whether or not too much time was spent in travelling, and he should be a better judge than a man who spends a day or two in London.

Mr. Thomson: The man who was previously in the job suggested the purchase of the house.

The PREMIER: But he was a wealthy man and could afford to spend the money if he so desired It was a large house because that Agent-General had a large family.

Hon. G. Taylor: How would you like Putney as a residence if you were the ambassador representing this State?

The PREMIER: I would not care about it at all. I would prefer to have a flat that would be more convenient. The flat occupied by Mr. Angwin is that which was formerly occupied by Sir Hal Colebatch. I know both those gentlemen found it much more convenient.

Vote put and passed.

Progress reported.

House adjourned at 11.16 p.m

Legislative Council,

Wednesday, 17th October, 1927.

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

QUESTION—COLLIE COAL FOR POWER STATION.

Hon. E. ROSE asked the Chief Secretary: 1, How many grades of Collie coal are purchased by the Government for use at the East Perth Power Station? 2, What are the prices paid per ton for each on trucks at pit's mouth? 3, What is the cost of haulage per ton, including all shunting charges, from coal mines to East Perth Power Station? 4, Do the above charges include the cost of returning empty trucks from Perth to Collie?

The CHIEF SECRETARY replied: 1, One—small coal. 2, 12s. 6d. 3, 12s. 4, Yes.

QUESTION—MINING, VENTILATION.

Hon. H. SEDDON asked the Chief Secretary: 1, What method of ventilation, other than natural, is employed on the mines of the Golden Mile? 2, What equipment has been provided to ensure an adequate supply of air to underground workers during their shift? 3, What mines have ventilating fans installed? What is the capacity and location of each? 4, Have measurements been taken in each mine of the quantity of air per minute passing from the upcast shaft during the working hours? If so, what were the figures in each case?

The CHIEF SECRETARY replied: 1, The mines on the Golden Mile are ventilated mainly by natural ventilation, but also use the air liberated from the compressed air means to operate Venturi and other blowers and to work appliances such as drilling machines, Holman hoists, winches and air lifts, the air from which increases the ventilation. Air blown directly from the drill hoses is much used for ventilating foul ends. Fans, mostly driven by compressed air, are also used in various parts of the workings to assist the natural air currents. 2, Answered by No. 1. 3, The fans in use are mostly small "booster" fans, no mine on the Golden Mile yet having installed one large ventilating fan to take control of the whole mine ventilation. The small fans are in most of the larger mines, and their location is changed from time to time as required. To obtain particulars of the location and capacity of each fan it would be necessary to refer to Kalgoorlie, and the information when obtained would be of little practical significance and not worth the expense of preparation. 4, Measurements of the air-currents in the mines are made frequently at such points as are best suited for obtaining them, and are largely recorded. The

annual reports of the Department of Mines give particulars in the annual reports of the inspectors of mines. The request for the figures in each case would require tabulation of a very large number of measurements extending over not less than 25 years, which would not give information commensurate with the cost of compilation.

LEAVE OF ABSENCE.

On motion by Hon. G. W. Miles, leave of absence for three consecutive sittings granted to Hon. Sir Edward Wittenoom (North) on the ground of urgent private business.

BILL—FERTILISERS.

Recommittal.

THE CHIEF SECRETARY (Hon. J. M. Drew—Central) [4.37]: I move—

That the Bill be now read a third time.

HON. A. LOVEKIN (Metropolitan) [4.38]: I move an amendment—

That the Bill be recommitted for the purpose of further considering Clause 9.

Amendment put and passed.

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

Clause 9—Offences relating to the sale of unregistered fertilisers or the use of unregistered brands or names, or of unbranded packages:

Hon. A. LOVEKIN: This clause provides that it shall be unlawful for any person to apply, advertise or in any way make use of any unregistered brand or name to or in connection with any fertiliser. The word I do not like in the clause is "advertise." For this makes an innocent person responsible; that is to say, an innocent newspaper that accepts and publishes an advertisement which is unlawful under the Act. The same principles apply whether to such an offence under this measure, or to the law of libel. A libel is an unlawful act when published by a newspaper, and the same principle in law will apply to this offence. Of that I am quite certain, notwithstanding the Crown Solicitor's memorandum to the Chief Secretary advising that the newspaper would no be responsible for publishing such an adver tisement. In the case of Colmore v. Pal more (1 C.M. & R. 73), it was held tha everyone who writes, prints or publishes a libel, or is in any way responsible for it being written, printed or published, may be sued by the person defamed. And to such an action it is no defence that another wrote it, or that it was printed or published by the desire or procurement of another, whether that other be made a defendant or not. All concerned in publishing the libel or in procuring it to be published are equally responsible for all damages which flow from the joint publication, whether the author be sued or not. Then there is the case of Harrison against Pearce, to be found in 32 "Law Times," page 298. There it was held that the proprietor of a newspaper is liable even for an advertisement inserted and paid for in the ordinary course of business; although the plaintiff is bringing another action against the advertiser at the same time.

Hon. A. J. H. Saw: Is that concerning the law of libel?

Hon. A. LOVEKIN: Yes.

Hon. A. J. H. Saw: What has that to do with fertilisers?

Hon. A. LOVEKIN: I thought I had explained that the same principle applies to the publication of something that is unlawful and to a libel, which is an unlawful publication. What is contemplated here is an unlawful publication, and the same principle must apply. I want to make it safe for the newspapers if they innocently take an advertisement regarding some of these fertilisers, which is made unlawful under the Act. Then there is another case which supplies a precedent regarding the law of libel. Of course a precedent on the exact subject cannot be found in any of the books, so we can only apply the reasoning to the publication of other unlawful matters. In De Crispigny v. Wellesley, it was laid down that if a man receives a letter with authority from the author to publish it, the person receiving it will not be justified, if it contains libellous matter, in inserting it in the newspapers. No authority from a third person will defend a man against an action brought by a person who has suffered from an unlawful act. After many years experience of newspapers, I

submit that the newspaper inserting an advertisement—not the person who hands in the advertisement—is the party liable for what appears in that advertisement.

Hon. J. Nicholson: Is the party primarily liable.

Hon. C. B. Williams: How often have you been fined for libel?

Hon. A. LOVEKIN: I was once fined £50 for inserting a shilling advertisement innocently taken by a clerk. With a view to making this safe for the newspapers, I move an amendment—

"That the following new paragraph be inserted after paragraph (d):—"Paragraph (c) of this section shall apply only to the author of the advertisement, and shall not apply to the printer, publisher or exhibitor thereof in any newspaper or other printed matter."

This amendment will absolutely protect the newspapers in this matter.

The CHIEF SECRETARY: The newspaper would not be responsible for the advertisement. If a paper publishes something containing defamatory matter, the proprietor, the publisher, the editor and the printer are jointly responsible. In this case it is the advertiser alone who will take the blame.

Hon. A. Lovekin: Not according to my idea.

The CHIEF SECRETARY: These fertilisers may be advertised at picture shows. For the amendment to be complete it would have to cover screen advertising.

Hon. A. J. H. SAW: Mr. Lovekin's contention is not sound. No one would say who read a full-page advertisement for Boan Bros. that the people advertising were not Boan Bros. Those who advertise fertilisers are the active agents. The newspaper only publishes the matter, and cannot be said to be advertising the fertiliser. I cannot see that the exemption required by Mr. Lovekin is warranted. It is an offence against good English.

Hon. A. LOVEKIN: The paper is responsible for publishing Boan's advertisement. If the firm puts into its advertisement libellous matter, the newspaper is culpable. If a fertiliser is advertised as being of a certain brand and anyone is injured by buying it, the newspaper must be held responsible. I have had to pay damages for inserting advertisements. I was fined £50 for inserting an advertisement with regard to something that had been lost. The advertisement contained the words "if finder will return it, no questions asked." It was unlawful to publish the words "no questions asked," and the paper was fined. I do not wish to see innocent people mulct in damages for something for which they are not responsible.

