

The MINISTER FOR HEALTH: It is rather difficult to give an explanation as to why all these regulations are required, but it should be sufficient to mention one incident. The power sought in the Bill is exactly the same as that contained in the New South Wales Act. No exception was taken to it in that State, or it might be said that one member, after the Bill had become law, moved in the direction of providing greater power than that already contained in the Act. The member for West Perth took exception to so much government by regulation, but I assure him that, for the control of drugs, it is essential that the department should have power to make regulations to overcome any emergency that might arise.

Clause put and passed.

Clauses 6 to 8—agreed to.

Schedule, Title—agreed to.

Bill reported without amendment and the report adopted.

House adjourned at 8.35 p.m.

Legislative Council.

Thursday, 25th October, 1928.

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

QUESTION—HARBOUR BOARD, ALBANY.

Hon. W. T. GLASHEEN asked the Chief Secretary: As it is over 18 months since the Albany Harbour Board Act was passed, will the Government state when it is proposed to proclaim and appoint the board.

The CHIEF SECRETARY replied: The undertaking given to Parliament and to the people of Albany was that the Act would be proclaimed when the local conditions justified the proclamation. These conditions have been under investigation for some time past, and it is hoped that a decision will be reached in the near future.

QUESTION—JETTY REPLACEMENT, POINT SAMSON.

Hon. Sir EDWARD WITTENOOM asked the Chief Secretary: When do the Government propose to take steps to erect a jetty in the North-West to take the place of the Point Samson jetty recently destroyed?

The CHIEF SECRETARY replied: The work has been listed for consideration on the Loan Estimates.

BILL—LUNACY ACT AMENDMENT.

Report of Committee adopted.

BILL—WHEAT BAGS.

Second Reading.

Debate resumed from the 23rd October.

THE CHIEF SECRETARY (Hon. J. M. Drew—Central—in reply) [4.36]: It has been stated during the course of the debate that the Bill will penalise farmers, and an attempt has been made to create an impression that the Government, in introducing the Bill, have had something like that in mind. I can scarcely think that many members of the House will accept that view. As a matter of fact, the Government introduced the Bill at the request of persons whom they considered represented the agricultural industry. For instance, there was the Co-operative Wheat Pool. Whom do they represent? They represent the great bulk of the farmers of Western Australia, the farmers who joined the wheat pool. When they approached the Government with the object of having a Bill of this description introduced, the Government came to the conclusion that the pool was representative of the agricultural industry. Then there was the Royal Agricultural Society. Under legislation that was introduced about two years ago, the various agricultural societies in Western Aus-

Australia become affiliated with the Royal Agricultural Society. The parent body, speaking on behalf of the affiliated societies, requested the Government to introduce the Bill. The cost of breeding has been emphasised during the course of the debate. Some members seem to be under the impression that bags must be stencilled. If they had to be stencilled, it would involve considerable time in branding so many bags. As a matter of fact an ordinary stock brand can be used for that purpose. Every farmer has a stock brand. I am informed that one can be easily carved from a piece of wood. Two letters and a numeral are all that are required, and they can be registered. The bags are laid out in a heap, and a boy can do a great many in an hour. All that he has to do is to dip the brand on a tar bag, and stamp the bag. A boy could do two bags a second quite easily. That will not involve the farmers in any great expense. One hon. member said that the branding of fruit cases was not required and that they were not, in fact, branded. On the other hand, fruit cases have to be branded. There is legislation to that effect. In the Fruit Cases Act of 1919, there is this provision—

No person shall sell fruit or export fruit from the State unless it is contained in a standard case, such case to be branded with the name of the grower of the fruit and the name of the district in which the orchard is situated.

Then there is the Wheat Marketing Act, Section 12 of which contains the following:—

All wheat acquired by the Minister under this Act shall be delivered by the wheat grower in new bags branded with the grower's identifying mark.

The original Wheat Marketing Act was passed in 1915, and after being in operation for six years, it was found necessary in 1921, three years after the war, to introduce legislation to compel the branding of bags. On the 25th May, 1927, a deputation, representing the Co-operative Wheat Pool, waited upon the Minister for Lands and Agriculture. It consisted of Messrs. C. W. Harper, A. J. Monger, Teasdale, Braine, Lasky and Smith. Mr. Monger will be accepted as representing the farmers of this State. At any rate, for a long period he was president of the Primary Producers' Association, and I think he is still associated with that body.

