience in the meantime, or some young fellow who had just secured a certificate covering that class of engine. The employer would naturally select the type of man he thought best fitted for the job. The principle of repudiating the rights of the enginemen is embodied in this Bill. Provision is made for the issue of a steam winding engine driver's certificate in lieu of a winding engine driver's certificate. The certificated engine-driver for an electric hoist will be a separate entity. A point which occurs to me is that the man who, as a holder of a certificate to drive anything but a locomotive or a traction engine, should be able to drive an electric winding engine. By Clause 7 it is proposed that the driver shall exercise certain authority and have charge of any engine other than a locomotive or an electric wind-

ing engine. Any man who has had years of experience on a steam-driven winding engine is qualified to drive a fool-proof electric winding engine. One is far more liable to make mistakes when driving a steam engine than when driving an electric engine. Furthermore, I want to know whether the small electric hoist referred to would require a certificated man to be in charge of it. I refer to such hoists as we find in coal mines, where winzes are sunk in much the same manner as is the case in gold mines. In gold mining a Holman hoist or an air winch may be used. I want the Minister to indicate whether certificated control would be necessary throughout those mines where these hoists are used. The Bill says, "This section shall not apply to the Holman hoist, or any similar small winding engine, whether driven by steam, compressed air or electricity, used in a mine for temporary winding purposes." Sinking a winze, it may be said, is a temporary job, but the man who drives an engine is continuously employed, and with him it is a matter of pressing a button or holding a short lever and hoisting about 30 cwt. of coal on to a truck in an incline shaft. As these men are continuously employed in coal mines for that express purpose, will the drafting of paragraph (e) of Clause 5 exclude them? There are several enginemen now driving electric winding engines at Collie and at Wiluna. According to my reading of Clause 10, if such a person is the holder of a winding engine-driver's certificate for six months and at the time of the passing of the Bill is driving an electric winder, he may be granted, without examination, an electric winder's certificate.

Hon. J. Cornell: That is the principle that applies to lawyers, doctors and dentists.

Hon. E. H. HARRIS: I do not think so. As the position is now, there is what is known as a first-class certificated driver who drives a steam engine. Under the Bill he will be able to drive anything except a locomotive or an electric hoist. Therefore if he is on an engine at the present time and has been so employed as a holder of a winding engine driver's certificate for six months, he will be entitled to a certificate as an electric winding engine-driver. He will have a greater right than the existing holder of a steam winding engine certificate. The clause does not make the position clear. Under it he will be entitled to a greater privilege than the man who holds a first-class certificate. Again, will a newly-fledged certificated electric winding engine driver be eligible to drive a crane? We have cranes operated by steam and by electricity; we have winding engines operated by steam and by electricity. I want to know whether a man who drives a crane will be allowed to drive a winding engine and alternatively whether a man who secures a certificate to drive a winding engine will be empowered to drive a crane, whether it be driven by steam or by electricity.

Hon. J. Nicholson: Does not paragraph (a) of Clause 10 give that right?

Hon. E. H. HARRIS: That is what I have been quoting, and I want to know what interpretation is put upon it. I consider the Bill should be dealt with principally in Committee, and I hope if it passes the second-reading stage to-night the Minister will not make any attempt to take it into Committee immediately, because it will be necessary carefully to draft amendments so that the position may not be made more complicated than it is now.

HON. J. CORNELL (South) [7.50]: I have compared the Bill with the parent Act, and have come to the conclusion there is not much substance in many of the points raised by Mr. Harris.

Hon. E. H. Harris: It may be possible to explain them away.

Hon. J. CORNELL: Mr. Harris is satisfied with the law as it stands to-day. The law makes no provision for the latest innovation in respect of hoisting on mines. The latest innovation is hoisting by electricity.

Hon. E. H. Harris: We had that years ago.