Hon. A. J. H. SAW: Anyone who is concerned in the publication of a libel should be responsible. Probably the person who publishes the matter is a greater offender than he who puts in the advertisement. It is not right to infer from the law of libel that this would hold good in the case of fertilisers. Mr. Lovekin argues as if everything that is unlawful is libellous.

Hon. A. LOVEKIN: Dr. Saw now suggests that the newspaper is responsible and should be held responsible. That is what I am trying to avoid in this case.

Hon. J. NICHOLSON: I am sure Mr. Lovekin recognises that the law of libel has no connection with this clause. He has quoted the law of libel merely to support his argument in favour of the amendment.

Hon. A. Lovekin: It is the principle.

Hon. J. NICHOLSON: It would appear that it is not intended to make anyone responsible for publishing the advertisement other than the author. It might be argued that the newspaper proprietor is committing a breach of the Act in publishing the advertisement, but strictly speaking he is not the advertiser. As there is some doubt about the matter, it might be left over for a day or two for further consideration. No one wants to pass a clause which might expose some innocent newspaper proprietor to the risk of a penalty. If there is any risk, let it be made clear that the newspaper is not responsible.

The Chief Secretary: I am advised there is no liability against the paper.

Hon. W. J. MANN: It is very difficult for a newspaper man to deal with matters of this nature. I have yet to learn that the advice of the Solicitor General is always the best. Mr. Lovekin's definition of an advertiser is clear. If his views are correct there is danger in leaving the clause as it stands.

Hon. V. HAMERSLEY: Paragraph (d) is a more serious matter. I do not know whether it refers to wholesalers or retailers of fertilisers. It would be well for us to know to whom it does refer. Surely it will not implicate some retail firm which sells small parcels of fertilisers to the proprietor

of an ordinary household garden. I cannot think it would be necessary for every such package to be marked in the way indicated.

Hon. C. F. Baxter: It only refers to quantities greater than 1 cwt.

The CHIEF SECRETARY: If the hon. member will look at Clause 3 he will find it says:—

> This Act does not apply—(a) to the sale of bulk lots of fertilising compounds to a fertilising manufacturer; (b) to the sale of a fertiliser in a less quantity than 1 cwt.; provided that Section 9 shall apply to such a sale as mentioned in paragraph (b) hereof.

That is, the sale of a fertiliser not less in quantity than 1 cwt.

Amendment put and a division taken with the following result:—

Ayes	13
Noes	10
Majority for	3

Ayes.

Hon. C. F. Baxter	Hon. W. J. Mann
Hon. J. Ewing	Hon. G. W. Miles
Hon. J. T. Franklin	Hon. E. Rose
Hon. E. H. H. Hall	Hon. H. Stewart
Hon. E. H. Harris	Hon. C. H. Wittenoom
Hon. G. A. Kempton	Hon. J. Nicholson
Hon. A. Lovekin	*(Teller.)*

Noes.

Hon. J. R. Brown	Hon. Sir W. Lathlain
Hon. J. M. Drew	Hon. A. J. H. Saw
Hon. G. Fraser	Hon. H. A. Stephenson
Hon. V. Hamersley	Hon. C. B. Williams
Hon. W. H. Kitson	Hon. E. H. Gray
	(Teller.)

Amendment thus passed; the Clause, as amended, agreed to.

Bill again reported with an amendment.

BILL—PEARLING ACT AMENDMENT.

Returned from the Assembly without amendment.

BILL—RAILWAYS DISCONTINUANCE.

Report of Committee adopted.

BILL—WHEAT BAGS.

Second Reading.

THE CHIEF SECRETARY (Hon. J. M. Drew—Central) [5.5] in moving the second reading said: In April, 1927, a request was received from the Merredin and District Agricultural Society that legislation should be introduced making it compulsory that all wheat delivered at siding's should be branded. They wrote to the Minister for Agriculture as follows:—

> A resolution was carried at our last committee meeting to the effect that—
>
> "We respectfully bring to your notice a suggestion that an Act of Parliament should be enacted making it compulsory that all wheat delivered at the sidings must be branded with the farmers' registered stock brand."
>
> The reason for the above suggestion is on account of the trouble experienced with the samples delivered, and at times, owing to the rush at the sidings, it is not possible to check every bag thoroughly. If the suggestion were given effect to, it would enable the buyers at a later date to ascertain from whom the produce had been purchased, hence enabling them to guard against future purchases from the same sellers. At one siding in the district this year wheat had been received into which sand had been pumped.
>
> Commending the matter to your earnest consideration, and knowing that you will do the best possible for the industry.

In May, 1927, at a deputation from the Co-operative Wheat Pool of Western Australia which waited on the Minister for Agriculture, it was requested that all wheat received from farmers should be compulsorily branded. In March, 1928, in pursuance of the subject, the secretary of the same Wheat Pool, in a letter to the Minister for Lands, wrote:—

> I am directed by the trustees to write to you concerning the proposed Act to enforce the branding by farmers of all bags of wheat delivered for sale.
>
> A number of cases have been brought to the notice of the trustees recently in which earth, machinery parts, and other foreign matter have been found in bags of wheat, and owing to the bags bearing no distinguishing mark it was impossible to discover by whom the wheat had been delivered.
>
> In the case of alleged wheat stealing at Malyalling, where it was obvious that a large quantity of wheat was involved, the only charge that could be proved was that of illegal possession, owing to the bags not bearing the brands of their owners, and a fine of £10 to each of the three men concerned was the only penalty imposed.
>
> The trustees feel certain that the Government are fully aware of the importance of this Act being placed on the Statutes, and they will be glad if you will kindly advise them what action the Government are taking, or proposes to take, in the matter.

In practice it has been found impossible to check every bag of wheat delivered for sale, and, as pointed out in the letter from the Secretary of the Co-operative Wheat Pool some farmers have

been including foreign matter in their wheat, which has a tendency to lower the standard of Western Australian wheat. It will be noted that the Bill has the support of all sections legitimately interested in the wheat industry, viz., the producers, the agents, and the Royal Agricultural Society, which body represents a large number of those engaged in the industry. During portion of the time the State Wheat Pool was in existence it was found advisable to have the wheat bags branded as is now proposed, and statutory authority to do so was obtained. It is to be regretted that a considerable amount of thieving in connection with wheat is taking place in country districts. If bags are branded it is believed it will have the effect of lessening this as branded bags can be more readily traced than unbranded bags, and any person submitting for sale bags with a brand other than his own will be regarded with suspicion. The Bill is an extremely short one. It contains only two clauses, and provides that everyone who consigns wheat for sale, or sells wheat, shall be required to brand his bags with his name and address, or with his registered stock brand, the object being to make it as easy as possible for the grower to comply with the provisions of the Bill. I move—

That the Bill be now read a second time.

HON. J. CORNELL (South) [5.12]: I intend to oppose the Bill because I am satisfied there is no genuine public demand for it and that the wheat producers of this State are not aware what it will entail in the way of cost. It may be all very well to bring down a piece of legislation which, as the Minister has said, contains only two clauses. On his own showing, however, and on the showing of the authorities he quoted, it is designed for one purpose only and that is to catch a few unscrupulous individuals and, as he said, a few thieves.

Hon. H. A. Stephenson: I do not think they are the niggers in the woodpile.

Hon. J. CORNELL: I will come to the nigger in the woodpile shortly. Respecting the farmers themselves, I can say of the farmer, as I have always said of the miner that, by and large, the farmer is just as honest in all his dealings, and very often a little more honest than any other section of the community. At the same time, just as there are black sheep in all flocks, I suppose there are a few farmers, though very few, who will set themselves out deliberately to defraud people.

Hon. J. Nicholson: Black sheep cost less to keep than white sheep.