Hon. G. W. Miles: He is a practical farmer.

The CHIEF SECRETARY: So I am told. This is what Mr. Monger said during the course of the deputation—

Mr. Monger stated that during the war period the Australian Wheat Board insisted on the branding of all wheat, but under what Act that was done he did not know. The position was that there was a good deal of imposition at the present time. They had found ironstone, pieces of iron, gravel, sand, etc., put in the bags to bring up the weight.

That was the experience of the compulsory wheat pool. Mr. Monger made it clear that rubbish was put in the bags and he urged that it was necessary to approach Parliament to secure an amendment of the Act in order to combat that position.

Hon. C. F. Baxter: Did you say Mr. Lasky was present?

The CHIEF SECRETARY: Yes, he represented Dreyfus & Co. Mr. Smith represented Bunge & Co.

Hon. C. F. Baxter: Two of the largest wheat buyers.

The CHIEF SECRETARY: Yes. Mr. Monger, in his remarks, continued—

Not to a large extent, certainly, but the practice existed and if allowed to continue, would bring Western Australian wheat into disrepute.

I do not know that anyone will dispute that assertion. If such extraneous matter were put in the wheat bags and the wheat were exported, such a practice must lead to the lowering of the standard of Western Australian wheat. Mr. Monger continued—

The only way that they could see to prevent this was to be able at all times to prove the identity of the bags. If this were possible, then they considered they could deal with the situation. They were jealous of the good name of Western Australian wheat, and wanted that good name protected. There were regulations governing the carriage of fruit cases, and possibly something might be done on the same lines in connection with wheat bags.

Other speakers supported Mr. Monger and in the course of his reply, the Minister (Hon. M. F. Troy) said—

A farmer could have no reasonable objection to branding his wheat. Personally he always did so. It might be possible to do something in the direction desired, and he would go into the matter with his officers. If legislation were necessary it would, of course, have to come before Cabinet for consideration. However, he would see what could be done.

On top of that letters were written by the Royal Agricultural Society, on behalf of that body itself and of the associated agricultural

societies of Western Australia. In view of that evidence coming from such bodies of note, and those that were handling wheat, I trust the Bill will become law.

Question put and passed.

Bill read a second time.

In Committee.

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

Clause 1—agreed to.

Clause 2—Wheat bags to be branded:

Hon. J. J. HOLMES: Under this measure it will be an offence to sell or buy wheat unless the bag is branded, the idea being to enable the ownership of stolen wheat to be established. A large quantity of wheat is sold within the State to flour mills, etc. New bags can be used again. Generally bagmen get hold of them and sell them again to the farmers.

Hon. E. H. Gray: To the farmers!

Hon. J. J. HOLMES: Yes, to be used again.

Hon. C. F. Baxter: They can be used a second time.

Hon. J. J. HOLMES: Wheat is put into bags a second time, and why not? If wheat is put into a new bag only a hundred miles away and sent, say, to the Guildford mill, the bag is almost as good as new when the wheat has been emptied out. If one grower has branded a bag that comes into the possession of another man, the person having it in his possession is liable to be criminally prosecuted, because the bag bears someone else's brand.

Hon. V. Hamersley: Unless he can show right of possession.

Hon. J. J. HOLMES: I should like to know how the difficulty is to be overcome.

The CHIEF SECRETARY: If a grower sells to a mill, he can make arrangements to have his bags returned so that he can use them again.

Hon. G. W. MILES: I think the bags would be returned to the original owner. If sent to Sydney in bags that are branded, and the bags are returned. A similar arrangement could be made in the wheat industry.

Hon. J. NICHOLSON: Mr. Holmes has raised an important question. There is nothing in the Bill requiring a miller to return the bags, and there is nothing to pre-

vent bags from being used a second time. If a miller handed over to another person bags bearing a certain brand, serious complications might arise.

Hon. Sir Edward Wittenoom: Is there any penalty for eradicating a brand?

Hon. J. NICHOLSON: No. The Bill requires more serious consideration. A man told me to-day that he expects a yield of 24,000 bushels. He will require about 8,000 bags. He said it would be necessary to brand each bag singly and it would be impossible to brand them when they were packed up.

Hon. J. J. Holmes: That is the proper time to brand them.

Hon. J. NICHOLSON: Would it not be necessary to lay the bags out on a level surface in order to brand them?

Hon. J. J. Holmes: No.