Hon. J. CORNELL: Not on the same scale as it exists at Wiluna. I understand that hoisting there is similar to the manner in which it is carried out in South Africa. Electricity has practically supplanted hoisting by steam, and Wiluna has one of the biggest plants in the State. Hoisting by electricity has assumed big proportions, and involves such risks that it is necessary in the interests of the men concerned that they should be certificated and qualified. That is the object of the Bill. If members will look at the second clause of the Bill they will find that that is made

the feature of the measure. There we have the definition of electric winding engine which is not in the Act to-day. It is proposed to differentiate between an electric winding engine and a steam winding engine, which was not necessary until recently. A winding engine to-day is defined under two classes—electric and steam. Under the Bill I cannot say whether there is to be any infringement of the privileges and prerogatives of the man who holds a steam winding engine driver's certificate.

Hon. E. H. Harris: You have not analysed the Bill; you have not looked at it.

Hon. J. CORNELL: To-day there are two classes of winding engines on a big scale.

Hon. E. H. Harris: That is admitted.

Hon. J. CORNELL: To differentiate between the two it is necessary to say what is an electric winder and what is a steam winder. The man driving the steam winder is certificated and his position is not in jeopardy. The Bill proposes that the electric winder shall be certificated. We can leave the steam winder out of it altogether.

Hon. E. H. Harris: He is not allowed to drive an electric hoist.

Hon. J. CORNELL: I do not think Mr. Harris would seriously assert that because a man is a certificated steam engine driver he should, without any practice whatever, be able to step off the steam engine and drive the electric one. He should not be able to do that without undergoing a qualifying test.

Hon. G. W. Miles: What test would you impose?

Hon. J. CORNELL: I should say that the man most qualified for the position of an electric winding engine driver would be the man holding a steam engine driver's certificate.

Hon. J. W. Mann: Would it not be like driving a tramway motor, all levers?

Hon. J. CORNELL: On a tram it does not matter which lever is turned, because you go either forward or backward, but it would be different with something being pulled up from underground. Pulling the wrong lever might send the cage down instead of bringing it up. Anyway, my reading of the Bill is that the holder of a steam winding engine driver's certificate has nothing to fear; his future is not in jeopardy. The Bill provides that an electric hoist driver will have to go through some qualifying test. Hon. members should not object to that. There is a slight difference in the personnel of the board of examiners that it is proposed to appoint from that which exists to-day. The new proposal is that the board shall consist of the Chief Inspector of Machinery as chairman and two qualified persons, one of whom shall have a competent knowledge of electric winding engines, and one of whom shall hold a steam winding engine driver's certificate. The other departure in the Bill is in regard to the Holman hoist. It is proposed to strike out the definition of "Holman hoist" which reads—

> Any Holman hoist or any similar small winding-engine used in a mine for temporary winding purposes underground, and only for hauling material.

In place of that will be inserted the following:—

> Any Holman hoist or any similar small winding-engine, whether driven by steam, compressed air or electricity, used in a mine for temporary winding purposes.

Under the existing Act the Holman hoist cannot be used indiscriminately.

Hon. E. H. Harris: What is a small winding engine?

Hon. J. CORNELL: A winch.

Hon. E. H. Harris: What is a big one?

Hon. J. CORNELL: We saw a big one on the Lake View mine a couple of Sundays back. Mr. Harris knows that a man could get a certificate to drive a winch, but not to drive the engine we saw on the Lake View mine. Under the proposed amendment the Holman hoist could be used for purposes other than those for which it is used to-day. I am prepared to bow to Mr. Harris's superior knowledge of steam winding-engines, but I submit that all this Bill does as regards the Holman hoist is to fulfil an absolute requirement respecting men who came into the picture with electric winding engines. It will not interfere with the man who holds a steam-winding engine certificate, nor with the man who is likely to get one. In the past a man with a steam winding-engine certificate has been driving an electric hoist without passing a special examination. He will be protected, but in future, just as there should be a test for a steam engine driver, there will be a test for drivers of electric winding engines. Clause 10 (b) is a dragnet, but the Bill is

clear that anyone driving an electric hoist to-day and not in possession of a certificate will be entitled to a certificate without passing a test.

