is within the scope of the Act shall be sufficient. There is only one point that might be objected to in connection with this matter, and that is that under normal conditions the proposal to undertake irrigation works must be advertised in the "Government Gazette" and a newspaper circulating in the district. The "Government Gazette" is not worth anything from the point of view of publicity, because I do not think one-twentieth of one per cent. of the people of the State ever see the "Gazette" and only a very small proportion of that one-twentieth ever reads it. But it would be fair to the people concerned for proper notice to be given that a work is about to be undertaken, particularly an irrigation project that might mean taking away certain portions of a person's land. Beyond that, I have no objection to the Bill but am in favour of it.

At this point I would like to express regret at the recent demise of the Chairman of the Irrigation Commission, the late Mr. Hodgson. The Irrigation Commission comprises certain gentlemen nominated by the Government, and three local residents. The Commission has done very excellent work in the past. It started without any precedent so far as this State is concerned and met many difficulties; but by reason of hard work and application to its duties, it accomplished a great deal. Irrigation will play a very much greater part in the South-West in the future and there is still much to be learnt about it. The Commission is due for the largest measure of praise that this State can accord. By application to its work, it has enabled the State to produce many hundreds of thousands of pounds worth of primary products that it was not possible to obtain before the irrigation scheme was inaugurated. I support the second reading.

HON. L. CRAIG (South-West) [6.10]: The only amendment to which I shall speak is the one dealing with the increase in the fine for water stealing.

Hon. A. Thomson: I was going to move the adjournment of the debate.

Hon. L. CRAIG: Who is running this show? These amendments are quite necessary, but I would like to point out that the stealing of water has repercussions. I have known cases in which a water officer has turned on the water, but it has not reached the person requiring it. He, in distress, has pulled out one of the stops and let the water through on to his property as a result of which he has been fined £5. I know it is a crime to steal water, but in some circumstances, through the lack of attention by one of the water officers, it is possible for men to be deprived of water.

Hon. W. J. Mann: Those cases are very rare.

Hon. L. CRAIG: I know. I myself have in many instances had to take drastic action to get a proper supply. This amendment applies mainly to the Canning people, who have a limited supply of water, so that if one steals any he deprives somebody else of it. In the bigger areas, however, it is not a question of entire loss of water but of interference with somebody above or below an offending irrigationist. If there is a considerable amount of water going through a channel and serving three points and the man at the top interferes by taking out a stop, it means that more water runs on to his place and that the people below are not getting water to which they have a right. In the circumstances, I support the second reading.

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

House adjourned at 6.15 p.m.

Legislative Assembly.

Tuesday, 18th September, 1945.

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

QUESTIONS.

POTATO CROP.

As to Labour for Digging.

Mr. McLARTY asked the Minister for Agriculture:

1, In view of the late planting of potatoes due to weather conditions, which makes the period of digging much shorter than in previous years, and the possible loss from potato fly and sunburn, can he state whether sufficient labour will be made available to ensure the safe harvesting of the crop which is expected to be ready for digging early in November?

2, If labour is to be made available, from what source will it come?

3, Will urgent representations be made to the Defence authorities for the early release of farmers' sons, to enable them to assist with the digging of the crops?

The MINISTER replied:

1, No guarantee of labour sufficient for lifting all potato crops maturing during November can be given.

2, Efforts are being made to secure the services of P's.O.W. The Deputy Director General of Manpower will endeavour also to place individual free diggers on properties.

3, The provision of labour for agricultural industries is constantly being stressed, and the desirability of releasing skilled labour included in such representations.

RAILWAYS.

As to Repair of Washaways.

Mr. SEWARD asked the Minister for Railways:

1, Have all the washaways on country railway lines been repaired yet?

2, How many men were employed on such repair work during the period from the 1st April to the 31st August last?

3, What amount of overtime was paid to the men so employed during that period?

The MINISTER replied:

1, Normal traffic has been restored over all lines affected but repairs are not yet complete.

2, 360.

3, £2,825.

PUBLIC TRUSTEE.

As to Estates Administered, Etc.

Mr. FOX asked the Minister for Justice:

1, What was the total value of the estates accepted by the Public Trustee for administration for the year ended the 30th June, 1945?

2, The total value of estates and funds under the administration of the Public Trustee at the 30th June, 1945?

3, The total number of wills held in the Public Trust Office on behalf of living persons at the 30th June, 1945?

The MINISTER replied:

1, £388,946.

2, £1,028,786.

3, 1,540.

ICE.

As to Increased Supply.

Mr. NORTH asked the Minister for Health:

1, What increase in plant for the manufacture of ice has taken place since last summer?

2, Is the prospect for a sufficient supply this summer favourable?

The MINISTER replied:

1, No increase in plant has taken place since last summer, although a complete new unit is awaited from U.S.A. by the Western Ice Co.

2, Yes.

BILL—STATE GOVERNMENT INSURANCE OFFICE ACT AMENDMENT.

Introduced by the Minister for Labour and read a first time.

BILL—INSPECTION OF SCAFFOLDING ACT AMENDMENT.

Read a third time and transmitted to the Council.

BILL—GOVERNMENT EMPLOYEES (PROMOTIONS APPEAL BOARD).

Report of Committee adopted.

BILL—MINING ACT AMENDMENT.

Second Reading.

Debate resumed from the 13th September.

HON. N. KEENAN (Nedlands) [4.38]: This Bill purports to amend section 277 of the Mining Act, 1904-1937, in the new

order of numbers, or section 297 in the old order. Its purpose is to give power to the Minister for Mines, for the time being, to grant a reservation, of a maximum extent of 100 square miles, for the purpose of prospecting for what is called deep alluvial gold. The only right that will accrue to the party, to whom this concession or reservation is given, will be the right to prospect, and to occupy for the purposes of prospecting, this area of land. The right is solely confined to prospecting, as I have pointed out, for deep alluvial gold. The Bill contains a definition, of great exactitude, of the word "depth" because it is stated that it is to be 30 feet from the natural surface of the land. But there is no further definition of the word to indicate its meaning.

It was suggested by the Minister that he himself had in his mind a definition—it may or may not be accurate, and is certainly not to be found in the measure. The term is, however, defined in the principal Act, although in very general words. I purpose to refer to them to show what is the conception in that Act of the term "alluvial." It is defined when applied to gold as—

> any earth containing or supposed to contain gold and not being a lode, dyke, reef or vein.

Everyone who has had any acquaintance with the Goldfields is only too well aware that the definition "alluvial" is one of the most controversial it is possible to imagine. All gold originated by means of gases coming from the very bowels of the earth and, in different ages, being formed into minerals, among them gold. Then in the processes of time the deposits were subjected to wind and action by earthquakes, in the course of which action portions of the deposit were carried away, becoming free to some extent, sometimes becoming completely free of earth or rock. Such gold is found on or near the surface as a rule in different parts of the Goldfields, but always in close proximity to a reef. In fact, I know no better description than the old timers' definition, which was that alluvial gold was spewed up by the reef, which although not couched in technical terms brings to mind what really happened.

Why I draw attention to the fact that the definition is indefinite is because of some observations that I shall make at a later stage as to the possibilities that may arise if this Bill becomes law. A reservation is referred to in the Bill as the right of occupancy; but that is immaterial because what it is intended to grant and to mean is the sole right of occupancy for the particular purpose of carrying on exploratory work to find whether there exists deep alluvial gold, which, as I explained to the House, is gold occurring at a depth of more than 30 feet below the natural surface. The Minister was very careful to explain to the House that in this Bill provision is made whereby the prospector or any holder of a miner's right can enter upon land, which is the subject of a reservation, carry on mining operations, and take out what are known as mining tenements, which include mining leases. Of course that was subject only to the reservation of all deep alluvial gold to the grantee of the reservation. By the "grantee" I mean the person who was given the benefit and advantage of the reservation.

It might be convenient if at this stage I review the legislation that has been enacted in the past and the practices indulged in through the years with regard to the reservation of areas in gold-bearing country or, in other words, the reservation of land that is covered by the provisions of the Mining Act of 1904. Section 297 of that Act merely set out that certain areas of land should be exempted from the operations of the Act, which areas might be included in the reservation. I shall submit that it is open to no doubt that the object was to make provision for such necessities as railway stations which might be required at any time in the future, for churches, for places where athletic sports could be indulged in, for public halls and, in fact, for all the amenities that are associated with, and have to be provided for in, our social life.

Merely a cursory examination of the language of the section is required to make clear that the whole intent was to take out these particular reserves from the operations of any mining laws. That was necessary because we could not have land that had been donated, or set aside to be donated at some future time, for the purpose of erecting a church, a public hall, a post office, a railway station or for work of a similar character, made subject to the mining laws. We could not allow the

holder of a miner's right to exercise his rights in respect of such land and for that reason the land I refer to was taken wholly away from the application of the Act. I purpose to read the language of the Act in order that the House may fully appreciate that that was the only intent. Section 297 reads—

> The Minister and, pending a recommendation to the Minister, a warden, may temporarily reserve any Crown land from occupation, and the Minister may at any time cancel such reservation: Provided that if such reservation is not confirmed by the Governor within twelve months, the land shall cease to be reserved.

Members who were on the Goldfields at the time will remember applications being made for mining purposes on reservations which, when it was known the area contained reasonable prospects of holding alluvial or other mineral deposits, were cancelled and, in the circumstances, they were open to be entered upon and taken up as mining tenements and, in fact, were so taken up. That was the position for many years and no attempt was ever made to reserve such land for mining purposes, because it was recognised that the section took such lands away from the operation of the mining laws. Then, for some reason or another, a different interpretation was put on the provision. As the Minister indicated, in 1933 there was a very rapid rise in the price of gold and a number of persons took the opportunity to enrich themselves by acquiring large areas of land in respect of which they had the sole right to carry on mining operations. I desire to make it very clear that I have no doubt whatever that the Minister for Mines in those days, Hon. S. W. Munsie, believed that what he did when granting those large areas would be to the advantage of the mining industry.

Mr. Smith: Reservations were granted long before that.

Hon. N. KEENAN: Not so very long before.

Mr. Smith: Yes. When Mr. Scaddan was Minister.

Hon. N. KEENAN: That is correct, but the reservations granted then were small whereas the others I refer to were large reservations. I want to make the position perfectly clear because I have a considerable amount of knowledge of those transactions, and they were all entered into by the then Minister for Mines in a most bona fide manner, and with the conviction on his part that he was serving the best interests of the mining industry by granting them. I also have no doubt whatever that the Minister was wrong in that belief.

Mr. Smith: You were a member of the Government at that time.

Hon. N. KEENAN: Geophysical examination of the earth's surface in order to discover the secrets hidden below the surface is not by any means a new discovery. It was a discovery made some time, at any rate, prior to 1930, and it certainly was spoken of in this House on many occasions by many members, particularly by the Minister for Mines, very soon after 1930.

Mr. Smith: It was known a long while before that—1925 or 1926.

Hon. N. KEENAN: It is quite possible that the learned member is right. He has often got information that other members have not.

Mr. Smith: A commission reported on it.

Hon. N. KEENAN: I have no doubt that it was known. The point I am making is that in fact it is not a new discovery today. It is a fact that it was known to the mining world for a very considerable number of years, and in that I am glad to have the support of the member for Brown Hill-Ivanhoe. But I have never heard, nor do I know anybody who has heard, of any deposits in considerable quantities of gold-bearing earth or gold-bearing rock having been found as the result of a geophysical examination or as the result of the large mining reservations which were granted. It may be, of course, that that is my ignorance, but I have never met anyone who, if he did know of it, told me of any discovery of any importance that had been made either as the result of the granting of these large reservations or as the result of a geophysical examination.

As the Minister for Mines very properly pointed out in the course of his second reading speech, these large reservations locked up almost all the gold-bearing country of Western Australia and so deprived the prospector of any opportunity to pursue his vocation. Every mine has only a life, even the best of mines, and unless new propositions which can be mined are found, then the mining industry must wane and perish;

and, as the only agency that I know of, or have heard of, that has found mines is the prospector, who is ill-rewarded for his work, it follows that any measure which shuts out the rights of a prospector is a measure that is inimical to the mining industry. The fact that those large reservations did kill the prospectors' trade was a fact which showed how inimical the granting of those large areas was to the interests of the mining industry. But besides that, and entirely apart from it, I and others in this Chamber held the view that the granting of these large reservations was not contemplated by the Act—it was not within the scope of the Act —and that Section 297 had been given an entirely wrong interpretation. I do not want to cover again what I have already said, that Section 297 merely gave power to take lands out of the operation of the mining laws.

I have said, and the Minister commented on the fact that it was asked why did not those who made objections to the grants of these reservations go further and appeal to the law courts and have an injunction granted to restrain the Minister from making those reservations. The answer is a very simple one. This House approved of the Minister's action; and, assuming an objector made application to the law courts, and assuming again that he was successful, what would have been the result? The only result would have been that this House would take steps to validate what otherwise was unlawful, and that validation would most certainly have been passed. So, Mr. Speaker, it would have been merely irritating to make any application for the intervention of the law in the matter. I have gone through the historical records of grants of large areas of land in the form of reservations at some length, because, as the Minister seemed to anticipate in his speech, he might be subjected to some charge of change of mind or change of face in introducing this present Bill. But such a charge would be wholly unwarranted, and for these reasons in particular:

In the first place, in the present measure the prospector is fully protected, whereas in the grants made before this measure, which grants were improperly made, but nevertheless made, the prospector was entirely left out. He could not enter on the ground at all for any purpose; and, of course, that was the main objection which many took to the grants which were made in those former days. In the second place, it is now perfectly clear that if this measure is passed, this House will have given authority to the Minister for Mines to make this grant. The words are perfectly plain. They are not open, as Section 297 was open, to very grave doubt, and lastly the continuance of the benefit of the grant is dependent on the grantee carrying out bona fide work. If he does not do so, the Minister has it in his power to terminate the grant. Therefore the matter stands on a different basis from what it stood before the introduction of this amending Bill; and I hope that in the opinion of all of us the Minister stands entirely free of blame of any character in the matter. But I now have unfortunately to express some serious doubts as to the working of this measure, and I hope the House will bear with me while I point out for what reasons I hold those various doubts.