Hon. J. NICHOLSON: If each bag had to be branded separately, the cost would be a heavy item.

Hon. E. H. Gray: It would be a day's work for a man.

Hon. J. NICHOLSON: Mr. Gray might be able to brand 3,000 bags in a day, but I doubt whether there is any other man in the country who could do it so expeditiously.

Hon. C. F. BAXTER: The Chief Secretary has been rightly informed; it is a simple matter and inexpensive matter to brand wheat bags. The bale is opened and the bags are branded in the bale. I have branded hundreds of bags and it is merely boy's work. The branding is not done in the field as that would be cumbersome and costly.

Hon. A. Lovekin: You propose a rubber stamp.

Hon. C. F. BAXTER: No, a brand cut out of wood is satisfactory. I cut a brand out of a piece of oregon 20 years ago and it is still in use. The bags can be branded with one hand as fast as they can be thrown aside with the other hand. No one has ever branded bags in the expensive way suggested by Mr. Nicholson.

Hon. J. R. BROWN: Members are labouring under a false impression if they think that the branding of bags is going to occupy such a long time. The bags are imported in bales, are tight and stiff as boards, and can easily be stamped. A man can register his brand and no one else can use it.

Hon. C. F. Baxter: He must register it.

Hon. J. R. BROWN: If a man sends 24,000 bushels of wheat to a mill in new bags, it should be worth his while getting the bags returned. There would be no difficulty in getting them returned. Someone suggested that it would be necessary to have a blacking brush and two or three tins of Nugget in order to brand the bags. Bags so branded would not be used for pigs' feed. That is not the way branding is done. Bags are branded in the same way as a letter is post-marked. There is no need for members to be concerned about the terrible expense to the poor farmer. A farmer with 24,000 bushels of wheat is not too hard-up. He is rubbing along all right, just as we are.

Hon. C. F. Baxter: It depends upon his liabilities.

Hon. A. J. H. SAW: We have learnt at last that it is a simple matter to brand wheat bags. There are two ways to overcome the point raised by Mr. Holmes. One is that the bags should be returned to the grower, and the other is that the brands on bags that are not returned should be obliterated.

Hon. J. Nicholson: Or the bags should not be used, under penalty, by anyone else.

Hon. A. J. H. SAW: If it is so simple to brand bags, surely it is equally simple to obliterate the brands!

Hon. H. A. STEPHENSON: After my 40 years' experience I find some of the remarks about bag-branding rather amusing. The wheat sent to mills runs into hundreds of thousands of bags and 80 per cent. of the wheat milled in this State goes from the pool. When wheat is received at the siding it may be put into stacks containing 20,000, 30,000, or 50,000 bags. Some months later several millers might require 10,000 or 15,000 bags between them, and the wheat is sent to the mills from the siding stacks. From one stack mills might get 10,000 bags of wheat bearing 1,500 different brands.

Hon. J. R. Brown: Oh, oh!

Hon. C. F. Baxter: Easily 1,500.

Hon. H. A. STEPHENSON: How are those farmers going to get their bags returned? Another point not appreciated is that the miller buys the bag as wheat. Each bag weighs $1\frac{1}{2}$ to 2 lbs. for which the miller pays as wheat, and is he likely to return the bag?

Hon. H. J. Yelland: A bag that cost the farmer 10d. or 1s.

Hon. H. A. STEPHENSON: That is so. It has been said that gravel, stone, etc., has been put into bags to make up weight. I mentioned that during the debate on the second reading. I do not like to rub it in too hot, but one matter came under my notice to which I should like to refer, and when I have related it, hon. members will understand how simple a matter it was at one time to get gravel, metal and other foreign matter into wheat bags and so make up the weight. During the existence of the wheat pool I had occasion to call at a siding, not 100 miles from Perth. There was a big stack of wheat there about twice the size of this Chamber. When I approached it, I saw something that surprised me. Right across the end of the stack about 20ft. or 30ft. in length, there had been placed wire netting and inside that wire netting were 60 well-grown pigs. Those pigs were in clover alongside the stack of wheat because slits some 9in. long had been made in the sides of the bags. The wheat was draining on to the ground and all the pigs had to do was to remain there, taken their fill, lie down and rest and then eat more. When the wheat was received by the receiving agents, it was weighed. Many of the bags naturally were nearly empty and so fell far short of the correct weight. It was necessary for the receiving agents to see that their out-turn weight was equal to their receiving weight. The result was that most of the bags that were nearly empty were filled with gravel and soil to make up the weight and so the receiving agents were able to send out more weight than they received.