Hon. J. CORNELL: A blackfellow might cost less to feed than a white man, but I think a black sheep costs as much to feed as a white sheep. It is said that this proposal is not a new one, but that it was in operation during the war period when we had a compulsory pool. There was a lot of legislation in operation during the war that none of us liked, that no one desired to see perpetuated and that no one wishes to see put into operation again. If the branding of wheat bags during the war period was an excellent thing, why was it not retained? We are about eight years removed from the compulsory pool of the war period and during all those years there has been no compulsory branding of wheat bags. Of a lot of the laws enforced during the war we might well say let the dead past bury its dead. It is contended that wheat bags should be branded because wool bales are branded.

Hon. E. H. Harris: Fruit cases have to be branded.

Hon. J. CORNELL: Because wool bales are branded, because fruit cases are branded, and because other merchandise is branded, is it any reason why corn sacks should be branded?

Hon. J. R. Brown: What about branding members of Parliament?

Hon. J. CORNELL: There is a fundamental difference between the branding of wheat sacks and wool bales because the methods of marketing the two commodities are totally dissimilar. Mr. Miles knows that growers of wool brand their bales and class their wool, and when the wool is warehoused it is auctioned or consigned overseas and sold under the grower's name. Many of our wool raisers have a world-wide reputation for their wool because of that system of classification and branding. The same applies to fruit, which is graded and branded and put on the London and other markets under the name of the Mt. Barker Co-operative Fruit Packing Society, for instance. Under such a brand it has gained a European reputation for its superiority and by reason of that it brings a higher price. The branding and marketing of other merchandise may be traced in the same way. But what happens with wheat? Once it is delivered at the

railway siding it loses its identity so far as the grower is concerned.

Hon. V. Hamersley: And we wish to prevent that.

Hon. J. CORNELL: It is impossible to prevent it and the hon. member knows it. The wheat is all pooled higgledy-piggledy in the one stack. Mr. Stephenson, who is in the produce business, knows that a cargo of wheat may be shipped overseas and sold half a dozen or a dozen times before it reaches the consumer.

Hon. V. Hamersley: The same thing applies to wool.

Hon. J. CORNELL: It does not.

Hon. H. A. Stephenson: There is no comparison between the two.

Hon. J. CORNELL: Wool rarely loses the identity of the grower, and I think Mr. Hamersley would rather lose his identity as a politician than that his identity as the grower of certain wool should be lost. There is no comparison or analogy between those other commodities and wheat. Because they are branded, it is no reason why cornsacks should be branded. We have operating in Western Australia at present a voluntary wheat pool, and we also have buyers operating on the open market. Once a farmer delivers his wheat to a siding and hands it over to a buyer on the open market, he receives his cheque for it and all further liability to the farmer ceases. If there is foreign matter in the wheat or any shortage of weight and the farmer escapes detection, the agent has to bear the loss. With the buyers operating on the open market I do not think a farmer gets away with much of that sort of thing. The wheat pool representatives operate at the sidings just as do the buyers on the open market. The wheat is pooled and stacked and trucked and shipped, but until the final dividend is paid by the pool the liability for loss or shortage falls not upon the individual farmer but upon the whole of the farmers selling to the pool. The pool itself does not carry any liability, and that is the difference between selling to a buyer in the open market and selling to the pool. Since the Bill was introduced in another place I have met quite a number of farmers and buyers who operate on the open market, and I have not yet found one of them who desires this piece of legislation. What purpose will it serve? It is said that if the branding of wheat bags is made compulsory it might be possible to counter the losses that now occur on the railways. It is a well-known fact that wheat is often trucked at a siding and that before it reaches its destination some of it is lost, but the branding of bags will not overcome that difficulty. The only way to overcome it is for consignors to pay a higher railway freight and consign the wheat at the risk of the railways instead of at owner's risk.

Hon. A. Lovekin: In any event, whether you pay the higher freight or the cost of branding the bags, you increase the price of bread.

Hon. J. CORNELL: The Bill does not even propose to exempt from branding the wheat put into a mill to be gristed for local consumption. Assume there are 3,000 farmers growing wheat; I think there are more——

Hon. H. A. Stephenson: Considerably more.

Hon. J. CORNELL: Assume there are only 3,000 wheat farmers, I venture to say the cost of complying with the provisions of this measure will cost each of them an average of at least £3 a year.

Hon. E. H. Gray: Rubbish!

Hon. J. CORNELL: If Mr. Gray can devise means for a farmer to purchase the necessary stencil and brush——

Hon. E. H. Gray: The farmer has that on his farm already.

Hon. H. A. Stephenson: Not one in 500 has it.

Hon. J. CORNELL: How long is it since Mr. Gray was on a farm?

Hon. E. H. Gray: I had one, anyhow.

Hon. J. CORNELL: Most of the farmers have not a tooth brush, let alone a boot brush, and how can a farmer buy the necessary stencil, brush and marking material to brand, say, 600 bags of wheat and pay for the necessary labour for less than £3? Even if he did the branding himself, the work would represent time lost to him. This Bill will affect every wheat farmer in the State to the extent of an average of £3 a year, and will impose a tax on the farming community of £10,000 or £12,000. And what for? I have pointed out that the farmer is at liberty to pool his wheat or sell it on the open market. If he sells on the open market, the man to whom he sells does not ask him to brand his wheat-bags.

Hon. C. B. Williams: He should not be ashamed to brand them, anyhow.

Hon. J. CORNELL: If he sells his wheat to the pool, the pool can, if it so desires, refuse to take delivery of it unless it is branded, and no legislation is required to enable the pool to enforce that condition.

The pool can insist upon the branding of wheat bags if it so desires. If the farmer is of opinion that the branding of his cornsacks will assist in the detection of fraud or theft, he is at liberty to brand them. The farmer has to choose between pooling his wheat and selling it on the open market. The man who buys on the open market has not asked that it be branded; the pool has; but we have no right to insist upon any individual branding his wheat. If he likes to take the precaution of so doing in order to protect himself, he is free to do it, but we should not compel him to incur expenditure for branding that is neither warranted nor necessary.

Hon. G. W. Miles: Is the expense the only objection?

Hon. J. CORNELL: It is a big objection, and a valid objection. Whether wheat is branded or not, there is no question that what has been described here will continue. Compulsory branding of stock has not stopped either horse-stealing or cattle-stealing.

Hon. C. B. Williams: It has minimised both, though.

Hon. J. CORNELL: No; people have become more honest. The farmer who wants to protect himself has the remedy in his own hands; namely, to brand his wheat.

Hon. E. H. H. Hall: He wants to protect himself against the other fellow.

Hon. J. CORNELL: If during this session there has been a measure worthy of being referred to a select committee, it is the present measure. Three sections of the community ought to be given the opportunity of stating their opinions on the Bill. One section is that which is mainly responsible for it, namely the wheat pool; secondly, there are buyers on the open market; thirdly, there are the growers of the wheat. Until the opinions of those three sections have been ascertained and considered, there can be no justification for passing a Bill intended to protect certain people at the expense of others. For the present, I oppose the second reading.

HON. C. F. BAXTER (East) [5.33]: This is not the first time the House has discussed a proposal of the kind contained in the Bill. On every wheat marketing measure the same matter has been fully discussed and strong arguments have been put up. Originally the farmers were solidly against branding, but that opposition died down. The Chief Secretary mentioned a great many cases where foreign matter had been added to wheat.

Hon. J. Cornell: A great many? Two.

Hon. C. F. BAXTER: Unquestionably there have been thousands of such cases. During the four years I had control of the wheat scheme, there were thousands of bags into which all sorts of impurities and foreign matter had been introduced. Notwithstanding what Mr. Cornell says, the growers are quite aware of the trouble entailed by branding The hon. member's observations may possibly apply to a new grower, but during the compulsory pools the growers branded their bags, as required by Section 12 of the Wheat Marketing Act, which provided that all wheat acquired by the Minister should be marked with the grower's brand. Stencils have been referred to. They are used by very few farmers.

Hon. J. Cornell: The farmer must have his name and address on his stock brand.

