

Legislative Council

Tuesday, 26th August, 1952.

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

QUESTIONS.

TIMBER.

(a) As to Kent River Mill, Lease and Production.

Hon. J. MURRAY asked the Minister for Transport:

Will he inform the House as to—

(1) The total cost to date of the Kent River mill?

(2) Whether the mill has been taken over by the proposed lessee, and if so, on what terms and conditions?

(3) Should the answer to (2) be "no", has this mill reached the full production stage?

The MINISTER replied:

(1) £138,900.

(2) In order to obtain some case production for the past apple season, the mill was taken over by Case Timbers Pty. Ltd. in October, 1951, in anticipation of the completion of a lease agreement, which was entered into in January, 1952. The main terms and conditions of the agreement are—

(a) Payment of interest at the rate of 4 per cent per annum on the unrepaid balance of capital cost.

(b) Repayment of capital cost over 15 years, commencing after a six months' trial of the mill.

(c) Royalty payment of 10s. per load of timber in the round on log intake in excess of 16,000 loads per annum.

(d) Payment of Forests Department royalties, rents for lease of siding and land from W.A.G.R. and water rights over private land.

(e) Priority to be given to case cutting.

(3) Answered by No. 2.

(b) As to State Saw Mills, Employees and Production.

Hon. J. MURRAY asked the Minister for Transport:

Can he inform the House as to—

(1) The total number of employees in State saw mills at the 30th June, 1950, 1951, 1952?

(2) The total number of loads of sawn timber produced during the years ended the 30th June, 1950, 1951, 1952?

The MINISTER replied:

(1) Year ended the 30th June—
1950—940, 1951—989, 1952—1,052.

(2) Year ended 30th June—
1950—36,131, 1951—35,030, 1952—
38,513.

ELECTRIC PETROL BOWSTERS.

As to Installation.

Hon. A. L. LOTON asked the Minister for Transport:

Is he aware—

(1) That the electrically-operated petrol pump known as the Wayne pump and manufactured in Australia under permit is used universally in America and England?

(2) That it is at present almost impossible to drain off from the present installed pumps all petrol in the hoses?

(3) That with the installation of the Wayne pumps, time taken for serving petrol will be reduced by more than half, and that the general public is entitled to the service to be provided by the installation of these modern and efficient petrol pumps?

The MINISTER replied:

(1) No. I understand, however, that the Wayne electric pump is used extensively in America.

(2) No.

(3) The use of the Wayne pump would considerably reduce the time for serving petrol, but some defects in the efficiency of the pump were discovered by the Weights and Measures Branch, inasmuch as it was possible, by manipulation, that the bowser might not show the correct amount of petrol supplied to a customer. Further investigations conducted by the Weights and Measures Branch with a view to overcoming the faults disclosed were successful, so that minor modifications will give increased efficiency. I have no information as to when the companies intend to install electric pumps.

INDUSTRIES ASSISTANCE.

As to Government Liability and Trading Profits.

Hon. C. H. HENNING (for Hon. H. Hearn) asked the Minister for Transport:

(1) What are the total amounts of advances to businesses, made by the Government?

(2) If assistance has been given by other means (such as guaranteeing overdrafts), what is the amount of this contingent liability?

(3) What number of businesses have been assisted?

(4) How many businesses have reduced their indebtedness since the original advance?

(5) How many of these businesses show a trading profit?

The MINISTER replied:

(1) The total amount advanced at the 30th June, 1952, was £1,004,180. This total includes advances made many years ago, and before the establishment of the Department of Industrial Development. The advances may be classified as follows:

	£
(a) Old Advances	81,143
(b) Advances made to Carnarvon banana growers on the basis of regular reductions of loans	1,014
(c) Advances made by way of purchases by the Government of plant and machinery which has been sold to the assisted parties under hire purchase agreements	753,780
(d) Advances made to mining interests for developmental purposes	133,550
(e) Cases where direct advances have been made to the assisted parties	34,693
	<hr/> £1,004,180 <hr/>

(2) The contingent liability at the 30th June, 1952, for assistance made available by other means (guaranteed bank overdraft) was £3,877,317.

(3) One hundred and seventeen businesses, under (1) and (2) above.

(4) Seventy-six of the above businesses have reduced their indebtedness.

In addition, it may be pointed out:

- (a) Three marketing boards are assisted with guaranteed seasonal advances, which are repaid from the board's proceeds.
- (b) Seven other businesses have been expanded, thus precluding repayments of guaranteed advances.
- (c) Eight other businesses were first assisted in the period immediately prior to the 30th June, 1952.

(d) Two other businesses have not yet commenced trading operations, the factories being in the course of construction.

(e) One other business has not yet reached a stage where repayments are payable under the conditions of the loan.

(5) Seventy businesses.

FORESTS DEPARTMENT.

As to Calculation of Net Revenue.

Hon. J. MURRAY asked the Minister for Transport:

Can the Minister inform the House what charges are deductible from gross revenue of the Forests Department before net revenue is arrived at?

The MINISTER replied:

To arrive at the net revenue of the Forests Department, the following items are deducted from the gross revenue:—

(1) Revenue from departmental direct conversion projects.

(2) Consolidated Revenue Fund expenditure on—

- (a) salaries,
- (b) incidentals,
- (c) pine conversion,
- (d) Conservator's salary,
- (e) audit fee.

BILL—INDUSTRIAL ARBITRATION ACT AMENDMENT.

First Reading.

Received from the Assembly and read a first time.

Second Reading.

THE MINISTER FOR TRANSPORT (Hon. C. H. Simpson—Midland [4.50] in moving the second reading said: When moving the motion for the suspension of Standing Orders to permit of dealing with the Bill as a matter of urgency, I took the somewhat unusual course of explaining in detail the reasons for doing so, and was twitted by Mr. Fraser with having given a second reading speech. Be that as it may, I feel sure that members will by this time be well informed as to the history of the events leading to the decision of the Government to introduce the measure.

Generally speaking, up to the time when the recent disastrous strike commenced, the relationship between employers and employees in Western Australia were cordial and co-operative, and I do not hesitate to say that, had it not been for interference from the Eastern States, those happy conditions would have continued. While I am glad that at long last the strike leaders have taken a realistic view of the situation, and while I do not want

to dwell unduly on the facts of this one particular strike, I must make more than a passing reference to it, as the Bill now before the House is designed to protect the community against possible similar occurrences.

