

Clerk a long spell of leisure, happiness and prosperity.

Question put and passed.

### CLERK OF PARLIAMENTS, RESIGNATION.

The PRESIDENT: It is with extreme regret I have received from Mr. Bernard Parker his resignation as Clerk of Parliaments and Clerk of the Legislative Council. During the whole of the 22 years I have been a member of this Chamber Mr. Parker has been an official and I have always found him ready to come to the assistance of members. My association with him became close when in August, 1923, I was elected Chairman of Committees, and that association became closer still when, three years later, I was elected President. I can freely say that in my capacity as President, and also when I was Chairman of Committees, Mr. Parker was of very great assistance to me by reason of his extensive knowledge of Parliamentary practice and the Standing Orders. Furthermore, his work in the keeping of the minutes, attending to the correspondence and the many other duties pertaining to his office was always commendable. I know I shall miss him very much, but I hope he will be long spared to enjoy his well deserved rest. In his letter of resignation to me he states that he looks back on the 25 years during which he has been an official of the Council as amongst the happiest of his life, and he asks me to express to members his deep sense of the extreme consideration and kindness he has invariably received from them collectively and individually, the memory of which will always be to him a source of heartfelt gratitude.

*House adjourned at 1 a.m. (Thursday).*

## Legislative Assembly,

Wednesday, 17th December, 1930.

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

### QUESTIONS (3)—LAND SETTLEMENT.

#### *Australind-Lake Clifton Road.*

Hon. W. D. JOHNSON asked the Minister for Lands: Will he between now and the next session of Parliament, cause an inquiry to be made concerning the large area of cultivable and practically unimproved land situated on each side of the Australind-Lake Clifton coastal road, with a view to submitting a report to Parliament explaining why this land is not used for production?

The PREMIER (for the Minister for Lands) replied: A close investigation will be made and report submitted to Parliament when the work is completed.

#### *Bunbury-Capel Road.*

Hon. W. D. JOHNSON asked the Minister for Lands: Will he, between now and the next session of Parliament, cause an inquiry to be made concerning the large area of cultivable and practically unimproved land situated on each side of the Bunbury-Capel-road with a view to submitting a report to Parliament explaining why this land is not used for production?

The PREMIER (for the Minister for Lands) replied: A close investigation will

be made and report submitted to Parliament when the work is completed.

#### *Unutilised Land.*

Hon. W. D. JOHNSON asked the Minister for Lands: If he finds that the State's economic progress is being hampered by the non-utilisation of land mentioned in the preceding questions, will he take such action as he deems necessary to protect the State against the loss associated with land monopoly?

The PREMIER (for the Minister for Lands) replied: The matter will be carefully considered to provide an equitable remedy if the necessity exists.

#### **QUESTION—FIREARMS, LEGISLATION.**

Mr. GRIFFITHS asked the Minister for Police: 1, Has he noticed that the Chief Justice is added to the list of judges and coroners and Commissioner of Police who have protested against our loose legislation regarding the purchasing of firearms? 2, Will he introduce legislation to deal with the purchasing of firearms during the coming year?

The MINISTER FOR POLICE replied: 1, Yes. 2, Yes.

#### **QUESTION—SOLDIER SETTLEMENT.**

Mr. GRIFFITHS asked the Premier: 1, What amount of money was made available by the Commonwealth Government to assist soldier settlers whose properties were over-capitalised? 2, Has all the money been exhausted? 3, Did the major part go to stabilise the dried fruits and dairying industries? 4, What amount went to the two industries mentioned and what to the wheat growers and sheep raisers? 5, Seeing that a number of settlers are unable to pay for bags, stores, men's wages, insurance premiums, and spare parts, will the Government take the necessary steps to get the Farmers' Debts Adjustment Bill into operation as quickly as possible?

The PREMIER replied: 1, £796,000. 2, Yes. 3, Classification as to industries affected has not been kept. 4, See No. 3. 5, Bill receiving consideration of the Legislative Council.

#### **QUESTION—WHEAT GROWING.**

Mr. GRIFFITHS asked the Premier: 1, As the wheat grower has to be financed over the immediate present, will he investigate the problem of how the industry is to be kept alive? 2, Seeing that the Prime Minister will soon pass through Perth will he cause steps to be taken, and a meeting called of every branch of the community, and the strongest possible case made out showing that this State's main industry—wheat growing—cannot exist under present conditions, and urge on the Minister that drastic alterations of policy must be made to allow our industry even to live? 3, Is not the time ripe for a general stocktaking and review of wheat growing and allied industries, with a view to making provision to endeavour to stop the undoubted shrinkage in the acreage to be sown next April and May? 4, Is he aware that it has already been decided by prominent growers, there being no prospect of a price for the 1931/32 crop, to reduce their cropping 50 per cent.? 5, Will he direct the Prime Minister's attention to this in case he has another slogan to grow more wheat?

The PREMIER replied: 1 to 5, The whole matter is continually receiving the attention of the Government.

#### **QUESTIONS (2)—MINING.**

##### *Tailings Utilisation.*

Mr. GRIFFITHS asked the Minister for Mines: Is there any chance of the utilisation of the tailings, residues, etc., being brought about as suggested by the scheme laid before the Minister by Mr. J. Donaldson?

The MINISTER FOR MINES replied: The scheme suggested by Mr. Donaldson is not considered a workable one.

##### *Wiluna Gold Mines Guarantee.*

Mr. PIESSE asked the Minister for Mines: 1, Is it a fact that the Government have made an advance of £300,000 to the Wiluna Gold Mines? 2, If so, was that money lent to the Wiluna Gold Mining Company or the Wiluna Gold Corporations Ltd.? 3, What is the nature of the security held by the Government? 4, Why was not Parliament consulted? 5, What are the terms

regarding interest and repayment of the loan?

The MINISTER FOR MINES replied: 1, The Government have not made any advance to the Wiluna Gold Mines, Ltd., but have guaranteed an advance of £300,000 made by the Midland Bank, London. The Commonwealth Government have indemnified the State Government against any loss. 2, Answered by No. 1. 3, The State Government have security over the plant and leases by way of bill of sale and mortgage. 4, See answer to No. 1. 5, Answered by No. 1.

#### QUESTION—KIMBERLEY CATTLE, PLEURO-PNEUMONIA.

Mr. J. I. MANN asked the Minister for Agriculture: 1, Are cattle from West Kimberley allowed into the southern portion of the State for fattening purposes? 2, Does he realise the grave danger to the dairying and cattle industry of the State from the risk of disseminating pleuro-pneumonia? 3, If so, will he take steps to minimise the risk of such happening, by prohibiting pleuro-infested cattle from being despatched to the agricultural areas of the State?

The MINISTER FOR AGRICULTURE replied: 1, The existing regulations permit of cattle from clean stations in the West Kimberley district being depastured in the southern portion of this State under quarantine conditions. 2, Yes. 3, Yes.

#### COMMONWEALTH CONVERSION LOAN.

THE PREMIER (Hon. Sir James Mitchell—Northam) [4.39]: I have just received a message from the Federal Treasurer stating that the Commonwealth conversion loan has been closed to-day and that the full £28,000,000 has been subscribed.

#### BILL—TENANTS, PURCHASERS, AND MORTGAGORS' RELIEF.

##### *Council's Amendments.*

Bill returned from the Council with a schedule of 14 amendments which were now considered.

##### *In Committee.*

Mr. Angelo in the Chair; the Minister for Railways in charge of the Bill.

No. 1. Clause 1.—After "1930" the words "and shall come into operation on a date to be fixed by proclamation."

No. 2. Clause 2.—Strike out the definition of "dwelling" and insert in lieu thereof a definition as follows: "Dwelling" means a house (together with the premises appurtenant thereto) which is used as a dwelling or habitation only and not for the purpose of carrying on or conducting any business therein, and for the purposes of this definition "house" includes any part of a house which is separately occupied as a dwelling, and where an occupier is entitled to the sole and exclusive use of any part of a house that part shall be deemed to be occupied separately notwithstanding that the occupier is entitled to share in the use of some other part.

No. 3. Clause 4, Subclause (2).—Insert in the third line of the subclause after the word "rent," the words "accrued or accruing due"; and strike out the words "as it falls due."

On motions by the Minister for Railways, the foregoing amendments were agreed to.

No. 4. Clause 5.—Insert a new subclause, to stand as Subclause (3), as follows:—

(3) A register of protection orders made under this Act shall be kept by the Registrar of the Supreme Court in the prescribed manner and shall be open to inspection by the public; and for the purpose of enabling such register to be kept a commissioner shall forthwith, after the making of any protection order by him, cause a copy thereof, certified by him, to be forwarded to the said registrar, who shall enter short particulars thereof in the register.

The MINISTER FOR RAILWAYS: Several members of the select committee appear to have thought it desirable that a register of protection orders should be kept for the perusal of anyone who might be concerned. The idea is a good one. I move—

That the amendment be agreed to.

Question put and passed; the Council's amendment agreed to.

No. 5. Insert new subclauses, to stand as Subclauses (5), (6) and (7), as follows:—

(5) No person who is the grantee or entitled to the benefit of any bill of sale (within the meaning of the Bills of Sales Act, 1899) over any chattels in the dwelling, upon which, but for the protection order, the landlord could by law distrain for arrears of rent shall, by virtue of any power incident to such bill of sale, seize, remove or take possession of such chattels or any of them or otherwise deal with or dispose of the same, unless he shall first pay to the landlord the amount for which a distress for rent would be available to the landlord under Section 29 of the Bills of Sale Act, 1899.