It is perfectly clear that if alluvial gold were found on any part of a reservation at any depth not exceeding 30 feet, it was open to the holder of a miner's right to enter on the ground and work that alluvial gold. That is quite clear. If, on the other hand, the alluvial gold occurs at a depth of more than 30 feet, then it is, by the terms set out in this Bill, the property of the grantee of the reservation, and his property alone or her property alone or its property alone. If, therefore, at any time the holder of a miner's right entered on the land, and the right is reserved to him to do so, and if he carried on mining operations, which right is also reserved to him to do so, and as the result of those operations in looking for something he is entitled to look for, either alluvial gold at a shallower depth than 30 feet, or any kind of reef gold at any depth, it is quite possible he might discover in the course of those operations the occurrence of gold which could be termed alluvial but which we often call leads; for the leads, as they were known in the goldfields, were undoubtedly alluvial. They were on what were deemed to be old water or river beds and were therefore alluvial. They were entirely separated from any lode or any reef.

I can well imagine, and I have no doubt that anyone acquainted with the Goldfields can well imagine, the turmoil that would take place if gold were found in the form of deep alluvial by some miner who was

working legitimately on the area and searching for other gold; because, unfortunately, it always happens in mining that these deep leads are accidentally found. I do not know whether there are any members in the House, except the member for Hannans, who remember the Ivanhoe Venture case. In that instance there was a lead at varying depths. In parts it was less than 30 feet below the surface and in other parts presumably more than 30 feet below the natural surface of the ground. Those who were working on it, of course, followed it, no matter where it went. As a rule, the increase in depth was not due to any large variation in the level of the deposit itself. At the surface there was an increase of overburden. At any rate, it was over 30 feet below the natural surface of the ground.

If this had been the law at that time; and if, therefore, it had been unlawful for the miner to take that gold once it went down more than 30 feet, is it possible to imagine that the miner would have agreed to that? Of course it is not, and it would have been impossible to prevent him from carrying on his mining operations. So, also, it would be utterly impossible to prevent the miner who was following down a stringer or leader which led to a lead. It would be utterly beyond the resources of the law to prevent such a man from taking what he found. It must be remembered that such men are not trespassers; they are there lawfully; they are not carrying out unlawful work but are following a leader, which is perfectly lawful, and that leader comes into a deep lead. I confidently assert that no warden's court and no authority of which one could dream would be capable of preventing the discoverers from taking gold out of those deposits.

Mr. Fox: If they had followed the leader down——

Hon. N. KEENAN: That is exactly how it occurred in the Ivanhoe venture. It was originally found by following a leader down. They came to this gully—for it was a kind of a gully—and whether it actually led to the lead or was in proximity to it, I am not in a position to say. But it was discovered as a result of following a leader. It may be said that that is unlikely to happen. I agree; but, unfortunately, in operations in the mining world, that which is unlikely to happen is just what does happen. So I cannot divorce my mind from the fear that under this Bill, which creates dual ownership of the same ground—for we must remember that once a man goes beyond 30 feet he is going into ground given to the holder of the concession, but that the miner who, under his miner's right, is searching for other forms of gold, will be absolutely right in going down below that depth—I cannot, I say, divorce my mind from the fear that under this dual ownership of the same parcel of land there might occur unfortunate turmoil. That is the only objection that I can entertain towards the Bill.

I am quite satisfied that the Minister brought forward the measure with the conviction that it would serve the best interests of mining. I am quite satisfied also that he has given every consideration to possibilities that may arise if it becomes law. But that does not bring conviction to me that we shall not create a state of affairs in which it is possible there will be a considerable degree of industrial turmoil. If I could be assured on that point by those better acquainted with the matter from more recent and therefore more valuable knowledge of mining than I possess, I would be only too willing and ready to be assured. I hope, therefore, the member for Hannans will address himself to this Bill. There is one other observation I would like to make. The Minister has informed us that a certain party approached him with a view, if this Bill becomes law, to seeking for the advantages that it will enable him to bestow. In other words, these people want to be grantees of a concession, should the Bill become law. They have informed the Minister that they expect—if they have the good fortune to find a deposit after a geophysical examination—to work at a depth of 2,000 feet, or at least 1,000 feet. That must appear an extraordinary story to those who have any knowledge of mining, because the cost of putting down a shaft 2,000 feet in the country in which one would be likely to find deep alluvial—which would be very open, broken country, probably even lake country; in fact, that was mentioned by the Minister—would be colossal.

The matter would not end there, because when a shaft is taken to that depth it would be impossible to provide air without an air shaft as well. Then there is the huge diffi-

culty of dealing with the enormous quantity of water that must be found at that depth in that class of country. So I am not very hopeful that that offer will lead to good results. It may be—I hope it is not—one of those kites that go to London and which are put up in London for the purpose of inducing the ignorant to invest in a proposition. Bullfinch mine shares broke down when the mine became of small value and the ore depreciated rapidly in its gold contents, and I was approached by about 50 people—all poor people, such as parsons and other holders of small sums of money—who had invested in the venture because a railway was to be constructed there. They seemed to have some extraordinary belief that if the Government put its stamp on a venture by building the railway, the venture must be one of excellent description. If someone obtains a concession under this Bill and takes it to London, it can be dressed up in any kind of colour and can take in any kind of gullible person.

It is a proposition difficult of acceptance that one can mine an alluvial deposit, which must be very shallow—no-one knows of an alluvial deposit of more than half-a-dozen feet or a little more in depth—or that one can sink a shaft 2,000 feet through very poor and difficult country and make a profit. It may be so, but it strains my belief. While it has been my duty to voice these doubts, I repeat that I have no hesitation in accepting the assurances of the Minister that this measure, if it is a workable one, will be for the benefit of the industry. So, although I personally cannot convince myself that these doubts are not of a character which makes caution necessary, if not delay, I am certainly not going to oppose the second reading. But I wish I could support it in a stronger manner than I feel inclined to.

THE MINISTER FOR MINES (Hon. W. M. Marshall—Murchison—in reply) [5.10]: I did not anticipate that the debate would conclude so speedily. I have not much to which to reply, but I do want to correct some impressions left by the member for Nedlands. It may be that it is my fault some of his comments were made. Probably I did not express myself as fully as I might have done. Taking his last point first: It is true that I mentioned a depth in regard to 1,000 feet, and probably 2,000 feet, but I did not suggest that a shaft will be put down to that depth. I thought I made it clear that this proposition was one where the company that enjoyed the right of occupancy wanted to explore, not do practical work, until such time as it was sure it had something payable to which to give practical attention. It starts off with a geophysical examination. I am not going to dispute that point with the member for Nedlands. I respect his opinion on these matters; but in my second reading speech, I told the House that I knew nothing about the capacity of this particular piece of machinery, and I am still not acquainted with its virtues and its peculiarities.

But what I want to remind the hon. member of is this: that there was a time in his life when, if a person had told him that the day would come when one could sit in Western Australia and speak to one's uncle in England without the aid of wires, that person would have been considered positively insane. Again, if I had been told a few short years ago that in America people would be transported from one place to another at the rate of 500 miles an hour, I would have said, "He has them bad!" It is a fact. It is here, but it was unbelievable yesterday. That is the position with all scientific inventions; we, as laymen, cannot appreciate their value, their virtues or their importance, until we are given practical evidence of them. While I know nothing about this machine, I have been taught several lessons during my life and I am not prepared to condemn the apparatus if those who understand it—or think they do—have confidence in its capacity to indicate to them something worth while. If they are prepared to pay for it, I will be only too pleased to allow them to do so, seeing that it will cost me nothing.

I want the member for Nedlands to realise that if these people do discover, through the operations of this technical contrivance, sufficient evidence to convince their scientific men that there is gold to be found at depth, they propose to diamond-drill it and assure themselves that there is something there that would justify putting down a shaft. If they attempt to put down a shaft, they have to comply with the Mines Regu-

lation Act and will have to find the wherewithal to see that ventilation and sanitation are given proper consideration in the process of developing the proposition. I did not stipulate that this or any other company that might enjoy the right of occupancy under this Bill—if it becomes an Act—had to go down to 1,000 feet or 2,000 feet. They have the right of occupancy, and I agree with the interpretation of the member for Nedlands of Section 297.

We agreed, many years ago, that it was never meant to grant the right of occupancy for mining purposes at all, and that it was clearly defined to take that sort of reservation away from the effects of the Mining Act. But the principle has been endorsed, and my first knowledge of a reservation of that kind was one granted by the late Mr. Scaddan in 1921. It is the principle, and not the area, that concerns me at the moment and, be it right or wrong, under the present numbering of the Mining Act, it now appears under Section 277. I am committing no greater crime than many of my predecessors committed, and I have been honest and conscientious in admitting that I do not think it would withstand legal challenge.

The next point raised by the member for Nedlands referred to the thirty feet. I told members that I was not wedded word for word to this Bill. I am trying to give a company—any company that has the finance and the courage to attempt to discover deep alluvial in Western Australia—an opportunity to do so, so that it may mean another form of mining in Western Australia, accompanied by the prosperity that is usually associated with a rapidly developing country; no more, and no less. Who, in this Chamber, would be more apt to give me some assistance in defining where the limits ought to be—in the matter of the 30ft. limit—than the member for Nedlands, who is a legally trained man, with a great deal of practical experience in mining?

The Minister for Lands: The member for Nedlands sank a shaft, once.

The MINISTER FOR MINES: I do not think the member for Nedlands has a peer, in Western Australia, as a legal man. No-one has had more than he to do with the technicalities of mining, either in law or in practical mining. I am not wedded to this measure, and I subscribe to the possibilities of the point raised by the member for Nedlands. If he can show me, in Committee, how the difficulty can be overcome, I shall be delighted to accept an amendment. I know of no individual case in the State of my birth, Victoria, which is peculiar for its deep alluvial deposits and discoveries, where the alluvial was not accidentally found. It was never found by following a leader down to it. I know of no case where that happened, but I agree that it could happen, and the chaos that would arise—as enunciated by the member for Nedlands—is apparent to everyone.

Has the member for Nedlands a solution to the difficulty? Could he give these people a chance to decide whether there is deep alluvial in Western Australia, while doing any more than I have put into the Bill to safeguard the interests of the ordinary prospector? If he can do so, I shall be glad to accept such an amendment. I gave the matter a lot of thought, and felt that we might go deeper with it, but no matter to what depth we go the possibility raised by the member for Nedlands will still be present. As I said in my second reading speech, this company told me that if a prospector was fortunate enough to strike alluvial and wanted to follow it down—if it went down to depth—well and good, he could carry on with it, but, as pointed out by the member for Nedlands, lawfully he would not have the right to go below 30 feet. Members must understand that alluvial, unlike lode matter or quartz, does not constantly burrow down into the bowels of the earth.

Alluvial runs more or less at a given depth, parallel with the surface of the earth. It may deviate and go down 15 or 20 feet and then rise again, as the bottoms of rivers do, and so it would appear to me that anyone following a leader down could contact one of these columns of wash in which alluvial is to found but, if it were not discovered within a depth of 30 feet, the chances are remote that it would be discovered beyond that point and at greater depth. That, of course, may be argued. Alluvial might be found at 31 feet or 32 feet, but if we look to practical experience—taking my native State as an example—most of the alluvial wash was found there at a depth of approximately 20 feet. Some of the alluvial mines went down to many hundreds of feet, but, strange to relate, after 20 feet little was

found until they had got down hundreds of feet. I quite agree with what the member for Nedlands has said, but I can do nothing more to mend the position. If I could do so, I would do it readily, and if any member feels that something else ought to be there, rather than the 30ft. limit, or that some other protection should be given to the bona fide prospector, I am prepared to give consideration to anything within reason, and to accept it.

Question put and passed.

Bill read a second time.

In Committee.

Mr. Rodoreda in the Chair; the Minister for Mines in charge of the Bill.

Clause 1—agreed to.

Clause 2—Amendment of Section 277:

Hon. N. KEENAN: I would like to be in a position to be able to suggest some alternative to what is proposed in this Bill, that would be free from the risks and dangers that I pointed out, and that the Minister for Mines, who is acquainted with the mining industry, recognises, but it would be difficult—if not impossible—to frame any measure creating dual ownership of the same ground, and not to have those dangers. The dangers arise from the fact that, under the proposal in this Bill, whoever gets the reservation is entitled absolutely to what is below 30ft., to all deep alluvial occurring below that depth. On the other hand, any holder of a miner's right is entitled to enter on the land and carry on mining operations of every description, except that he cannot take the alluvial which is found below 30ft. He can be searching for reef or lode gold, and can lawfully occupy exactly the same parcel of land.

So long as there are two occupants of the same parcel of land, both lawfully working on it, I am afraid that situation must give rise to the dangers and possibilities that I have mentioned. I am not in a position to accept the invitation of the Minister to suggest some alternative—not without giving the matter a great deal more consideration than I have given it up to the present. I would remind members that the only justification that existed for the regulation known as "ten foot Ned" was that until ten feet was reached the ground was absolutely the property of the alluvial worker. Once it passed 10 feet, there was no more dual ownership; whatever was in the ground became the property of the leaseholder. This obviated the dual ownership difficulty, though it was arbitrary and imposed some injustice on the man who was working the surface. At the moment, I am not in a position to accept the offer of the Minister to suggest an alternative proposal.