No one can deny the existence and growth in the world today of movements, the object of which is to destroy the type of Government that we enjoy and is preferred by the majority of the citizens of most countries. Although these underground workers and their followers are, generally, a small minority, their methods are so very skillfully planned that they have achieved many successes. The power of this small minority is positional, not political. Their weapons are those of duplicity, mendacity, treachery and intimidation, and their aims are to suborn and to destroy the established processes of law and the protection of the people. These are the influences that gave birth to the strike in Western Australia of metal trades workers.

This drab story commenced last year when the Amalgamated Engineering Union applied to the Federal Conciliation Commissioner and to the State Arbitration Court for an increase of margins. I ask members to follow me closely at this stage and to remember that the controlling body of the Amalgamated Engineering Union, which is known as the Commonwealth Council, has three members, two of whom, when the strike was planned and carried out, were acknowledged communists. This central council has complete control over the actions of its branches.

Having established the then predominantly communistic nature of the controlling body of the union, it is interesting to note that on the 21st November, 1951, before any decision had been announced by the Federal Conciliation Commissioner or the Arbitration Court in this State, the New South Wales communist publication known as the "Tribune" published the information that the central committee of the Communist Party had decided to call for a campaign to double margins, and that this campaign would, in the words of the article, "be fought outside the court," so that "the arbitration system could be exposed as never before for what it was—an instrument of the employer class for use against the workers and their unions."

There we have the entire reason for the strike—an effort by a few subversive individuals to damage the structure of arbitration which has been built and is supported by both workers and employers. Subsequently, the State Arbitration Court announced its award with application as from the 6th December, 1951. In this State, this elicited no protest of a strike nature. However, when Conciliation Commissioner Galvin made known his decision

on the 16th January, 1952, a 24-hour Australia-wide stoppage was organised by the communists. In each State these stop-work meetings, which were held on the 5th February, 1952, passed resolutions protesting against the Galvin award.

Subsequently, the unions concerned made no demand for increased margins, but workmen in individual shops were instructed to request their employers for payment of rates in excess of the award of the court. Upon refusal by the employers to interfere with the decision of the Arbitration Court, men in certain selected shops were ordered to cease work. These were employees in key industries, such as the railway running sheds, Hume Steel Ltd. which was manufacturing urgently-needed pipes for the Goldfields and other water supplies, and the Fremantle foundry, which was engaged on ship repair work.

Strikes on the margins issue did occur at widely separated places in the Eastern States, but these were short-lived and, after very few weeks, in each case the strikers returned to work. On the 25th June, 1952, when one body of Eastern State's strikers returned to work, Mr. Gibson, organiser in this State of the Amalgamated Engineering Union, explaining why only Western Australian employees remained on strike, said that "for obvious reasons it would be bad policy to have the whole of the metal trades workers of Australia on strike."

In another place, much stress was laid on the failure of the Premier to meet the strike leaders, and the Leader of the Opposition stated in Geraldton that the strike would have ceased two months earlier had the Premier been willing to meet the strike leaders. I am satisfied that the Premier adopted the right course. The Premier gave the Government's attitude in clear and unequivocal terms, to the effect that if the men returned to work, they could then approach their employers or the court.

At all times the Government was agreeable to meeting the A.L.P. Disputes Committee, which is the recognised mouth-piece of industrial labour and the official channel of communication. This is recognised by the Government as the authorised and legitimate body, and meetings at various levels were constantly taking place. The Premier conferred on several occasions with the A.L.P. Disputes Committee representatives, but steadfastly refused to meet acknowledged law-breakers, deeming this to be a flouting of the court. Finally, with the approval of the court, a mediator was appointed to confer with the strike leaders, but with no tangible result.

Apart from this correct and orthodox procedure through recognised and authoritative channels, it was abundantly indicated in published Press statements that the strike leaders' attitude was an irresponsible one, and that any direct ap-

proach would have been hailed as a policy of appeasement on the part of the Government and would have been seized upon as a pretext for making further demands.

During the currency of the stoppage, the strike committee published a series of scurrilous and misleading statements, gravely reflecting on the Premier and the Government. On the other hand, the A.L.P. had, from the start, announced its disapproval of the strike and could be relied upon to honour its contractual commitments. My own fairly extensive knowledge of the ramifications of the strike trends in this State, the spate of rumours and denials, the constant references to the Eastern States organisations and the visits backwards and forwards of prominent industrial figures clearly indicated, to my mind, that no previous approach towards a settlement could have succeeded, and that any such attempt to bring about an earlier cessation of the strike would have been useless.

So, for six months, the people and economy of Western Australia were made the guinea-pigs for the whole of Australia, notwithstanding the fact that the Galvin award did not apply in Western Australia and that the workers here, under the award of the State court, were receiving 12s. 1d. per week more than their counterparts in the Eastern States. The strain on the economy of the State was very great. Thousands of workers were affected, rail services disorganised and country people particularly suffered inconvenience and monetary loss. The financial loss to the State is difficult to assess accurately, but as the results will be felt for many months to come, a rough total estimate would probably be between £5,000,000 and £6,000,000. Nor does this take into account the hardship and nerve-racking uncertainty suffered by the families of men wantonly forced out of work by the insatiate greed for power of the strike leaders.

Thus this particular strike has brought into sharp relief the necessity to provide the Industrial Arbitration Act with the machinery to cope with the threat to industrial peace that is spreading throughout the Commonwealth and may continue in intensity in this State as industrialisation grows. The principle of the Bill is to afford to persons of goodwill the opportunity, so far as the Constitution of the State will permit, of managing the affairs of the industrial unions to which they belong, and their industrial relationship, in a responsible manner, and without hindrance and frustration. To effect this purpose the Bill is based on two main premises. These are firstly, the ensuring of regularity in elections to office in industrial unions and, secondly, the rectifying of deficiencies in the Act, which have been disclosed by experience and which refer to those discretionary functions of

the Arbitration Court providing for the protective supervision of industrial relationships and the preservation of industrial law and order.

In bringing down the Bill, the Government was concerned only with the protection of the great bulk of the people who are, unfortunately, not able, under our present laws, to protect themselves against illegal action by small extremist minorities. The Bill is directed as a defensive measure to protect the well-being of industrial unions, their members and their property against the actions of the subversive few who might seek to impose upon the union movement their manipulated powers of direction, sometimes for ulterior and sinister ends.