(6) No sheriff, bailiff or other person acting in the execution of the process of any court shall seize or take possession of, or sell or otherwise dispose of, any chattels, in the dwelling, upon which, but for the protection order, the landlord might distrain for any arrears of rent, unless the person at whose instance the process has been issued shall pay to the landlord the amount for which the landlord might so distrain, subject to any limitation imposed by law on the claim of a landlord for rent in respect of goods seized or taken under process of execution.

(7) The person, who has paid any amount pursuant to Subsection (5) or (6), shall be deemed to be an assignee from the landlord of a portion of the landlord's claim against the tenant equal to such amount, and may enforce his claim as such assignee (but in his own name) under and subject to the provisions of section eleven of this Act and not otherwise, and that section shall apply to the claim of such person accordingly.

The MINISTER FOR RAILWAYS: A discussion ensued as to whether, in the event of a protection order being granted against a landlord, a person holding a bill of sale over some of the goods of the tenant might not be able to sell them, and rob the landlord of his rights. This proposal will safeguard the interests of the landlord in that respect. I move—

That the amendment be agreed to.

Question put and passed; the Council's amendment agreed to.

No. 6. Clause 8.—Add subclauses, to stand as subclauses (2) and (3), as follows:—

(2) On the hearing of any application under either of the said section the Commissioner shall take into consideration the means and earning capacity of any member of the applicant's family who habitually resides in the dwelling. (3) Any protection order may be limited in its operation to portion of the rent or interest for which the tenant or mortgagor is liable, and in that case the order shall not be operative in respect of the remaining portion of such rent or interest.

The MINISTER FOR RAILWAYS: This means that if there are other members of the family living in the house the Commissioner must take their earnings into account if they are in a position to pay. Subclause 3 provides for the partial payment of rent. I move—

That the amendment be agreed to.

Mr. KENNEALLY. A house might be rented partly by members of a family and partly by the head of the family. It seems to me the earnings of a section of the family, who may be quite separate and apart from the rest, may have to be taken into consideration before relief is granted to that portion of the family which is really badly in need of help.

Mr. RAPHAEL: I agree with the remarks of the hon. member. Two brothers may be sharing the same house, but be quite independent of each other. One may have just enough to live on and the other have nothing. It would be wrong that the former should be called upon to contribute to the support of the latter. The subclause is a dangerous one.

The MINISTER FOR RAILWAYS: The amendment is necessary. It would be a simple matter for cases of collusion to arise between parties with regard to the rent of a house, unless some safeguards were inserted in the Bill. Some tenants might decide upon a moonlight flit before the date of expiry of a protection order, and thus leave the landlord lamenting. It is not possible to charge one section of a family for rent due from another. We only want to be fair and just between all parties. The commissioner is not directed to make people pay. He is only asked to take the circumstances into account. He can also provide for a portion of the rent to be paid.

Mr. KENNEALLY: I want to ensure that the necessary relief is given, and have no desire that anyone shall take undue advantage of the situation. We altered the definition of "dwelling" to make it apply to a room as well as a house. We now say it includes a house and premises appurtenant thereto, and any portion of a house. It seems to me the commissioner is asked to take into consideration the earning power of a person, who is living in the same dwelling as members of the family to which he belongs.

Question put and passed; the Council's amendment agreed to.

No. 7. Clause 11, Strike out the words "at the rate of" and insert in lieu thereof the words "at a rate to be fixed by the Commissioner not exceeding."

The MINISTER FOR RAILWAYS: This merely gives the Commissioner the right to fix the rate of interest on deferred payments. I move—

That the amendment be agreed to.

Question put and passed, the Council's amendment agreed to.

No. 8.—Add a proviso as follows:—"Provided that the amount aforesaid shall be payable by such reasonable instalments (if any) as a Commissioner may see fit to order."

The MINISTER FOR RAILWAYS: We discussed this point before. As soon as a protection order has been granted the mortgagee could immediately make a demand and in the event of payment not being forthcoming, the tenant could be sold up. This will provide for the payment of the amount in instalments. I move—

That the amendment be agreed to.

Question put and passed. the Council's amendment agreed to.

No. 9. Clause 12.—Add to subclause (2) a proviso as follows:—"Provided that no order for relief made hereunder shall extend or apply to any principal moneys which became due and payable before the first day of October, nineteen hundred and thirty; and references to principal moneys in the sections of this Act relating to orders for relief shall not be deemed to extend to principal moneys which became due and payable before the date aforesaid."

The MINISTER FOR RAILWAYS: This is merely making the period retrospective. I move—

That the amendment be agreed to.

Question put and passed; the Council's amendment agreed to.

No. 10. Clause 14.—Insert in subclause (2), after the word "moneys," the words "or out of moneys which he is able to borrow."

Strike out, in the fifth line of subclause (2), the word "mortgagor," and insert the word "mortgage" in lieu thereof.

The MINISTER FOR RAILWAYS: The first deals with the principal that has fallen due and the second corrects an error. I move—

That the amendment be agreed to.

Question put and passed; the Council's amendment agreed to.

No. 11. Clause 15.—Delete the words "and provided that the measures or proceedings taken are not such as are prohibited by the relative section of this Act" and insert the following in lieu thereof: "But so that the landlord or mortgagee shall not, contrary to any provision of this Act, demand or compel payment of moneys to which the order does extend, or cause the dwelling to be sold or the tenant or mortgagor to be dispossessed thereof, or the estate, interest or rights of the tenant or mortgagor therein to be foreclosed, forfeited, cancelled, or terminated."

No. 12. Clause 19.—Strike out the word "reasonable" and insert "at least seven days" in lieu thereof.

No. 13. Clause 21.—In Subclause (1), and also in Subclause (2) insert, after the words "this Act," the words "or any order made thereunder."

No. 14. New clause.—Insert a new clause after Clause 11, to stand as Clause 12, as follows:—

*Protection of landlord or mortgagee against rates and taxes.*

12. (1) A commissioner may order that during the operation of any protection order payment of rates or taxes, imposed on or in respect of the dwellings affected by the order, which have become due since, or

within twelve months immediately preceding the making of the order, shall not be enforced against the landlord or mortgagee by the State Government or by any local authority.

(2) In this section "State Government" includes any corporation or person which, or who is an instrumentality of, or represents, such Government, and "local authority" includes a municipal corporation, a road board and a local board of health.

(3) A commissioner may at any time revoke any order made under this section either wholly or as to any particular sum that may be due for rates or taxes.

On motions by the Minister for Railways the foregoing amendments were agreed to.

Resolutions reported, the report adopted and a message returned to the Council accordingly.

### BILLS IMPROPERLY PASSED.

Hon. P. COLLIER: Before we proceed with the next business I wish to ask a question regarding the passing of two Bills a little earlier in the day. I am not sure under which Standing Order I can refer to the matter, but you will remember, Mr. Speaker, that when we were dealing with the Road Districts Act Amendment and the Municipal Corporations Act Amendment, we put those two Bills through their remaining stages and transmitted them to the Legislative Council. I asked whether the Standing Orders had been suspended to enable that to be done, and I was assured by yourself that they had been suspended. Therefore I did not press my point. Now I understand that the Standing Orders were not suspended, and consequently those Bills were improperly dealt with by this House. During the dinner hour last evening I discussed with the Premier the question of the suspension of the Standing Orders with regard to those two Bills, the desire being that they should be put through their remaining stages. I agreed to that course being followed. When we met after the dinner adjournment the Premier mentioned to me across the floor of the House that he did not intend to move to suspend the Standing Orders because he had not received a clean print of the Bills, and that he could not get

the clean print before 8 o'clock. The Premier did not take the step that was agreed upon. Then towards the close of the sitting this afternoon, at about 4 o'clock, we put those Bills through their final stages and sent them on to another place. I was under the impression that the Standing Orders had been suspended, whereas they were not suspended. I desire to know what the position is now. The Bills have been sent to the Legislative Council contrary to our Standing Orders and consequently they are improperly before another place. Now we are faced with a situation that does not often occur.

The Premier: I thought I had suspended the Standing Orders.

Hon. P. COLLIER: The Premier will remember that he told me he had not received a clean print of the Bills and therefore would not be able to go on with them. The member for Geraldton was sitting on my right and he can bear me out in what I say with regard to what the Premier said across the floor. I should like to know from you, Mr. Speaker, what the position is now in respect to those two Bills. There is no doubt about the facts; there has been an error.

The Minister for Railways: An error in procedure does not void what was done.

Hon. P. COLLIER: I would like to consult the Standing Orders on the point, which should be cleared up. If there is a Standing Order that applies to such a position, I shall raise no further objection.

The Premier: I am sorry that this has happened. I am afraid it is all my fault.

Hon. P. COLLIER: It is not your fault; it is the fault of each one of us. After sitting continuously for over 24 hours, we are apt to make such mistakes.