Mr. TRIAT: I hope the Committee will consider the question raised by the member for Nedlands in view of the statement of the Minister that there is a danger of the 30 feet limit causing hardship to a man who might stumble on alluvial extending below 30 feet. When a prospector has the right to peg a piece of land, he has the right to work it to any depth except the alluvial. If he is working a reef or leader, he may go down to any depth. Only when it is alluvial must he stop at 30 feet. There must be some limitation to the depth to which a man may go in order to find alluvial, but when he discovers it at shallow depth and it extends below 30 feet, I do not think we should provide that anything below 30 feet shall be considered to be deep alluvial, except where the Minister exercises discretion to permit a greater depth. If alluvial were met at 25 feet and extended to 35 feet, the Minister should be able to say that the discoverer shall have the right to work it. I think the difficulty could be overcome by making provision to that effect. Though protection must be given to a company that is prepared to spend a large sum of money, the prospector should be allowed to continue to work alluvial of which he was the original finder.

Mr. McDONALD: I am impressed by the suggestion of the member for Mt. Magnet and I think an amendment could be devised to protect the prospector. If a prospector, at the expenditure of time and money, found alluvial gold, it would be a great hardship if it continued below 30 feet and he was cut off from the benefit of what might be the most valuable part of the discovery. On the interpretation placed on the original section, larger areas of Crown lands were reserved for occupancy by persons or companies. On that interpretation there was no limit to the size, and the Minister in his discretion could allow the occupant to conduct such operations as he thought fit so long as he did not come within other provisions that impose an obligation to take out a mining lease and so on. In 1939, seeing the possible

danger of large reservations in favour of particular individuals or companies, Parliament went so far as to cut those rights of occupancy down to an area of 300 acres. We also povided that this right of occupancy should be for no more than one year and, if it were granted for a longer period, the Minister was required to lay the terms and conditions on the Table of both Houses within fourteen days of the granting of the right, and either House had power to disallow the right of occupancy. I mention this to show the caution that Parliament considered should be exercised in granting rights of occupancy.

Under the present measure, the right of occupancy is limited to prospecting for deep alluvial gold, although the area is extended to 100 square miles. In addition, this measure seeks to protect the rights of legitimate prospectors. We should extend this protection by providing that no right of occupancy shall be granted for a term exceeding, say, five years. Although, under the Act of 1937, a right of occupancy granted for a term exceeding one year has to be tabled and can be disallowed, there is a risk of such a transaction passing unobserved and of the time for disallowance expiring without action having been taken. If we provided a minimum period of five years, it would not prevent the Minister from renewing the right of occupancy by yearly extensions. Nor would it prevent the Minister from granting a new lease up to five years to operate from the expiration of the preceding lease. When a person or company obtains a right of occupancy under this measure, giving the sole right to prospect for deep alluvial gold over an area of 100 square miles, it might be a possession of considerable value. As we are disposing of a valuable right over the people's estate, we should ensure the retention of a certain measure of control over the concessions granted. I move an amendment—

> That a new subparagraph be inserted as follows:—"(d) By inserting after the word "year" in line three of Subsection (2) the words "but not exceeding five years."

The MINISTER FOR MINES: I see neither merit nor virtue in the amendment. Under the Bill, which became an Act in 1937, the right of occupancy can only be granted in excess of one year provided the Minister lays on the Table of the House the terms and conditions under which the reservation is granted. He cannot grant a reservation now, not even if this Bill becomes law, in excess of one year unless the particulars to which I have referred are laid on the Table of the House. The member for West Perth now thinks we should limit the period to five years. I do not know what his object is. What virtue is there in his amendment? The hon. member says the parent Act demands that if the Minister grants a reservation in excess of 12 months he must do it by regulation. That is a better method than to limit the period to five years. I do not think any reservations have been granted for any greater period than two or three years. Even at the time when the granting of reservations became almost rampant, the Minister of the day did not grant them for any long term.

Does the member for West Perth fear that a Minister would grant the right of occupancy in excess of five years? I do not think any Minister would do that. This Bill will be subject to the Act of 1937, and no better safeguard could be found. I should like the member for Nedlands to know that the right of dual occupancy exists today, strange as it may seem to him. A prospector may go on to a prospecting area and get as much alluvial gold from it as he can find, and the owner of the prospecting area cannot eject him. I am referring particularly to the Yellowdine case. So long as the prospector was able to prove to the warden that he was getting alluvial gold, he could stay on the prospecting area.

Mr. Fox: That would be only a small area.

The MINISTER FOR MINES: In the case to which I am referring it was a 24-acre area, and that is as big as a leasehold tenure.

Mr. Fox: But it is not ten miles square.

The MINISTER FOR MINES: The only difference is in the covenant controlling labour. In the case of a prospecting area two men can hold it if they work it, but in the case of leasehold it takes four men to hold it. The annual rent for prospecting areas is 10s., and in the case of leasehold it is 5s. for the first year and £1 per acre thereafter. I cannot accept the amendment.

Hon. N. KEENAN: The Minister is correct in saying that there is provision whereby dual ownership can arise. That was exemplified in the Yellowdine case. It led to the very situation that I have pointed out. There must have been at least 100 court cases in connection with the Yellowdine mine when the parties went to the Warden's Court to iron out their differences. That is an example of what I fear may arise if we create conditions of dual ownership. Litigation will not settle the matter. When the law goes against the discoverer of gold he will not respect it.

The suggestion of the member for Mt. Magnet might obviate some of the difficulties that would be likely to arise from dual ownership. What I think he desires is that if the holder of a miner's right enters upon any portion of a reserve—he may be miles away from where operations are going on—and finds alluvial gold which goes down below 30 feet, that person should be entitled to follow the gold below that depth if the Minister is satisfied that the man commenced work on the alluvial; and further that that should be made a condition of the concession. Will the Minister say whether he is prepared to consider an amendment to give effect to that proposal?

The MINISTER FOR LANDS: I am a bit diffident about intervening in this discussion because one of my colleagues is in charge of the Bill, and I had a lot to do with it previously. One of the unfortunate expressions in the measure—and I do not see how it can be overcome—is that of "deep alluvial."

The CHAIRMAN: Order! I hope the Minister for Lands will stick to the amendment, which is to increase the time from one year to five years.

The MINISTER FOR LANDS: I had better sit down because I am not interested in that point.

Mr. McDONALD: If this Bill is passed the position will be as follows: The Minister, without referring to anyone, may grant a right of occupancy for 100 square miles for a period not exceeding one year. The Minister may also grant a right of occupancy, up to 100 square miles, for a fixed period exceeding one year but in that case the instrument by which he grants the right has to be laid on the Table of the House and becomes subject to Parliament's usual powers of disallowance. The point exercising my mind is that, subject to the instrument by which the right of occupancy is granted being laid on the Table of the House, the Minister may grant a right to occupy up to 100 square miles for deep alluvial mining for any period he thinks fit.

I am not suggesting that the Minister would grant an occupancy for 99 years, or even 21 years, although apparently he would have the power to do so subject, of course, to the document being laid on the Table of the House and being subject to the disallowance of Parliament. To prevent an over-enthusiastic Minister exercising judgment which is not completely sound, we should guard against a right of occupancy over such an extensive area going, at all events, beyond five years. From what the Minister said, it might be proper to make the period three years. Where a concession, which might be of some magnitude in value, is made, there should be a ceiling to it. There would be no harm, as I think the Minister admitted, in providing that the right of occupancy cannot exceed five years unless it comes back to the House for re-examination if the Minister should desire to grant an extension.

The MINISTER FOR MINES: I agree with the member for West Perth about limiting what might be done by the Minister in granting a right of occupancy for a period in excess of 12 months, if he grants that right by regulation. I give this assurance, that the period will not be for five years. No amendment providing for five years will be acceptable to me. If the hon. member would limit his amendment to two years or three——

Mr. McDonald: I would like to limit it to two years.

The MINISTER FOR MINES: The Minister, by regulation, now has the power to renew the right of occupancy every 12 months. A Minister who is not concerned could, under the amendment, grant a reservation for a period of five years. Without the amendment he could grant one for an unlimited period. I will not accept an amendment which would make the period, to some Ministers, a minimum one of five years. I will accept an amendment providing that no right of occupancy will be granted in excess of 12 months, other than

by renewal. I am not prepared to hold up large areas for a period longer than that. I do not want to go beyond 12 months, at the end of which time the matter could again come before this Chamber. In order to give members a further opportunity to endeavour to overcome the difficulty, I would like a Goldfields member to move that we now report progress.

Mr. McDONALD: I am entirely in agreement with the Minister. My idea is to ensure that people do not get monopolies of areas up to 100 square miles, of our goldfields. I welcome the Minister's suggestion that the period be one year. Every application for renewal would then be laid on the Table of the House for action by Parliament if Parliament thought fit.

Progress reported.

BILL—CLOSER SETTLEMENT ACT AMENDMENT.

Second Reading.

Debate resumed from the 11th September.

MR. WATTS (Katanning) [6.9]: Although I must say that I do not fully understand the reasons why an amendment of this nature has been introduced to the Closer Settlement Act, I intend to give support to the second reading of the Bill because I anticipate that when I have made by remarks the Minister will be able to give some information as to the actual intentions underlying this measure. The Closer Settlement Act itself, with the aid of the Public Works Act, provides means for the resumption of land for the purposes of closer settlement. That Act provides for the appointment of a board of three persons, one to be an officer of the Department of Lands and Surveys, another to be an officer of the Agricultural Department, and the other to be a person having local knowledge of the land being inquired into for the time being. That Act also provides that the decisions of the board shall be unanimous before effect is given to them, and that the board shall only have power to deal with land that is unutilised.

The Act contains a definition of unutilised land. It is said to be land which, having regard to its economic value, is not put to reasonable use and its retention by the owner is a hindrance to closer settlement, and cannot be justified. I want to say here that I give the strongest possible support to the resumption of land to which that definition applies. To my mind there is no question about that. There is no justification for a person holding a large area of land, and being allowed to do so, without putting it to reasonable use and, indeed, without being obliged to obtain from it the maximum, or as near the maximum as is practicable, of production, which is possible in the particular industry concerned. But I point out that notwithstanding the fact that only unutilised land shall be taken, the parent Act provides for an appeal to a judge of the Supreme Court—whose decision shall be final—who is empowered to annul the decision of the board in regard to any particular piece of land.

Therefore, even though it is unutilised and comes within the definition of unutilised land, which I have just mentioned, the Act is very sympathetic to the owner of the land. He is to be given an opportunity, before the full powers of the board are exercised, to offer it for sale or to subdivide it. He can do it himself. It is only if he fails to do that, or having promised to do it does not carry out his promise, that the compulsory acquisition provisions of the Act apply. So far as I am concerned I would welcome the repeal of the sections dealing with unutilised land because it seems to me that if land is unutilised, in accordance with that definition, there is justification for the taking of it without any intermediate appeal. There is no need to give the person—the owner of unutilised land—the opportunity of first subdividing it or offering it for sale. If the board's decision is unanimous there is justification for taking the land immediately.

I turn now to the constitution of the board under the Act. It provides for a person with local knowledge, that is knowledge of the area in which the land, the subject of the inquiry or the acquisition, is actually situated. That obviously implies someone with a knowledge of the actual means of utilisation of land in that area and able, undoubtedly, to judge as to whether the land is being reasonably utilised, having in mind the type of land and the conditions prevailing in the particular district. The officer of the Lands Department to be included is not named. He is to be selected by the Governor-in-Council, and he would obviously be a person with wide knowledge of land and production in Western Australia. Similar provisions would apply to the officer to be selected from the Agricultural Bank. Under

the Act we have a board constituted in a manner which ensures a proper knowledge and consideration of all the circumstances of any particular land.

Sitting suspended from 6.15 to 7.30 p.m.

Mr. WATTS: Prior to the tea adjournment I was saying that under the Act we have a board, constituted in such a manner as to ensure proper knowledge, both general and local, to deal with land which is not utilised, and whose decisions must be unanimous and still subject to right of appeal to a Supreme Court judge. Under this Bill we are to have something entirely different. There is to be a committee, and it names specific people, so far as two of its members are concerned, so that not the Executive Council, but Parliament is to determine whether these gentlemen have the requisite knowledge and a proper opportunity to apply that knowledge. In respect of the third member, there is no specific indication that he is to be a local person with any local knowledge. He may, indeed, be simply another member of the Civil Service, as far as the provisions in the Bill go. They do not define him in any way that would prevent him from being a third member of the Civil Service. This committee is to have power to make its recommendations regarding land, whether that land is utilised or not, and there is no right of appeal.

It is true that the Director of Land Settlement, who is to be one of the members of this committee, is in my opinion—and I think in the opinion of every member in this House—completely capable of dealing with the problems that are involved. He has a wide general knowledge of the land of this State, and of its value and usefulness. I have had negotiations with him and have found him fair beyond any question, but I venture to say that in his present position, and with the duties that are falling and likely to fall upon him, he is not going to have a reasonable opportunity to deal with the matters that are bound to come before the committee if he is a member of it. In my view he will simply not have the time. After all, as I think the Premier once said to me, there are only 24 hours in a day, and I feel that, with the absolutely essential time that is required for recreation in the 24 hours, Mr. Fyfe's job must be a complete one, so I doubt whether we are justified in having a committee constituted as this Bill proposes. I am prepared, because of the high opinion I have of Mr. Fyfe, to leave him on the committee, but in my opinion there will be many a time when he will be unable to take part in its deliberations, so we have to deal more carefully with the other two that are members of it.

The Bill then provides that the second member shall be the Under Secretary for Agriculture. Here is another man who, during the war, has had many extra duties imposed upon him. He is the permanent head of a department, the ramifications of which are increasing rapidly every day. We have another Bill, following this one on the notice paper, that is going once more—it would seem—to increase his obligations. He has had imposed on him such occupations as Deputy Controller of Eggs, and he is obliged constantly to make visits to the Eastern States. While, as regards dairying and certain other branches of agriculture, he has a very wide knowledge, I doubt whether his information is as complete in regard to those branches of agriculture that are connected with wheatgrowing and sheep raising. I feel impelled to say that there should be appointed to this position an officer of the Department of Lands and Surveys, or of the Department of Agriculture, who is not so fully occupied with other tasks and who has a more general knowledge of all the industries of the State, in order that, if the Director of Land Settlement is not available, this officer will be available to take his place and do the work that he will be called upon to do.