Hon. Sir Edward Wittenoom: Why did not the receiving agents seize the pigs?

Hon. H. A. STEPHENSON: Because the receiving agents were the owners of the pigs. I reported the matter to the wheat pool and it was not until a good many days had elapsed that action was taken. That incident shows how easy it was at the time of the compulsory pool for the bags to be filled with foreign matter. I do not suggest that that kind of thing takes place to-day. I was informed afterwards that the receiving agents owned those pigs and that those agents were also agents for the Primary Producers' Association. The poor innocent farmer who owned the wheat did not know that he was feeding other people's pigs to

provide cheap pork, but he got the blame for adulterating the wheat. The Primary Producers' Association are in favour of the Bill and the Chief Secretary has told us that the Royal Agricultural Society is also in favour of it, although, as a member of that society, I have never heard that the matter was discussed. I have no intention of opposing the clause, but I maintain that this is a matter on which we should have the opinion of the grower of the wheat. Notwithstanding what has been said I do not think that 25 per cent. of the wheat growers of Western Australia have been consulted in the matter. Of course if they allow these things to go through without taking an interest in them, it is their own business.

The CHIEF SECRETARY: Branding has been done in the past, and over a fairly long period it has been done under the administration of the Wheat Marketing Board. So far as I know, there have not been any complaints. If there had been complaints and branding had been proved to have a penalising effect on the farmer, we would not have had a man like Mr. Monger coming forward to advocate it. With regard to the argument about bags being delivered at a mill, and possibly being used by other than the grower, should such be done an offence will be committed. If members read Clause 2 they will find that it sets out—

No person who is a grower of wheat shall sell or export, or deliver or consign to any other person for sale or export on his behalf, wheat in bags or other packages, unless every such bag or package is durably and legibly stamped with the name and address of such grower.

It must have the grower's brand and no other brand on it. The mill would have the bags on their hands unless the original owner took them back. That is very clear.

Hon. E. H. Harris: Where is the provision to prohibit more than one brand being put on a bag?

Hon. Sir Edward Wittenoom: Cannot you obliterate the brand?

The CHIEF SECRETARY: There would be no object in doing so. Suppose a man put wheat into a bag branded with his registered brand. That wheat goes to the miller and no one would purchase the bags from the miller.

Hon. A. J. H. Saw: If he obliterated the brand, the bag could be sold again.

The CHIEF SECRETARY: I do not see anything to prevent that being done. The

incident related by Mr. Stephenson where the receiving agents deliberately slit the bags so that their pigs might be fed, would hardly ever occur again. I have no doubt that was possible at the time referred to, but then the person responsible must have been a daylight thief.

Hon. E. H. GRAY: There is a misunderstanding as to the ultimate destination of second-hand bags. Not ten per cent. of wheat bags are used again for wheat.

Hon. C. F. Baxter: Nothing like it.

Hon. E. H. GRAY: As a matter of fact the wheat agent who knows his business, would not receive wheat in second-hand bags. The instructions are not to receive wheat in second-hand bags because of the possibility of waste. The millers sell the bags that they do not want and those bags are purchased by dealers who in turn sell them to farmers who need them for other purposes.

Hon. J. J. HOLMES: The Bill was practically thrown into the other House by the Minister who introduced it and who said, "This is what we want. We do not propose to administer it. We do not propose to police the Bill. That will be for the wheat buyer to see to." I can anticipate trouble and I imagine that the branding of bags will cost the wheat producer a mint of money. The bag is branded with the owner's mark and it becomes the property of the owner of the wheat. Bags cost 1s. each and the time is not far distant when we shall be using 20,000,000 bags. These at 1s. a bag will represent a million of money. The Minister says that the bags will go back to the owner. Dr. Saw says "Obliterate the brand." The very object of branding bags is to prevent deception. If one were to put a hot spade on another fellow's brand and then put his own brand somewhere else on the bag, it would set up a serious problem. It will be a simple matter to daub something over the brand on a wheat bag and put on another brand.

Hon. G. Fraser: Would you buy a bag of wheat with an obliterated brand on it?