Mr. SPEAKER: I must endorse the remarks of the Leader of the Opposition. The Standing Orders were to have been suspended because notice had been sent to me to that effect. It was to the effect that Orders of the Day Nos. 1, 2 and 3 were to be put through all their stages at one sitting. This afternoon, when the Bills came before the House, I was under the impression that the Standing Orders had been suspended, and the Acting Clerk Assistant was under that impression, and told me so. I was sure that the House had decided the question, and that the Standing Orders had been suspended. The Standing Orders had not been sus-

pending, but the Bills were sent on to the Legislative Council. We have not yet found a Standing Order dealing with Bills passed irregularly, and, in the meantime, I merely desire to repeat that what the Leader of the Opposition has said is correct. I regret the part I have taken in the incident, and can only say that incorrect information was given to me by the Acting Clerk Assistant.

Hon. P. COLLIER: Perhaps it would be better to take additional time to look up the Standing Orders, and the matter might be considered at a later stage. If the Standing Orders are looked up and the position is all right, I shall have nothing to say.

The Premier: I am afraid I must accept responsibility.

Mr. SPEAKER: I think the best plan would be to let the matter drop for the time being and the business can proceed. In the interim the matter can be looked into further.

Mr. KENNEALLY: There is another question. Should not the Legislative Council be acquainted with the position? It is useless allowing them to proceed if the business is informal.

Mr. SPEAKER: I am of opinion that the message having been sent from the Legislative Assembly regarding these Bills, the measures are before the Council and are in order before that House. The question has arisen in this Chamber since then, and has nothing whatever to do with the Legislative Council. The member for East Perth suggests that we should send a message to the Legislative Council regarding the position. The members of that Chamber would not take notice of such a message from this House. Under their Standing Orders, there is nothing under which any objection could be taken to the Bills being dealt with there, pending the clearing up of the point in this House.

The Premier: Then we can consider the matter further.

Mr. SPEAKER: I find that May has this to say—

If an informality be discovered during the progress of a Bill, the House in which it originated will either order the Bill to be withdrawn, or will annul the informal proceeding itself, and all subsequent proceedings: but if irregularities escape detection until the Bill has passed, no subsequent notice can be taken of them, as it is the business of each House to enforce compliance with its own orders and practice.

Hon. P. COLLIER: I suggest that we should have an opportunity to look into the matter. For instance, the Bills did not pass this House without the position being detected. I raised the point, and, on the assurance of the Speaker, I did not pursue the matter. When I thought over it later on, I was sure that the formalities had not been complied with. I do not raise the question for the purpose of obstruction or delay, but I would like to have the Standing Orders examined. I think that much of what you read from May, Mr. Speaker, had no bearing at all on what has taken place.

The Premier: I think we should look into the matter later on.

### **BILL—STATE TRADING CONCERNS ACT AMENDMENT.**

*To Refer to Select Committee.*

**MR. McCALLUM** (South Fremantle) [5.22]: Before the Bill is dealt with at any further stage I move—

That the Bill be referred to a select committee.

The measure was placed before us at the last moment. It was not placed before us for discussion until the last sitting. We have had to deal with all sorts of tiddly-winking measures that have not mattered to the country, and now, in the last stage of the session, we have been asked to deal hurriedly with a Bill that will enable a Minister to dispose of concerns in which millions of State funds are invested. We cannot do justice to it under those conditions. Surely we require more information than has been placed before us, and certainly more than we have been able to obtain from Ministers during the last 24 hours. No information has been gleaned from hon. members sitting on the Government side of the House. The Premier gave us no information when he moved the second reading. Since then three speakers only on the Government side of the House have dealt with the measure, and not one of them has conveyed any of the information desired. The Minister for Railways based his case in support of the Bill on what Disraeli had done. The member for Swan dealt with the matter as well, and the member for Pingelly had something to say. The Minister for Railways dealt with the Suez Canal, but what has that to

do with, for instance, the ferries running to South Perth? The member for Swan merely added his contribution to emphasise his pronounced hostility to the principle of State trading. We have had no information whatever, nor have we been told how it is proposed to handle matters of such importance as the negotiations for the sale of our trading concerns to private individuals. A Bill of this importance has been submitted two days before the session is to conclude. It has been on the Notice Paper for some weeks, and during the last month or more we have been dealing with such trivial matters as a tax on betting tickets, and similar legislation. We have been left in the dark until the last day.

Mr. Kenneally: This Bill was on the Notice Paper in the middle of October.

Mr. McCALLUM: It has been on the Notice Paper since the 13th October, I am advised. Surely it is the Government who have kept the Bill back. Now they bring it on in the dying hours of the session and refuse to give the House any information at all. They want to rush the measure through at one sitting. They ask the House to sit for hours on end. During my brief Parliamentary experience I remember a whole sitting being taken up with a discussion on the licensing of dogs. On such an important matter as this we are being kept on through the night and all through the day, the other side not attempting either to justify their action or to give us any information. Their aim is by means of their large majority to wear us out. What reason is there for the Government holding such a Bill back from early October until now and then trying to force it through in one sitting? Has that course ever been pursued before in connection with so important a measure? There has been plenty of time to debate it during the session. It was well known that the two sides of the House differed on the fundamental principle of the Bill. One would have thought that the Government would say, "We must bring the Bill down early to permit of its full discussion." Hon. members opposite have not taken part in the debate, and the whole responsibility has been thrown on the Opposition. Efforts to secure the adjournment of the debate have fallen on deaf ears. Bludgeoning tactics have been adopted to get the Bill through. The Government know that country members want to get away to their homes. Consider that

huge undertaking, the State Sawmills, which had a yearly turnover of £1,000,000 and world-wide ramifications when I was in charge. What action do the Government intend to take before selling that enterprise? Do they intend to ascertain what are the ideas of the management, and what are the ideas of the agents operating all the world over? Some inquiries should be made in these quarters instead of the Bill being brought down here without any information being given. Night after night we have discussed tiddly-winking little things.

Hon. P. Collier: Yes, rubbishy Bills.

Mr. McCALLUM: Bills not amounting to a row of beans.

Miss Holman: It is four weeks since the Premier made his second-reading speech on the Bill.

Hon. P. Collier: It is four months since the Bill was introduced in the Council.

Mr. McCALLUM: Such is the unreasonable attitude of the Government whose members preach to us the sinking of party issues and pulling together. A more unreasonable attitude than that of the Government in this debate has never been known here. The Government are just bludgeoning the position because we have not the numbers. There is no consideration for the effect on the State trading concerns or for the loss of the community at large. Is it not reasonable to ask for full investigation before the measure is placed on the statute-book and we hand over to a few individuals the disposal of such assets? We should have an inside knowledge of all the workings of the State trading concerns in order to gather the meaning of what is proposed, but hardly a word of information is given to us. The State Sawmills have the biggest turnover of any commercial concern in Western Australia, Government or private; yet we are asked to pass in one sitting a measure which will hand the State Sawmills over to a few individuals to do with it as they like. No other law of this country will allow a Minister to act like that. A Minister cannot sell a £10 block of land on his own initiative. The block must go to auction. But in these huge concerns, because of pressure from political quarters outside this House all resistance is to be crushed and no consideration is to be shown. To pass the Bill we are even restricted to one hour for our meals. There is no con-



sideration whatever for what private business hon. members may have to do. We are kept at the discussion continuously in order to suit the Government. The Bill has been at the bottom of the Notice Paper ever since October. Never before has such shallow-minded prejudice, such bigotry, been seen here. Cannot one imagine that the moment a move is made to sell these State trading concerns rumours and innuendoes and insinuations will flow from one end of the country to the other about bribery and corruption? We have had these things in little matters, nothing compared with the money involved in these important trading concerns. But Parliament is to take no action to protect Ministers individually and the interests of the State. A blank cheque is to be given to the Government. The right attitude is that the Bill should go to a select committee by whom the whole position would be thoroughly investigated and the managers and others in charge of the concerns would be heard. The majority of the officials have been in their positions while every aspect of political opinion was represented on the Treasury bench. They will be able to give frank and open expression to their ideas of what control is needed to safeguard the interests of the State. The Premier in introducing the Bill failed to give the House any information. In his reply he dealt with a small point or two, but with nothing of a fundamental nature. Surely he should have told the House what steps the Government propose to take in order to give effect to the measure. Did they intend to advertise broadcast throughout this State and the rest of Australia as well as in other parts of the world that the State trading concerns were for sale? Are tenders to be called? Or are the concerns to be sold by private negotiation? Parliament is not given any information at all.

Mr. Munsie: The only reason given by the Premier for introducing the Bill is that he is opposed to the principle of State trading.

Mr. McCALLUM: The House is pretty evenly divided on the question of State trading. The Premier should have told the country that he proposed to take to himself the power to sell these concerns. Neither he nor his Ministers, nor any hon. member sitting opposite, told the people that if the opportunity presented itself they would

take to themselves the power to sell these concerns for any price they could get. The people have not been consulted. The millions involved in the State trading concerns are the people's. The taxpayers should have been consulted. We should have the views of the men who have built up these concerns and know their ramifications. Already there is a report by the manager of one of the concerns pointing out how widely the other concerns are affected by that of which he has charge. At the moment of writing the report, he had no idea of a Bill of this description being brought forward to empower the Government to sell without reference to Parliament. This Bill is something quite new. From extracts I read from the report it would have been recognised that from two State trading concerns alone, the Fremantle harbour works and the State Shipping Service, more has been gained than has been lost on the State Implement Works. The manager of that concern might be able to put before the select committee evidence that would convince the House it was most undesirable to dispose of these concerns, notwithstanding the losses made. Members of the Government have expressed no views on that score; indeed they are barren of all suggestions. The only way to get evidence from the managers of those concerns is to have them before a select committee. With the report of that select committee, we would be in a better position to determine this question than we are at present. The whole object of the Premier just now is to take a vote and close the session, to ram his policy down the throats of all, to sit quiet and not express any views. There are the numbers to be counted, irrespective of what it may mean to the country. If this were some trifling, unimportant measure, it would be entirely different. We have been kept sitting here from 4 p.m. on the one day till 5 p.m. on the next day. That is the way we are treated in big issues such as this. I have never known a Government to be so unreasonable. We never kept the House in this way.