Despite the fevered publicity that has been given to the alleged failings of the Bill, I say without hesitation that its principles follow those of restraint. Its punitive provisions are mild when compared with those of the Commonwealth legislation to which the Commonwealth Labour Party subscribed wholeheartedly. There is no provision in the Bill for the dissolution of industrial unions as corporate bodies and the appointment of receivers to administer union property, nor does it contain any automatic restraint against union members benefiting under all awards, orders or industrial agreements. The Bill has not followed the Commonwealth example in regard to unlawful associations, industrial disturbances and obstruction and the hindrance of public services; nor has it followed the example of other Australian States whose emergency powers legislation overrides the provisions of all other Acts, industrial awards, orders and agreements. In fact, as I have said, the purpose of the Bill is to strengthen the defensive powers of those decent law-abiding people who sincerely subscribe to the principles of industrial arbitration.

Dealing in detail with the amendments proposed in the Bill, the first provides for several proposed new definitions. These, which are interpretations of the words "irregularity," "office," and "officer," are linked with certain subsequent proposals for the conduct of elections for office in unions. It is considered advisable that the words "office" and "officer" should be properly defined as a means of checking the designs of any person who for some ulterior motive, might endeavour to evade the electoral provisions proposed in the Bill by appropriating to himself a title not usually recognised as that of an official in a union.

Another proposal is the deletion of the interpretation of the word "strike" in the parent Act and its replacement with what is regarded as a more suitable definition. I would like to explain to members that the proposed new definition, although more extensive in scope than the old, is, in one most important particular, less

rigid than the present one. The definition now in the parent Act is a finite one; that is, it describes the meaning of the word "strike," and the court is bound under that interpretation to regard any cessation of or refusal to work as a strike. In contradistinction, the proposal in the Bill, while providing a wider definition, gives the Arbitration Court the discretion to declare a particular cessation or limitation of work or refusal or neglect to work, not to be a strike.

The necessity for a revision of this interpretation was brought about following the absention for a period last year of certain employees from their work at Fremantle and the East Perth loco. running sheds. These men were proceeded against before an industrial court for participating in a strike, and were fined. Subsequently the Full Court on appeal declared that the existing definition of "strike" could not be applied to a strike of a political nature not connected with industrial demands, and therefore that the men were technically not guilty. It thereupon became necessary to rectify this state of affairs which, as members will realise, could possibly be taken advantage of by ill-intentioned persons; and probably would be when it suited their purpose.

The next amendment deals with the rules relating to the conduct and management of trade unions. At present the Act stipulates that each union must make rules providing for the appointment and removal of a committee of management, a chairman, secretary, trustee or trustees, and any other officers that may be necessary, and shall also define the duties and powers of these officials. It is proposed in the Bill to delete this provision and to replace it by one of a more comprehensive nature requiring that all elections shall be by secret ballot. Unions will be required to make rules ensuring that, so far as practicable, no irregularity can occur in connection with an election.

If the union so desires, it may insist on compulsory voting by its members. The court is given the power to disallow or to direct a union to alter any rule which might contravene a law, award, order or industrial agreement, or which might be of a tyrannical or oppressive nature, or might impose unreasonable conditions upon union members. Any union member may apply to the court for the disallowance of a rule on the grounds I have mentioned, and may also request that the court direct the performance or observance by the union of any rule.

I might say that similar provisions in regard to rules have been part of the Conciliation and Arbitration Act of the Commonwealth since 1928, and since then have received the commendation of no less an exponent of Labour ideals than Rt. Hon. Dr. Evatt, M.H.R. The example set by the Commonwealth has also been

followed in regard to the keeping and filing of records by unions. The provision in the principal Act that unions shall in January of each year forward a list of members and officials to the Registrar of the court is deleted by the Bill. In its place similar provisions to those contained in the Federal Conciliation and Arbitration Act are included.

These stipulate that a union shall keep records of the names and addresses of its officials and members, and correct accounts of its financial position and assets. Each union will be required to deposit with the Registrar of the court a copy of its register of members, and to acquaint the Registrar each quarter with any alterations in membership. Once a year the union will have to submit a list of its officers and a statement of its financial affairs. All such union records shall be available at any time for inspection by the Registrar or his authorised representative. Should the Registrar be satisfied that the records of any union are being kept in such a manner that they would give accurate particulars in the event of an election within the union, or if the necessity arises for an investigation into any irregularity, he may exempt the union from the necessity to submit lists of members and quarterly alterations.

One of the reasons in the principal Act for the cancellation of the registration of a union is wilful neglect to obey an order of the court. This is extended in the Bill to include wilful neglect of an order of the President of the court, or the Conciliation Commissioner. Section 31 of the principal Act provides that during the pendency of any proceedings before the court no cancellation of registration of a union shall be made, and no registration or cancellation of membership of the union shall have effect. It has been found that this provision has, on occasion, been taken advantage of by less scrupulous people. For instance, as soon as some reference of small importance has been lodged at the court, an industrial difficulty has arisen. Until such time as the reference can be decided by the court, no action can be taken in regard to the possible deregistration of the union concerned, should the conduct of the union during the dispute warrant such a drastic step.

The next series of amendments are of a very important nature. They, too, parallel provisions which are included in the Conciliation and Arbitration Act of the Commonwealth. It is proposed that any person who is a member of a union, or who has been a member within the preceding two months, may request the court to inquire into any alleged irregularity in, or in connection with, an election for office in the union. On receipt of such an application the Registrar of the court is required to make a preliminary examination of the allegation. Should the Registrar, in the course of his investigation, wish

to inspect or take ballot papers, lists, or other material, he may seek the permission of the court to take such action.

Before granting permission, the court will be required to give any objectors to such action the right to submit and have considered their objections. Should the Registrar be satisfied that reasonable grounds exist for an inquiry, he will refer the matter to the court. If not, he will notify the complainant and impose costs against the complainant, if he considers the application to be frivolous or vexatious. An appeal against the decision of the Registrar may be taken to the court. In an inquiry the court will possess similar powers to those conferred on a court of disputed returns by the Electoral Act.

In order that persons knowing of irregularities may not be deterred through financial stringency from approaching the court, the State may, in justifiable cases, meet the expenses of the inquiry. The court may declare an election invalid, order another election, or may alter the result of an election if it is of the opinion that the irregularity has affected the result of the election. Under the Bill a union may request the Registrar to arrange the conduct of an election in order to ensure that no irregularities occur.