As I understand it, the motive underlying the Bill is to assist as far as possible in providing land for soldier settlement, and it seems desirable that the officer so appointed should be one who has had military service or service in the Forces of the Crown which have been engaged—

The Minister for Lands: Irrespective of ability?

Mr. WATTS: —in order that he may have a proper appreciation of the circumstances and an idea of what persons who have come home from active service desire. The third position seems to me to require a man who has local knowledge. Circumstances vary in

almost every district in the State. No-one knows that better than does the Minister, who would be the last man to say that there is anyone—because it is impossible—who has as complete a knowledge of every district as he has of one, two, or perhaps a dozen districts. The original board, under the Act, complied with that requirement. The third member could be changed, from time to time, to cope with the circumstances of each district, and I submit that it should be so in this case. I think also that there should be a right of appeal, which should take into consideration what will be the result of resuming the land, from the point of view of production and of obtaining increased population on the land concerned. At this stage I wish to quote from paragraph 471 of the third report of the Rural Reconstruction Commission, which most of us have read. Paragraph 471 of the report on Land Utilisation and Farm Settlement, reads—

> Possible need for resisting pressure for subdivision. It may be that strong public pressure will develop in favour of extensive subdivision of large estates merely because they are large, and irrespective of their contribution to the agricultural output, and the efficiency of their management. In the opinion of the Commission such pressures should be resisted; action of this sort would be no more justifiable than breaking a large manufacturing concern into a number of small, independently run units. The Commission emphasises that, in most industries, modern farming adequately mechanised and using rotations of crops where such are necessary for the maintenance of soil fertility, requires farms of a size which need the fulltime employment of several men. If, therefore, estates are to be subdivided into small units effective agriculture of this general type ultimately becomes impossible. Reasonable returns to agricultural workers are seldom associated with one-man farms. Ultimately, subdivision implies a refusal to permit aggregation which, in its turn, removes an incentive to effort for higher efficiency.

Further on, in paragraph 487, we find—

> The Commission therefore urges that in fixing a standard for farm size in the promotion of closer settlement, it is desirable, in the interests of healthy settlement, to adopt as a basis the area which, when used for the purposes for which it is best suited under a long-range production programme with due regard to proper farming and soil conservation methods, and, when worked with average ability, permits employment with the least waste of those combined factors of production which make for the greatest efficiency.

There we have the well-considered views of those Commissioners, and I think they ought to be taken into consideration by us in arriving at exactly what should be done under this measure. I tell the House that I agree with them, but I am going to quote some examples of the type of property which I believe is included in the categories referred to by the Rural Reconstruction Commission and where there will be justification for resisting pressure for their subdivision. I shall quote particulars of various properties known to me or facts supplied to me from reliable sources.

Farm A. comprises an area of 9,000 acres. The land is only fair average grazing. It has been occupied by the farmer for 19 years. For the first few years, because of the extremely heavy cost of bringing the land to a fully productive stage, losses were incurred or, at least, no profits were made. The books of the concern have been kept by a well-known firm of public accountants, and every item of credit and expenditure has been recorded. The property made losses in the first year of £2, in the third year £440, in the fourth year £456, and in the sixth year £164. Profits were made, in the eighth year, of £1,051, in the tenth year £1,923, in the twelfth year £617, and in the fourteenth year £959; and in the war years the profits have ranged as high as £2,704, the greater part of which, of course, was paid away in income taxation.

But in this period, consequent on the use of an average of 230 tons of superphosphate per annum, an average of eleven people, including the wife and two sons of the owner, have been resident on the property, and varying amounts of casual labour have been employed for varying periods. The number of sheep carried, consequent on this development, has steadily increased from 3,730 to over 6,200, and the weight of wool from 37,210lbs. to 57,000lbs. The average price for wool in the first year, when the small loss to which I referred was made, was 2½d. per lb. higher than in the year 1944 when the very substantial profit that I mentioned was secured. It is open to very grave question whether any subdivision of this property would produce greater production or any great increase in the population on the property, especially the former, when one takes into consideration the very heavy

capital expenditure that would be involved in providing separate plant, separate houses, and the like.

In the property of farmer B., the area is 10,000 acres. Upon that property 8,000 sheep are carried, including a stud. It is well known that for the successful management of a stud flock a considerable area of land is required, and it would be impracticable to do away with the larger studs, because there would be no source of supply of sires and stud ewes for the North-Western areas where there are regular customers and for the ordinary sheep farmer who relies on these stud masters for his annual intake of rams and selected ewes. But, in addition, this property carries 260 cattle, and it is anticipated that 75 bullocks will be available for sale this year, and an average of 17 persons, including three families, has been accommodated upon the property in comfortable circumstances.

It is true that this state of affairs has only been reached by heavy expenditure on rabbit-netting so as to preserve the available pastures and by the use of an average of 200 tons of superphosphate per annum, and by the growth of a considerable amount of oaten crops used for sheep feed. This property in 1936 carried just over 4,000 sheep, and 441 stud sheep were sold at an average of £3 12s. 3d. per head. In 1944, however, this property was carrying approximately 7,000 sheep, the number being somewhat reduced below expectations because of superphosphate difficulties. It produced 218 bales of wool as against 102 in 1936, and it sold 400 stud sheep at an average value of £6 18s. 10d. per head, as compared with £3 12s. 3d. eight years before.

The property of farmer C. is also a property where a sheep stud is kept. It comprises 14,500 acres, uses 250 tons of superphosphate, on an average, and has employed thereon four men with families and one single man, a total of 17 or 18 people.

The Premier: They are better off than if they were on farms of their own.

Mr. WATTS: Yes, and one of them in this case has admitted as much to me. Between 8,000 and 10,000 sheep have been carried, varying with the season and the superphosphate supplies, and in recent years they have cut as much as 12½ lbs. per head of wool. For each of the four families a house is provided and not less than 500 acres of oats for sheep feed is grown. In 1933 this property had a wool clip of 62,512 lbs. and produced 13,039 bags of wheat, or approximately 40,000 bushels. In 1934, it cut 83,206 lbs. of wool and produced 31,500 bushels of wheat. In 1939, it cut 95,185 lbs. of wool and produced 25,000 bushels of wheat, and in 1943—the last year for which I could obtain records—the total woolclip was 111,209 lbs., but no wheat was grown because of the deficiency of superphosphate, the whole of the superphosphate available being used for topdressing.

The Minister for Lands: Is there a suggestion——

Mr. WATTS: I am not suggesting anything at the moment.

The Premier: I am agreeing with the way you are leading up to it!

Mr. WATTS: With examples of this sort in mind, it becomes necessary carefully to select the persons asked to adjudicate and make recommendations regarding properties which may be subject to this measure. It becomes necessary to bear in mind the words of the Rural Reconstruction Commission which I have quoted, and to inquire what are the views of the Minister for Lands regarding the desirability of interfering with properties of this sort. The Minister, in moving the second reading of the Bill, did not give us any indication of his views or intentions. His was an extremely short speech, which contained very little except a bare explanation of the terms of the measure. Therefore, I would inquire as to his views on the desirability or otherwise of interfering with such properties. His speech on the subject of the Bill told us practically nothing, and it is hardly fair for him to ask us to adjudicate on legislation of this character and deal with the details of it unless we have some more definite outline of what he has in mind. I also point out to the Minister that there are many properties whose owners are most anxious to dispose of them.

The Minister for Lands: There always have been.

Mr. WATTS: Many of them have become tired of carrying on during the war period with insufficient labour and on account of advancing years. I would like to hear from the Minister whether any inquiries have been made from persons in whose hands these properties might be available for sale

as to details of them. On the other hand, there are undoubtedly large areas of land the proprietors of which, I believe, would be very glad if portions of their properties were resumed. In fact, I am convinced that arrangements for the closer settlement of such areas could be made without the intervention of any board or committee under this measure, or the parent Act, if a responsible officer were sent to discuss the matter with them.

I have in mind one such area that is westward and south-westward of Tambellup, between that centre and Boyup Brook, most of which country is in the electorate of the member for Wagin. There are many settlers who took up some thousands of acres of land years ago in the belief that it would not carry more than one sheep to five or six acres. Those men, having in many instances laid down pastures, are today, in a position to carry their limited flocks on about half the area they hold. The land is fairly lightly timbered, and partial clearing only is required for pasture development, as the removal of native grasses is not necessary. In fact, I think it is better for livestock if there is an admixture of clover and native grasses. I understand that in 1932, or thereabouts, Mr. Surveyor Hicks—who I think is now Assistant Surveyor General—discussed the question of resumption with a large number of these settlers; and, provided they could be given the freehold of the area which they wished to retain, they would gladly have surrendered to His Majesty the remainder of the area on terms which would have been eminently satisfactory to the department, because it would have cost virtually nothing. I am convinced that in some cases in that district the retention of large areas, for which the holders have no stock, is making them what is known as land poor. Those areas, if that kind of approach is adopted, I have no doubt will accommodate not less than three times the number of people who are at present to be found on them. There are also areas to the west of Mt. Barker. It is true that the timber is heavier and the cost of development would be greater. Smaller areas would be required, one would suppose, to enable a living to be made there.

The Premier: There is a lot nearer to Perth.

Mr. WATTS: That may be, but I prefer to deal with areas with which I am acquainted and can therefore speak with some small measure of authority. What is required in both those areas, from the point of view of settlement, is efficient transport and reasonably good roads. Those areas will never be made attractive to anyone unless efficient transport and a good road service are supplied. I am convinced that if the right methods are adopted those areas—without any necessity for these boards and committees to operate—would be highly suitable for closer settlement. So I say that the usefulness of this measure will depend on the methods which are used in carrying out its terms. I have expressed no opposition to it, because as I said at the beginning, I have no doubt the Minister will be prepared to explain exactly what are the intentions which underlie it. If I interpret them aright and, as I presume, he will be guided to an extent, anyway, by such authoritative statements as those of the Rural Reconstruction Commission, those properties to which I referred will be considered in the right light; they will be considered on the basis that they are producing, broadly speaking, the maximum amount which they might be expected to produce, under advantageous conditions to the employees and to the people who require, when they are stud masters, sheep from their flocks for stud purposes.

We have heard of valuers who are assisting the alleged panel of experts which has been employed under the National Security Regulations, the land purchase restriction powers. These valuers have the most extraordinary ideas of making valuations of land. It is reported to me, on authority I consider to be very reliable, that one such valuer said he was going to put no extra value on a fence because it happened to be rabbit-netted; so far as he was concerned that did not increase the productivity of the land, all he was concerned in was whether the fence was stock-proof, and if it were, it was worth £20 a mile. If those rule-of-thumb methods are to be applied to transactions under this measure the result could not be regarded as satisfactory to the department or to the State; and so I submit that, unless great care is exercised in the selection of the representatives who are to make these decisions and unless, above all, local knowledge is given

its share in the transaction—of which there is no mention in the Bill—we shall not get satisfactory results.

MR. McDONALD (West Perth) [7.56]: I would like to make some observations on this Bill. I think the House in general will be agreed that closer settlement is desirable. In fact, we may say it is essential, if we are to provide for returning men who desire to go on the land. It is also essential for us to make adequate provision for additional population of the right kind which we seek to attract to our State. The Minister informed us in his second reading speech that closer settlement measures had been passed in all the other States. I think he said that, or I found it out from some other source; but in any case it is perfectly true.

The Minister for Lands: I must have said it if it is true.

Mr. McDONALD: But when we take other States into consideration, the legislation which may suit their requirements does not necessarily suit a State like Western Australia. I have not had the time to examine the legislation of all the other States, but I think I am correct in saying that in New South Wales the Closer Settlement Act or Acts enable land to be resumed even though it may be fully or fairly fully improved. One can well understand that in a State like New South Wales, with a large population and a very much smaller area than we have in Western Australia, it may be essential for closer settlement to include properties which can be said to have been fairly well improved and to have reached a fairly high stage of productivity, but in our State it may not be necessary to go so far. In Western Australia, in 1938, out of a total area of I think 624,000,000 acres—a large part of which I candidly admit is not suitable for closer settlement—

The Minister for Lands: Hear, hear! That is why it is not settled.

Mr. McDONALD: —of that 624,000,000 acres in 1938 the State had alienated 17,645,000 acres and was in process of alienating 15,363,000 acres. In other words, in 1938, which I take as a fairly reliable pre-war year, the land which the State had disposed of and was disposing of totalled about 33,000,000 acres. In 1927, Sir James Mitchell, when discussing the parent Act in this House, pointed out that in the South-West division alone we had 70,000,000 acres of Crown lands then unalienated and not in process of alienation, and much of that huge area was useful for cultivation. So we see that in our State, unlike the closely settled States, where people are becoming cramped for opportunities for land settlement, we should still have large reserves of Crown lands, I imagine, not too far from railways and in safe rainfall areas which we could make available for new settlers and for closer settlement. In saying that I am not suggesting that the measure, as the Closer Settlement Act and this amendment, may not be desirable. What I am suggesting is that what may be very proper in a closely settled State where land expansion has become already difficult, may not be quite the right type of legislation for a State which has still large expanses of unalienated Crown lands.

The latest legislation in Australia on this subject is the Land Settlement Act of South Australia. Anybody who has read the reports on the agricultural and pastoral position of South Australia and studied the graphs that have appeared in the earlier reports of the Commonwealth Grants Commission, will realise that in that State there is a comparatively limited area of land within the safe rainfall districts. Last year, having regard to the prospective return of soldiers who would be seeking an opportunity to go on the land, South Australia passed the Land Settlement Act, 1944. I may remark in passing that in South Australia they appear to have a considerable—possibly misplaced—confidence in their members of Parliament. By the Land Settlement Act, 1944, there is to be a land settlement committee to deal with the resumption of land for closer settlement, and the members, strangely enough, are to be members of Parliament drawn from both Houses. They have even gone so far as to pay them something extra for their services.