The Premier: Oh, yes, you did.

Mr. McCALLUM: I defy the hon. member to point to one instance of our bringing down a Bill of such importance as this and keeping the House sitting until the Bill passed. Always were the fullest facts and

information given by our Ministers when introducing Bills, and opportunity was afforded for their consideration. None can say what the Government intend to do under the Bill. Do they intend to call tenders for these trading concerns, or are they to be sold privately? We are to give the Government a blank cheque. The Bill must be bludgeoned through without information, without argument, without debate. The only reasonable thing to do is to ask a select committee to make a full investigation and lay down what should be done in securing a sale, if there is to be a sale. Are we to leave it to the sweet will of a Minister to say that an important activity like the State Sawmills is to be shut down without restriction or limitation? It would be far more advisable to have a full inquiry by a select committee. There is nothing unreasonable in the request I am submitting; it is the right step to take. Parliament would not be justified in passing so important a Bill without the fullest consideration. If we had had any information from Ministers, we would have known more about the Bill and so might have been able to take a broader view. But all information has been denied us.

**THE PREMIER** (Hon. Sir James Mitchell—Northam) [5.54]: I have listened to this tirade of abuse we now get so frequently from the member for South Fremantle. I remember that he brought down a Bill which proposed a partnership with the Westralian Farmers. Had that proposal been carried, an unlimited liability would have been set up.

Mr. Willcock: But that was for Parliamentary approval.

The PREMIER: I know, but it meant unlimited responsibility without any control, perhaps hundreds of thousands of pounds. We tried to get a copy of the agreement, but the hon. member said it had not been completed. He told us a few things that were to be brought about, but what would have happened if that agreement had gone through?

Mr. McCallum: That is totally incorrect. It was for the manufacture here of a lot of machinery which is being manufactured outside the State, and with your usual consistency you opposed it. You would sooner deal with foreigners any time.

The PREMIER: Why are we asked to send this Bill to a select committee? Are these concerns to be sold or leased with the approval of Parliament, or without the approval of Parliament first obtained? That is the proposal before the House. If the hon. member wishes to know what would happen to nearly £5,000,000 worth of capital in the various concerns, I can tell him they will not be sacrificed nor sold on a hole and corner basis. Publicity will be given to the intention to sell any one of them. We have sold things before and will sell things again. The Minister, whoever he may be, is always responsible to Parliament. Whether or not there is authority for an act taken, Parliament is supreme.

Mr. Willcock: There will be no supremacy about it if the concerns are first sold.

The PREMIER: If Ministers were to do anything foolish in the handling of these concerns, they would be brought to book by Parliament.

Mr. McCallum: You have not told us what you propose to do.

The PREMIER: What would any Government do in the circumstances?

Hon. P. Collier: What was done when the Lake Clifton railway was bought? That was a hole and corner purchase, a most discreditable purchase.

The PREMIER: It was on an agreement passed by this House.

Hon. P. Collier: It was a discreditable act on the part of the Government of the day.

The PREMIER: Well, I am not going to express an opinion on it. I had nothing to do with it.

Hon. P. Collier: I am aware of that.

The PREMIER: It was bad business, for the line proved to be useless.

Hon. P. Collier: Yes, and when the purchase was made it was known by the Cabinet that it would be useless. The purchase was made for the benefit of the vendors.

The PREMIER: I am not in a position to say that.

Hon. P. Collier: But I am.

The PREMIER: I am not in a position to say. The hon. member says that before the line was laid down, it was known that it would be useless.

Hon. P. Collier: Cabinet made the purchase for the benefit of the vendors. They knew the line was useless, and £60,000 was lost.

The PREMIER: The agreement to purchase was made before the line was started.

Hon. P. Collier: If a Cabinet could do that in the past, other Cabinets might do it in future.

The Chief Secretary: Surely the Government would have been challenged!

Hon. P. Collier: They were, and their party stuck to them. The Royal Commissioner, a K.C., was a friend of the Government.

The Chief Secretary: It was not I.

The PREMIER: I am not defending the purchase, but there have been other purchases, too. The member for Guildford-Midland bought most of the trading concerns without letting Parliament know that he was doing so.

Hon. W. D. Johnson: I never bought one.

The PREMIER: The hon. member was Minister for Works at the time.

Hon. W. D. Johnson: But I did not buy any.

The PREMIER: The hon. member closed down some works in Adelaide, brought the plant here, and established works at considerable cost.

Hon. W. D. Johnson: I did not.

The PREMIER: Well, who did?

Hon. W. D. Johnson: Mr. Bath, but I was a member of the Government.

The PREMIER: The Wyndham Meat Works and the State Insurance Office were started in the same way. However, we are discussing the sale of trading concerns. Members are concerned to know how the concerns will be offered for sale to the public.

Mr. Munsie: What are you going to do with the State Insurance Office?

The PREMIER: What can we do? The hon. member's Government established it and left us with the liability. No one will take the risk we are carrying in the office one way and another. It is utterly impossible to close the office at once and hand over the insurance to anyone else because no one would take it.

Mr. Munsie: The private companies would have liked to get it on the same risk.

The PREMIER: The State Insurance Office is not losing money.

Mr. Munsie: It is showing a pretty good profit on the premiums paid.

The PREMIER: We do not know what the results will be, because we carry a risk and we are always getting claims from some

unfortunate people who are covered. I hope the House will not agree to the appointment of a select committee to find out what is meant by this simple Bill. The Act makes it perfectly clear that before we can establish any trading concern or sell any trading concern, Parliament must be consulted and must approve. If the Bill be passed, the Government will have the right to sell a trading concern without consulting Parliament.

Mr. Munsie: But not the right to establish one.

The PREMIER: That is so.

Mr. Munsie: What a one-sided arrangement!

The PREMIER: That is the position. I hope no additional trading concerns will be established. The original cost of the trading concerns was not one-half of what is outstanding to-day. It is very difficult to shoulder the responsibility of carrying the liability. The turnover of the sawmills is considerable, and a large sum of money must be found to enable stocks of timber to be held. The same applies to most of the trading concerns. A sum of £300,000 is required before we can open a season at the Wyndham Meat Works. True, the money is not standing out very long, but it is necessary for the Government to have it. My fear is that it would be most difficult to sell the Wyndham Meat Works.

Mr. Munsie: You would get a lot of support from the pastoralists if you sold them. They would enjoy the works being run by a private company!

The PREMIER: They might prefer it.

Mr. Munsie: Go amongst them and see.

The PREMIER: All that the pastoralists get at present is what is left over after the working costs have been provided. If the pastoralists bought and operated the works, they might get more out of them, because they could attend to the management. If this authority were given, no Government would sell trading concerns in the manner that has been suggested.

Mr. Munsie: In what way are you going to sell them?

The PREMIER: The Government would make public their desire to sell in the usual way. How would the hon. member sell anything? By advertising the fact that he was prepared to receive offers.

Mr. McCallum: By advertising in the *Government Gazette*!

The PREMIER: That is a very truthful paper. No one ever criticises it very much.

Hon. P. Collier: A paper with a wide circulation, read in every home.

The PREMIER: I would not insert an advertisement in *The Worker* or in a paper having only a small circulation. The sale would be advertised properly, precautions would be adopted, and the public would be protected. I am well aware that there would be criticism of the Government's action, as there is of every act of Government, whether right or wrong. It has been said that Parliamentarians are invariably considered to be fair game. One member suggested that it would be said members were capable of bribery.

Mr. McCallum: You can hear it all right.

The PREMIER: Where? In this House?

Mr. McCallum: No, in the country.

The PREMIER: In connection with State trading concerns?

Mr. McCallum: Yes.

The PREMIER: Then the hon. member can hear it only from a desperate liar. Does the hon. member believe that any Government would be corrupt and would sell a trading concern to some friend?

Mr. McCallum: I would not like to believe it, but knowing that the Commonwealth woollen mills were sold and that the money was recovered in two years, what would you call it?

The PREMIER: Good business. Is there any objection to anyone getting his money back in two years?

Mr. Munsie: If the purchaser had paid the ordinary price, he could not have got it back in two years.

The PREMIER: I do not know what was paid for or what was earned by the woollen mills. I know that the firm selling galvanised iron are on a splendid wicket, for they can charge what they like.

Mr. Munsie: That is the private enterprise you are boosting so much.

Mr. McCallum: It was the same Government who sold the woollen mills who started the bounty on galvanised iron—your friends over there.

The PREMIER: I am as much entitled to have friends over there as is the hon. member.

Mr. Kenneally: You could not forget them.

The PREMIER: Of course, in the opinion of the hon. member everybody would be crooked. Last year we lost £125,000 on trading concerns, and since their inception we have lost £1,220,000.