Hon. C. F. BAXTER: No; only his registered brand. Provision should be made for the registering of persons, apart from holders of stock brands, for the purposes of the Bill. The cost of branding per thousand bags would be the few shillings representing a lad's wages. I propose to submit an amendment as to wheat reserved for seed. Many farmers reserve much more wheat than they require for themselves, and they may sell their surplus to neighbouring farmers. It might happen that a farmer reserved wheat for seeding 1,000 acres and was prevented, by weather conditions, from using seed for more than 600 or 700 acres. Exemption should be granted in respect of seed wheat sold by one farmer to another. In fact, that exemption prevailed at the time the wheat scheme was in operation. The wheat pool never interfered with the sale of seed wheat by one grower to another. The Act was intentionally so framed as to exempt the farmer who had seed available for disposal. As to Mr. Cornell's suggestion of a select committee, I fail to see that this is necessary. Bag branding is not new: it has operated for a number of years; and farmers who objected to it at the beginning now say it is a good thing for them and a good thing for the State as well. When we send away wheat containing

foreign matter, or musty wheat held over from a previous season, it has a bad effect on the name of the State.

Hon. J. Cornell: We can stop that by grading and bulk handling.

Hon. C. F. BAXTER: Bulk handling proposals have been turned down.

Hon. H. A. Stephenson: Does the hon. member know that every bag of wheat is sampled before it goes on board the ship?

Hon. C. F. BAXTER: I know that just as well as Mr. Stephenson knows it. In addition to being a grower of wheat, I was Minister controlling the wheat scheme for four years.

Hon. J. Cornell: The Commonwealth wheat pool sold a lot of rotten wheat to India and Egypt.

Hon. C. F. BAXTER: I want to give that statement the lie direct. The wheat referred to by the hon. member was unfortunately shipped from the Eastern States, but it was outside the direction of the wheat pool. Western Australia was in no way concerned in the shipment referred to by Mr. Cornell.

Hon. J. Cornell: I said the Commonwealth wheat pool, not the State.

Hon. C. F. BAXTER: Nor was the Commonwealth wheat pool concerned in that shipment, which was made by the States of Victoria and South Australia. The Australian Wheat Board knew nothing of it until three months afterwards, when there was a rumpus. It was then discovered that Victoria and South Australia had gone outside the pools to dispose of B grade wheat. An honourable understanding was broken in the disposal of that B grade wheat, and it affected the whole of Australia. I see no justification for a select committee on this Bill. Contrary to what Mr. Cornell says, branding does undoubtedly prevent a great deal of thieving. Wheat contained in unmarked bags is a temptation to a certain class of individual. On three different occasions I have had a vehicle enter my paddock, load up with wheat, and get away with it untraced. When trucks bring wheat to the ports, many of the bags are branded, because the farmers, who were compelled to brand under the old wheat acquiring legislation, are continuing the practice. With a minor amendment or two, I can see nothing in the Bill that is derogatory to the farming industry.

HON. G. W. MILES (North) [5.42]: I was waiting to hear the nature of the wheat-buyers' objections to the Bill. From interjections which have been made across the Chamber, I gathered that the wheat-buyers were the only people to oppose the measure. One hon. member who is supposed to know a good deal about the sampling and purchasing of wheat, is against the Bill, and I would have liked to hear the reasons for his opposition. Personally, I am in favour of the Bill. I am neither a wheat grower nor a wheat buyer, but I would like the Government to go further and bring down a measure to provide for the registration of farms, so that each farm in the State would have one name, and one name only, and that no other farm would have that name. When travelling through the farming areas recently, I noticed that one comes across a farm bearing a certain name in one district, and another farm bearing the same name in another district. A wool-grower builds up his type of wool, and then finds that another grower uses the same brand for his wool. That is detrimental to the grower who takes an interest in building up his flock. Wool-buyers do not know from which grower they are buying wool that bears a certain brand. Such a measure as I have suggested is absolutely necessary in the interests of the producers. The proprietor of a commodity registers a brand for it, and similarly there are to-day registered brands for sheep and cattle. There also ought to be registered brands for the produce of the farm. In the Narrogin district there is a stud farm known as "Rosedale," and in the Beverley district there is another "Rosedale" farm. The wool from the latter probably comes on the market as "Rosedale" wool, though the type of sheep is inferior. I repeat, in such a case the buyers do not know from which farm the wool comes. The same argument applies to wheat. As to the cost of branding bags, it is not necessary to put on the full name. All that is necessary can be done with the horse-brand. It would be possible to stamp thousands of bags in a few hours. I hope the House will agree to the measure, and that the Government will give consideration to the suggestions I have made.

HON. H. A. STEPHENSON (Metropolitan-Suburban) [5.46]: Mr. Miles has expressed a desire to hear someone who objects to the Bill. I will have much pleasure

in obliging him with some information. I contend the Bill is the most absurd measure that has come before the House since I have been a member. Mr. Cornell put the matter fairly and has gone over the whole subject. I would like to know what right we have to pass a Bill of this description without giving those primarily concerned—I refer to the farmers and producers—an opportunity to express their opinions for or against the measure. Mr. Cornell mentioned that he had been in touch with the farmers for some time past, and he had not met one who desired the change sought to be effected under the Bill. I know hundreds upon hundreds of farmers throughout the State, and I come into contact with some of them almost daily. I do not know of one who desires this alteration to be made.

Hon. C. F. Baxter: Have you discussed this question with country farmers?

Hon. H. A. STEPHENSON: I can tell Mr. Baxter something about the Wheat Pool. Mr. Baxter has interjected and his voice reminded me of a statement he made recently, a statement that I contend was not at all creditable to him, and represented an insult to the farmers who put their wheat into the compulsory wheat pool during the war period. I do not think Mr. Baxter can honestly say there were farmers who faked their wheat, but he cannot deny the fact that those who controlled the Wheat Pool robbed the merchants and others in connection with the sale of wheat. He cannot deny that hundreds of thousands of bags of wheat that had been stacked in the various parts of the State were brought to Perth at various times. Much of the wheat had been re-bagged at various sidings and stations, and gravel, stone, and soil were included with the wheat to such an extent that some of the bags weighed up to 2 cwt., whereas an ordinary wheat bag, when filled, weighs about 180 lbs. That wheat was sold at auction in Perth and at other yards. The buyers could see only the bags on the top of the trucks, and once the wheat in a truck was knocked down to a buyer, he had to take it as he found it. In that way hundreds of tons of metal and soil had to be bought by merchants and others, and the people who sold the wheat to them received for that metal and gravel, the price ruling for wheat. To say that that sort of thing was the fault of the farmer was a shocking statement to make.

Hon. C. F. Baxter: Who said it?

Hon. H. A. STEPHENSON: The hon. member did, and I resent it on behalf of the farmers.

Hon. C. F. Baxter: On a point of order.

The PRESIDENT: What is the point of order?

Hon. C. F. Baxter: Mr. Stephenson said that I made a statement in which I represented the farmers as being responsible for the wheat he referred to. I say that thousands of bags of wheat went through the pool and they contained foreign matter. That matter consisted of the sweepings when the stacks were cleaned up, and the wheat that contained the foreign matter was sold as inferior wheat. I say that those who bought that wheat knew what they were buying, and they knew it was inferior stuff.

The PRESIDENT: That is not a point of order. That is a personal explanation. Mr. Stephenson may proceed.

Hon. H. A. STEPHENSON: Mr. Baxter suggests that the wheat I referred to was that sold as inferior stuff following upon the cleaning up of stacks. All I have to say in reply is that, if this sort of thing resulted merely from the cleaning up, then the cleaning up process started with the commencement of the Wheat Pool and finished with the pool, too. What I complain of went on practically all the time. From time to time we had deputations and made requests to the representatives of the wheat pool to inspect the wheat. Although they did so on various occasions, they did not once agree to any reduction in price. It was not the fault of the farmers that the wheat got a bad name, but it was the fault of those in charge who took delivery and bought from the various stacks. It has to be remembered that most of those stacks were not covered during the wet months.

Hon. C. F. Baxter: To what year are you referring?

Hon. H. A. STPHENSON: To most of the years during which the compulsory pool was operating.

