Government to resume land there for a hospital. Already a Minister of the Crown has said it would be quite a good place for a hospital, and I know it is in the minds of other people to have further excisions made from the park.

The CHIEF SECRETARY: Mr. Macfarlane is quite wrong, for the accommodation of tennis and bowling clubs within the King's Park was the responsibility, not of any Government, but of the King's Park Board. Nor have any excisions been made on account of those clubs, for the land on which their respective properties stand still belongs to the park. The piece of land dealt with in the clause is outside the park and cannot be used for any park purpose.

Hon. W. H. KITSON: I cannot help thinking we are not getting all the information to which we are entitled. We are now told it is proposed to use this land for educational purposes. I cannot understand the Government bringing down such a clause unless some concrete proposition had been previously put to the Government.

Hon. G. W. Miles: Put up by Shapcott, the chairman of the Gardens Board.

Hon. W. H. KITSON: Originally we were told it was to be for recreation purposes. Then it was declared it was not intended to commercialise the land, and now we are told it is to be used for educational purposes. Clearly we should have further information about it.

Hon. G. W. MILES: It is the duty of the Committee to delete the clause. We do not want Government interference with Class "A" reserves.

The Chief Secretary: This is not a Class "A" reserve.

Hon. G. W. MILES: It is included in King's Park, which is a Class "A" reserve. We should not permit this or any other Government to interfere with Class "A" reserves. I hope the clause will be deleted.

Postponed clause put and a division taken with the following result—

Ayes	2
Noes	17
Majority against	15

AYES.

Hon. C. F. Baxter	Hon. E. H. H. Hall (*Teller.*)

NOES.

Hon. L. B. Bolton	Hon. R. G. Moore
Hon. J. M. Drew	Hon. Sir C. Nathan
Hon. G. Fraser	Hon. H. V. Piesse
Hon. E. H. Gray	Hon. E. Rose
Hon. V. Hamersley	Hon. H. Seddon
Hon. J. J. Holmes	Hon. A. Thomson
Hon. W. H. Kitson	Hon. C. H. Wittenoom
Hon. J. M. Macfarlane	Hon. E. H. Harris (*Teller.*)
Hon. G. W. Miles	

Clause thus negatived.

Postponed Clause 8, First schedule, Second schedule, Title—agreed to.

Bill reported with an amendment.

House adjourned at 10.7 p.m.

Legislative Assembly.

Tuesday, 13th December, 1932.

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

ASSENT TO BILL.

Message from the Lieutenant-Governor received and read notifying assent to the Public Service Appeal Board Act Amendment Bill.

QUESTION—MIGRANTS, REPATRIATION.

Mr. SLEEMAN (without notice) asked the Premier: Is he aware that Australians are being repatriated from Canada owing to their being a charge on that country? If

so, will he endeavour to see that the same treatment is applied to Englishmen who are a charge on this State.

The PREMIER replied: I have not heard that Australians are being repatriated from Canada.

Mr. Sleeman: Well, some of them are here.

BILL—MINE WORKERS' RELIEF.

Report of Committee adopted.

Standing Orders Suspension.

On motion by the Minister for Mines, Standing Orders suspended to enable the Bill to pass its remaining stages at this sitting.

Third Reading.

THE MINISTER FOR MINES (Hon. J. Scaddan—Maylands) [4.36]: I move—

That the Bill be now read a third time.