Hon. E. H. Harris: As against a man who holds a first-class unrestricted ticket as a steam engine-driver.

Hon. J. CORNELL: Ten years ago the need for the provision did not exist.

Hon. E. H. Harris: It did, because we had a Bill before us in 1921.

Hon. J. CORNELL: The electric appliances in use in 1921 were very small as compared with those in use to-day. Mr. Harris raised a point regarding a man who had held a steam engine-driver's certificate for 20 years and said that Tom Brown could come along to-morrow and get a certificate to drive an electric hoist over an engine-driver of 20 years' standing. I submit that one of the qualifications for a candidate for a certificate would be a thorough knowledge of hauling men.

Hon. E. H. Harris: You ought to read Clause 10.

Hon. J. CORNELL: In actual practice, I believe that the only men who will get certificates will be those who have been driving steam winding engines, because they are the men most qualified to hold certificates. I am not afraid of blow-ins cutting out such men.

Hon. J. M. Macfarlane: My reading of Clause 10 is that a man can get a certificate without passing an examination.

Hon. J. CORNELL: Yes; there must be a starting point. Some men have been driving electric hoists for several years.

Hon. J. M. Macfarlane: And Clause 11 says a man will have to pass an examination.

Hon. J. CORNELL: Clause 10 specifically states that a man holding a steam winding engine driver's certificate will not be prejudiced by the passing of the measure.

Hon. E. H. Harris: He will be.

Hon. J. CORNELL: And the man who has been driving an electric hoist for six months previous to the commencement of the Act will be given a certificate without examination. Doctors, lawyers and other professional men were admitted as qualified men at the commencement of the Acts governing their professions. It would be unfair if a man who had driven a hoist satisfactorily for 12 months were now required to pass an examination.

Hon. G. W. Miles: Does not Clause 11 contradict that?

The Chief Secretary: No.

Hon. J. CORNELL: A man who has been employed in driving an electric hoist will be given a certificate without examination. Otherwise, such drivers must be examined to obtain a certificate.

On motion by Chief Secretary, debate adjourned.

BILL—SPECIAL LICENSE (WAROONA IRRIGATION DISTRICT).

Second Reading.

Debate resumed from the previous day.

HON. W. H. KITSON (West) [8.10]: We are all pleased that a new industry has been started in association with the dairying industry. I have no desire to do anything that would be likely to interfere with the establishment of the new industry, but the Bill proposes to give certain rights to a company over a period of 99 years. It seems to me that the period is far too long and that we should be conferring on one company rights that may prove to be detrimental to other people in years to come. If the Bill be not passed, any company would be entitled to rights in water for a period of ten years, but from what I gather an undertaking has been given by the Government to the firm who have established themselves at Waroona that, provided they did certain things, the Government would endeavour to give them rights to water for 99 years. The Bill is the result of that undertaking. It may be all right, but I do not like it. No one can say what development is likely to take place in the next 25 years, let alone 99 years. If we are going to have the big development in the South-West that everyone expects during the next few years, we may be conferring a monopoly on one firm to the detriment of other interests desirous of establishing themselves in a similar capacity in the same district. I am aware that the Bill provides for the company returning 90 per cent. of the water to the drain and in a fit condition for irrigation and stock purposes, but the quantity of water available from that source may be

sufficient for the purposes of one firm only. The water, after being used, may not be suitable for use by any other firm in the same industry. I may be wrong, but that is how it appeals to me.

Hon. W. J. Mann: It is to be used only for cooling purposes.