Hon. J. J. HOLMES: You would not know it was an obliterated brand. Obliterating the brand on a bag is altogether different from obliterating the brand on an animal; because in these days of X-ray examination one can go right through to the skin of an animal in his search for an obliterated brand. Under the Bill it will be

possible to get over the fence any night and put one's brand on a bag of wheat after obliterating the other fellow's brand. The Bill is too crude. It has not been thought out. It requires to be compiled more on the lines of the Brands Act.

The Chief Secretary: A sort of Criminal Code.

Hon. J. J. HOLMES: No. Under the Bill if one puts his brand on a bag the bag becomes his property. Dr. Saw says it would be a simple matter to obliterate the brand and send the bag back to the farmer. Equally it would be a simple matter to obliterate the brand while the bag is still in the field or in the stack. I want to see a decent Bill put up, not one so ill-considered as this. The trouble is that people go to the Minister without the assistance of counsel and ask him for a Bill. Then the Minister takes the shortest cut, and so we get a measure like this.

Hon. J. R. BROWN: It appears to me members are taking even a more serious aspect of this Bill than they did of the Dog Act Amendment Bill last night. They are making a joke of it. Mr. Holmes pointed out that some people will steal other people's wheat. But how much wheat would a man steal? About enough to feed half a dozen Leghorn fowls. As to obliterating brands, Mr. Holmes says it is possible to put the X-rays on to an obliterated brand on a horse. But how many people out in the farming districts could get an X-ray plant for the purpose? It is said to be the farmers themselves who want this Bill. Somebody said it was only the Westralian Farmers Ltd. Even so, whom do they represent but the people? Now we get a cock and bull story about a big barn of wheat. Somebody put wire-netting around it to keep the pigs in. As if pigs would run away when they could get to the wheat! Then, we are told, each bag was slit as it was put down, and the pigs had a feed. I rather fancy they would be pretty sore pigs after a good feed of wheat. Anyhow, if it were thought necessary to put the wire around the barn and have the bags branded, why was it not thought necessary to have the pigs branded as well? I suggest that the stones said to be put into the wheat should be branded. Then we should find out who was doing all the mischief. I hope mem-

bers will settle down to the serious consideration of the Bill and stop joking.

Hon. E. H. HARRIS: Mr. Holmes said he spoke with a view to securing information. I have been seeking information by listening to all the speakers. I did not speak on the second reading. As has been pointed out, it would be a simple matter to brand the bags, and I think it would be equally simple to make sure that nobody else would brand another man's bag. The Bill makes no provision that there shall not be more than one brand on a bag. It is merely prescribed that the brand shall be legibly marked on the bag. There is no specified size for the brand. I submit that subsequently the bag can be branded by anybody else; because the grower sells the brand when he sells the wheat. We are told the Bill has been brought down at the instance of people representing the farmers and their societies and institutions. Mr. Brown said he had heard a few jokes on the subject. I know of a few jokes put up by industrial people. Representing some of the workers in the country, they claim to speak for everybody, whether in the industry or not. The people who claim to represent the farmers were representing some of the farmers, not all of them, when they put this Bill before us. The man who registers his brand with the Government will have no protection whatever. I have been looking for the motive for bringing down the Bill, for it has been said by three speakers that there is a nigger in the woodpile.

Hon. E. H. Gray: No, in the wheat bag.

Hon. E. H. HARRIS: Let me draw attention to the bottle exchange. When the people behind that movement found that other people were filling their bottles, they put their registered trade mark on the bottles, and so nobody else could use them.

Hon. E. H. Gray: They wanted the bottles back, but the farmer does not want the bags back.

Hon. E. H. HARRIS: He may. Some farmers are opulent, but others are not so well placed. I see no reason why a man not so well placed should not want to get his bags back.

Hon. E. H. Gray: What would he do with them?

Hon. E. H. HARRIS: Fill them and re-brand them. It is quite possible for the Primary Producers' Association or the West-

ralian Farmers Ltd., or any other combination of farmers to register a trade mark in addition to the one with the Government, and put it on the bags. Then nobody else would be able to use those bags for any purpose whatsoever. People would have to buy new bags, because they would not be allowed to use old ones.

Hon. H. A. Stephenson: There might then be a good profit in dealing in bags.

Hon. E. H. HARRIS: Some shrewd head might have that in mind. An organisation of farmers with a registered brand might be formed, and they would handle only bags bearing a registered trade mark or brand. I do not think the Bill is going to give half the protection that some members expect of it.