The Minister for Lands: They do that with the Public Works Standing Committee, too.

Mr. McDONALD: Under the Land Settlement Act, 1944, the acquisition of land proceeds upon this basis: By Section 34, if the Land Board, after inquiry, reports that—

(a) any land in the State has not been improved to such an extent as the board considers reasonable; and
(b) it is desirable that that land should be acquired for development and settlement; and if the committee concurs in the report of the Land Board, the Commissioner may declare that this land shall be under-developed land for the purposes of the Act.

It is this under-developed land over which the powers of resumption extend; and they do not extend to land which is not under-developed land, and therefore do not extend to land which has been improved to an extent that its productivity is fairly well up to its capacity. That basis of the South Australian Act is borne out by the report of the Rural Reconstruction Commission to which the Leader of the Opposition referred. I propose to make a reference to another paragraph in the report—namely, paragraph 470 of the third report, at page 104. I want to refer to this opinion of the Rural Reconstruction Commission, because I think all members of the House have shared the view that that report is a very valuable contribution towards our knowledge of sound settlement policies for the States; and when we read that report and find that this Bill has departed from it, we are naturally presented with some difficulty as to the attitude we should take up—no difficulty as to our opinion in favour of closer settlement, but some difficulty as to the basis on which that closer settlement should be carried through. The report of the Rural Reconstruction Commission, in paragraph 470, says—

Basis of selecting properties for subdivision. —The Commission, therefore, recommends that when properties are under consideration for purchase or acquisition for settlement, those which are selected should be drawn from—

(a) those which are not being used to their full agricultural capacity by their present owners;
(b) those which, after subdivision, will be suitable for a higher type of production than that for which they are at present used.

The Minister for Lands: Where does this Bill depart from that?

Mr. McDONALD: The Minister said—although the amendment by which he proposes to bring it about seems to me just a little bit obscure—that the Bill would give power, and I quote from memory, to acquire compulsorily land, whether it was land not utilised to its full capacity or not. In other words, as I understand the Minister's intention, it will give power to resume compulsorily land that is fully improved. I am not saying that the board would necessarily do that; what I am saying is what I understand the Minister means to provide by this Bill, and what would be the powers of the commissioner under this Bill if he thought fit to exercise them. I am pointing out that when South Australia—although a country of far less resources in the way of unalienated land than a State like Western Australia—approached the problem of closer settlement, it was no doubt influenced, or possibly influenced, by the report of the Rural Reconstruction Commission; and South Australia confined the power of resumption to under-developed land.

In practice, it may well be found that in our State the commissioner, for the purpose of closer settlement, will be able to get all the land he wants for some years to come by purchase by agreement, without exercising any powers of compulsion at all. If so, it will be considerably simpler. But the Closer Settlement Act, as proposed to be amended, is one which gives power of compulsory purchase. Whereas by the existing Act, although confined only to land which is not utilised to its full economic capacity, the landowner is given the option of either improving the land or else himself subdividing and selling it—in each of which cases the compulsory powers do not apply—the Minister's amendment in this Bill would not leave the landowner any such alternative to compulsory acquisition. Further, as the Leader of the Opposition very properly pointed out, under existing legislation, even though the landowner may avoid compulsory acquisition by himself improving the land by subdividing and selling it at prices approved by the Government representatives, he has, if compulsory acquisition is set in force against him, the right of appeal against the order for compulsory acquisition. In other words, he may dispute that his land is, in fact, not used to its full economic capacity. He may say it is, and it is always conceivable that on appeal the appeal tribunal may take a different view from that of the commissioner under the Closer Settlement Act.

But here there is, as far as I can see, no appeal when land is to be resumed under this measure on the recommendation of the Minister. It is a power which can be—it need not necessarily be—quite arbitrarily exercised through the Minister and the commissioner appointed under the Bill. The parent Act contains a right of appeal as to the amount of compensation to be paid on compulsory acquisition. This Bill contains, in effect, no right of appeal. The amount of purchase money, according to the Bill, on compulsory acquisition has to be determined by arbitration. From the award of an arbitrator there is to be no appeal unless the arbitrator has made a mistake in the matter of legal principle. In practice it is very hard to appeal from the award of an arbitrator. One cannot appeal from his judgment on the evidence placed before him on the question of the amount of compensation he should award. It is desirable in a matter which may involve a large sum of money, and also the life's work of a man, that that man should be entitled to appeal if he is dissatisfied with the amount of compensation he is offered, or which has been decided by an arbitrator under the Arbitration Act. When I speak of the right of appeal I am fortified by the opinion of the members of the Rural Reconstruction Commission because in their third report at page 131, paragraph 539, dealing with closer settlement, they make this recommendation—

> The owner of land which it is proposed to resume for closer settlement shall have a right of appeal to a tribunal against the proposal to resume and also against the amount of compensation.

The reason why I think it is necessary to make some examination of the grounds for compulsory resumption of land is that it seems to me desirable that we should not disturb the type of farmer or pastoralist who deserves our protection and support. In other words, a farmer who goes out and builds up his farm to a reasonably improved state, or his grazing property to a reasonably full capacity, would under the Bill, as I see it, have over him all the time the possibility of compulsory resumption if, in the opinion of the commissioner, his land was not being used at full capacity, or even if it was, if the commissioner, in his judgment, thought that he had more land that he should have, or, again, even though he had only as much land as was necessary for an economic farming unit in his district. We should endeavour to make these people feel safe from compulsory acquisition if they have been good agriculturists or good pastoralists and have done all that can reasonably be expected of them during the occupancy of their land, and if they cannot be said to have an unfair proportion of land.

When therefore we come to the Committee stage I hope that some consideration will be given to providing some protection, which will be a reassurance to the primary producer who can be said to have done all that can be reasonably expected of him. I am not going to say that such a producer need be apprehensive of unreasonable action from a reasonable board. I am prepared to assume that a board will act reasonably, but I would like to see, quite clear from the Act itself, that the deserving producer, who has made good use of his land is not, as the result of district pressure, or any other reason, likely to find himself fighting under this measure to retain a property on which he may have spent a lifetime's work. Such an amendment would, I think, not destroy the general intention or the utility of the Act, but would make clear to people who are now going or will in future go into primary production, that they are not going to be disturbed in their occupation unless it can be said quite plainly that their land is not being put to proper productive use or that they have so much land that they cannot reasonably be expected to hold on to it in view of the requirements of closer settlement.

In Committee I hope the Minister will take into consideration such suggestions as we can make for the purpose of meeting the points I have mentioned. If so, I think the legislation may be an improvement and we may have a workable Act which will not lead to any apprehension on the part of people who are now or may in the future be engaged in primary production. In the expectation that in the Committee stage we will be able to take some steps to meet the aspects I have mentioned, I am prepared to support the second reading of the Bill.

MR. LESLIE (Mt. Marshall) [8.19]: Knowing the Minister who introduced the Bill and the fact that he is acting with the very best of intentions in this matter I propose to support the second reading. I do so, in addition, from the point of view of the intending soldier settler and be-

cause the Minister indicated, when introducing the Bill, that the intention is to set up some preliminary machinery in connection with the proposed soldier settlement activity and legislation. I think the Minister will agree with me and support me in this regard, that the ex-servicemen and women are asking justly for a measure of preferential treatment to compensate them for the losses in time and opportunity that they have suffered during a period of years, but they do not ask for a measure of preferential treatment that would impose injustice on any other individual or any section of the community. For that reason it is necessary for a measure such as this to be carefully examined, to see that, while it meets the wishes of the ex-service personnel, at the same time it does not impose an injustice on any other section of the community.

Mr. Abbott: This Bill does not deal with ex-service personnel.

Mr. LESLIE: I am coming to that. In introducing the measure, the Minister said that was one of its purposes, and I believe that to be so, though nothing is said in the Bill about soldier land settlement. I doubt whether there will be such an Act, either in this House or in the Commonwealth House, as a soldier land settlement Act. I think it is going to be "land settlement" and that is all, but that is a matter that can be debated at a later stage. I presume that is why no specific mention of soldier land settlement is made in this Bill. There is another aspect of land settlement, in connection with soldier settlement, that this Bill entirely omits. I refer to the acquisition of land—not unjustly—from the present owners or occupiers of the land who are desirous of selling it, and where that land is on the market. I refer to private land, and not Crown land.

If this Bill is to operate for the benefit of ex-servicemen, it should include a provision giving the Government, or this committee or board, a prior option on any land offered for sale, that the board or committee might consider suitable for land settlement. That could be done without any injustice to anyone interested in the land, but it would give the Government or the board, or committee power to acquire under a statutory option, such suitable land, and it is very largely that land—that is, not unutilised land—that is the type of the greatest value for ex-servicemen. I think this would result in considerably less loss to both the State and the Commonwealth Governments, in their endeavours to assist ex-servicemen on to the land. I see no difficulty in action of that kind being taken, and it would inflict no injustice on the vendor, owner or occupier. It might mean a week's delay in finalising a transaction, but there is so much delay as it is in the legal formalities in the disposal of land, that an extra few days while investigations were being made into the value of the proposition, from a soldier settlement point of view, would not make any difference. I think this Bill has been rather hastily drawn up—with all due respect to the Minister—because it seems to conflict in a number of cases with the parent Act. We know that our laws are full of "notwithstandings," "nevertheless," and so on, yet here we find in the amending Bill that notwithstanding any other provision of the Act the Minister may from time to time do something or other. The parent Act also contains contradictory "notwithstandings." Section 11 says—

> Notwithstanding anything in this Act to the contrary, any owner who, before a declaration is published under Section 7 that land has been taken under this Act, may notify the board of his desire to retain a portion of the land intended to be taken sufficient for the sustenance of himself and his family, and in such case he shall have the right to retain such portion of the land as may be agreed upon between such owner and the board.

This Bill refers to a committee which the Minister has set up, and the parent Act speaks of a board. I am afraid our legal friends are going to earn a lot as a result of the amendments included in this Bill. There is only one way in which I think this matter should be dealt with, in the light of the Minister's intentions, and I take the Minister's intention from the remarks he made in his second reading speech—that the purpose of this Bill was in connection with soldier settlement. I think there is only one way in which to deal with that, and that is to have a separate Bill altogether, an Act quite apart from tinkering with the Closer Settlement Act as it stands at present. We have here an instance where, under the Bill, the Minister may recommend that any land shall be acquired for the purpose of soldier settle-

ment. This is provided in the Bill before us which amends the parent Act, yet, notwithstanding that provision, the owner of the land may claim under the parent Act a portion of the land, sufficient for the sustenance of himself and his family, and in such case he shall have the right to retain it.

There appears to be confliction between this Bill and the parent Act. I am not a legal man and I have not had the opportunity that the Minister has had to discuss it with the Crown Law authorities, but I would like the Minister's assurance that there will be no mix-up in this, and that there is no room for legal differences, and that either the parent Act or this Bill shall be amended so that where it says "board" it shall mean either "committee" or "board," and that the parent Act shall be gone through carefully to see what consequential amendments are required to it to bring it into line with the requirements of this amending Bill. I think the Minister should draw up a separate Bill dealing with soldier land settlement, or closer settlement, in which he should incorporate the provisions that he knows the returned soldiers are looking for—those which I mentioned previously—namely, means to enable ex-servicemen to go on to already-developed blocks that are for private sale, blocks that they could not acquire because of lost opportunity during their years of service. The Government would then be able to assist them to acquire such areas through the right of a prior option, a statutory option. I propose to support the measure, in the knowledge that the Minister is acting with very praiseworthy intentions. I hope that when the Bill reaches the Committee stage, and even prior to that, the Minister will give it further consideration with a view to the necessary amendments being brought in to make it as near as possible to a separate Act, to provide for the things I have suggested.

MR. ABBOTT (North Perth) [8.30]: The Minister stated that one of the objects of the Bill was to assist in settling soldiers on the land. I should have thought the Minister would consider soldier settlement of sufficient importance to warrant a Bill of its own. Personally, I do.

The Minister for Lands: You will get one, too.

Mr. ABBOTT: But will not the original Act be very jumbled if it includes some of the amendments suggested? I believe in the soldiers receiving preferential treatment and I believe the Minister agrees with that. The original closer settlement legislation, however, was designed for quite a different purpose.

The Minister for Lands: And was never used.

Mr. ABBOTT: The point I am making is that it was drafted for a different purpose, which was to bring about the closer settlement of land that was not being properly utilised. That, in itself was a very worthy object. The object set out to be attained by this Bill, however, is entirely different. This measure is intended to authorise the resumption of land irrespective of whether it is being properly utilised or not. I do not consider that two such diverse objects should be combined in the one statute. Further, in the one case we have a certain committee; now it is proposed to appoint an entirely different body. It would be much wiser to give the returned soldiers legislation of their own. They should receive preferential treatment and they should be granted it under new legislation, not by an amendment of an existing Act.

Mr. J. Hegney: Will not this Bill help the soldiers?

Mr. ABBOTT: In my opinion, not to the extent desired, though in the opinion of the hon. member, it might.

Mr. J. Hegney: It will give them an opportunity to get land.

Mr. ABBOTT: That should be granted under legislation for that purpose alone.

Mr. J. Hegney: What they want is land.

Mr. SPEAKER: Order!

Mr. ABBOTT: If the hon. member is not prepared to give it to them, others are. If these amendments are passed, portions of the Act will become obsolete and will be of neither use nor advantage.

The Minister for Lands: That is obvious. The provisions of the Act have not been used since the legislation was passed in 1927.

Mr. ABBOTT: Then why not bring in a new Bill for this one purpose instead of botching up the existing Act with amendments that will make it very confusing for the public at large?

MR. PERKINS (York) [8.34]: The member for North Perth has largely covered the point I desired to make. Members generally agree that it is desirable that good land should not be held out of cultivation or withheld from people who are prepared to make better use of it than the present owners are doing.