Hon. W. H. Kitson: I know that concerns of the kind use a tremendous quantity of water for purposes other than cooling. If it is a fact that the water will be quite suitable for similar use by other firms, my argument falls to the ground, but I have doubts on that score. If, as I say, the quantity of water available from this particular source will be only sufficient to be used by one firm, or by this particular company, which will expect to develop in the course of years to such an extent that there will not be sufficient water available for any other firm desirous of establishing works in the district, then we are conferring a monopoly on one firm; and with that I do not agree. On the other hand, I think it can be seen that within the next 20 years, for instance, development in that part of the State will be so great as to render it necessary either that there shall be extension of the premises of the firm already established, or that there shall be established within the district some other firm or firms dealing in the same product and also requiring copious supplies of water. I ask myself, is it fair that we should give the right to one particular firm for 99 years, when possibly in the course of a few years some other firm will be prevented from establishing themselves there simply because the volume of water will not be sufficient to allow them to carry out their processes satisfactorily, while at the same time providing the first firm with the quantity of water required by them. I speak without any knowledge of the actual quantity of water available from this source; but knowing the district as I do, and also knowing what has happened in other industrial centres, especially in Great Britain, I have an idea that there is great danger in agreeing to a proposition of this kind, which will give to one firm a monopoly for 99 years. It seems to me that a period of 21 or 25 years would be quite long enough. Indeed, I should have thought any firm would be only too glad to have had the 10 years allowed by the present Act extended to 20 or 30 years, and not insisted on a period of 99 years, a period during which such development may occur as no one in this House can visualise. Believing as I do, that it is not right to grant a monopoly to any one firm in any one industry, particularly when dealing with such a thing as water, I certainly think the Government would have been well advised to consider a shorter period. I shall not oppose the second reading of the Bill but I do propose to endeavour in Committee to get the period reduced from 99 years to some lesser number. I hope that at any rate some members of this Chamber will agree with the ideas I have voiced on this aspect. Again I would express my pleasure that a firm such as this should set up an establishment here. I hope the enterprise will prove successful. The Government, in my opinion, are to be complimented on the fact that they have been prepared to give the company some assistance, though I think they have overstepped the mark in the length of time for which they propose to grant the privilege conferred by the Bill. Therefore, while supporting the second reading, I notify the Leader of the House that in Committee I propose to move an amendment reducing the term from 99 years to some shorter period.

HON. W. J. MANN (South-West) [8.20]: We are all agreed that, as Mr. Kitson has said, there is every reason to feel satisfaction at the establishment of a new industry in our dairying country. I am indeed pleased to feel, from the tenor of the remarks which we have so far heard on the Bill, that there will be no serious opposition to its passage. It is a compliment to Western Australia that a firm of the standing and magnitude of Nestle's should have decided to erect in Western Australia a plant such as that at Waroona. Certainly, up to the present the company have spent only about £30,000; but that is an excellent commencement. I have no doubt whatever that before many years pass, the plant will have to be duplicated, and that quite a large trade will be built up. The chief bone of contention regarding the Bill concerns the Government's proposal to grant a license for 99 years. I say quite openly that I am with those members who believe that term to be too long. I do not know of any particular instance in which I would agree to a 99-years lease under conditions as they are in these days. We are living in an age of unstable equili-

brium, and I do not like the idea of tying anything up for too long. Therefore I shall be prepared to support an amendment for a shorter period. Any idea of a 10-years period would, in my opinion, be quite unreasonable; I should oppose anything less than, at any rate, 25 years. The company should be allowed some reasonable period, nd I suggest that 25 years cannot be regarded as unreasonable.

Hon. J. Cornell: With the right of renewal.

Hon. W. J. MANN: Yes. Regarding the fear in the minds of some hon. members that the granting to the company of what is termed a monopoly may prove detrimental to other companies or firms desirous of commencing operations in that particular locality, I wish to say that, having had a look at the brook quite recently, I can assure the House that the amount of water being pumped out of the brook is so small as to be practically unnoticeable. The water is pumped up to the works, is used largely for cooling, comes in an open race, and returns into the brook at a point 20 or 30 yards from where it is taken. So far as I could observe, there was not the slightest contamination in the world of that water. Whether an analysis would prove something different I cannot say, but I was unable to see anything that could in any way contaminate the water. The water simply went up over some gear, and came down in the ordinary cooling way.

Hon. G. Fraser: Is not the water used for washing cans?