Mr. Sleeman: You have lost a lot on group settlements.

The PREMIER: Yes.

Mr. Munsie: And you will lose more on the groups yet.

The PREMIER: We put £4,813,000 into the trading concerns, and shall lose a couple of millions before we are through with them.

Miss Holman: Why do you want to take away the authority from Parliament?

The PREMIER: I have told the House the reason.

Miss Holman: I have not heard it.

The PREMIER: Because I believe we are unable to run them. We cannot afford it.

Hon. P. Collier: That is not the question.

The PREMIER: How can they be sold if we have to secure Parliamentary sanction?

Hon. P. Collier: You are entitled to say that we cannot afford to run them, but that is no answer to the question why you wish to dispose of them without the authority of Parliament.

The PREMIER: We have to supply all the information to Parliament. We could sell them only by advertising that we have something to offer and that we are willing and, if you like, anxious, to receive offers from anyone who cares to submit them.

Hon. P. Collier: The purchase of the Lake Clifton railway was so much advertised that this House knew nothing about it until two years afterwards.

The PREMIER: It was not bought as the hon. member suggests. The railway was laid by the Government and paid for by the Government, and the money was refunded.

Hon. P. Collier: No, the company paid for it.

The PREMIER: The Works Department laid the line, the company paid for the line during construction, and the money was to be returned when the construction was complete.

Mr. Kenneally: And the agreement was kept secret for years.

The PREMIER: I did not make the agreement.

Mr. Kenneally: That could happen again.

Hon. P. Collier: For two years after the purchase was made, this House knew nothing about it. We knew nothing about it until the item appeared in the Estimates. The man who wrote the Cabinet minute was the attorney in this State for the Sydney company who sold it to the Government.

The PREMIER: He is dead now.

Hon. P. Collier: But the fact stands.

The PREMIER: Such things have happened.

Mr. Marshall: Would you give such a man the right to sell the trading concerns?

The PREMIER: We know there was some secrecy about the Lake Clifton line. I hope the House will not agree to the appointment of a select committee. The question at issue is easily understood without resorting to a select committee. I cannot see how any helpful information can be obtained from the managers of the trading concerns. The trading concerns would be useless if we did not have agencies abroad.

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

### **BILLS IMPROPERLY PASSED.**

Mr. SPEAKER: Reference was made earlier in the day to two Bills which passed through their remaining stages, without the Standing Orders having been suspended. One was the Road Districts Act Amendment Bill, and the other was the Municipal Corporations Act Amendment Bill. After they were passed they were sent to the Legislative Council to be dealt with. Prior to these Bills passing through their remaining stages the Leader of the Opposition raised a point. I was under the impression when I told the House that the Standing Orders had been suspended that they were in fact suspended. The Acting Clerk Assistant was in error in saying they were suspended.

The Premier: It was my fault.

Mr. SPEAKER: The Leader of the Opposition explained to the House that he thought the Speaker was mistaken in saying that the Standing Orders relating to these Orders of the Day had been suspended, and he desired to have the matter looked into with a view to removing the misunderstanding. During the tea adjournment I searched the Standing Orders from beginning to end. It appears certain that on the

point raised by the Leader of the Opposition our Standing Orders are silent. Standing Order 141, the only one having any semblance of a bearing on the matter, reads—

If any objection is taken to the ruling or decision of the Speaker, such objection must be taken at once.

I cannot reconcile this Standing Order with the query of the Leader of the Opposition. It does not serve to rectify the mistake that has been made. It seems extraordinary that no provision is made for the recall of a message from the Council when a mistake has been discovered. I ask hon. members to consider what the position is now. So far as I can see, nothing more can be done. The matter is one for the House to adjudicate upon.

Hon. P. COLLIER: In view of your statement, Mr. Speaker, I do not desire to proceed further with the matter. I am perfectly satisfied.

### **STATE TRADING CONCERNS ACT AMENDMENT.**

*To refer to Select Committee.*

Debate resumed from an earlier stage of the sitting.

The PREMIER: I have explained that these State trading concerns will not be disposed of without adequate notice being given. There is little doubt that if any were for sale they would be advertised. I make that statement in case members may think there will be any hole and corner method of dealing with the matter. Adequate publicity will be given of any intention we may have to sell any one of these concerns. There need be no fear on that score. I hope members will not insist upon the motion for the appointment of a select committee.

HON. P. COLLIER (Boulder) [7.35]: I am honestly convinced that this Bill does require investigation. There are many aspects of the question as to the manner in which a State trading concern should be disposed of. The question whether the Government are or are not entitled to dispose of them is not before us. It is solely the method. The one question is whether the Government should have power to dispose of these trading concerns without reference to Parliament and without its approval, or whether

they can sell according to the provisions of the Act. There is a fundamental principle involved in that question which strikes at the root of responsible Government. If this thing were to go on, and Parliament were to delegate its authority to Governments to do what they pleased, so that they would be subject only to the censure of Parliament afterwards, where would it all end? What protection is there for the people whose representatives are in this Chamber? A select committee could call witnesses who hold pronounced views on the subject.

The Premier: Not on State trading concerns.

Hon. P. COLLIER: As to the methods. There is a clear division of public opinion on the question. There is the section represented by the Opposition, who believe in State trading concerns. Then there are the section who, according to the recent elections are in a majority in the State, who believe in discouraging State trading concerns. It is a question of whether we are not yielding up our rights as members responsible to the people in giving authority to seven or eight men to dispose of public property, involving over two million pounds, just as they might do or could do if this were their own personal property.

Mr. Kenneally: It would be too much temptation.

Hon. P. COLLIER: The Premier says he has it in mind that every publicity would be given in the event of a sale. He is speaking for himself. He cannot speak for any Government that may succeed him. The Bill will stand until there is a majority in both Houses of Parliament further to amend the Act or repeal this amendment. The Premier cannot give any assurance as to the method which may be adopted by any succeeding Government. Some Governments might adopt a hole and corner method, and refrain from making public their intentions to dispose of these concerns. They might consider there was no obligation upon them to do more than privately negotiate with some individual and make a contract before it was known to anyone in Parliament. That is a fair view to advance. A similar thing was done in this State in recent years. A Government who were representatives of the same political thought as the Government now in office, but who had none of the present Ministers in the Cabinet, purchased

a railway. They had permission very similar to that which is thought to be given by this Bill, except that in the one case it was a sale and the other a purchase. The Act gave them power to purchase a railway without the approval of Parliament. It was a public scandal. The files disclose that a member of the Ministry in question, who drew up the minute approving of the purchase, was the attorney in this State for the Sydney company who were selling the railway to the Government. He was in the infamous position of being attorney for the company on the one hand and being bound by his oath of office to do the right thing by the State on the other hand. He owed a divided allegiance, and in the exercise of the two positions the State suffered. Parliament did not know until two years afterwards that the railway had been purchased. The hon. member's Government, succeeding that Ministry, brought down their Budget, which showed an item dealing with the purchase. For two years this secret purchase, which was made to the detriment of the State and involved £60,000 of public funds, was unknown. Parliament had endorsed the principle of giving to Cabinet the right to finalise the purchase or sale without the approval of Parliament. The whole thing is fundamentally wrong.

The Minister for Railways: You do not want a select committee to tell you that something is fundamentally wrong.

Hon. P. COLLIER: I shall be able to show there are some points that the select committee could investigate, because insufficient explanation has been afforded. Only after we had been debating this matter for 20 hours did the Premier say what was in his mind. We should have been made aware of that all the time.

The Premier: You knew that was the case.

Hon. P. COLLIER: We are not entitled to assume what is in the minds of Ministers, or what methods they will adopt to dispose of these concerns. It is clear from what has transpired that some members do know what is in their minds. The member for Gascoyne has made it clear that he knows what is in the mind of the Ministry in regard to the State steamers.

Mr. Angelo: Only what I have heard the Premier say in the House.

Hon. P. COLLIER: The matter was discussed by the party. Members supporting

the Government have known the intentions of the Government, but neither the Opposition nor the people know. That information could be elicited by a select committee.

The Minister for Railways: Very easily, because it does not exist.

Hon. P. COLLIER: The member for Gascoyne says it does.

Mr. Angelo: I only know what the Premier said in the House last session and this session.

Hon. P. COLLIER: If ever there was an occasion when the Premier ought to have taken the House into his confidence it is with regard to these concerns. He should have done so while the debate was taking place, not at the beginning of the session or last session. He might have taken us into his confidence. He could have said, "I do not propose to exercise this power so far as the State vessels are concerned." That may be the intention of the Premier, but Governments change, and we want to know. The select committee could take evidence from the president of the Employers' Federation, a very honourable man by the way, and obtain his reasons. The president of the National League, who is a member of another place, could also be examined and his reasons obtained for believing that Parliament should be denied a voice in the disposal of the trading concerns. The committee could also examine Mr. E. H. Barker and Mr. Mooney and ascertain their views as to why Parliament should be consulted. The Minister for Railways is another who could be examined and asked to give his reasons why his views to-day are different from the views he held some years ago. The Government cannot show that the Act as it stands to-day hampers them or prevents them from giving effect to their policy. We have done very little of any value since this Parliament opened. Talk about Nero fiddling and Rome burning! This State is bleeding to death financially. Already we have a deficit of nearly a million and only five months of the financial year have passed. If ever there was an occasion in the history of the State when a Government should not desire to carry into effect anything savouring of party politics, it is this session. This is one of the strongest issues the present Government and most of their supporters hold; it is a cardinal plank in the policy of the Government, and surely, until we see what is going to happen to us, we might

devote our time and attention to matters affecting the well-being of the country in its desperate plight, rather than be wholly obsessed by the desire in the first few months of the session, to place on the statute-book a party principle. Have the Government tried to get rid of any of the trading concerns since they have been in office? Are they likely to have any possible chance of doing anything within the next six months?