Hon. C. F. Baxter: Most of the stacks were covered with iron roofs.

Hon. H. A. STEPHENSON: I know the position as it was, and it was decidedly not a fair thing to say that the farmers faked their samples. I have been buying wheat

in this State ever since we commenced wheat-growing. I was in business in the days when we had to import wheat from the Eastern States and New Zealand. On behalf of the farmers of Western Australia, I can say that on very few occasions indeed have their bulk supplies not equalled the samples furnished. The same thing may be said of the farmers to-day. When the grower brings his wheat to a siding, it is there for the buyer to sample. Either the buyer or his representative takes a sample from practically every bag. If there is anything wrong, the fault rests with the man who buys the wheat or receives it. If the wheat is not up to standard, the man who receives it can suggest docking 2d., for instance, and the farmer and the agent or buyer can thrash the question out straight away and that is the end of it from the farmer's point of view. It would not pay any merchant to fake a bag of wheat, because it would cost him more to do it than he would make as the result of the faking. Then as to the cost of branding, that work would be more costly than most people seem to realise. I do not suppose there is any other member in this House who knows as much as I do about it, notwithstanding what Mr. Baxter has had to say.

Hon. C. F. Baxter: I have branded thousands of bags.

Hon. H. A. STEPHENSON: I have bought thousands of bags of various produce from Mr. Baxter, and I have not seen his brand on one of them.

Hon. C. F. Baxter: I was talking about wheat.

Hon. H. A. STEPHENSON: I know what happened, and I know what I am talking about. Many years ago I had occasion to complain to the Railway Department because I was losing large quantities of produce, including wheat, oats, barely, hay, chaff and other produce. I asked the railway officials if they could assist me, and I pointed out that trucks left sidings and country stations with a certain number of bags, and when they reached the city they were anything from one to a dozen bags short. I have had a truck short by 20 bags of oats, and often have suffered heavy losses with chaff. On more than one occasion I stressed my position to the railway authorites, but they said they could not help me unless I sent the stuff at the Commissioner's risk. That, of course, was prohibitive when we were handling heavy bulk produce. I thought the branding of bags would get over the difficulty and I think I was the only merchant who adopted that system for some considerable time. I had a great number of stencils cut, for we were purchasing at a large number of centres. The cost of that alone was considerable. After a little while I came to the conclusion that that practice was not a success, and others concerned in the trade were much opposed to it. They considered it was not a fair thing, and objected to buying and handling the produce that was sent along in bags with somebody else's brand on them. The branding that I indulged in was costly, and the branding proposed under the Bill will prove costly to the farmers. If a farmer buys a bale of bags, he usually takes the bale into the field where the bags can be more easily handled. He has to secure a firm backing for the bags, otherwise he will make a horrible mess of the branding. He cannot get boys to do that work. I had to pay a man to do it and the point is that once you employ a man on bag-branding, he will see to it that he does nothing else. He will take good care that he does not get too far ahead with his branding and he makes the job last. That is what will happen on the farms. I am satisfied that nine-tenths of the farmers in Western Australia are not in favour of this proposal, nor have they asked for it. Why should we add to their difficulties as is suggested by the Government?

Hon. G. W. Miles: How do you account for the fact that the farmers' representatives in both Houses have supported the proposal?

Hon. H. A. STEPHENSON: I could tell the hon. member, but I do not feel inclined to do so.

Hon. J. Nicholson: Could a man or a boy brand more than one bag per minute?

Hon. G. W. Miles: Of course he could.

Hon. H. A. STEPHENSON: I did not take any particular notice, but if I may judge from the way work is done nowadays, I should say that if a man or a boy did a bag once in every five minutes, he would consider he was doing very good work.

Hon J. Cornell: If the bags were branded as Mr. Baxter suggested, they would not be legible after a very short time.

Hon. H. A. STEPHENSON: Mr. Baxter referred to seed wheat, and said that farmers put their seed wheat into secondhand bags. My experience is that the majority of the farmers put their seed wheat in a stack in the field until the necessity arises for using it, or until it is sold to a neighbouring farmer.

Hon. C. F. Baxter: Such instances must be very rare.

Hon. H. A. STEPHENSON: In the majority of instances the farmers exchange, but I have never known of farmers putting their seed wheat into old bags. I am more than surprised at Mr. Baxter making such a suggestion. No farmer would be foolish enough to put his seed wheat into old bags. If anyone in this House knows that fact, it should be Mr. Baxter.

Hon. C. F. Baxter: And you want to teach me my job after I have been at it for 30 years.

Hon. H. A. STEPHENSON: It is well known that weevils thrive in secondhand bags and that is why farmers will not use old bags for their seed wheat. I guarantee that if one were to go to the farmers and offer them £5 to put their seed wheat into old sacks, the majority of them would not do it. Of course, here and there a man might go to considerable trouble and some expense to fumigate old sacks, but no farmer in his sane moments would dream of putting his seed wheat into any but new sacks. Fancy putting seed wheat into old sacks and allowing it to lie for several months in the fields, from January or February till May or June! That is done today, but the wheat is in new sacks.

Hon. G. W. Miles: But the bags must be covered, surely.

Hon. H. A. STEPHENSON: They are not covered. The hon. member does not know what he is talking about.

Hon. G. W. Miles: Could they not put the wheat into Cresco bags?

Hon. H. A. STEPHENSON: Members will agree that I do not get up and talk about things I do not understand. If there be under debate something I do not thoroughly understand, I do not feel justified in talking about it, and so I remain in my seat and keep quiet. As to the shipping of wheat, practically every member knows, or at all events should know, that the sampling is very strictly carried out. It has to be. One cannot do as he likes when sending away a cargo of wheat. It must be done on business lines and by business methods. Many members of this House do not understand either business methods or business morality. A man doing the sampling down at Fremantle is not satisfied with putting the sampler in at one point on the bag, knowing that possibly the farmer has introduced foreign matter at the other end of the bag. So the samplers try the bags all round. Every bag is sampled with great care. One can go down to Fremantle and see a couple of tons of samples taken from individual bags. Yet some members say that the farmer is able to fake his grain and send it to the Old Country, where it becomes prejudicial to the interests of the State. That is all moonshine. I say there is no necessity for the Bill. The people most concerned in it, the men who produce the wheat, do not want it, but are satisfied to be allowed to carry on selling their wheat the best way they can in their own interests. I can quite understand some firms wanting bags to be branded. That is because a farmer might be indebted to one firm, and so that firm expects that it is going to get that man's wheat later on. But some other firm, it may be, offers more money for the man's wheat, and in consequence gets it. If the bags are not branded, the firm to whom the farmer owes money knows nothing about the transaction. But the moment that firm sees "B" for "Brown" on the wheat bags going in, the manager says, "Hello, Brown has sold his wheat to so-and-so." I know that that sort of thing does happen. I am not going to say whether it is right or wrong for a farmer to dispose of his wheat elsewhere when he owes a given firm money. It is done every day. We cannot expect the farmer to sell his wheat at a lower price to the man to whom he owes some obligation. That is one of the niggers in the woodpile. I agree with Mr. Cornell that the Bill should go to a select committee so that those most interested might have an opportunity to say whether or not they agree to it. I will vote against the second reading.

On motion by Hon. A. Lovekin, debate adjourned.

MOTION—MAIN ROADS BOARD ADMINISTRATION.

To Inquire by Select Committee.

Debate resumed from the 9ct October on the following motion by Hon. H. Stewart:—

"That a select committee be appointed to inquire into the provisions of the Main Roads Act, 1925, and the administration thereof."