Mr. J. Hegney: Hear, hear! We agree with that.

Mr. PERKINS: When land is withheld from its best use, it has a very bad effect on the district in which such land is situated. At the same time, there is room for doubt whether this amending Bill will enable us to attain the desired end in the best way possible. The member for North Perth has aptly shown that there is a definite conflict of purpose between the parent Act and the Bill now before us. The original legislation was designed to bring into cultivation land that was not being put to its best use.

The Minister for Lands: I think the parent Act said "unutilised" land and that would be land not used for any purpose.

Mr. PERKINS: Unless this Bill is amended, it would be possible for land that is being utilised to its maximum capacity to be taken over and used for closer settlement. The Minister indicated that that might be necessary for soldier settlement. He has told us that a separate measure will be introduced to deal with soldier settlement, so, if such a purpose is desired by the Minister, he might well include the provision in the soldier settlement Bill, rather than use the provisions of this amending Bill to achieve the same purpose. The Minister stated in his second reading speech and also by interjection that no use had ever been made of the parent Act. This being so, apparently very little of the unutilised land would not have been available to the Government under purchase conditions had it desired to proceed with a closer settlement policy.

The Minister for Lands: You can open a big argument as to whether land is utilised or not utilised. It might be utilised to a very small extent, but still it would be utilised.

Mr. SPEAKER: Order!

Mr. PERKINS: The existing Act doubtless contains many necessary and desirable features, but additional safeguards should be inserted in this Bill to protect the rights of land-owners and the economy of the State. The Leader of the Opposition covered the point very well in giving examples of some of the larger stud properties. This is a very important point, because the prosperity of any State largely depends upon a continuous supply of good stud stock, and the Rural Reconstruction Commission, in its third report, as quoted to the House, made it very clear that real damage could be done to the economy of the nation by thoughtless action in such a matter. I shall support the second reading, but I think that safeguards which have been brought to the notice of the Minister by way of amendments placed on the notice paper should be inserted in order to protect the interests of all concerned.

MR. CROSS (Canning) [8.39]: I consider that the member for North Perth was not quite fair in his very pertinent remarks on the Bill. The measure merely seeks to empower the Minister to appoint a committee to acquire land, whether it is utilised or not. I have in mind some land I have seen on several occasions—a fairly large tract of some of the best land in the South-West, and in close proximity to Brunswick Junction. A namesake of the member for North Perth owns a fairly large area of land and would say that it is being utilised. It is being utilised to the extent that he runs a few cattle on it. Another man owns a large tract of country which he is utilising in a similar manner. His name is Heppingstone. Then there is another man who lives in Mounts Bay road and brings down a few cattle from the North-West to fatten. People near Brunswick Junction are wresting a living from farms of only ten acres, while not far from them other people are wresting a living from 20,000 acres, which they claim is being utilised. I consider it a disgrace to the State that that sort of thing is permitted to continue. If these people do not make adequate use of their land it should be taken from them. The member for North Perth said that the soldiers ought to have a special Bill. This one, however, is merely one to enable land to be acquired, whether or not it is being used. I daresay we shall have a Bill to deal separately with returned soldiers. I do not know why there is all this sob-stuff about returned soldiers.

Mr. Doney: If there is going to be a closer settlement Bill for returned soldiers, why was this measure brought down?

Mr. CROSS: Some men who were in the Army were dragged out of it against their wishes and after they had been in it for more than a year.

The Premier: You cannot amend every Bill necessary in a soldier settlement Bill.

Mr. Doney: I agree.

Mr. CROSS: I also agree. I support the Bill, which I consider to be a good one. I know that in the district of the Leader of the Opposition there is a large area owned by two or three members of a family who are running a few sheep on it.

Mr. Seward: What do you call a few?

Mr. CROSS: A few acres?

Mr. Seward: No, sheep.

Mr. CROSS: They have about 40,000 acres.

Mr. Seward: I said sheep.

Mr. CROSS: They run about 14,000 sheep between them, but, as a matter of fact, they are so well "ribbed" that they do not run more sheep than is necessary to enable them to live. They do not run nearly the number of sheep that the land can carry, because they are not worried about making money. They carry on their business as easily as they can. I know them, and I know every inch of the country. I knew it 35 years ago.

Mr. Seward: And you got out of it.

Mr. SPEAKER: Order!

Mr. CROSS: The hon. member is slightly out of order. When this Bill becomes law, unless those people make better use of their land—and it is some of the best land in the State, not sandplain country—it will be resumed. Then, instead of four men in a family running it, perhaps 100 returned soldiers will each make a good living on it. The soldiers do not want scrub or sandplain country; they should be put on to the best quality land. We have such land and it is not being used to its capacity at the present time. It would support ten times the number of people if it were farmed by proper methods.

On motion by Mr. McLarty, debate adjourned.

BILL—POLICE ACT AMENDMENT ACT, 1902, AMENDMENT.

Received from the Council and read a first time.

BILL—NATIONAL FITNESS.

Second Reading.

Debate resumed from the 11th September.

MR. LESLIE (Mt. Marshall) [8.45]: When introducing this measure the Minister stressed the fact that its purpose was to establish, by statutory authority, a council which has been carrying on the work with which this Bill deals. As I see it, and as explained by the Minister, the purpose of the measure is to encourage the development, mentally and physically, of adolescents. Money provided by the Commonwealth Government has up to the present been spent for that purpose. It is interesting to note the directions in which at least some of the money has been spent. I find that out of a grant made available to the State by the Commonwealth Government, £1,000 per annum was paid to a committee of the associated youth organisations, which included the Boy Scouts, the Girl Guides, the Police Boys' Clubs and other organisations with headquarters in this State and State-wide ramifications. The committee of the youth organisations decided, so I understand, how the grant made available by the Commonwealth should be allocated. The sum of £1,500 has been made available annually to local national fitness committees, 94 of which are located in country centres. These committees are subsidised by the National Fitness Council on a pound for pound basis up to the sum of £50 per annum. Another £1,000 is provided for amenities and facilities in camps and hostels. It is paid to a special committee which has been set up for that purpose. About £250 has been provided for the training of leaders.

We were privileged to witness a film on the night the Minister introduced the Bill. It depicted some of the work in which the teachers were being trained. About £250 a year is provided for equipping playgrounds. Those playgrounds are not school playgrounds, and that is a point I wish to raise on this measure. I am certainly of the opinion that a larger portion of the council's funds could be spent in providing equipment for school playgrounds, that is, for children of school age. From inquiries I have made quite recently in connection with children's playgrounds, it appears to me

that because of the small amount of money available for expenditure in this direction. the officers concerned with the administration of the affairs of the National Fitness Council are able to interest themselves only with the training of adolescents. We know that money is necessary for the equipment of school playgrounds, and up to now that money has had to be provided by voluntary contributions, usually from Parents and Citizens' Associations. Money available from the education vote is too small to be devoted to national fitness projects in the schools. The education grant does not go far enough in the realm of the three R's, and certainly does not permit of expenditure on physical fitness and school playgrounds; so the school national fitness work is dependent entirely on voluntary effort from local organisations which, so far as I can see, obtain no subsidy.

Subsidies are paid by the National Fitness Council to national fitness committees which are established in country and other districts, and are mainly for the purpose of dealing with adolescents. When this new council is in operation, I would like to see some of its attention devoted to providing schools with playgrounds and facilities for national fitness work amongst those who are at the age at which they are best interested in mental and physical development. A particular point in the Bill that interests me is the appointment of the personnel of the council. I find that it provides that the Governor shall from time to time, on the nomination of the Minister, appoint the members of the council not exceeding 21 in number. No provision is made for a recommendation from any organisation as to a suitable person to represent that organisation on the council.

The Minister for Lands: If you had had our experience over the last two or three years, you would not have wanted such a provision, either!

Mr. LESLIE: Possibly. At the same time, it seems to me that this matter should not rest entirely in the hands of the Minister or members of the physical fitness organisation. It is possible there may have been difficulty in obtaining suitable representatives from some of the organisations; but I see the danger that, if at any time the Minister or those in administrative control desire to eliminate any particularly worthwhile organisation, they will be able to do so.

The Minister for Lands: They used to do that when the organisations elected their own representatives.

Mr. LESLIE: There are organisations that are doing a good job—the Boy Scouts, the Girl Guides, the Y.M.C.A., various religious bodies and the Police Boys' Club—and we could rely on them to make sure they had representatives and elected someone whom they could trust to look after their interests and the interests of youth generally. There should be certain responsible bodies with wide interests and wide ramifications definitely nominated, and provision should be made for nominees from those organisations to be appointed to the council. Not only is the council to be comprised of nominated members, but even the advisory committees are to be indirectly nominees of the Minister, because the committees are to be appointed by the council. One can hardly call that anything like an attempt at democratic rule of an organisation. The Minister appoints councillors and the councillors appoint their advisers! That is no way to run any organisation; it is certain to be run exactly how the Minister wants it to be run, irrespective of anyone else's wishes. Such an unsatisfactory system will not make for eventual success. If the Government finds it necessary to comply with the Commonwealth's dictates to have a council which the Minister has nominated, surely it is only reasonable for provision to be made for advisers to be elected instead of being merely yes-men or mouthpieces of the original heads.

The Minister for Lands: Elected by whom?

Mr. LESLIE: By the organisations interested in the national fitness movement. There are 94 national fitness committees throughout Western Australia at present. Those committees would be interested enough and would be quite anxious to have the right to appoint one or more of their own nominees. I see no reason why provision cannot be made for those committees to have representatives appointed by themselves and so eliminate the possibility of the organisation being a yes-show right from the top down to the advisory committee, which is purely a replica of the council itself. There is one

other part of the Bill which is not particularly pleasing to me. It provides that the activities of the organisation—the encouragement and development of national fitness in the State—are to be carried out in accordance with the recommendation of the Commonwealth Minister charged with the administration of national fitness.

In introducing the measure, the Minister mentioned that the Commonwealth had adopted a very reasonable attitude in regard to any suggestion submitted and any alterations proposed by the State. It seems to me that this is just a repetition of the tragedy of placing the final say-so in the hands of somebody far removed from the State and unable to understand purely local conditions. Whoever is responsible for the administration of the Commonwealth Act at present may be quite sympathetic towards difficulties peculiar to this or any other State, but it is possible that that person or persons may go out of office. Some other individual may then take charge who insists on the letter of the law being carried out, and the result may be that instead of the peculiar necessities of our State being studied and given consideration, and instead of our being able to say that our requests have been understood and, within reason, granted, we shall find that we are being dictated to. We shall find that is so because our own measure says we are to administer the scheme in accordance with Commonwealth direction.

We are limited by the Commonwealth Act, and this Bill ties us still further hand and foot to the dictates of the Commonwealth authorities. I believe in this physical fitness movement. I believe it is a very necessary thing, and we already have evidence that it has been of great benefit to the community; but I also believe it is necessary to sound a note of warning. My mind goes back to the fact that there were youth organisations established on the Continent, and I think it will be a generation and more before the rottenness drilled into the young people there will be sufficiently wiped out to ensure that we are safe from a repetition of the tragedy that has occurred in the last six years. There can be no doubt whatsoever that it was youth organisation—and wonderful organisation, if I read aright—that developed the fanatical nature in the enemies we have been fighting. Those of us who have been in contact with them have heard them speak irrationally and from a point of view that was almost inhuman. One could only come to the conclusion that they had been given a perverted view of things; and had not only been given that point of view but had received it to such an extent that they had been deprived of thinking for themselves.

Mr. J. Hegney: You could not blame the youth organisation so much as the Government.

Mr. LESLIE: That is so, but I blame the people as well for apathetically accepting the conditions imposed by the Government. That is one of the reasons why we have Oppositions in our Parliaments which suggest, as I do, to Parliament that although we have these Acts—and this national fitness movement is intended for the benefit of the nation—there is a liability of very serious danger of some organisations getting control of this movement and instilling into the youth of this country subversive ideas.

Mr. J. Hegney: What about compulsory military training?

Mr. LESLIE: That does not come into it. That comes under a different set of circumstances altogether. This Bill aims at creating a movement which has for its purpose the mental development, as well as the physical development, of our youth. I believe in the movement and that it can elevate our young people so long as it is properly controlled, and so long as the Government makes certain it will not be used by any organisation to distort the minds of those who are at an impressionable age. I am not suggesting that this national fitness scheme has been introduced with any political motive. I am firmly of opinion that it has not, but that it has been introduced by people with the very best intentions and is supported by the Government for the same reason. But even the best of movements have brought out evil, and it is possible that this may also produce evil. Camps, as I know them, can be an influence for good, or an influence for evil.

I would like to see these camps established under a proper system of control. Let us not forget that there is an organisation in our State that would be only too glad to get control of the youth movement

to instil some of its ideas into the minds of our young people, and neither this Government nor any other would last five minutes once it did that.

The Minister for Lands: What organisation is that?

Mr. LESLIE: The Eureka Youth Movement! It has taken its name from one of the incidents that Australia is proud of—a fight for liberty and justice. That organisation has thieved a name which stands for those principles to establish something that is rotten to the foundation. I would like to see youth organisation camps established along the lines of an organisation which flourished prior to the war known as the Toc H movement. Over the door through which one entered their gatherings were these words—"Abandon Rank All Ye Who Enter Here." That motto was rigidly enforced. A camp established on that basis would show our youth that the so-called class distinction is artificial and an attempt to keep the people divided on the principle of "Divide and Conquer." They could be taught to understand each other's problems and learn that although one fellow's dad wears a white collar and another fellow's dad wears bowyangs, they are human beings together, and that although they have different problems to face, they can get along in harmony and peace, not by coercion or compulsion, but as free men and free women with a desire to help one another along the path they walk in their training and in their lives outside. That principle in a youth movement can only be adopted by placing the control in the proper hands. We have organisations that have stood the test of time and proved their worthiness, and if they are given control we need have no fear that, in supporting a measure like this, evil is likely to result. While I support the Bill I hope it will be administered with extreme care and watchfulness by those in whose trust we are placing the future generations of our country.