If he is satisfied of the bona fides of such a request, the Registrar may conduct the election himself, or arrange for it to be conducted by other officers of the Arbitration Court or by the Electoral Department. All expenses of such election, exclusive of the salary of any State public servant, shall be met by the union. Such matters of personation, undue influence, manipulation, etc., which constitute offences against electoral laws, are shown as offences in this Bill.

Further important amendments concern the ascertainment of the opinion of members of a union by means of a secret ballot. The Bill provides that the court shall have power to direct that the views of the members of a union or of a class or section shall be obtained by such a method. This is a similar provision to that contained in the Commonwealth legislation. Where registration of a union has been cancelled, a secret ballot of those persons who were members at the time of cancellation may be held. Provision is made in this Bill for the efficient and effective conduct of such ballots by the Registrar or other officers of the court, or the Electoral Office. The expenses of the ballot will be borne by the union, apart from the salaries of Government employees or of any amount that the Attorney General shall direct be paid by the Government.

The Bill provides for the repealing of Sections 137 and 138 of the parent Act under which the court is empowered to make orders providing for compliance with awards and agreements or for the pre-

vention of any breaches of awards or agreements, and to impose penalties for contempt of court. These two sections are reworded in the Bill, the intention being to express in a clear and non-technical manner the authority of the court to make and enforce any order which it considers necessary for the avoidance or termination of industrial disputes and dislocations.

These provisions have, as their purpose, the equipping of the court with power to anticipate, and to take the necessary action against, the possibility of any lock-out or strike or the jeopardising of the settlement of an existing dispute. The court would also be enabled to take steps to prevent a possible breach of an award, order or industrial agreement or the possible needless dissipation of union's funds, and to exercise a protective supervision of unions involved, their members and their property. It might be said that these provisions are wide. I must emphasise, however, that they are designed for the protection of the union, its members and property from the insidious attacks of those persons who might endeavour to use the union for the purpose of furthering their own intrigues. No part of the Bill is designed for use as a weapon against the lawful activities of unions and their members.

Recent circumstances have disclosed deficiencies in those discretionary functions of the court which relate to its protective supervision of industrial relations and the desire of the Government is, by means of the Bill, to rectify those deficiencies. I must emphasise that the application of these powers is entirely in the discretion of the court. The authority of the court in regard to punishment of contempt of court is explained in the Bill with a little more detail than is at present contained in the principal Act, for the purpose of resolving some matters which have given rise to a little doubt. Another amendment gives the court discretion to allow legal practitioners to appear and be heard in certain limited circumstances, such as when questions of law are raised and argued.

The penalties for participating in a strike or a lock-out are increased, in the case of a union or an employer, from £100 to £500, and for other persons from £10 to £50. It is felt that the present penalties are not consistent in these days with the gravity of the offence, or of the altered value of money. The penalties provided in the Bill were, originally, equated to those prescribed in the Commonwealth legislation, the primary reason being that if the deterrents in the State were less severe than those applied by the Commonwealth, it would encourage the moving of the enemy of decent trade unionism from the Commonwealth to the State sphere. However, in compliance with the

wishes voiced by the Opposition in another place, nearly all the penalties in the Bill have been considerably reduced.

I have endeavoured to provide the House with a concise explanation of the Bill. Should further details be requested by members I will endeavour to furnish them when replying to the debate. The Bill accepts the principle that the vast majority of workers are sensible, decent people, willing to carry out their responsibilities to manage their industrial unions and industrial relationship in a lawful and orderly fashion and, accordingly, that they subscribe to the principle of supervision by the Industrial Arbitration Court. Experience has proved that in these aims they could be hindered and frustrated by those relatively few persons who impose upon the union movement, as they do on other democratic institutions, for the furtherance of their own sinister and ulterior motives.

The Bill is directed at these disloyal and subversive few as a defensive measure to protect the well-being of the unions, the great majority of unionists and their property, and to assist in the preservation of industrial law and order. In the realisation of these objects, I feel that the Bill must surely commend itself to all those people who sincerely subscribe to the principles of the industrial arbitration system as decent, law-abiding citizens know them and who know how they should be applied and availed of, as a measure supporting and strengthening these principles by defending them against a small section of society which presents a very real threat to the system and principles of arbitration.

In conclusion the following is a summary of the points I have already covered:—

(1) The Bill contains two main grounds—

- (a) To ensure regularity in elections to office in industrial unions.
- (b) To invest the court with certain discretionary powers relating to protective supervision of industrial relationships and preservation of industrial law and order.

(2) In the execution of these designs it provides for—

- (a) Secret ballots for election to office;
- (b) secret ballots on selected issues at the discretion of the judge;
- (c) interpretation of "office," etc.;
- (d) new interpretation of the term "strike";

- (e) empowering the court to anticipate industrial trouble (either a lock-out or a strike) and take preventive action;
- (f) widening of powers of contempt to be used at judge's discretion; and
- (g) increasing and equating of penalties to those prescribed in the Commonwealth Act where comparable.

(3) The Bill emphatically is not designed as a drastic or punitive measure. It is a protective measure designed to preserve the inherent rights of the worker and to guard them against encroachment or interference, while at the same time its object is to ensure the preservation of the arbitration system, which the worker fought for, and which is designed to secure to him and to his employer the benefits of equitable treatment and industrial justice.

I move—

That the Bill be now read a second time.

On motion by Hon. E. M. Davies, debate adjourned.

ADDRESS-IN-REPLY.

Eighth Day.

Debate resumed from the 21st August.

HON. SIR FRANK GIBSON (Suburban) [5.23]: In common with other members, I would like to extend my congratulations to those who had to submit themselves for re-election last May and were returned to the Chamber. It must be gratifying to them to know that their constituents have again shown their confidence in them, and I am quite sure there will be a repetition of the display of that confidence in the future. I congratulate the new members on their election to this Chamber and express to them my good wishes for the future. Speaking of new members, it does not seem so many years ago when I first set foot in this House and yet, looking around at members present, I notice that there are only nine here today who were members when I first entered the Chamber. That shows the changes that can occur in a few years. I also extend my congratulations to the Leader of the Opposition—

Hon. G. Fraser: There is no Opposition here. This is a non-party House!