THE CHIEF SECRETARY (Hon. J. M. Drew—Central) [6.5]: Mr. Stewart's motion asks for a select committee to inquire into the provisions of the Main Roads Act and its administration. In support of his request he makes statements which will not bear investigation, and he gives reasons which should not appeal to any unprejudiced mind. Mr. Stewart's trump card seems to be a letter written by a Mr. Briggs to the "West Australian" in April last, while the Legislative Council elections were in progress. Mr. Briggs, who is chairman of the Armadale-Kelmscott Road Board, is quoted by Mr. Stewart as having said that 400 men had been dumped on a stretch of road near Narrogin Inn on the 5th January, 1927, in time to qualify for votes at the Legislative Assembly elections; that the Board had received no notification from the Main Roads Board that the work was to be done, and that when the Board met the Main Roads Board, Mr. Anketell admitted the breach of the Act and said—"We were forced into it." The innuendo in those words is that Mr. Anketell was driven to do what he did, purely for political purposes. Let me say that the statement of Mr. Briggs, as quoted by Mr. Stewart, is a gross misrepresentation. Mr. Anketell did not make use of any such words, or any words having such an import. The Armadale-Kelmscott Road Board approached Mr. Anketell as a deputation, 19 months ago, and fortunately an accurate transcript of the words used on the occasion is available. Mr. Tindale, the chairman of the Main Roads Board, on reading this portion of Mr. Stewart's speech, wrote a minute to the Minister for Works, as follows:—

Hon. Mr. McCallum: I have looked up the verbatim report of the deputation from the Armadale-Kelmscott Road Board, that waited upon the Main Roads Board on 17/6/27, and to which Hon. Hector Stewart referred, as reported in the "West Australian" of the 10th inst. In particular reference to the statement alleged to have been made by Mr. Anketell. "We were forced into it,"! I show hereunder exactly what was said:—

> Mr. Anketell: "In regard to the failure of the Board to get in touch with the local authority before commencing work, it was acknowledged that this was a lapse due to stress of circumstances, and was not likely to occur again. No discourtesy was intended, and instructions issued would prevent any such lapse being perpetuated."

There is nothing in this to the effect alleged by Mr. Stewart; the stress of circumstances was the desire to get the work going. (Sgd.) Edw. Tindale, Chairman, M.R.B., 11-10-28.

The verbatim report indicates that Mr. Anketell stated the lapse—that is, the omission to give notice—was due to "stress of circumstances," and that instructions had been issued which would prevent such a lapse being perpetuated. The facts, briefly stated, are these: The Federal Aid Agreement, under which £672,000 a year would be made available, received parliamentary approval only on October 7, 1926, and then £350,000 of this money was waiting to be spent. The Federal Minister for Works, in accordance with the practice for the previous three years, had already approved works to the extent of £149,000 being constructed by day labour. That was in accordance with the policy the Federal Minister had pursued during the previous three years. Local authorities throughout the State were agitating for road construction in their districts, and they were reinforced by members of Parliament who were anxious to see as much money as possible expended in their electorates.

Hon. G. W. Miles: Was it not against the policy of the Commonwealth Government to have the work carried out by day labour?

The CHIEF SECRETARY: I do not know, but I know that for three years the Federal Government agreed to it. If action had not been taken without regard to ceremony, the money available could not have been spent within the prescribed time. Hence men were sent to almost every part of the State. Some went before Christmas and others could not be got away until after the New Year holidays. As Mr. Tindale has stated, the necessity for getting on with the work constituted the stress of circumstances of which Mr. Anketell spoke, and which he assured the deputation would not occur again. "We were forced into it!"

is an expression which will not fit into Mr. Anketell's recorded remarks, no matter where an effort is made to dovetail them, and it is clear that Mr. Briggs either misunderstood their purport, or is gifted with a fruitful imagination. I am inclined to think it is Mr. Briggs' imagination which is at fault. There is strong evidence of that in his reference to 400 men being dumped on the job near Narrogin Inn on the 5th January in time to qualify for a vote at the Legislative Assembly elections. In fact his imagination has completely run away with him insofar as this statement is concerned. It is a grossly false statement. The records of the Main Roads Board show that for the week ended 8th January, 1927, the number employed on this work was only 115.

Hon. E. H. Harris: In which electorate was that?

The CHIEF SECRETARY: In Swan.

Hon. E. H. Harris: Can you quote us the figures for all the other electorates?

The CHIEF SECRETARY: I am going to do so. It is clearly implied by Mr. Briggs and quoted by Mr. Stewart that the men were sent out to get on the roll in time for the general elections for the Swan seat. The men were working a mile from the Armadale Mechanics' Institute, which was the chief polling place, and if they got on the roll and voted labour, there is no indication of it in the returns. For instance, in 1927 the Labour candidate, Mr. Huntley, got 283 votes out of 692 polled, while in 1924 the Labour candidate got 265 votes out of 563 polled. Mr. Sampson had a majority of 126 at Armadale in 1927, while in 1924 he had a majority of only 33. So much for Mr. Briggs' statement that 400 men had been sent out, and so much for his innuendo that they had been sent out to vote for the Swan seat at the general elections.

Sitting suspended from 6.15 to 7.30 p.m.

The CHIEF SECRETARY: I think hon. members who are fair-minded will come to the conclusion that there is nothing worthy of serious consideration in Mr. Briggs' charge or in Mr. Stewart's repetition of them. It is on the strength of representations such as these—representations that fall to pieces when they are touched—that Mr. Stewart is to get a select committee to investigate the administration of the Main Roads Board. Mr. Stewart pictures a condition of public mind that calls for the remedy he proposes. He says that when allocations were made by the Main Roads Board under Section 30 of the Act, the outcry against the board and its administration was universal, and came from all who were chiefly concerned in the matter. That is correct as far as it goes, but it does not go very far. He forgets to add that, at the Road Boards Association Conference in August last, after a statement by the chairman of the Main Roads Board, opposition was withdrawn by that conference on all counts but one—the exception being in regard to Section 30 of the Act for which the select committee, of which Mr. Stewart was chairman, was primarily responsible.

Hon. J. Ewing: That is the trouble.

The CHIEF SECRETARY: That has been the principal trouble. I will admit that he was influenced by the resolutions that were carried by the local authorities at their previous conference. The Road Boards Association conference, at its last meeting, passed the following resolution:—

> That this conference do not approve of the appointment of a Royal Commission to inquire into the administration of the Main Roads Act.

Another body had passed this resolution, but when it was submitted to the conference of the Road Boards Association they passed a resolution that they did not want a Royal Commission, that they would co-operate with the Main Roads Board, and would not rake up the past. This will be found on page 16 of the minutes of the Association's conference. The motion was proposed by Mr. Harling of Merredin, seconded by Mr. Bell of Woodanilling, supported by Mr. Grigg of Rockingham, and carried unanimously. Mr. Stewart states that the outcry against the Main Roads Board has been attributed by the Government to political propaganda for electioneering purposes. That is so, and the spasmodic nature of the outcry justifies the conclusion. For instance, just prior to the general elections from the middle of January, 1927, to the third week in March (the elections were held on the 26th March) the atmosphere was reeking with the fumes of Press and platform criticisms of the Main Roads Board and the Government. After the 26th March, except for a few references in Par-

liament during the course of the Address-in-reply until March, 1928, just after the assessment under Section 30 had gone out, and on the near approach of the Legislative Council elections, the attack commenced with redoubled vigour and continued until the Council elections were over, from which date there has been notable peace and quietness. The hon. member argues that if the legislation is bad, the select committee is primarily responsible, but if the evils complained of arise not so much from the legislation as from the administration, then the board and the Government are to blame. If this motion is carried, I would remind members that Mr. Stewart will no doubt expect to be chairman of the tribunal which is to decide this matter, and it will be for him to say whether his select committee of 1925 was right or wrong.

Hon. J. Ewing: He could not be chairman of the select committee.

Hon. A. Lovekin: A select committee can be elected by ballot.

Hon. J. Ewing: He could not take the chair of that committee.

The CHIEF SECRETARY: I do not think he could, and I do not think he should be permitted to do so. The fact that the statement made to the Road Boards Association by the chairman of the Main Roads Board allayed criticism, and that the only remaining cause for complaint was Section 30, shows fairly conclusively that it was the legislation that was at fault, the legislation for which the select committee was responsible, though no doubt the committee were influenced by the local authorities themselves. Mr. Briggs, the chairman of the Armadale-Kelmscott Roads Board is further quoted as having written these words:—

"The local authorities had been promised preference when road construction contracts were being let, but they were disappointed."