MR. GRAHAM (East Perth) [9.5]: This measure does not receive my unqualified blessing. I say that advisedly because I believe it has become fashionable to put forward physical fitness as a panacea for many of the ills obtaining today.

Mr. Seward: Hear, hear!

Mr. GRAHAM: I believe it is nothing of the sort, as I will attempt to demonstrate in a few moments. It is remarkable that this movement for physical fitness has its origin in war. The movement received its impetus in the Mother country following the cessation of the last war in 1918. In Germany, as has been mentioned by the previous speaker, physical fitness on the part of youth was practised as a prelude to war. In our own country, Australia, a boost is given to the movement fundamentally, I believe, because of the exigencies of war; because of the necessity to have, so far as is possible, a group of young people coming forward for the purpose of serving in the Armed Forces. I believe, too, that there has been a certain amount of confused logic because anyone who knows anything at all about military training, and what goes with it, is aware that it requires far more than physical exercise and training to make people fit. I suggest, first of all, that if physical fitness, which is being recognised at this somewhat late hour, means anything at all we should not deal with the question in the niggardly fashion that we are doing at present but, in view of the fact that the war has concluded, embark upon the scheme in no mean fashion.

As I visualise the situation, it is a Commonwealth responsibility, and I believe that the machinery of State should, now that the war is concluded, be diverted towards this new aspect, namely, physical fitness for ordinary civilian requirements and purposes. I consider, therefore, that, in very much the same way as in the past half-dozen years military uniforms have been distributed free of charge to those who have had to wear them, clothing for sporting purposes should be provided for the youth of this country. I see no reason why, if an outfit of khaki could be given to a young Australian so that he might be properly clothed for a certain purpose, the defence of his country, it should be impossible to provide proper sporting equipment for the youth of this country, if physical fitness means so much, in order that we might have a physically fit nation, which we have not at present. In the same way as it is possible to provide tremendous quantities of fighting material, in all shapes and sizes, so it should be possible to provide cricket bats, tennis rackets and other paraphernalia necessary for mod-

ern sporting establishments, to make it possible for the youth of this country to take advantage of sport, instead of its being the perquisite of a few only, as unfortunately is now the case.

[*The Deputy Speaker took the Chair.*]

The Minister for Works: Book me up for a five-star Slazenger racket.

Mr. GRAHAM: But for the Grace of God a number of us may have been booked not for five-star Slazenger rackets, but for tommy-guns or something else and, if it had been dictated by the circumstances of the time that we should have those things, the question of money would certainly not have obtruded itself into the argument. Those weapons would have been supplied to us. In the same way it is possible for sporting equipment to be issued to the people of this country. As it has been possible to erect military barracks and buildings, there is no physical—and certainly no financial—obstacle in the way of constructing gymnasiums, swimming pools and so on in order to foster physical culture generally. To take it one step further, as we have at present military officers in the service of the State for a particular purpose, it would surely be possible, on the same lines, to provide sports leaders; for sports leaders to be provided by the Government of the day to demonstrate to our youths the best use that could be made of the sporting equipment. Just as Australia was mobilised for war—because it was essential—so if the movement of physical fitness means so much to Australia, we should be mobilised towards that end.

If we have any faith and trust in the conference at San Francisco and in other measures taken generally in relation to peace in the days to come, it is appropriate for us to give consideration to a diversion from our military activities to activities of a civil nature. By that I mean that, instead of a reversion to 16 days annually in a military camp, there would be nothing wrong with our youth—and those not so youthful—being drafted, though left to their own discretion to some extent, to places by the beaches, in the case of those who live in the far outback, in order that the people generally may be given a holiday in entirely new surroundings and environment. Notwithstanding the fact that the great bulk of workers have an annual holiday period, far too many of them are unable to take advantage of it. Apart from idling in their own back yards very little use is made of the annual holiday. If there was an opportunity to enjoy the air of a different locality and to meet new faces, and even for that short period to enjoy a totally different life, there would be a building up of the physique of the people of this country. At the outset I stated that I do not believe to a great extent that the physical fitness movement will achieve all the fine things that have been predicted for it. If it is to be persevered with, and if it really does mean so much to those who have espoused the cause, why should it not be done in first-class fashion?

I would remind members that 12 or 15 years ago there were people who had plenty of fresh air and plenty of physical exercise. I refer to those who were sent to relief camps in country districts, and I challenge any member of this House, or any person elsewhere, to suggest for one moment that the physical or mental balance of those people was in any way improved by that experience.

Mrs. Cardell-Oliver: The hon. member is getting off the subject.

Mr. GRAHAM: I am keeping to the subject, and am demonstrating that the giving of exercise and the sending of people to different localities is, of itself, no cure for physical deformities or deficiencies that might exist, nor will it necessarily tend to build up the physique of the people of this or any other country. There are other things more fundamental and basic and, until such time as we have shaped up to them and have solved those problems, notwithstanding all the physical jerks and rhythmic exercises, and camps at the hills, beaches or elsewhere, we will not have an A1 race of people in this country of ours. One of the greatest factors affecting the people of whom I have spoken was that they had no security, and no peace of mind, because of that insecurity. They had not sufficient proper food, clothing or shelter and that demonstrates to me, without a shadow of doubt, that, if we really believe in and desire a fitter nation than we have at present, it is necessary to deal with basic questions first.

If we continue to go off at tangents—as I believe is the case to a great extent with this physical fitness movement—we will

completely miss the point. If they have not already done so members should peruse a report that was made several years ago on the school survey that was undertaken, covering so many children in Western Australia. Those who have studied that report should again read it in order to realise the full significance of what I am trying to demonstrate this evening.

Mrs. Cardell-Oliver: Quite right!

Mr. GRAHAM: I am afraid there is a general tendency to attach oneself to a catch-cry and repeat it so often that one is convinced, and perhaps in the process other people are convinced, and so I make reference to the constant cry for free milk. I think I can demonstrate that point in a few moments. The tables of which I speak show—there is no denying the facts—that the children who resided in areas that could be regarded as of a better class, economically, were, on a comparative age basis, considerably taller and of greater weight than the children from the economically poorer areas. I therefore suggest that the children in the favoured areas have a better physique because they have had at their disposal a better class of food and a better variety of food, and there is not in their homes the mental disorder and dissension such as exists in homes where conditions are less secure. In other words, the way to solve the problem of the deficiencies existing in our children is to place their parents on a sounder economic footing than is their lot at the present time.

Members: Hear, hear!

Mr. GRAHAM: I am glad to hear that expression of approval from both sides of the House. That brings me to the point that our energies should be directed towards the end of achieving security and improving the standard of living generally. I claim that it is the natural function and responsibility of parents to feed and otherwise provide for their own children in their own way, subject to guidance. Of course they may be subsidised to the extent of receiving child endowment payments and so forth, but I feel it should not be necessary for there to be supplementary feeding of their children. I suggest that such steps have been necessary, and are necessary at the present moment, because parents are unable on account of their economic circumstances to provide adequately and fully for their own children. I know it can be said that some parents can afford to do so but spend their money in foolish directions. I am aware also that many families are quite capable, from a financial point of view, of providing for their children's requirements but unfortunately make available to them food supplies of the wrong type.

The DEPUTY SPEAKER: Order! I think the hon. member is wandering too much from the Bill, and it is time he got back to a discussion of its provisions.

Mr. GRAHAM: I was hoping that I was making it perfectly clear that my remarks were dealing with the question of physical fitness and demonstrating at the same time that there were certain other factors of more worthwhile consideration than are the steps contemplated in the Bill, which after all, to speak of it in the most generous terms, merely gives statutory authority to a body that is functioning quite satisfactorily at the present moment. Apart from that, all that can be said in favour of the Bill is that the money at the disposal of the National Fitness Council will go 25 per cent. further, assuming that its purchases will be of goods that carry a sales tax of 25 per cent. The sales tax has been reduced in certain directions so that the 25 per cent. benefit contention should be reduced accordingly. I feel that the matters of which I have spoken should be given greater attention. I believe that some of the energies of the National Fitness Council should be directed towards educating the parents for the purpose of ensuring that proper food supplies are provided for their children.

Mrs. Cardell-Oliver: Hear, hear!

Mr. GRAHAM: I believe it to be a responsibility imposed upon members, irrespective of which side of the House they sit on, to support any measures that may be submitted for the purpose of increasing the standard of living. While I support the Bill, I would prefer, and I think it would be found to be far more satisfactory, that steps should be taken to raise the standard of living to make it possible for parents to undertake more satisfactorily the responsibilities they have to their children and to provide them with those things which outside bodies and organisations have to do today. I suggest that we should concentrate our efforts upon increasing the standard of living and that we might achieve that end

by proceeding somewhat along the lines I indicated in my remarks when moving the adoption of the Address-in-reply at the opening of this session.

Mr. ABBOTT: I move—

That the debate be adjourned.

Motion put and negatived.

MR. ABBOTT (North Perth) [9.25]: The Bill deals with a most important matter, namely, the body to control and deal generally with national fitness—not only physical fitness but the mental fitness of the community. The ill-health of the people causes the State to be responsible for the expenditure of a large sum of money every year, directly through the expenditure on hospitals and indirectly owing to the absence of producers from work. Apart from the mere monetary loss to the community, ill-health causes a tremendous amount of suffering. Anything that can be done to improve the health of the people will certainly increase the happiness of the community generally. When an examination of personnel became necessary owing to their having been called up for war service, it was surprising how many were excluded from useful service owing to their being categorised as something less than fully fit. Great importance was placed on good health in the Services.

So important was fitness considered for air crews that each trainee was given a physical test on arriving at the initial training school. It was found that on an average the improvement in tests after three months was 46 per cent. even though the training was on a basis of high pressure. At such schools about one hour daily and, in addition, a whole afternoon weekly were devoted to directed exercises both by means of physical training and organised games such as basketball. This not only applied to air crews but its importance to the ground staff was equally recognised. All members of the ground staff in the Air Force, including women, were obliged to spend some hours each week at physical training and organised games. This was insisted upon because it was found to effect very great improvement in the health, efficiency and work of the members of the Service.

If such a procedure were found necessary in the Air Force, it must be equally necessary for the civil community, and it is particularly necessary for those between the ages of 14 and 18 years. A good deal of attention is now being devoted in Western Australia to maintaining the fitness of children attending our schools and to educating them in health matters such as posture, which is of very much greater importance to the health of the child than is usually recognised. Little has been done in the past to look after children between the ages of 14 and 18 when it is most necessary to do so. Between those ages they should have instilled into them an essential knowledge of hygiene, nutrition and sex matters, which are of such importance to their future welfare and happiness. It is most necessary that they should be instructed in dental hygiene. The Service impresses this necessity upon its members both by lectures and by films. Anyone would find it very difficult indeed to neglect dental hygiene after seeing the probable results in the Air Force film. Then there is the education necessary to inform youth of the pitfalls and dangers that may beset them through not living moral lives.

The present scheme is at least a step in the right direction to impart necessary knowledge and raise the physical standard of the community, but I doubt whether it goes quite far enough. It is established on an entirely voluntary basis both as to the organisations providing the facilities and as to those who take advantage of them. The work of providing the facilities and of imparting the requisite training and knowledge is to be left in the hands of a number of voluntary organisations, but no provision is made to control the form of training or check the efficiency with which the organisations are carrying out their work. All organisations dealing with the education of children under the age of 14 years are subject to supervision and the curricula, to some extent, are controlled, and I consider that some similar supervision should be exercised over the organisations carrying on the training of youth in fitness after leaving school.

It is estimated that under the present scheme the organisations are getting into touch with only 30 per cent. of the youth between the ages of 14 and 18. That the proportion is so small is a matter calling for consideration, having in view its great importance. I understand that in Great Britain there are being established what

are known as young peoples' colleges. Their purpose is to train young people between the ages of 14 and, I believe, 18 to make the best of their leisure time and to assist them generally in the matter of fitness and welfare and enable them to get the most out of life. The attendance at those colleges is to be compulsory for one day each week or eight weeks in the year. This experiment, I feel sure, will be followed with the greatest interest by all. Fitness does not mean entirely muscular fitness; it aims at developing a healthy community. Much of the physical training given to the men and women in the Service was not designed to secure muscular development so much as general fitness and well-being.

[*The Speaker resumed the Chair.*]

The Minister for Lands: They all got fairly fat.

Mr. ABBOTT: If one desires to be healthy, one has to be in good condition. I wish to indicate the nature of the instruction that is being given to national fitness leaders in the course of their training. I shall name a few of the subjects of lectures given at the last course this year. These included the theory of physical education, dental hygiene, diet and nutrition, respiration, circulation, the art of speech and personal hygiene. All these are matters of very great importance. They are subjects on which the average parent is not competent to impart instruction, nor is there available to him the facility of films, which are an excellent method of impressing on the minds of students any matter being taught. I repeat that this scheme is in its infancy. The Bill, however, is a step along what I think will be a long road to ensure that the members of the community reach maturity as healthy and fit as possible and with a full knowledge of all the essentials necessary to the enjoyment of full and proper lives. I therefore welcome the Bill and support the second reading.

MR. J. HEGNEY (Middle Swan) [9.38]: I support the Bill because I think it has many good features. The purpose is to put the physical fitness movement in this State on a proper basis. I do not share the fears of the member for Mt. Marshall and the member for East Perth that the movement might be used for some purpose other than that for which it is being established throughout the Commonwealth. I have read enough to satisfy me that, with the use of the atomic bomb in war, there will be no need in future to use men for that purpose. If the control of the Commonwealth were changed to the system adopted in some other countries, the outlook would be sorry indeed, but under our democratic system of Government, this fitness movement cannot have any effect that is likely to be injurious to the welfare of the people. I approach it from this point of view, however: There is great need for the organisation of games and sports in order to improve our youth, both boys and girls. As a matter of fact, too many of them have become mere onlookers of games.