Hon. Sir FRANK GIBSON: Well, to the leader of the party opposed to the Government. It has been my privilege to know Mr. Fraser for a great many years and I am quite sure his appointment has been received with gratification by his colleagues in this House, not only by those who support him politically, but also by

all who know him. He is particularly keen in debate. He listens to the discussion of any subject and quickly comes to his own conclusions. The appointment must be particularly gratifying to Mr. Fraser as one of the members for the West Province, because he is following a number of men who represented that province and who served with great distinction. I am quite sure that his service will be equal to that of those who preceded him.

The Governor's Speech contained many features of great interest to those who have some concern for the welfare of this State. His Excellency referred to immigration, agriculture, pastoral development, State housing, forestry, North-West development, goldmining, iron and coal, Kwinana, town planning and many other aspects of the activities that usually confront Cabinet.

Immigration, I think, is the one question at present that concerns not only the State of Western Australia, but also the whole of the Commonwealth. Situated as I am in Fremantle, I have had the opportunity of noticing the types of migrants that have been arriving here over the years, and I have come to the conclusion that those of recent months are much superior to those who came here in the early days of the immigration movement. Earlier we had many people coming from the shores of the Mediterranean; people who had never ploughed a furrow or sowed a bushel of wheat in the whole of their existence and who probably came here to seek a living in the congested sections of the various capital cities of Australia. But, of recent months, the men who have arrived have been of a different type. Fortunately, most of them have come from our own Motherland. It is that type of migrant we should be looking for in this country.

Something like 67,000 people have landed in Western Australia during the last few years. That movement of population, of course, has brought in its train housing and other difficulties which have had to be met by Governments of varying political colours. The influx of 67,000 people into a State such as Western Australia has necessitated the building of many houses to provide them with accommodation. Whilst I have heard some criticism levelled against the Government for what has been done in any particular area, I think the present Government and the one that preceded it have done all that could possibly be achieved.

Migration is a subject that is causing a good deal of worry and anxiety at present. We in Australia are, I think, living in what might be regarded as the most vulnerable portion of the world's surface, occupied only by white people. The vast majority of Australians are in favour of the "White Australia" policy, with which I agree. However, I am concerned as to

how that policy can be maintained in the future. I listened with interest to Mr. Barker when he was speaking of conditions in the North-West. He referred to the great open spaces and also, in passing, to the millionaire companies in that area. I do not know about those companies, but I know of one that invested millions of pounds up there and probably did not get one penny back. I am quite sure that the hon. member was not including such families as the Duracks and the Drake-Brockmans in his remarks.

Hon. C. W. D. Barker: That is quite true; I did not include them.

Hon. Sir FRANK GIBSON: Something must be done to populate that area. If we do not attend to that phase, we shall lose it in the years to come. We have 1,000,000,000 people living within a short distance of our northern shores. In the Island of Java there are 40,000,000, in Sumatra 20,000,000 and, of course, in Japan and China there are teeming millions. Whilst it was pleasing to read in the Press the other morning that it would be years before Japan and Russia had the means to obtain ships or aeroplanes with which to attack Australia, years do not count for much in the history of nations.

Western Australia is now about 130 years old. One wonders just what will be the position of the country 100 years hence. It was about 40 years prior to 1914 that the American navy first sailed into Japanese ports. At that time Japan was one of the most backward and unknown countries in the world, yet in almost 40 years, and since 1914, she had become one of the greatest industrial nations in the world. She was in a position to take her place alongside France, Great Britain and the United States of America in the war against Germany. If that can be said about Japan, what may be said about the awakening of the people of China and India, with their vast congested areas and with the knowledge that the north of this country is practically unpopulated?

Who will keep the hordes of coloured people out of Australia? Some of the organisations that are keenest about advocating the White Australia policy and do so very vehemently, are those most opposed to the training of our youth for the defence of our own country. Surely we should not depend upon the youth of Great Britain and the United States of America for the defence of Australia, yet today, while the average Australian does not desire that, there are many in our midst who are content to say, "Well, let them come here." I do not know what the future holds for them.

In common with Mr. Barker, I trust that something can be done to promote the development of the far northern parts of Australia and that we shall be able to accomplish there what we hope to do. It is certain that if we do not populate the north, someone else will do so for us.

Hon. C. W. D. Barker: Hear, hear!

Hon. Sir FRANK GIBSON: As regards the immigrants who are arriving in this country, one wonders whether the greater proportion of them will be of any avail in connection with the development of our agricultural and pastoral areas. What is done in the outer parts makes it possible for those residing in the metropolitan area to exist at all. It is not always appreciated that in Western Australia—similar conditions apply in other States of the Commonwealth—over 50 per cent. of the population live within a radius of 25 miles of the Perth town hall. That large percentage of the population could not exist there, were it not for the work carried out in the agricultural and pastoral areas in the provision of the food that is necessary, and so on.

It is essential that the rural population be increased if we are to accomplish in this State what we hope to do. I am indeed glad to know that the activities of the State Electricity Commission and of the Water Supply Department are being directed towards doing what is possible to provide comforts and conveniences for the people who live in the country districts. I trust the time is not far distant when each home there will be supplied with electric power so that families may enjoy the comforts and amenities that are available to city dwellers. That is the least that can be done for them.

I remember an occasion when I, as a member of the Milk Board when it was first established in 1932, accompanied another colleague of mine on the board—the late Mr. John Curtin who subsequently became Prime Minister of Australia—on a visit to the dairying districts to see for ourselves the conditions that existed in the industry at that time. The conditions under which some people were providing a commodity that was essential to the health of the people generally and the circumstances in which the dairymen and their families were living were most deplorable.

In those days it was almost impossible to secure labour; and even if labour were procurable, the dairy farmers could not afford to pay the necessary wages. The result was that on each farm the whole family participated in the work. There was for them no 40-hour week but toil from daylight till dark, seven days a week. As a result of their labours, they received the magnificent sum of 1s. 1d. per gallon for wholemilk.

The Minister for Agriculture: They received less than that.

Hon. Sir FRANK GIBSON: I did not want to exaggerate.

Hon. L. C. Diver: They got much less than that for their wholemilk and cream.

Hon. Sir FRANK GIBSON: What they got for their product was not much more than we pay today for a pint of beer. I know that the position is slightly better now and the farmers receive about 3s. 3d. per gallon. How can we expect people to work in rural areas so hard for such long hours when they appreciate the fact that workers in the metropolitan area are paid more than they receive for work that is half as laborious and carried out under vastly better conditions?