Mr. Stewart evidently attaches some importance to this, and regards it as worthy of inquiry. Otherwise he would not have quoted it. A few words will show of what value it is. Prior to the operations under the Federal Aid Roads Act arrangements with the Federal authorities enabled the Public Works Department to negotiate direct with the different local authorities of the State for carrying out the work. Largely, since then the Federal authorities have insisted that tenders should be publicly called for all work rendered necessary under the Act. If, therefore, the local authorities are disappointed, as Mr. Briggs states and Mr. Stewart quotes, it is due to the conditions imposed by the Federal authorities and not to the Main Roads Board, whom Mr. Briggs indicts for something omitted to be done which it was not in their power to do. Mr. Stewart again said—

"The Act provided certain facilities whereby the Main Roads Board could utilise the services of the local governing authorities. Because of the lead given by this House on the recommendations of the select committee, these facilities were made available, but the services of the local governing authorities have not been untilised by the Main Roads Board."

That is wholly incorrect. The Federal authorities insist on tenders being called for all work, and the only opportunity the local authorities have is the opportunity to tender. The Main Roads Board have been able to arrange with the Federal authorities that in cases where no tenders are received they can negotiate and arrange for the work to be done by the local authorities. Further than that there is no power to go. Mr. Stewart again referred to the Narrogin Inn-road, saying that it was started on 5th January and discontinued for months. The truth is that the work was continued until the conditions became so bad through heavy rains that it was wasteful to carry on. It is not a very important point, but it is well that it should be explained. "One of the troubles that has arisen," says Mr. Stewart, "is that the members of the Main Roads Board have admitted they made preliminary assessments to ascertain how they would be received." The Main Roads Board assure me they have never said that they have issued preliminary assessments to ascertain how they would be received. They deny that statement. Mr. Stewart should be fair and recognise the very awkward task that was set the Main Roads Board at the initiation of their operations, especially when they had to engage in important duties and assess the benefits of expenditure to the various local authorities. It would be impossible for them to please all the local authorities, and probably impossible for them at the time to please any one of them. According to the statements they have placed before me, the Main Roads Board have said that they recognise the local authorities had powers of objection under the Act, that they were not so arrogant as to

assume that their assessment would be wholly right, and that after the consideration of the objections they hoped to evolve a formula which would be good for future years.

Hon. H. Stewart: In the essence there is no gross misrepresentation.

The CHIEF SECRETARY: It is different from what the hon. member represented. Mr. Stewart makes a lot of capital out of the fact that the Government Bill sought the traffic fees in return for the construction of main roads at no cost to the local authorities. I would ask Mr. Stewart to remember that in no part of Australia are the local authorities permitted to have the traffic fees under similar conditions. With regard to the report of the Chairman of the Main Roads Board on his tour, I may remark that he has been busy with it for some time past, but has found it hard to concentrate on and complete it owing to the necessity of carrying on the work of administration. It is more important for Western Australia that he should put what he saw into practice—which he is doing daily—as well as making progress with the report. Mr. Stewart tells us that road engineers in other States are looking for the report. I do not know that we are under any particular obligation to supply those gentlemen with a copy—the visit was not made with that object—but there is no reason why we should not make the information available to them after it has been submitted to Parliament. In further reply to Mr. Stewart, a report of the Main Roads Board activities was incorporated in the report of the Department of Public Works for the period 1925-27. This report is being amplified by a comprehensive review of the Main Roads Board's operations since the inception of the body. Mr. Stewart has not in my opinion made out even a shadow of a case for the appointment of a select committee to inquire into the provisions of the Main Roads Act and its administration. The bulk of the hon. member's speech is a defence of himself. He iterates and reiterates a fact—which no one has denied—that he and the select committee were influenced into placing Section 30 in the Act by the recommendations of the Road Board Conference. Next in order of importance, in the hon. member's address, is a laboured attempt to prove that the Bill as passed by the select committee was eminently more favourable to the local authorities than the one which was introduced by the Government. It may or it may not have been so. Whether it was so or not, is a point which is valueless as an argument in favour of the appointment of a select committee. Surely the members of this House do not want to be enlightened by a select committee as to the contents of a Bill which was before them for several weeks only three years ago, and which it is to be presumed they read and understood thoroughly. If there was plenty of time on hand there would be no objection to Mr. Stewart, by means of a motion, originating a debate on the merits and demerits of the Bill as presented and the Bill as passed, but there is no need to call a select committee into existence for that purpose. Then we are told what the "Daily News" reported a Labour candidate as having said. This Labour candidate, it appears, had the audacity to state on a public platform that "The Main Roads Act" was a distinct product of the Legislative Council formulated by Mr. Stewart, M.L.C., and a select committee of six." I do not know whether Mr. Stewart thinks that the culprit is a fit subject to be dealt with by a select committee, or whether there is a proposal in the offing to bring him before the bar of the House to explain his bad manners. The "Westralian Worker" has likewise been sinning, and Mr. Stewart declares its attitude also indicates that it is desirable a select committee should be appointed. It seems the "Worker" wrote that the Main Roads Board were simply administering what was, in effect, a Country Party measure, and that the Board could only be abolished by the Country Party somersaulting on its principles. Presumably, Mr. Stewart, in considering this a fit subject for investigation by a select committee, desires to remove the stain which has been placed on the escutcheon of the Country Party by the irrelevant comments of the "Westralian Worker." Otherwise I cannot conceive why he should have made any reference to so paltry a subject. If we are to have a select committee of inquiry because a Labour candidate in the heat of an electioneering campaign says that the Main Roads Act is a distinct product of the Legislative Council and because a Labour newspaper puts the blame for it on the Country Party—if Press comments like these hurt us to that degree—well, we shall have our hands full with select committees every year from the time the Address-in-Reply

is concluded until the session ends. Another peculiar reason given by Mr. Stewart for the appointment of a select committee is the concluding part of a letter written by a Mr. Becher, Chairman of the Harvey Road Board. Mr. Becher, after endeavouring to prove in a letter to the Press that the Government would have taken more from the local authorities in the way of traffic fees under their Bill than they can take under the Act, ended his communication with these words—

> We have not advanced a step by recent conferences or debates in the House, and the country is anxiously awaiting a statement from the Premier as to future policy.

That expression of opinion by Mr. Becher is one of the grounds on which Mr. Stewart relies for the passage of his motion. Whether the select committee proposed is to frame a policy for the Premier and the Government I do not know, but it looks very much like it. Mr. Becher is in search of a policy and Mr. Stewart intends to supply him with one through the medium of a select committee. There has been no case made out for a select committee, but if one is appointed, Mr. Stewart certainly should not be a member of it. The first essential in any such body is that it should be free from bias—even unconscious bias. That is only fair to all the parties concerned, and in this matter the Main Roads Board is vitally concerned, because it is practically a servant of Parliament. Mr. Stewart's speech throughout shows that his mind is warped on the subject of the Main Roads Act and its administration. He has revealed that he has already come to a definite conclusion in regard to matters he suggests for investigation. Apart from Mr. Brigg's statement—which has been proved utterly groundless—the reasons he gives in support of his motion are the weakest I have ever heard. Because a Parliamentary candidate said that the Main Roads Act was a distinct product of the Legislative Council, because the "Westralian Worker" stated that the Country Party was responsible for the Act, and because Mr. Becher declared Western Australia was waiting for the Premier to declare his future road policy, Mr. Stewart must have his select committee to decide who is right and who is wrong, and also, at the same time, to come to the assistance of the Premier who is unable to formulate a policy to the satisfaction of the Chairman of the Harvey Road Board. The whole thing is too funny for words, and a select committee based upon such trivialities, and especially if presided over by any member who has taken up the attitude of a partisan on the question, would carry no weight at all. For those reasons I cannot agree to the motion.