Australia has been charged in the past with being addicted to sport; it is a fact that the greater number of the population are lookers-on rather than doers. This movement, as I understand it, will encourage not only our youth but also people of maturer years to take part in games themselves and so occupy their spare time profitably. Some of our youth have contracted bad habits early in life. They have taken to drinking and starting-price betting. They would be much better if they joined some youth organisation and took their part in games and sports, and thus improved themselves both mentally and physically. They would be much better if they were so employed on a Saturday afternoon than they would be if they were standing on street corners waiting to hear what horse had turned up first at the winning post. Many young people do engage in exercises to promote physical fitness, and they do so of their own accord. In my younger days lads engaged in boxing, weight-lifting and dumbbell exercises. They did so voluntarily, as there were no organisations to help them in those days. They paid for their own equipment and in no small way organised schemes to improve their physical fitness. The proposal now is that the youth shall be provided with proper facilities for that purpose. I think it is a good idea.

Members would be amazed if they could see what has been done in the short space of eight or nine months at Morley Park, in my district, in respect of physical fitness. I was there a fortnight ago and what I saw was an eye-opener. Not only youths, but married men and women, past their

fortieth year, were taking part in the exercises. Even before the present movement was established, there were two women's organisations functioning in the State. I saw these women demonstrating, and was surprised to learn what women up to 60 years of age could do. The member for North Perth mentioned what was being done in the schools in the way of promoting dental hygiene and hygienic methods. We know that the children at our schools are taught these subjects, as well as eurythmics. Such exercises have the effect of making our boys and girls graceful in their movements. The dangerous time for boys and girls is from the age of 14 years to 18 years, after they have left school. They are then inclined to stray from the proper path. It is in this period of their lives that these organisations will be helpful to them, not only physically and mentally, but also from the standpoint of companionship. From that point of view, the movement is sound. So long as our Governments are elected on a democratic franchise, there is no possibility of these organisations being used as they were used in Germany and Italy. Those countries had a special philosophy.

Even if the Government of the country decided to introduce compulsory military training—and this may be possible now the war is ended—I do not think it would be used for any ulterior purpose. I have no fear of any Australian Government, no matter what its political complexion, using either compulsory military training or a scheme of physical fitness for ulterior purposes. The Minister, in his second reading speech, explained that many organisations went to make up the physical fitness movement, such as Toc H., the Y.M.C.A. and religious organisations. Other organisations will no doubt be established under the auspices of such bodies as progress associations. The organisations will not be moulded on the one pattern. They will work under the aegis of the national fitness movement, with which they will be affiliated so as to obtain financial aid. The whole movement can be said to be in the embryo stage at present.

In one small district in my electorate—Morley Park—the residents propose to raise £3,000 for various improvement purposes, including national fitness. I am amazed at the progress they have made and at their enthusiasm. They are not asking for any Government support, but are in the movement to improve themselves physically and mentally. Related to this subject is the question of diet. Members are well aware that during the financial depression many children were underfed. I have seen some of those children, who are now aged from 10 to 13 years, and their mothers have pointed out how frail the bodies of the children are because of the insufficient nourishment they had in their younger days. We see evidence of it in these days. Photographs appear in the paper showing the effects of malnutrition on our kith and kin in Singapore and Japan. We have seen photographs of the emaciated bodies of men and women in prisons and concentration camps. We must ensure that our youth get proper nourishment. The names of three or four persons are mentioned in the Bill who will be members of the council ex officio.

The other night I heard of another person who was to be a member, but we do not yet know who the remaining members will be. The Minister should have given that information to the House. I think it important that the members on the council should not be old, but should rather be young persons. This is the age of youth, and this is a youth movement, and I think that in the main the persons who are to be on this organisation should be young people. I would have preferred the Minister to advise us of the personnel of the council, but there was no mention of it in his speech and we are in the dark concerning it. They are to be appointed by the Governor-in-Council but outside of the ex officio members and the member for Subiaco who stated she had been appointed by the Minister, we do not know who is on the council. The member for Subiaco spent some time thanking the Minister the other night. She said—

> The Minister has been most careful to select those he thought would do most in furtherance of physical fitness in this State.

She has that information, but neither I nor other members of the House have it. I do not know what special qualifications the member for Subiaco has to be on the council. Is it because she is associated with the Free Milk Council? If she was selected because of her association with that council, which is supposed to be an organisation dealing with diet, then there are many other persons who have a much greater knowledge

of dietetics than has she and have therefore greater claims, possibly, to inclusion on the National Fitness Council.

Mrs. Cardell-Oliver: Do not be jealous!

Mr. J. HEGNEY: I am not a scrap jealous, but the hon. member fell for the Minister.

Mrs. Cardell-Oliver: I have never fallen for any Minister!

Mr. J. HEGNEY: She went on to extol the Minister the other evening. She said—

> For my part I have the greatest respect for the Minister's discrimination in that regard.

She extolled his virtues as a Minister. I have heard her stand here on other occasions—

Mr. Thorn: Is this an attack on the Minister?

Mrs. Cardell-Oliver: On a point of order, Mr. Speaker, I would like to have those words erased from the hon. member's speech.

Mr. SPEAKER: What is the hon. member's point of order?

Mrs. Cardell-Oliver: I refer to the assertion that I fell for the Minister. I have never fallen for any Minister.

Mr. SPEAKER: I take it that the member for Middle Swan was referring to the hon. member's congratulatory remarks about the Minister on account of her being elected to the council. The member for Middle Swan may proceed.

Mr. J. HEGNEY: The quotation I made was from the hon. member's speech. There is no doubt that half that speech consisted of congratulations to the Minister and that she applauded him because of his efforts in this matter. She said—

> The Minister has been most careful to select those he thought would do most in furtherance of physical fitness in this State.

She said that, doubtless because she was selected. I did not know she had been appointed until she mentioned it.

Mrs. Cardell-Oliver: You are a mean, jealous creature!

Mr. J. HEGNEY: It was the duty of the Minister to inform this House that the member for Subiaco had been appointed and also to let us know who are the other members. I have taken an active interest in the movement in the district I represent, and half-a-dozen of these bodies have sprung up in my electorate. As a member of the House, I consider I am entitled to know who has been appointed to the council, as well as the member for Subiaco.

Mr. Thorn: You need to wake up!

Mr. J. HEGNEY: I do not care who is appointed, but I assert that the members of the council should consist of younger persons. Young people have enthusiasm and energy. They will give this movement a fillip. The question of diet has been mentioned. It plays an important part in building up the well-being of the youth of our country. It plays a very prominent part; but as one member said—I think it was the member for Mt. Marshall—a lot depends on the income of fathers and mothers. At the State schools and other schools means for physical training are provided. There are exercises in rhythm and games and so on. There is no doubt that there was a great need for the establishment of the Police Boys' Club. In Inglewood, the branch has made great strides. The idea behind the club was to encourage the boys to take part in games. I played games all my days. From the time I was a boy until I was a full-grown man of 40, I played cricket and football. That has kept me active. But hundreds of boys do not get an opportunity to do that. There is a need for public parks where games can be enjoyed and physical fitness encouraged.

Mr. Thorn: Did you have any time to work?

Mr. J. HEGNEY: The member for Toodyay knows that I have been a working man all my life.

Mr. Thorn: You said you played games all day.

Mr. SPEAKER: Order: The member for Middle Swan will address the Chair and take no notice of interjections.

Mr. J. HEGNEY: I was always physically fit and able to take a fairly important part in games. The whole purpose of this organisation is to enable youth, not only in the metropolitan area but also in country towns, to engage in physical fitness exercises and to indulge in games that will be of great benefit to them. If this Bill is passed and the council comes under the authority of the Government, there will be more revenue for the organisation. The Bill is a good one, and for that reason I support it. The Minister in charge is a young man himself, and

the advice I give him is that he should appoint nobody to the council who is over his own age.

MR. SEWARD (Pingelly) [9.57]: When the member for East Perth started, I interjected "Hear, hear." I thought he might have similar views to mine. I can give no support to this Bill for two reasons. The first is that I will not support any expenditure of money on education except for the purpose of improving the education of children until such time as our very serious deficiencies are removed. We saw the other night a series of pictures regarding national fitness, and, as the sponsor said, they were fit to be exhibited anywhere. They were very pleasing. They were taken in attractive surroundings and were nice pictures indeed, except for one thing! I have no time for people running about half naked, particularly when the sexes are mixed. Why men should be allowed to sit down half naked with young girls 20 years of age is beyond my comprehension; and it is about time somebody took a hand at preventing it, because it is not necessary.

I was coming to Perth by train a few weeks ago, and I saw those poor youngsters at Guildford stripped to the waist and wearing just a pair of shorts while they did exercises. If I had my way, I would horse whip the man in charge, because that sort of thing is absolutely unnecessary. I have engaged in sport just as much as anybody else, and enjoyed it. One can go through the realms of Australian sporting men and find some leading athletes of the world. Yet they did not go out in that condition but were properly attired. The member for East Perth made a plea for the provision of sporting attire. God bless my soul! What will we have next? Provision of sporting attire! The Minister for Works suggested he might be given a Slazenger racket!

The Minister for Lands: I want some bowls.

Mr. SEWARD: As a matter of fact all he wants is a pair of shorts, a singlet and a sweater; that is the proper attire. It is the only attire for sport, and I will give assistance to promoting that, but it is about time this business of running about half naked was stopped. It is unnecessary and it is demoralising. As the member for Mt. Marshall indicated in his speech, there are grave fears as to what might be the outcome of that kind of behaviour. The remaining opposition that I have to this Bill is in regard to the deficiencies of our educational system. We are asked to devote money to improving the physique of the child; that it may have better poise, I think is what was said the other day. I cannot help throwing my mind back to some of the country schools and, in particular, to the Karlgarin School. That school is a plaster board building in the middle of a sand paddock and some of the smaller children sit on kerosene boxes, turned on their side, and use other boxes for desks. Notwithstanding that, we are asked to provide money to cure the physical deficiencies of those children. We are wrong in not spending money to provide proper desks for them. Then again that wretched school must have the windows open in the summertime with the result that the children are nearly eaten alive with flies, and in the wintertime they perish with the cold.

I am not going to subscribe to the expenditure of any money on sport in a climate like this. It is a characteristic of the Australian child to get out in the glorious sunshine that we have for eight months of the year and indulge in sport. If we attended to the diet of our children we would do more good. A few weeks ago I walked past the Town Hall corner on my way home and I saw a woman standing there with a cigarette in her hand. She asked a sailor who was standing beside her for a light. At the same time she had a child, no more than 18 months old, in a pusher. That incident occurred at 11.30 p.m., and it is in that respect that our fault lies. On another occasion a man came to me because he was seriously concerned about his child. He was separated from his wife. He went to see the child one morning at a quarter to nine and the mother was not then out of bed. He told me that the child was sent to school without any breakfast. We are ruining the constitution of our children in the early stages, and yet we expect this physical fitness business to cure these deficiencies. Does the member for Middle Swan, who waxed so eloquent in support of this measure, think that because we run people around in paddocks and teach them games that they will continue doing that after they leave school?

Mr. J. Hegney: Many of them do.

Mr. SEWARD: Not a bit of it. I know the Australian youth too well to believe that. Unless we can convince them by imparting to them the knowledge and the reason why that sport is necessary for their health they will not persevere with it for five minutes after they leave school. I have no sympathy for this Bill. We have, in the country educational system of our State, too many deficiencies in the mental education of the children, and they need money spent on them in order that they can be rectified. Members will recall that I referred to the calamitous educational standard of those who applied to join the Air Force. An enormous proportion had to be given further education in order to bring them up to standard. Many of the letters received by me seeking references are deplorable. We have been told that the Education Department has not been starved for finance. We should only spend money to give better educational facilities for the children so that they can have all the opportunities of a proper education, to which they are entitled. They can get all the sport they want because it is natural for all young Australians to indulge in sporting activities. I cannot support the Bill.

On motion by the Premier, debate adjourned.

House adjourned at 10.5 p.m.

Legislative Council.

Wednesday, 19th September, 1945.

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

QUESTION.

TOBACCO GROWING.

As to Action to Ensure Continuance.

Hon. A. THOMSON (for Hon. W. J. Mann) asked the Chief Secretary: In view of the decision of tobacco growers resident in the Manjimup district to abstain from planting until a minimum of 3s. per lb. for tobacco leaf is assured, and the statement that continued representations to the Government have been fruitless, will the Minister inform this House what action is proposed to prevent the threatened extinction of this important industry, with a distinct loss to the primary production economy of the State?

The CHIEF SECRETARY replied: The State Government has for some considerable time past stressed the necessity for an increased price and alterations to the appraisal system. Whether planting of tobacco will be continued this year is entirely a matter for decision by the growers concerned, but the Department of Agriculture is obtaining full information on the present position with a view to giving consideration to the taking of any further action which might offer possibilities of a solution of the existing position. The Government is again making advances available to growers this season.

BILL—MINES REGULATION ACT AMENDMENT.

Third Reading.

THE CHIEF SECRETARY (Hon. W. H. Kitson—West) [5.37]: I move—

That the Bill be now read a third time.

I would like to give to the House some information that has been supplied to me, in response to the questions that were asked by Mr. Seddon and Dr. Hislop yesterday afternoon. Mr. Seddon, it will be remembered, asked for information regarding the possibility of dust prevention in firing by the use of an anti-dust bullet. The department says that this has not been tested under controlled conditions, but some practical tests have indicated a more rapid dispersal of the dust produced after firing when tamping containing carbonate was used. I am also advised that miners are not exposed to the dust produced by firing, as the Mines Regulation Act limits the periods at which blasting may be carried out, so that men are away from the working places when blasting takes place.

Hon. C. B. Williams: Obviously, or they would be killed; but what about the after effects?