My sympathies are certainly with those associated with the dairying industry and other rural undertakings that make it possible for us to carry on in the metropolitan area. Reference has been made to future industrial development in the State. I know the position in Fremantle. Although that area does not come within the boundary of the province I now represent, members will appreciate the fact that I am keenly interested in the affairs of that centre. Those who are not familiar with what has been done there would be surprised if they were to pay a visit of inspection. We have been told about the development that will take place at Kwinana in the near future.

I have hurriedly glanced through the report furnished by the Honorary Royal Commission that gave consideration to town-planning matters and of which Commission my friend Mr. Hearn and others were members. I offer those concerned my thanks and congratulations upon the work they carried out, and I trust the Government will see fit to give effect to the recommendations embodied in the Commission's report. Town planning should be done on a scale embracing the total area affected, because it cannot be done piecemeal just here, there and elsewhere.

All such work must be co-ordinated, and I hope that in the not far distant future we shall have a man here—I know we have a lady town planner here now—who will apply his wide experience and great capacity in guiding the State in one of the most essential of the features associated with its future development.

Hon. G. Fraser: There is no doubt about that.

Hon. Sir FRANK GIBSON: Mention has been made of electricity matters and the activities of the State Electricity Commission. As members know, quite recently it was necessary for the Fremantle Tramways and Electric Lighting Board to part with the electricity portion of its operations and hand it over to the State Electricity Commission. Practically speaking, we had to do it. We had an agreement with a guarantee of a further 16 years of supply, and under it we certainly were being supplied with power at much less than it cost to produce.

From that standpoint we were prepared to make certain changes in the agreement to meet the situation, but our proposals

were not to the satisfaction of members of the Commission and we were told that legislation was being prepared with the object, practically speaking, of compelling us to accept what the Commission stated was the cost of generation. In the circumstances, we were forced to compromise. We had to agree to the Commission taking over the Fremantle power supply. I trust that the people residing in the Fremantle area will be given the same treatment—I think they will—and be provided with the same efficient service that they received formerly before the Commission took over the undertaking.

Hon. G. Fraser: They will hardly get it at the same price.

HON. Sir FRANK GIBSON: As to that, I do not think they could expect it because, as we know, prices generally have increased very considerably, and therefore the cost of current has gone up. In the course of his Speech, His Excellency the Governor mentioned the coal industry at Collie. It was my good fortune some months ago to accompany the Minister for Mines on a visit to the Collie fields, and I was astonished to note the extent to which operations there had been mechanised compared with the situation when I had previously been there. I trust that the industrial life of the community at Collie will not be disrupted by industrial trouble in the future. The miners at that centre have a splendid reputation for reasonableness, and I trust that peace in the industry will continue.

Hon. E. M. Davies: You saw the report in the paper, did you not?

Hon. Sir FRANK GIBSON: Yes, that is what I had in mind. The whole of the development of the State, practically speaking, depends on what is done at Collie. We have heard a lot about the industries to be established at Kwinana—the oil refinery, the steel works, the cement works, and so on. One development that would make all the difference to Western Australia would be the discovery of some method of coking Collie coal. If that were done, instead of our iron-ore being shipped from Yampi Sound to the Eastern States, it could be brought down to Fremantle to be turned into steel, as it were, at our own front door. I understand experiments are at present being carried out regarding this matter, and I trust they will prove successful.

In the course of his contribution to the Address-in-reply debate, Mr. Parker made reference to communism, particularly in relation to the recent strike, which the Minister also mentioned when introducing the Industrial Arbitration Act Amendment Bill this afternoon. I detest communism as much as anyone else does. At the same time, I fancy I would find it difficult to define exactly just what a communist is. I

would say he is a man who does all he possibly can to subvert the laws of the country, break up existing conditions and establish a state of chaos.

Hon. G. Fraser: Some people regard as communists men who disagree with their views.

Hon. Sir FRANK GIBSON: I am not one of those people. I can always see the other man's point of view. In that respect, I have read the views and have heard discussions that have taken place in certain Chambers, that would suggest any Government introducing legislation which it really believed would improve conditions, did so under instructions from some outside persons or bodies—because it was paid to carry out their instructions. I think it is rather dreadful to even suggest that anyone associated with our legislatures would be guilty of doing anything of the sort.

For my part, I do not think all the brains and intelligence are represented by those who sit on one side of the House. I believe that when we decide to adopt a certain course we do so, believing it to be in the interests of the community at large. When it comes to a matter of defeating communism, we should be at one. We know that when it is a question of defeating an enemy outside this country, we are banded together as one. As soon as peace is achieved, we commence fighting amongst ourselves. To me it is pitiful that in peace time we cannot have the same co-operation and the same utilisation of brains and intelligence that are to be found in the members of all political parties, united in working for the benefit of Australia as a whole.

To me it is interesting to note that only in the Old Country and in Australia—I may be wrong in this, but I believe it to be true—is there this definite distinction between Labour and non-Labour. It does not apply elsewhere. In other parliamentary institutions, simply because a man is a unionist it does not mean that he must sit on one particular side of the House. Unionists are found seated on either side of the House. On the other hand, in Australia and in the Motherland, if I am a unionist I can sit here; if I am an employer of labour, I must sit there. If the brains and intelligence of all parties could be utilised for the common weal, it would make all the difference.

As to the recent strike, I shall not say anything much about it. I do not know who was responsible for it and whether it was due to the work of communists. What I do know is that we have in existence the Arbitration Court, and the matter could have been settled by an appeal to that tribunal many months ago, as it is going to be settled today, without the deplorable suffering and inconvenience created by what has happened. I am hoping that as a result of what has occurred,

wiser counsels will prevail in future. When difficulties of this sort arise, I trust that sweet reasonableness will be the guiding principle and there will be a resort to the court appointed by the laws of the State.

I understand that these matters are being approached in other parts of the world by an organisation known as the Moral Rearmament Association. As a result of this, leaders of all sections of political thought are getting together to improve conditions in the industrial life of the community. In the Old Country, many industrial disturbances have been settled by the activities of members of this organisation. They meet annually at a place called Coeuvre in Switzerland, and I think that a son of a former Premier of this State, Hon. F. J. S. Wise, is connected with the organisation and another Perth lad is also associated with it.

The organisation is doing a remarkable work in the settlement of industrial troubles, particularly in the coalmines of the Old Country and on the Continent; and I wonder whether something of that sort could not be done here. Unless there is a change in the minds of the people and a desire to do the right thing, we shall not get very far. The organisation to which I have referred is trying to inculcate the idea in people's minds that it is not a question of who is right, but what is right; and if we can develop that attitude, we shall have a much happier time industrially than we have experienced for a very long period. I support the motion.