The Premier: We can get rid of some of the loss.

Hon. P. COLLIER: How can we get rid of it except by selling the trading concerns? The Government admit they have not done anything in the way of trying to sell them in the last six months, and are not likely to do anything within the next six months.

The Premier: We have to ask Parliament first.

Hon. P. COLLIER: Of course. But in this first session, is there not sufficient for us to do than to deal with a matter such as this? It is altogether taking away too much power from Parliament. The Minister in charge of the trading concerns, in any negotiations that might take place, would play a prominent part. He would probably be the Minister that would make a recommendation to Cabinet. I have not sufficient confidence in the Minister in charge of the trading concerns to give him that power. He is the Minister who a few years ago was retired by the Premier from his then Cabinet, and I venture to say that if the Premier had had a free choice that gentleman would not have been in his Cabinet to-day.

The Premier: You are wrong.

Hon. P. COLLIER: I say that to that Minister there would be given the greatest power and he would have the greatest influence in the disposal of the trading concerns. I do not think he is possessed of sufficient acumen to carry out a business deal; at any rate, he would suffer by comparison with those keen business men whose desire it might be to purchase one or the other of the concerns. I know, of course, that the Minister's action would be subject to the endorsement of the whole Cabinet. But Ministers make mistakes and Governments change.

The Premier: We rejected the proposal to establish State insurance, but it was established just the same.

Hon. P. COLLIER: In that case there was great need for such a department. The

Government have to come to Parliament for an appropriation, and in the case of State insurance, Parliament, if it had so desired, could have refused the appropriation. Parliament retains control and in the instance referred to by the Premier it could have declined to grant appropriation and the Government could have gone no further. They would have had to resign. But in this case there would be no redress; Parliament would have no redress. A motion of censure could be moved, but we know what that means. A vote is taken on party lines and the issue is a foregone conclusion. I moved a motion of censure in connection with the late Lake Clifton railway and that resolved itself into a vote on purely party lines. A number of members supporting the then Government condemned the Government for their action. But party politics being as we know them to be, those members had to do what every member has to do, when affected by party politics, and that was to vote against their independent judgment. And so those members voted to keep the Government in power. In the hope of getting an endorsement of their action, the Government of the day appointed a Royal Commission, not a Supreme Court judge, but a lawyer of the city who was a friend of many of the Ministers responsible for the action.

The Premier: Who was he?

Hon. P. COLLIER: Mr. Stawell, K.C. He was a personal friend of some of the Ministers concerned. I have never heard of a practising solicitor, a friend of Ministers of the Crown, being appointed to inquire into charges made in Parliament. If ever there was an instance where an independent tribunal should have been appointed, it was that. The report that was furnished was what was expected.

The Chief Secretary: I do not know of a more honourable man.

Hon. P. COLLIER: I agree with the Chief Secretary, but there is such a thing as unconscious bias. I went very carefully into that case. There never was anything more scandalous done in this country. When the decision of Cabinet to purchase was made, it was known that the Lake Clifton deposits were a failure and that the railway line would be a dead loss to the country that built it, and it was shouldered on to the taxpayers of the State. Governments come and go with the changing fickleness of public opinion. We find that Governments

act independently of Parliament. What is wrong with Parliament deciding? This is the institution that represents all the people in this country, and this is the House that should finally decide any question of public importance. So, I say, there is ample ground for investigation and inquiry.

**THE CHIEF SECRETARY** (Hon. N. Keenan—Nedlands [7.56]: The Leader of the Opposition has very correctly defined the issue in the matter now before the House, but before I deal with that I should like to enter a personal protest against any reflection being cast on the gentleman whose name he mentioned. I know that gentleman very well indeed and I know no man who could be more accurately described as an honourable man.

Hon. M. F. Troy: Did you read his report?

**THE CHIEF SECRETARY**: No. It may be that he was guilty of an error, as the Leader of the Opposition put it, as the result of unconscious bias. But I would feel myself wanting in the first duty one owes to anybody who is a friend, and a lifelong friend, if I did not tell the House that I do not know a more honourable man in the community than the gentleman referred to.

Hon. P. Collier: There was a great error of judgment in that case.

**THE CHIEF SECRETARY**: The Leader of the Opposition asked why authority is sought to allow the present Government to carry out the sale of the trading concerns without having the approval of Parliament. I propose shortly to point out why it is absolutely necessary to have that authority. The section in the Act which has been read by the Minister for Industries gives power to sell, but it makes the sale not conclusive until it has been approved by a parliamentary vote.

Mr. Kenneally: And a wise provision, too.

**THE CHIEF SECRETARY**: But utterly impracticable. What would the circumstances be? Power to sell is given, and we could commence negotiations that could be carried to the stage of finality on the part of the buyer, but not on the part of the seller. The transaction might be thrown out by Parliament. The terms of the transaction could be discussed and varied at different stages. The member for South



Fremantle (Mr. McCallum) is a business man, and he knows that no one would tender for the purchase of any article if the terms of the sale had to be submitted to a third party, who might insist on alterations.

Hon. P. Collier: Why not?

Mr. McCallum: It is done scores of times.

The CHIEF SECRETARY: And have all the details discussed!

Hon. P. Collier: Yes.

Mr. McCallum: Matters go before boards of directors, and the details are discussed fully.

The CHIEF SECRETARY: That is a different thing altogether; that is not a discussion in public at all. In this instance, we are discussing a tender lodged by an individual for the purchase of a certain article, and the transactions up to a certain point are binding. Then the business is discussed in public, all the details made public property, and an invitation is extended to every possible competitor to take advantage of the position. The tender might be rejected, and the terms would be known to the outside competitors.

Hon. P. Collier: What objection could there be to that?

The CHIEF SECRETARY: Would anyone be so foolish as to tender under such conditions, with the contract binding only on one side?

Hon. P. Collier: Yes.

The CHIEF SECRETARY: To ask people to tender under such conditions would be futile.

Hon. P. Collier: How could that man be prejudiced?

The CHIEF SECRETARY: With the knowledge of what had occurred, his trade rivals could alter their proposals, and benefit accordingly.

Hon. P. Collier: What sort of a Government would permit that to be done?

The CHIEF SECRETARY: No Government could avoid it being done. The offer would be made public, and the conditions would be made known to trade rivals. Under such conditions, no man would dream of lodging a tender, which might be rejected by Parliament and a tender from one of that individual's competitors altered and finally accepted by the Government.

Hon. M. F. Troy: Do you mean to say that in those circumstances, the Government would accept someone else's tender after that had been done?

The CHIEF SECRETARY: As the hon. member knows, any one of the terms of the tender might be objected to, and then it would not be accepted. New tenders would be called for, and it is quite possible that under those conditions not a single tender would be received. I do not set myself up as a business man but I think I can claim some commonsense; in view of the circumstances I have indicated, I do not think a single tender would be received.

Hon. P. Collier: Would not your case be stronger if after being in office for eight years, a Government opposed to State trading concerns and the provisions of the Act to which you take such strong exception, had endeavoured to sell a trading concern, and had discovered that the deal could not be carried through because of the Act?

The Premier: You tried that once.

Hon. P. Collier: Yes, and Parliament did not approve.

The CHIEF SECRETARY: But then there was the insurance office.

Hon. P. Collier: That was a different matter altogether.

The CHIEF SECRETARY: Then apparently the hon. member sinned twice! It must be clear to hon. members that no business man could be expected to tender under the adverse circumstances I have outlined. No one knows the position better than the member for South Fremantle, who has had some business training and knows what this would mean. We are asked why Parliament should give the power sought to the Government. There are trustees in charge of valuable estates, almost as valuable as the estates the Government are dealing with, and those trustees have the power that we seek. They are liable, and so are the Government.

Hon. P. Collier: For what?

The CHIEF SECRETARY: For their actions. Suppose the present Premier took action for the disposal of a State trading concern under conditions to which the House took exception, the Premier, and the Government as a whole, would be open to censure, and would have to answer for their actions; they would have to accept responsibility, and might have to vacate their offices.

Mr. Marshall: The owners of the property, the public, would have to shoulder the burden.

The CHIEF SECRETARY: The public would have the right to call the Government

to account, and if no satisfactory explanation were forthcoming, the Government would be ousted from the Treasury bench. If Ministers were guilty of a breach of duty as trustees of the State in connection with the sale of a trading concern, it would not be suggested that mere party loyalty would prevent members sitting on the Government side of the House from calling the responsible Minister or Ministers to account.

Hon. P. Collier: Ministers may take action that is not in accord with the views of members of their party but that is not usually a ground upon which a Government could be turned out of office.

The CHIEF SECRETARY: There are varying degrees of offence. There may be dishonesty.

Hon. P. Collier: I have not said a word about dishonesty, I have not suggested it, but I did suggest incompetency.