Hon. C. F. BAXTER: Mr. Harris implies that used bags with a brand would not be accepted, or that at any rate there would be a heavy dockage on second-hand bags. There is a great deal in that. There may be as many as 120 farmers carting in to one stack. As the loads come in they are placed all over the stack, and so a truck of wheat might not contain three bags from any one farmer. When the miller has thousands of bags of wheat in his mill, how is he going to sort out the different brands? It is impossible. The quality of bags used for export wheat is so poor that one has to exercise the greatest care in the first filling, in order not to burst the bag. It is in the reconditioning of burst bags that foreign matter gets into the bags. The miller uses a great many bags for bran and pollard. The surplus bags are sold to dealers, or perhaps sold back to the farmers. But no farmer would use a second-hand bag for his wheat, except his seed wheat which he himself handles. His second-hand bags are used for oats and barley. The Bill is not going to cover the position. What is wanted to safeguard the position is the provision we had in handling wheat for the compulsory pool. It worked splendidly. It reads as follows:—

All wheat acquired by the Minister under this Act shall be delivered by the wheat grower in new bags branded with the grower's identifying mark.

Mr. Harris said that it would be an easy matter to put any brand whatever on the wheat bags. I disagree with that. It is clearly provided that every bag must be clearly marked with the name and address of the grower, or with the stock brand registered with the Department of Agriculture.

If the registered brand is not used, one will have to use stencils, and that will be a very costly matter, for each bag will have to be set out on a level plane in order that the stencil may be applied.

Hon. J. Nicholson: Then what will the farmers do?

Hon. C. F. BAXTER: Use the ordinary registered stock brand, as in the past. Any obliteration of the stock brand would show that the bag was secondhand, and it would not be used by the agent.

Hon. Sir EDWARD WITTENOOM: The idea of branding the bags is a good one. No one need fear that the farmer will get his wheat bags back, because he never does so. What can a man do with any surplus bags he has which have been branded? He could, of course, obliterate the brand with his own brand, and explain how he came to do so. When a miller buys wheat he does not return the bags. Can he use them for brand and pollard? Suppose a miller has a surplus of his own, in what way can he dispose of it? Could he obliterate the brand and sell the bags, and could the purchaser resell such branded bags?

Hon. A. LOVEKIN: The discussion shows that the Bill requires further consideration. Mr. Baxter states it is a simple matter to get a piece of wood, cut out a brand upon it, dab it down upon a bag, and in that way make a suitable impression upon the bag. I fail to see how anyone could, with a piece of wood, and ink upon it, so place it upon a yielding substance such as a bag as to make a legible impression. That would not be practicable.

Hon. C. F. Baxter: I know of men who have done it for 20 years. It can be seen on my own farm.

Hon. A. LOVEKIN: Before stamping machines for letters were made it was very difficult to decipher the post mark that was placed on a letter by means of a metal stamp and the pressure of the operator. The clause provides that every bag or package must be stamped, the penalty being £20. A farmer may send in 1,000 bags of wheat without branding them. Is he to be fined £20 for every bag? A person who buys from a grower of wheat is deemed to be the grower himself. I may buy 10 bags of wheat for my fowls. They may come to me unbranded, but I am deemed to be the grower and am liable to a penalty of £20 on every bag. That cannot be intended. The Bill is too crude to warrant its passage

in its present form. I hope the Chief Secretary will report progress so that greater safeguards may be provided.

Hon. J. NICHOLSON: Mr. Gray referred to fruit cases. Some time ago an Act was passed to prevent the use of secondhand fruit cases. Once a fruit case is used it cannot be used again.

Hon. E. H. Gray: There was a reason for that.

Hon. J. NICHOLSON: Wheat bags may be delivered in good condition to the miller. Is he to be compelled to destroy those bags, just as a fruitgrower must destroy his case?

Hon. E. H. Gray: The miller wants all the good bags, and sells the bad ones.

Hon. J. NICHOLSON: The bags would be branded. If they were good he would naturally desire to convert them into cash. When a farmer sells his wheat in bags, he sells the bags with it. The view expressed by the Chief Secretary that the bag is the property of the owner is wrong.

The Chief Secretary: I did not say that.

Hon. J. NICHOLSON: It becomes the property of the person who buys the wheat. There is nothing in the Bill to prevent him from selling bags. They may come into the hands of a dealer. He may sell them to some careless grower, who may use the bags again without changing or obliterating the brand.