HON. C. W. D. BARKER (North) [5.46]: As a member for the North Province, I feel it my duty to answer the suggestion made by Mr. Parker that the North Province should be embodied in the territory controlled by the Commonwealth Government or that it should be made a State separate from Western Australia. We, the people of the North Province, are proud of being Nor'-Westers, or Kimberleyites, but we are doubly proud of being Western Australians. In my opinion, to sever the northern part of the State from Western Australia would be equivalent to the act of wringing the neck of a black swan which promised in future to lay a golden egg.

Even if the egg were to be laid at Exmouth Gulf without a shell, or even if it were to be laid in the Kimberleys with a shell as hard as granite or limestone, or with a yolk of uranium; or if that egg were to be laid at Ragged Hills or Kooline and was made of lead; or even if it were the biggest egg in the world, stringy and blue like the asbestos at Wittenoom Gorge, it would still be a stupid act to wring the neck of that black swan. And when that egg was cooked, we would find there was plenty of beef and mutton to go with it, and huge helpings of tropical fruit salad for dessert. It would be cooked in pots made from the product of the

finest iron-ore in the world, and served in dishes of silver and gold, and would be put on a tablecloth of the finest wool.

Hon. H. S. W. Parker: Some egg!

Hon. C. W. D. BARKER: In spite of this, the hon. member would wring the neck of that black swan. We must not give away one inch of our State. Nor must we surrender one inch of our broad acres. They must not become a handicap, but our strength. The Government must adopt a courageous policy towards the development of the North. The hon. member referred to the trade that could be done with the North Province if it were split from this State; but that might not be so. We have in the North Province one of the largest potential sources of hydro-electric power in this State, and we have a rise and fall of tide of 35ft., and the tide rushes in and out of the inlets at the rate of 18 knots an hour.

Hon. H. S. W. Parker: Where does that 18-knot tide occur?

Hon. C. W. D. BARKER: At Derby; and anywhere from Broome onwards there is a rise and fall of 35ft.

Hon. H. S. W. Parker: It was 10ft, the other day, when I was there.

Hon. C. W. D. BARKER: I beg to differ. I know the tides very well. We have all the raw materials necessary to manufacture goods. The financial problem associated with the development of the North could be solved. The basic development of any country lies in the development of the land itself, its mineral, pastoral and marine wealth and its many other sources of potential wealth. If money were needed tomorrow to fight a war, millions of pounds would be found, and would be lost. But the millions needed to develop the North Province would be returned tenfold. We must not talk of surrendering the North, but must promote closer settlement there, exploit the potential wealth of the country and, as I said previously, let our broad acres become not a liability but a source of strength and wealth.

I would like to speak now on the urgent question of our coloured minority, particularly as I see it in the North Province. The coloured people of mixed bloods are increasing at an alarming rate, and I warn the Government that this problem should be tackled now while we have a chance of successfully achieving the assimilation of these natives into our way of life. I find people reluctant to discuss this subject, but we can no longer pass it off with a shrug of the shoulders, for if we do we are going to leave for the future a legacy such as is found in many countries of the world today where they have the hopeless problem of a coloured minority simmering in their midst.

It is my confirmed opinion that the only way we can attain success in any approach to this problem is to have the

full support of the general public. Are they willing to accept the assimilation of these people into our way of life? If not, it is all in vain. When dealing with the question of full-blood aborigines, there is a great danger of our becoming too idealistic. We all know that in the past our native minority has been treated shockingly. I think we must all realise that in dealing with full-blood aborigines we are concerned with people who are living 10,000 years behind us, who are just stepping out of the Stone Age; and the transition must be gradual and slow.

I am speaking from my knowledge of the full-blood aboriginal in the North-West and the Kimberleys, for I feel sure that the native problem in the south is entirely different, owing to the environment of the people there. That refers only to full-bloods, for the problem of mixed bloods—that is, half-castes, quarter-castes, etc.—is quite different, and in the North it is becoming a serious and urgent problem. Lots of these folk are beyond the jurisdiction of the Department of Native Affairs, having received citizenship rights. In the North Province there are 6,098 full-blood and mixed-blood aborigines under the jurisdiction of the department, and there are 231 coloured people with citizenship rights.

Out from Anna Plains in the far North there are still a number of tribal natives, but their numbers have been greatly exaggerated. It is very difficult to take any census of these people, but I would put the figure very low indeed. What I want to deal with, however, is the position of the full-bloods, the coloured people under the jurisdiction of the department, and those who have citizenship rights. I believe that most of the money we have to spend on full-blood aborigines should be expended on the education of the children, because it is only through them that we can attain any success with native welfare work. The older people are steeped in their own native laws and superstitions. They still practise initiation ceremonies and native rites, and resent any intrusion on our part.

The majority are happy working on stations; and in past years the department, with the co-operation of station-owners and employers, has made their lot much easier. But to expect to lift them to our way of life is impossible. However, if we concentrate on the children we can do much to achieve that object in their generation. Full-bloods working on stations today receive good food and clothing, and from 15s. to 30s. per week, and attempts are being made to house them in prefabricated huts. For every man employed on a station, the station-owner will feed and clothe between three and four of the man's relations.

I realise that it would be a difficult problem to educate the children while they are under the influence of their Stone

Age parents. Right in the middle of the process, they want to up stick and go walk-about, so we need to have some rigid control over them. There is talk of preserving native rites, customs and superstitions—culture, if members like—for the future, but that is rot and nonsense, for they contribute nothing to native welfare. I suggest that the only way to handle the problem is to build schools in the district where the children can be taken as they become of kindergarten age and taught useful crafts and trades. The girls could be taught domestic science, as we know it.

Hon. H. S. W. PARKER: Is that not being done now?

Hon. C. W. D. BARKER: Not yet. There are people who say it is cruel to take children from their parents; but we separate ourselves from our children in lots of cases during their period of education, and if schools were built in the districts where the parents live, I do not think there would be any undue hardship. I am certain we would be tackling the problem with some prospect of success in sight, for, equipped with education as near to our standard as possible, they would naturally want to help uplift themselves, and it would gradually come about that there would be no problem at all. Once having embarked on such a plan, we must follow it through with the greatest persistence. I am sure that if we do that we will achieve a great measure of success.