The CHIEF SECRETARY: Then let us consider the matter from that standpoint. Why should the hon. member assume that the House is more competent to deal with these matters than the Government? Surely the Government, with the fuller information at their disposal, would be in a better position to judge than members of this Chamber who would not have such full information! The Government should surely be entrusted with that work, unless we are capable of some dishonest conduct. If that were the position, then we should not be permitted to hold office.

Mr. McCallum: What about the Lake Clifton instance?

The CHIEF SECRETARY: I can speak of that only from recollection. I understand that the company found the money necessary for work to be constructed by the Public Works Department. It was thought at the time that the company held a valuable deposit at Lake Clifton, and railway communication was required to connect the working railways with the deposit. The work was carried out on the understanding that if the company took the line over and used it in connection with the operations there, inasmuch as the railway would benefit from the freights charged, the money would be repaid as a loan.

Hon. P. Collier: That is entirely wrong.

The CHIEF SECRETARY: I said I spoke from recollection.

Hon. P. Collier: But you are entirely mistaken as to the position.

The CHIEF SECRETARY: I am quite willing to accept the word of the Leader of the Opposition and shall not pursue that subject. Coming to the matter before the House at the moment, it is impossible to argue for one second that the Act as it stands would lead to the sale of even one of the trading concerns. The Act is not workable, although it was obviously intended that the trading concerns should be open for sale.

Hon. P. Collier: We are always engaged in amending Acts. Only by experience could the Government say that the Act has proved unworkable. The Government have not endeavoured to prove that at all.

The CHIEF SECRETARY: It is not necessary to do that; the reading of the section shows that it is unworkable. When the Leader of the Opposition attempted to make use of the clause in connection with the sale to the Westralian Farmers, he found it unworkable.

Hon. P. Collier: The proposal was turned down because Parliament would not agree to it.

The CHIEF SECRETARY: In all probability on such a question the Government of the day could properly determine that matter better than the House.

Hon. P. Collier: No.

The CHIEF SECRETARY: The hon. member is too modest. He knows he was in a position to determine whether the proposal was financially sound and of advantage to the country. Yet the House turned down his proposition. I have no doubt that the Government of the day were right, and that Parliament, with less information at its disposal than the Government, was not in a position to determine the question. In that instance, the Government went outside the Act to accomplish what they sought to achieve. That position arises under the Act again. It is necessary to make the position clear. I wish to refer to a suggestion that I considered was very unjust and improper. It was urged that the Minister for Industries might make use of his position to do something improper, in connection with the negotiations for the sale of a trading concern.

Hon. W. D. Johnson: That was not suggested.

The CHIEF SECRETARY: I do not think the Leader of the Opposition believes

for one moment there is any danger on that score.

Hon. P. Collier: I did not suggest anything improper or dishonourable. I suggested incompetency.

The CHIEF SECRETARY: Does the hon. member suggest that the Minister has not sufficient brains?

Hon. P. Collier: That is my opinion.

The CHIEF SECRETARY: I should think nine-tenths of the members of this House would differ from the opinion of the Leader of the Opposition. I do not know any man who has more intelligence, or a quicker grasp of facts, or more general knowledge of worldly affairs. Unquestionably the Minister for Industries is a man of long experience of public affairs, and one who has had no slur ever cast on his character. In addition, he has many years' business experience. I suggest that he is not likely to make a huge blunder. Assuming that he did, all his colleagues in the Cabinet must blunder too. I suggest that is highly improbable. There are two State trading concerns with which I am associated—the State Shipping Service and the Wyndham Meat Works. If I were asked to express my opinion on these two enterprises, I would say in the first case it would be undesirable to sell, and in the second case it would be difficult to imagine finding a buyer at anything like an adequate price. Who believes that the Wyndham Meat Works could be sold under any contract to carry them on? If it were possible to relieve the State of the burden, not of paying interest on the capital of the works, but of paying the working expenses, it could only be done by arranging something co-operative with the producers in that part of the State and letting them handle the works. It would be extremely difficult, on account of the huge capital involved, to arrange a guarantee that the works would be properly carried on and kept in proper order. Therefore I do not think it is of any use considering anything more than that it might possibly be done.

Mr. Marshall: Then why have you kept us here?

The CHIEF SECRETARY: Is it right for an Opposition to tell the Government what to do? Would the present Leader of the Opposition tolerate it if he were on this side? It is a false description to say that the Government have kept the Opposition

here. The Opposition have kept the whole House here.

Hon. P. Collier: We have kept you here, it is true, and for good cause.

The CHIEF SECRETARY: The Opposition have kept the House here in an endeavour to force their will on the Government. Have any Opposition the right to adopt that attitude? Who is seeking to rule the country—the Opposition or the Government?

Hon. P. Collier: We have a right to argue with you.

The CHIEF SECRETARY: Yes, but the Opposition have no right to pretend that they have been kept here. The Government have allowed latitude in the sense that they did not attempt to curtail the discussion here last night.

Hon. P. Collier: Do you think it right to force this Bill through in one all-night sitting?

The CHIEF SECRETARY: The Government could have used the right to say that after so many hours of discussion a division should be taken.

Hon. P. Collier: I have never used that right.

The CHIEF SECRETARY: I am informed that the hon. member has used it twice in the course of half an hour. No one can suggest that there was not the greatest possible latitude given to the Opposition by the Leader of the House during last night's discussion, which was weary and irrelevant, except on the part of the Leader of the Opposition. Surely there is to be some end to discussion. It is not to be said that the Government are detaining the House.

Hon. P. Collier: If generosity comes into it, we have been just as generous to the Government this session as you have been to us during the past 24 hours.

The CHIEF SECRETARY: I am pleased to acknowledge that the Opposition have shown a large measure of indulgence to the Government. Surely there must be some end in the mere matter of time to discussing a matter of such small compass.

Hon. P. Collier: Only a couple of millions!

The CHIEF SECRETARY: It is only a question of whether the present law is a practical and workable one. I believe it is not, and therefore I am supporting the Bill.

On motion by the Attorney General, debate adjourned.

## BILL—FARMERS' DEBTS ADJUSTMENT.

### *Council's Message.*

Message from the Council received and read notifying that it insisted on Amendments Nos. 4, 6, 8 and 9, and 11 to 20 inclusive, to which the Assembly had disagreed.

### *Standing Orders Suspension.*

On motion by the Attorney General, Standing Orders suspended to enable the Council's Message to be taken into consideration immediately.

### *In Committee.*

Mr. Pantou in the Chair; the Attorney General in charge of the Bill.

The ATTORNEY GENERAL: I move—

That the Assembly continue to disagree to the amendments made by the Council.

Hon. W. D. JOHNSON: As one who perhaps stands alone in supporting the Bill as amended by the Council I want to make it clear to hon. members representing the country districts that they are under a total misapprehension regarding the scope of the measure passed by this Chamber. Their opinion, so far as I have been able to gather from the limited part they have taken in the debate, is that the Bill, in addition to dealing with the disposal of the proceeds of the harvest now being reaped, is going to have a direct bearing on next year's crop and so to be of assistance to the farmers in that respect. So far as I see, the Bill is of no value for the future, but is purely a Bill for the present. It is true that there are anticipations of doing something for the future, but the outline in the Bill of these anticipations is of so impossible a nature that anyone with any business judgment at all must appreciate that the creditors cannot come to the rescue of the farmers. I have maintained right through that the Bill is too late to deal with the present proceeds equitably and justly. We must, either before the session closes or else early in the New Year, tackle the problem of the next harvest in another Bill. There is a definite difference of opinion regarding this, and the Council are making it clear in their amendments that they are dealing only with the present situation, the disposal of the harvest now being reaped. They have de-

leted from the Bill all reference to any action with regard to next year's crop. That is the question before us now.

The CHAIRMAN: No, the question is whether we are going to agree to the Council's amendments. I did allow a general discussion a couple of hours ago, but I do not propose to allow it again on these amendments.

Hon. W. D. JOHNSON: I appreciate your position, but I have my own rights. This is another question we are discussing, the Council's amendments that are insisted upon, and I am trying to explain what the issue is; the difference between insisting on and not insisting on, that is the issue. If we agree to the Council's amendments, we shall have a Bill to deal with the present situation and will delete that portion of the Bill dealing with the future.

Mr. Corboy: They also delete some things dealing with the past, for instance, wheat orders. That is the trouble.

Hon. W. D. JOHNSON: That is part of the trouble, but the particular trouble in that regard was overcome by an amendment in this place. I want it on record that I support the Council's amendments, because I believe they are meeting the problem of the present harvest to the extent that it needs meeting, and that next year's harvest has to be met by some other action. Otherwise there will be no next year's harvest.

Motion put and passed; the Council's amendments not agreed to.

Resolution reported and the report adopted.

### *Request for Conference.*

The ATTORNEY GENERAL: I move—

That a conference be requested with the Legislative Council on this Bill, and that at such conference the Assembly managers be the Hon. M. F. Troy, Mr. J. I. Mann and the mover.

Mr. KENNEALLY: I oppose the motion. I had occasion last year to offer opposition to the attitude of another place in regard to measures passed by this Assembly. It appears to me we are drifting into a system of government by conference. Another place seems to have the idea that all they have to do is to insist upon amendments, realising that ultimately this Chamber will fritter away its rights by asking for a conference. And another place thinks the result of the conference will save just a little of

what it otherwise would have lost. It is a wrong system, and I hope we shall not agree to the motion. We should say to the Council that we think the measures we pass here are right and should not be amended, and we should tell the Council that, after all, we are the people's representatives.