HON. E. H. H. HALL (Central) [7.57]: I desire to speak to the motion and to say that Mr. Stewart's speech, Mr. Briggs' letter and the speech just delivered by the Chief Secretary are to me like the flowers that bloom in the Spring—they have nothing to do with the matter before the House. This question appeals to me for two reasons. One is the shockingly excessive cost of the construction of the Canning-road, a road situated not in the Kimberleys, nor even in the extreme southern part of the State, but here almost at our very door, and certainly not many minutes from the office of the Main Roads Board.

Hon. E. H. Harris: The Chief Secretary did not refer to that.

Hon. E. H. H. HALL: No, but I am doing so. I have no wish to touch on Mr. Briggs' letter; I am dealing with this as it appears to me and as it should appear to every member of this House. This is not a matter of political significance. It is a matter in which we all should take an active interest to see whether we are getting efficient administration. In that shocking example of the cost of constructing the Canning-road, I contend we have not had efficient administration. If the Main Roads Board is a servant of Parliament, then this House is within its rights in appointing a select committee to find out who is resposbile and where the blame lies. True, we have been told by the Government that the services of an engineer have been dispensed with over that job, but to my way of thinking that is not a sufficient answer to the objections that have been raised. The other important reason why I think in the interests of the board an inquiry should be held is the undisputed fact that, notwithstanding that money is badly needed for the development of this huge State, roads have been constructed where there was not the slightest necessity for them. Consequently from one end of the State to another we have had protests from the local governing authorities—the representatives of the people who are called upon to pay

for the roads and who were never consulted as to the laying down of the roads, this notwithstanding the resolution of the Road Boards' Association after having listened to the address of the chairman, Mr. Tindale. As to the chairman of the proposed select committee, I am entirely in agreement with the Chief Secretary. If I were in Mr. Stewart's place, I should prefer not to act as chairman, in order that the report or decision arrived at by the select committee might not have attached to it any possible suspicion of bias. I shall vote for the motion and I sincerely trust it will be carried.

On motion by Hon. G. A. Kempton, debate adjourned.

BILL—FEEDING STUFFS

Second Reading.

Debate resumed from the 3rd October.

HON. H. A. STEPHENSON (Metropolitan-Suburban) [8.2]: This Bill deals chiefly with the sale of bran and pollard, but the regulations may be extended to embrace other stock foods. It refers to such artificial stock foods as stock licks. I am quite in favour of stock licks and other artificial foods of that description being registered. It is necessary that they should be registered, because we are endeavouring to get our farmers to farm more scientifically and to breed stock more scientifically. It is necessary that they should know the most suitable feeds for their stock. As regards bran and pollard, I consider that the Sale of Goods Act covers all requirements. Clause 4 of the Bill begins—

> (1) Any person who sells any bran or pollard which is not in accordance with the standard prescribed therefor in the Second Schedule to this Act shall be guilty of an offence against this Act.

The Second Schedule stipulates that pollard shall consist of the products of milling wheat other than flour and bran. I ask members to note particularly the words "other than flour and bran." As a matter of fact, pollard is composed of flour and bran, and how on earth is it possible to live up to that standard? The standard will have to be altered in some way or other. Pollard is composed of bran and meal or flour, and the schedule distinctly states that pollard shall contain neither bran nor flour. The Sale of Goods Act of 1895 covers the position thoroughly. Section 11 reads—

> (1) Where a contract of sale is subject to any condition to be fulfilled by the seller, the buyer may waive the condition, or may elect to treat the breach of such condition as a breach of warranty, and not as a ground for treating the contract as repudiated.
>
> (2) Whether a stipulation in a contract of sale is a condition the breach of which may give rise to a right to treat the contract as repudiated, or a warranty the breach of which may give rise to a claim for damages, but not to a right to reject the goods and treat the contract as repudiated, depends in each case on the construction of the contract. A stipulation may be a condition, though called a warrant in the contract.

There is provided all the protection necessary for a buyer purchasing bran and pollard. If a man buys from a merchant five or ten tons of bran and pollard, and, on its being delivered, finds it is not in accordance with the invoice, but contains foreign matter, the purchaser has a right, under the Sale of Goods Act, to claim damages. Many sections of the Act bear on that point, but it will suffice to read Section 52, which states—

> (1) Where there is a breach of warranty by the seller, or where the buyer elects or is compelled to treat any breach of a condition on the part of the seller as a breach of warranty, the buyer is not by reason only of such breach of warranty entitled to reject the goods but he may—
>
> (a) set up against the seller the breach of warranty in diminution or extinction of the price, or
>
> (b) maintain an action against the seller for damages for the breach of warranty.
>
> (2) The measure of damages for breach of warranty is the estimated loss directly and naturally resulting in the ordinary course of events, from the breach of warranty.
>
> (3) In the case of breach of warranty of quality such loss is, prima facie, the difference between the value of the goods at the time of delivery to the buyer and the value they would have had if they had answered to the warranty.
>
> (4) The fact that the buyer has set up the breach of warranty in diminution or extinction of the price does not prevent him from maintaining an action for the same breach of warranty if he has suffered further damage.

Those sections provide all that is necessary to protect buyers of bran and pollard. I can quite understand how this Bill came to be brought before Parliament. To my mind it is based on a mistaken idea. During the last 10 or 15 years flour milling machinery has been brought to such a state of efficiency that there is practically little or no nutriment left in bran and pollard.

Years ago when the milling machinery was not so efficient, and when milling was carried out with stone rollers, the offal, after the flour had been extracted, was a very different commodity from what it is to-day. At that time quite a big percentage of meal was left in the bran and pollard and sharps, but to-day very little flour or meal is left after the extraction of the flour. The bran is the outside husk of the wheat grain or berry, and although we speak of bran and pollard to-day, there is very little difference between the two. Practically the only difference is that the pollard is ground very fine, and the bran is not so fine. About 72 per cent. of flour is supposed to be extracted from the wheat, about 20 per cent. of bran and about 10 per cent. of pollard, so the percentage of pollard is very small. I am quite satisfied that the mills do not get that percentage of pollard to-day. I have samples here and, if any member would like to examine them, he will find that what I have said is correct. Pollard contains a large percentage of bran, the only difference being that it is ground much finer; it has to be run through a much finer sieve than has the bran. To Clause 4 of the Bill is attached a proviso as follows:—

> Provided that the Governor may by regulation amend the said schedule by altering any standard provided for therein, and the schedule as so amended shall have the same force and effect as if such an amendment had been enacted by this subsection.

If this House passed the Bill containing a schedule of the standard, with members perhaps not too well satisfied with the standard, it would be peculiar to give the Governor power directly afterwards to amend the schedule and bring the amended schedule into force without Parliament having had an opportunity to say whether it approved of the amendment or not. Subclause (2) of Clause 4 provides that the Governor may, by regulations—

> require impurities to be removed from bran, pollard, and other food for stock by cleaning, scouring, or other process.

I do not know how on earth bran and pollard can be cleaned or scoured by any process whatsoever. However, there it is. These are matters which should be removed from the Bill. I do not wish to speak at length now, because the whole measure will need to be examined carefully in Committee. I am prepared to vote for the second reading, hoping that the Bill may be got into shape during the Committee stage.

Question put and passed.

Bill read a second time.

House adjourned at 8.18 p.m.

Legislative Assembly,

Wednesday, 17th October, 1928.

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

NOTICE OF QUESTION.

Mr. THOMSON: I give notice that to-morrow I shall ask the Premier: Will he request the Auditor General to indicate to this House what, in his opinion, is the correct amount that should be charged to public salaries on revenue account, as per his criticism on page 38 of his report of 1927?

Hon. G. TAYLOR: I think such a question should be put through Mr. Speaker.

The Premier: Leave it till to-morrow; I shall answer it.

Hon. G. TAYLOR: The Auditor General is not under the control of the Government; he is under the control of Parliament, and if Parliament desires information on the lines suggested by the member for Katanning, Mr. Speaker should be asked to get into communication with the Auditor General.

The Premier: We might bring him to the bar of the House and cross-examine him!