The position of the coloured man—not the full blood but the half- or quarter-caste—in the majority of cases is that he has received some education and is ready for further advancement. It is now to a great extent up to us, the general public, to do something for him. Are we prepared to accept him into our society? If not, our efforts are in vain.

We must remember that our own race is responsible for his condition and surely, in view of that, we owe him a great deal. He is ready and willing to assimilate our way of life but so far we are doing nothing to help him. He lives on the fringe of the towns in substandard dwellings and no attempt has yet been made to build a home and offer it to him at a reasonable rental. In many cases there is no sanitation or even water supply in the camps of these unfortunate people: camps, I say, because they can be classed as nothing else. Until these folk are decently housed there is little hope of their lifting themselves above their present state.

Their children are being educated at State schools and mission schools, but if we really wish to help these people and give them a chance of entering into our way of life, we must build them decent homes. Most of these unfortunates work in and around the towns along the coast, and they are multiplying at an alarming rate. The families average three or

four units, and I believe that in the future we must find some industry into which they can be absorbed. There should be no difficulty about that in the North because the opportunities there are tremendous if the Government will adopt the creative policy that I keep mentioning in relation to that part of the State.

I come now to the important question of citizenship rights, which goes to the very fundamentals of our native affairs policy. If our goal is eventual assimilation of these people into our society we must make drastic amendments to the native's bill of rights. The State will have to do much more for these coloured people than has been accomplished in the past. Why should a coloured person, who can work and keep his family—and who needs no help at all from the Government—require special legislation to secure for him citizenship rights.

Hon. G. Fraser: Do you think the legislation to prevent him from getting those rights?

Hon. C. W. D. BARKER: He pays taxes and makes his social services contribution and yet he is denied the right to call himself a citizen. In my opinion, he should not have to apply for citizenship rights as he is already a citizen. Why should he have to take out a license—and be licensed like a dog—to show that he is an Australian, when he was born here, has worked here all his life and has proved himself to be a worthy citizen? I know of coloured men in the North who served in the recent war but who have not yet received citizenship rights. They have refused to make application because they consider themselves already good citizens and are too proud to wish to have to show a tag in order to prove they are Australians.

I have found these people to be good and honest workers, with a real love for this country, eager and anxious to improve their position in life. I have often heard it said that to give these people citizenship rights is simply to give them a permit to drink, but I deny that. There is only a small proportion of them that drinks intoxicating liquor at all, but when one of them does so we are sure to hear all about it. Perhaps if those people could be better treated they would not wish to drink to excess.

There are good and bad among all types of people and there are plenty of fine men among our coloured folk. Given the chance, they are good sportsmen and join in the activities of the local sports clubs as good and decent citizens. Once we show them that we respect them as citizens, they try to live up to that respect. I have been asked, here down south, whether it is possible for these people to attain a standard of living anywhere approaching ours and my reply is that they can do so, because in the North there are many

coloured people—both with and without citizenship rights—who live as ordinary members of the community. They attend all public functions, are decent citizens and are proud of their towns.

I have seen white and coloured girls playing together in basketball teams without any of them being in the least conscious of any difference in the pigmentation of their skins. There is much to do in this field of work but little can be achieved unless the public stand wholeheartedly behind the Department of Native Affairs. The department could do much to help in that regard by educating the public to accept the coloured people as worthy citizens. I feel sure that the Press would co-operate fully. I desire to compliment the department on the establishment of Alvan House and if any member has not yet seen that institution I advise him to do so and even to meet the girls. Having done that, I am sure all members would add their voices to mine in asking the Government to establish a similar home for coloured boys in the metropolitan area.

Hon. F. R. H. Lavery: They are no different from other girls.

Hon. C. W. D. BARKER: Of course not. We, as Australians, are proud of our willingness to give anyone a fair go, and that is all I ask for these people. This subject is quite outside the field of party politics and I think we should form a committee of all parties to study the question and try to find a solution of this grave problem. I hope all members will join with me in seeing that in the near future something is done in this matter.

Recently I read some interesting news about the discovery of uranium ore in South Australia and in the Northern Territory. I have also read of what the Government of South Australia and the Administration of the Territory have done to assist prospectors in the discovery of that ore. In the Kimberleys, adjoining the Northern Territory, we have miles of the same type of country as that in which uranium ore has been located. I refer to limestone country backing up on to granite. What I want to know is whether we in this State are, as usual, going to be last in the field.

I made inquiries at the Mines Department a little while ago for a geiger counter to be loaned to a responsible person in Derby—a man who is prepared at his own expense to prospect the country along the coast and in the vicinity of Mt. Broome—but I was told that there are only three of those instruments in the State and that they cannot be loaned. I am informed that one must send the ore to one of three different centres to be sampled. I am afraid that would mean moving the Kimberleys down to be tested. In the Northern Territory and South Australia geiger

counters are loaned to approved persons, with the result that the ore has been discovered in both those places.

Hon. H. S. W. Parker: You would still prefer the Government of Western Australia to control it?

Hon. C. W. D. BARKER: I do not think we should delay any longer. An earnest effort should be made to see what are the prospects of finding uranium ore in the North Province where there is, as I have said, plenty of country identical with that in which large deposits of radio-active ore have been discovered in the Northern Territory.

Finally, I would like to bring before the notice of the general public the possibilities of Carnarvon as a winter holiday resort. It is the Florida of Western Australia, having a beautiful winter climate, with temperatures ranging from 70 to 90 deg. If someone had the courage to build a holiday camp of bungalows there, I am sure it would return a large profit. There is much of interest in the vicinity of the town, including beautiful beaches along the coast and pretty islands, together with an interesting project—the whaling industry—tropical plantations, golf, tennis and the finest fishing in the world. We of the North Province have been accused of grumbling and of not being satisfied. We shall continue to grumble—if necessary until we shake the very foundations of this House—unless something is done towards developing the North.

On motion by Hon. E. M. Heenan, debate adjourned.

House adjourned at 6.10 p.m.

Legislative Assembly

Tuesday, 26th August, 1952.

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

MURCHISON ELECTORATE.

Seat Declared Vacant.

Mr. SPEAKER: I have received the certificate of the death of a member—

We, the undersigned, being two members of the Legislative Assembly, do hereby certify that William Mortimer Marshall, a member of the said House serving for the Murchison district, died upon the 19th day of August, 1952, and we give you this notice to the intent that you may issue a writ for the election of a member to supply the vacancy caused by the death of the said William