The Minister for Railways: But why not comply with the Standing Orders?

Mr. KENNEALLY: Why not hand ourselves over to another place, which follows this practice at the end of every session? And unless there is a uniform verdict from the conference, the Bill goes by the board. I hope the motion will not be carried.

Question put and passed and a message accordingly transmitted to the Council.

### MOTION—NECESSARIES OF LIFE.

*To Inquire by Royal Commission.*

Debate resumed from the 11th December on the following motion by Mr. Millington—

That in the opinion of this House a commission as recommended by the select committee should be appointed to conduct an investigation in regard to prices charged for necessary commodities.

**THE PREMIER** (Hon. Sir James Mitchell—Northam) [8.42]: I listened with attention to the remarks made by the member for Mt. Hawthorn, and I have also read the report of the select committee. The recommendation of that committee is that some further inquiry should be held.

Hon. P. Collier: That the inquiry should be continued.

The PREMIER: Yes. I have no intention to do anything in that regard, and I propose to save the time of the House by saying so.

Question put and passed.

### BILL—PREMIUM BONDS.

*Second Reading.*

Debate resumed from the 11th December.

**THE PREMIER** (Hon. Sir James Mitchell—Northam) [8.43]: The member for Perth introduced the Bill in this Chamber, the measure having come from another place. Most of us know very little about this question, but what we do know is that money is

invested in this way—it is called an investment here—and the interest is divided into two parts, one part going to charities and the other being distributed in prizes. I suppose that in the course of a few years the amount would be sufficiently great to make the prize worth having, and so each half year there would be a drawing for prizes. The proposal, as I understand it, is that by this scheme the Government would get certain money at the usual rate of interest, and the charities would benefit by at least one-half the proceeds. I do not propose to ask the House to agree to this Bill now, but it is the intention of the Government to go into this question of lotteries. It is a question that must occupy the attention of many of us as we move along the streets of Perth just now, for it is clear that something will have to be done. There have been attempts in the last few months to investigate the matter and prepare legislation, but we have not been able to complete it. We propose to continue it during the recess, and I hope that when the House meets next year, the Minister for Police will have legislation ready and we shall be able legally to control all lotteries. Personally I am not very much in favour of any form of legalised gambling. However, everybody gambles in some way or other, and it is suggested that the premium bonds scheme is a very mild form of gambling. I do not propose to discuss the Bill now or ask the House to discuss it. We shall go into the matter of lotteries and sweeps generally during the recess and bring down legislation next session.

**HON. P. COLLIER** (Boulder) [8.46]: Gambling is very prevalent throughout the whole State, indeed all over Australia. However much we may desire to suppress it, we are unable to do so. Even if gambling is widespread, there is much to be said against the Parliament of a country giving its sanction to it. I am not saying for one moment that I would oppose the Bill. I regret that time is not available for the House to discuss it. The promoter of it should not be discouraged on account of being unable to proceed with it during the present session, and I hope he will bring it forward again next year.

The Premier: Or adjourn the debate.

Hon. P. COLLIER: Then it will not fall from the Notice Paper, but may be revived if we meet after Christmas. I wish to

direct the attention of the Minister for Police to the alarming increase in the number of sweeps being promoted, or rather I should say to the number of people who are peddling sweep tickets around the streets. After long consideration we prevented the sale of sweep tickets by people in the streets, but I notice that they have returned to their old stands.

Mr. H. W. Mann: All to help the unemployed and themselves.

Hon. P. COLLIER: In more or less every street in the City persons are to be seen with tables and tickets for sweeps on all kinds of races and other events. I hope the Government will consider the matter during the recess.

The Minister for Police: Not a sweep has been authorised after the 31st December.

Hon. P. COLLIER: I hope careful consideration will be given before any additional ones are authorised. There is no city in Australia or in any part of the world that I have visited where so many people are to be seen in the principal streets offering tickets for sweeps on races, raffles and gambles as in Perth.

Mr. W. H. Mann: I hope members will study the Bill between this and next session.

Hon. P. COLLIER: I ask the Minister to keep a tight hold upon the number of sweeps. No doubt the selling of sweep tickets has become a profession and a large number of people are living on the game. The public do not know how much of the proceeds of a particular sweep goes to charity and how much to the promoter. A number of people are making a profession of it, and that ought not to be allowed to continue or increase.

On motion by the Minister for Lands, debate adjourned.

## **BILL—FARMERS' DEBTS ADJUSTMENT.**

### *Council's further Message.*

Message from the Council received and read notifying that it had agreed to the Assembly's request for a conference and had appointed the Hon. J. M. Drew, Hon. J. Cornell and the Hon. C. F. Baxter as managers, the President's room as the place, and the time forthwith.

*Sitting suspended from 8.50 to 11.35 p.m.*

### *Conference Managers' Report.*

**THE ATTORNEY GENERAL** (Hon. T. A. L. Davy) [11.35]: The managers have not returned with any wreaths of laurels. We recommend the House to accept the amendments made by the Legislative Council. The reasons of the managers are that the Bill, even in its somewhat emasculated form, still gives something to the farmer that will help him. It still gives him a rapid and cheap method of obtaining a stay and of getting his creditors together. The report is—

The conference has agreed to accept the amendments made by the Legislative Council to which the Legislative Assembly disagreed. It also recommends the following further amendments:—

Clause 4, Subclause (3).—Insert after the word "director," in line 14, the words "(which word does not in this subclause include deputy director)."

Clause 4.—Insert a new subclause, to stand as Subclause 4, as follows:—"(4) Deputy directors and persons appointed to act as receivers shall be remunerated only by payment of the prescribed fees for the work performed in respect of each estate, which fees shall be borne and paid out of the estate and property of the farmer concerned."

Apparently another place, in reconstructing the measure, desired that meetings of creditors should be called by deputy directors. It does not matter what we call them; we are content to have them called deputy directors, but if we had left the amendments as they stood, the Government would have been charged with the payment of remuneration, not only to the director and his officers, but also to all the deputy directors. As they are to call all meetings—there may be 30, 40 or 50 of them—if they were paid only £200 or £300 a year each, the sum would become much greater than the Treasurer could afford to pay. As they are to do work of a very limited nature, it was thought they must be paid a prescribed fee. I imagine that by regulation the fee would be fixed at so much for calling a meeting. That would, of course, include the cost of circulars, stamps, and interviews with the farmer to find out who his creditors were. Then, the meeting having been called, there would be assistance in the preparation of the financial statement. In the meantime, a receiver would be appointed, who would probably be the deputy director. He has to take charge of all the assets of the farmer and see that they are looked after for a

period varying perhaps between 14 and 28 days. Some remuneration must be paid to him for that, and it was thought the proper way to remunerate him would be by prescribing a flat rate, so much per cent., I imagine. It might be a half per cent.; it would be something quite small. We do not return from the conference with any particular pride, but we are certainly of the opinion that the Bill will be of some value to the farmers.

Mr. Corboy: Do you think any portion of what is left will be of value?

The ATTORNEY GENERAL: We would certainly not recommend its acceptance unless we thought so. I would ask the hon. member to remember that if this House accepts our recommendations, a rapid and cheap method of obtaining a stay will still be retained and a similarly cheap, and rapid method of holding up the disposal of the assets of the farmer from the creditors' point of view is also obtained, as well as the getting together of the creditors as early as possible, the stay going on meanwhile. That alone, I consider, is of value. I do not think it goes far enough, but it is better than nothing. I move—

That the report be adopted.

MR. CORBOY (Yilgarn - Coolgardie) [11.40]: I am not going to oppose the motion, but I wish to say I am very disappointed indeed that it has not been possible to do more.

The Attorney General: So are we.

Mr. Patrick: So is everyone.

Mr. CORBOY: I take the opportunity to register my protest. I really cannot understand the motive of members of another place in insisting on their amendments, as they apparently have done. While I recognise that the Bill in its best form was not of great value, it is of even less value now. However, members of another place must take the responsibility for that. I shall register my protest at their action in insisting that we must take much less than half a loaf.

MR. GRIFFITHS (Avon) [11.42]: As one who represents probably as large a proportion of the distressed farmers as any member of the House, I join with the member for Yilgarn-Coolgardie in protesting that

the combined wisdom of the two Houses has not been able to evolve something more satisfactory than what has been laid before us. It appears to me that the Bill is of very little use. What it will attain could have been gained without the Bill at all.

Hon. P. Collier: That discounts what is in the Bill.

Mr. GRIFFITHS: Perhaps in saying that I have gone a little too far. There appears to be no provision to meet the iniquitous wheat orders that have been issued wholesale. I do not know how the farmers who are in very great difficulties by reason of hire purchase iniquities which have been practised in this State will fare. There is unlimited scope for the secured creditors, and there is absolutely nothing to prevent their taking the lot.

Mr. Parker: No.

The Attorney General: The stay order applies to everybody.

Mr. GRIFFITHS: What has been evolved in conjunction with another place cannot be described other than as an abortion. I enter my emphatic protest against what has been evolved by the Parliament to which the farmers have been looking to do something to assist them.

Question put and passed.

*House adjourned at 11.45 p.m.*

## Legislative Council,

*Thursday, 18th December, 1930.*

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