Hon. W. J. MANN: The quantity so used is infinitesimal; and, as a matter of fact, the water used for that purpose is drained away into another channel.

Hon. H. Seddon: What would the position be in the summer time?

Hon. W. J. MANN: Quite good. The factory is not established where there is any chance of settlement for many long years. It is situated about a mile and a half out of Waroona town, and stands in what is at present bush land and is likely to remain so for years to come. I do not think there is any more fear of contamination from this condensed milk factory than from an ordinary butter factory, and goodness knows butter factories are often put down in the heart of a congested community. At any rate, I do not consider that there is anything to be feared in that direction. Further, hon. members should, I think, recognise that there are many brooks along that railway line. If this were the only brook on the Perth-Bunbury railway, one could understand the fears of some hon. members; but there is a brook every few miles, and there are some much larger brooks than the Drakesbrook. The Drakesbrook, certainly, is part of the Waroona main drain; but there are brooks with 10, 20, or 50 times as much water in them as there is in the Drakesbrook. I do not think there need be fear of monopoly by one company, even during the next 99 years. If there are to be other factories of the same kind, they will not all be dropped down in one place. As the dairying industry expands, so will factories be put up at the most convenient places. If factories can be spread over a wide area, they will not be put down in close competition with each other. With the reservation that I do not agree with the 99-years period, I heartily support the Bill; and I trust the House will pass it.

On motion by Hon. J. M. Macfarlane, debate adjourned.

BILL—MAIN ROADS ACT AMENDMENT.

Second Reading.

Order of the Day read for the resumption from the previous day of the debate on the second reading.

Question put and passed.

Bill read a second time.

In Committee.

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

BILL—CLOSED ROADS ALIENATION.

Second Reading.

THE CHIEF SECRETARY (Hon. C. F. Baxter—East) [8.30] in moving the second reading said: The object of the Bill is to simplify the method of disposing of the land comprised in roads that, for various reasons, have been closed, but will not apply to closed roads in a municipality, or

to roads that were originally resumed from holdings, as the latter revert to the holder on closure. It has been found necessary at times to deviate roads in order to obtain more suitable grades, and, under the existing Act, it is impossible effectually to exchange land for this purpose. It is considered necessary on the closure or deviation of any such road, to have power to grant the closed road, either in whole or in part consideration, for any new road or deviation. Many instances have occurred where a road has been excluded from a grant in the first place, and has subsequently been found to be in an unsuitable position, thus making it necessary to resume other land in a better position. The Bill provides that the land, or portion of the land, in the closed road may be granted in exchange for the resumed portion, without cost to the owner, notwithstanding the fact that such land may be resumed free under the provisions of the Crown grant or lease. It is manifestly unfair that the holder should be called upon to purchase the land in the closed road, whilst giving up an equal area for the new road under the "free resumption" condition. In instances where resumptions are made of improved land, the holder has the right to claim compensation for the value of improvements, severance, or other damage, and provision is now made for the claim to be settled by the exchange of the land in the closed road, if it can be arranged, such exchanges to be effected on the basis of equal value. When roads are closed as being no longer necessary, it is provided that the land may be made available for sale to the adjoining holder or holders at a price to be fixed by the Minister. Should it divide two properties held by different persons, it is proposed to adopt the procedure laid down under the Road Districts Act and divide the closed road between the two holders so that the contiguous portion of the road will become part of the property on either side. The Bill makes provision for such land to be incorporated as part of the original locations of the holders, and where a closed road has been added to, or incorporated with, other land which at the time was subject to a mortgage or other encumbrance, such mortgage or encumbrance shall have effect over the amended area included in such road. Should the closed road be added to land during the currency of a contract of sale, it shall be deemed subject to such contract, and the purchase price or consideration shall be increased accordingly. Under the present Act, the procedure in dealing with closed roads is cumbersome and involved, and in view of the fact that the areas so dealt with are usually very small, averaging perhaps two or three acres, it is necessary, for the sake of convenience and economy, to simplify the matter of dealing with them as much as possible. I move—

That the Bill be now read a second time.