Hon. E. H. Gray: Wheat could not be sold in second hand bags.

Hon. J. NICHOLSON: No provision is made for the registration of stock brands. Under the Brands Act a stock brand is not defined, although a brand is. A brand means a permanent impression of any letter, sign or character branded upon any stock, including any ear mark, firebrand, wool brand and tattoo mark. The definition of stock covers any horse, cattle, or sheep. There is a further definition in the Brands Act of brands, as follows:—

Every brand registered under this Act for horses and cattle shall consist of two letters and a numeral, and the arrangement of such letters and numeral shall be fixed and determined by the Registrar in such order and positions as he may decide.

There is another kind of brand besides that provided for horses and cattle, namely, that provided for sheep. The Act says—

Every brand registered under this Act for sheep shall consist of an earmark with or without a fire-brand, tattoo mark or wool brand. An earmark shall be made on the near ear for female sheep, and on the off ear for male sheep, and not otherwise.

This shows how ridiculous the Bill is. It would be unwise to pass the Bill in its present state. If we have to read into the measure that bags may be branded with a stock brand, obviously it means a brand under the Brands Act. A man might say, "I have a sheep brand, and I will put the earmark on the tag of my bag." That would be compliance in one sense, though I admit it is stretching the point. Again, cattle and horse brands have to be affixed on certain parts of the animal. A horse brand must be put on the near shoulder. How would that answer in the case of a wheat bag? For cattle, the brand must be near the rump or on the cheek. How would that suit in the case of a bag?

Hon. Sir Edward Wittenoom. The Bill says that the bag is to be stamped with a registered stock brand. That is quite clear.

Hon. J. NICHOLSON: There is no definition in the Bill of "stock brand," and obviously whoever preferred the Bill thought that a stock brand would be a brand under the Brands Act. That is a totally different thing. There is no such expression as "stock brand" used in the Brands Act. If we are to apply the Brands Act to the interpretation of this Bill, we shall find ourselves in a hopeless quandary. Under the Brands Act, provision is made for a penalty where a man offends against the measure. This Bill makes absolutely no provision whatever for the man who might possibly imitate another farmer's brand. There is nothing to prevent any man from again using a bag with a brand on it. The more one looks at the Bill, the more convinced one becomes that it should be revised in the interests of the farmers themselves, to prevent them from being made the victims of hasty legislation and to preserve them from mischievous practices by unscrupulous persons. I hope the Chief Secretary will give the matter further consideration.

The CHIEF SECRETARY: I do not propose to give the matter any further consideration. The Bill clearly expresses what is intended. The Brands Act has nothing whatever to do with the case. The Bill as introduced by the Government made provision for the name and address to be shown on the bag. Then the question was raised in another place, "What about the farmer's stock brand?" Thereupon it was decided that a farmer might use his stock brand

to brand wheat-bags. That does not bring the farmer under the Brands Act. The amendment of the Wheat Marketing Act as regards branding was passed by this Chamber without the raising of any of these objections. That was a simple amendment of about six lines. This Bill is more comprehensive, and tightens up the position considerably. I could criticise every line of the measure and make it appear ridiculous, and similarly in the case of every Act of Parliament; but I would not be speaking common sense.

Hon. A. Lovekin: Do you think you could print with a 14-inch brand on a bag?

The CHIEF SECRETARY: The brand is placed on a tar pad and then on the bag.

Hon. A. Lovekin: Do you think you could get enough impression?

The CHIEF SECRETARY: It has been done. Mr. Troy has been doing it for 30 years.

Hon. A. Lovekin: Were the results legible?

The CHIEF SECRETARY: I cannot say, but they must have been regarded as satisfactory. The stock brand has been inserted to meet the convenience of the farmers.

Hon. J. Nicholson: Why not make provision for the registration of a special brand?

The CHIEF SECRETARY: By some lawyers the two clauses of this Bill could be extended to 60 clauses.

Hon. H. A. STEPHENSON: I am sorry the Chief Secretary will not accept Mr. Lovekin's wise suggestion. If passed in its present form, the Bill will be unworkable. The Minister said the use of tar was customary and was a simple method of branding.

The Chief Secretary: I was told that.