Question put and passed.

Bill read a second time.

In Committee.

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

Clauses 1, 2—agreed to.

Clause 3—Where a road is closed and land is resumed without payment of compensation for the purpose of a road to take the place of the closed road, land in the closed road equivalent to the land resumed may be vested in the owner of the land resumed:

Hon. A. THOMSON: Will the owner be paid for any improvements on the land?

The Chief Secretary: Yes.

Hon. J. M. MACFARLANE: What will be the position regarding a section where a deviation has been put in, but the original road remains open for traffic? Will compensation be paid to the person whose block is cut out? I have in mind the Greenmount deviation. I know of one instance where compensation has not yet been granted after a lapse of two years.

The Chief Secretary: This will not apply to such an instance.

Clause put and passed.

Clause 4—agreed to.

Clause 5—Where a road is closed, the land comprised therein may be vested in owners of land adjoining the closed road at a price to be fixed by the Minister:

Hon. A. THOMSON: Should an owner take exception to the price fixed by the Minister, is provision made for the right of appeal?

The CHIEF SECRETARY: Action is taken under the Road Districts Act and such matters are referred to arbitration.

Clause put and passed.

Clauses 6 to 10—agreed to.

Title—agreed to.

Bill reported without amendment and the report adopted.

BILL—EAST PERTH CEMETERIES.

Second Reading.

THE CHIEF SECRETARY (Hon. C. F. Baxter—East) [8.44] in moving the second reading said: The purpose of the Bill is to revest the East Perth Cemeteries in the Crown. For many years past the condition of this area has been the cause of considerable public criticism and comment, owing to the fact that fences had fallen into a state of disrepair, grass and other vegetation were growing freely—thus creating a serious risk through fire—and cattle were straying through portion of the area. Suggestions were made that the State Gardens Board should assume control of the area. The board expressed its willingness to do so, but upon examination of the title it was found that the East Perth Cemetery was held in fee simple by the various religious denominations concerned. Under these conditions it was not possible for the State Gardens Board to function, except by making full charges for any services performed. The Perth City Council then suggested converting the cemetery into a public park by moving a number of the monuments to positions along the fences, and by laying out interior grounds. Subsequent to this proposal a conference was held by representatives of the churches concerned, the chairman of the State Gardens Board being present by invitation. Being invited to take over the cemetery and asked to state his proposals as to the intentions of the board, that gentleman pointed out that before any action could be taken the ground must be vested in His Majesty the King in fee simple. It would then be possible for the Government to invite any body to assume control upon any conditions laid down by the Governor-in-Council. If the State Gardens Board were invited to control the cemetery they would not promise lavish expenditure, but would provide proper fencing, cleaning up, preservation and access, and would as far as possible preserve it as a cemetery and an historic relic, which should be available to the public in exactly the same manner as before, except that it would be closed to burials. The representatives of the churches agreed to these proposals and proceeded to draft a circular letter to the Government, inviting them to transfer the land to the King and then to hand over the control of it to the State Gardens Board upon the conditions before mentioned. Later the Perth City Council invited the representatives of the churches and the chairman of the State Gardens Board to attend a meeting, and the proposal to convert the area into a park was again suggested. It was opposed by all the clergy present, and the Lord Mayor (Sir William Lathlain) adjourned the meeting. Meanwhile the other course of action proceeded to finality. Upon investigation it was found that the titles were very old and involved, and it was decided to clear up the whole matter by introducing a Bill for the revesting of the area in the Crown, excluding only a portion held by the Congregational Union, in which no bodies had been buried and which had been detached from the main area and vested in the Congregational Union for Church purposes. The State will then have full power to administer the area and to see that adequate steps are taken to safeguard the last resting place and the memorials of those old pioneers, who in their day helped to lay the foundations of this great State. I move—

That the Bill be now read a second time.

On motion by Hon. J. Nicholson, debate adjourned.

House adjourned at 8.48 p.m.