Hon. H. A. STEPHENSON: The hon. gentleman stated that twice. I question whether there is a miller in Western Australia who would accept wheat in bags branded with tar. Tar has an obnoxious smell, and wheat absorbs that smell. Do what one will with the wheat, once it has absorbed the smell of tar that smell cannot be got rid of: and flour made from such wheat can be baked until doomsday without removing the tar odour. I am surprised that the Chief Secretary will not report progress so as to allow inquiry.

The Chief Secretary: I am willing to report progress, but I cannot give any additional information.

Hon. C. F. BAXTER: There is no need to report progress on a simple Bill like this. I have never heard so many trivialities introduced into a discussion before. The Chief Secretary did make a casual reference to branding with tar. However, tar is never used for branding wheat bags. There is a cheap preparation for branding sheep and bags, and it is used by all farmers. The two hon. members who are printers may know something about their own trade, but they have shown their complete ignorance of branding. Let them visit a farm and become enlightened as to the ridiculous nature of their statements this afternoon. Nothing can be more legible than a brand properly put on a wheat bag. I hope the Chief Secretary will not report progress, but will go ahead. There is no reason why progress should be reported.

Hon. E. H. H. HALL: Until the Chief Secretary spoke, I thought Mr. Nicholson, whose remarks had almost induced me to reverse my opinion, was serious. It was only after the Minister had spoken that I realised the hon. member had, in all probability, been joking.

Hon. J. Nicholson: The Bill requires serious consideration before we pass it.

Hon. E. H. H. HALL: In considering such a Bill, we should take notice of the views of people who know most about the subject. At least some of those who have discussed the measure do not possess, in my opinion, much knowledge of it. Mr. Cornell was the first to make an onslaught on the Bill and Mr. Harris, after some days had elapsed, was another. They both lashed themselves into white heat. Mr. Cornell said that a great many farmers did not possess a boot brush or a tooth brush. Such a statement is without foundation. I was privileged to attend a meeting with the four gentlemen who were known as "The Big Four," and one of them asked what steps we took to assure that we had quality of wheat rather than quantity. The answer that had to be given to him was that we took no such steps.

Hon. J. J. Holmes: The Bill will not help that.

Hon. E. H. H. HALL: I think it will tend to have something to do with it. Mr. Cornell said that the Bill had been intro-

duced to scotch a few unscrupulous persons. We maintain a police force that costs a lot of money, in order to deal with a few unscrupulous people.

Hon. H. A. Stephenson: Why not brand those few?

Hon. E. H. H. HALL: That has nothing to do with the point. Just as we keep an expensive police force for that purpose, so it is necessary to have the Bill for the protection of the wheat growers. Some mention of stealing wheat was made and some members seemed to be under the impression that the thefts took place at the stacks on the farms.

Hon. C. F. Baxter: It takes place there too.

Hon. E. H. H. HALL: Unfortunately, a good deal of stealing has been from the stacks belonging to the wheat pool, considerably more than has come to light.

Progress reported.

BILL—POLICE OFFENCES (DRUGS).

Received from the Assembly and read a first time.

BILL—NAVIGATION ACT AMENDMENT.

Returned from the Assembly without amendment.

House adjourned at 6.12 p.m.

Legislative Assembly,

Thursday, 25th October, 1928.

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

QUESTION—POLICE CONSTABLE CAMPBELL.

Mr. SLEEMAN asked the Minister for Police: 1, What charges were laid against Constable Campbell, and who laid them? 2, Who heard the charges? 3, What was the decision of the tribunal hearing the charges? 4, Was the decision carried out? 5, If not, what punishment was meted out to Constable Campbell? 6, Was the decision conveyed to Campbell in writing? 7, If not, in what way was the decision conveyed to him? 8, Is there any reason for the department's refusal to convey in writing any decision made by the tribunal trying him? 9, If so, what is the reason?

The MINISTER FOR POLICE replied: 1, (a) Disrespect of his superior officer and disgraceful conduct by the use of certain language concerning the Hon. J. M. Drew, Chief Secretary, and Mr. R. Connell, Commissioner of Police; (b) disrespect of his superior officer and disgraceful conduct by the use of certain language concerning Inspector O'Halloran. 2, A board appointed by Executive Council under Section 26 of the Police Act. 3, The board recommended that the constable be fined the maximum penalty provided by the Act, viz., £3, and ordered him to pay £16 16s. costs. 4, No. 5, He was removed from the force in accordance with Section 8 of the Act. 6, The recommendation of the board was not conveyed to him in writing, but in accordance with the usual practice it was conveyed to him by his district inspector and he perused the minute