MR. MARSHALL (Murchison) [4.37]: Before the Bill passes the third reading I desire to offer a few remarks in order that the attitude I have adopted may clearly be understood. I have not known of a measure introduced by the Government in respect to which we have received such generous treatment as on this Bill. The Government and the Minister have been most generous. Particularly does that apply to the Committee stage, when the Minister permitted certain amendments conceding to the Opposition much of what they desired. Notwithstanding all the good now contained in the measure, I am afraid it foreshadows inevitable trouble. The beneficiaries under the Act are given a definite understanding that certain compensation will be paid. Under this measure the position will be different. The Minister has been generous enough to provide that all men who leave the gold mining industry under this measure will receive the basic wage ruling at the time they were prohibited from further working in the mines but the time will come when it will be impossible to say what rate will be paid to provide such men with the wherewithal on which to live. It is that part of the measure which is not in accordance with my desires. The Minister, by interjection made it clear that in nearly all instances the amount of compensation payable under the Workers' Compensation Act in general and under the Third Schedule in particular was specific and limited. I realise that the Minister was correct. Under this measure an entirely different aspect will be presented. Men will be prevented from continuing work in an industry wherein they have probably served a lifetime, whereas men working in other industries may work for only a few weeks before being injured and becoming entitled to compensation. The Minister argues that T.B. is not an industrial disease, but he must concede the fact that a man working in the gold mining industry is more likely to contract the disease than is a man working in any other industry. I do not know of any industry in which a man is so likely to contract tuberculosis as is one in the gold mining industry. Though the Minister was right in saying that the disease might be contracted anywhere, the gold mining industry renders a man more likely to contract the disease than does any other industry. Men so affected will be taken out of the mines. If a man is suffering from silicosis plus T.B., it indicates that he must have worked in the industry for a considerable time. A man suffering from silicosis must have contracted it in the mining industry, but, having that disease, he has greater difficulty in repelling the attack of T.B. germ. While he may not actually contract T.B. in the industry, and while he may leave the industry suffering from silicosis advanced, he is incapable of throwing off the tubercular germ, wherever he contracts it. On leaving the mining industry with silicosis advanced, he would be entitled to certain compensation, but after leaving the industry with silicosis he might contract T.B. simply because he was not physically fit. If that man's health had not been ruined through his having been employed in the gold mining industry, he would probably have been able to resist the T.B. germ. Under the provisions of the Bill, the time will come when the miner who has contracted tuberculosis plus silicosis, will have received the full amount allowed under the measure, namely, £750, and then he will be required to receive a smaller amount, and at this stage we cannot say what payment that will be. According to the Minister, we do not expect that any miner will have to go on the relief fund for the next three or four years, unless, perhaps, he be a prospector, and perhaps a very small number who have qualified to date. On the other hand, I want

the House to understand—I speak feelingly on this subject—that although compensation payable under the Third Schedule of the Workers' Compensation Act may be paid in accordance with the toll upon a miner's life or health, that payment is only in respect of the individual whose health has been injured and is on the basis of his requirements. An uncle of mine worked for many years in the mining industry and contracted miner's disease. He lingered for three or four years after he had been forced out of the industry. Unfortunately, after a period of four or five years, all his family contracted the same disease, and two daughters died. There was no suggestion of tuberculosis in that family for generations past, so I am safe in assuming that the children contracted the disease from their father. The payment of £750 having been absorbed in payments to such a family, at the end of three or four years they will have to accept a reduced rate, the amount of which we cannot assess. The Minister has stated that the payments will be substantially along the lines of those payable at present by the Mine Workers' Relief Board. It will be seen that the lapse of time is such that at that stage children, who contract the disease, will require nourishment and attention that will have to be denied them because of the smaller rates payable. For that reason, I cannot support the third reading of the Bill. I know it embodies many good points, including those I have urged for some years past. I recognise all that the Minister has done, and I do not desire to be hard on him. At the same time, I did not expect that the Bill would involve reductions in the amount of compensation payable. I cannot agree that the good to be accomplished as the result of the passage of this legisation will overshadow the evil that will arise from it in future. In the circumstances, I shall vote against the third reading.

THE MINISTER FOR MINES (Hon. J. Scaddan—Maylands—in reply) [5.50]: I regret the attitude adopted by the member for Murchison (Mr. Marshall), all the more because I feel sure he does not appreciate fully the provisions of the Bill.

Mr. Marshall: Yes, I do.

The MINISTER FOR MINES: Then he should adopt an entirely different attitude. It would have been better if the hon. member had admitted that members of this House, not members of the Opposition, as he said, had sought certain amendments to the existing Act. I endeavoured to explain to the House, when I moved the second reading of the Bill, that I hoped it would not be regarded in any sense as an ordinary party, or Government, Bill.

Mr. Marshall: I concede you that point.

The MINISTER FOR MINES: The amending legislation was the result of a number of conferences with members representing mining constituencies, and the objective was to secure better conditions throughout the goldmining industry. That being so, I would have preferred his reference to have been to members rather than to Opposition members alone. While doubt does exist regarding the benefits that will obtain after a beneficiary has reached the stage when he has received all he would have obtained under the provisions of the Workers' Compensation Act, we amended the measure so that during the period he would be receiving that compensation, an additional amount would be payable by the board to bring the payments up to the basic wage. That will bring them, at any rate for the period that the £750 applies, on the same footing as the men in the industry now. Regarding the element of uncertainty as to future payments, I informed members that I proposed to introduce regulations to prescribe the benefits to be obtained by persons who had to secure assistance from the Mine-Workers' Relief Board. That will not operate in the earliest cases—men who would be in receipt of the full amount of the basic wage—until the workers are on the relief fund, which will be at least four years.

Mr. Marshall: No; men suffering from tuberculosis will go on the fund straight away.

The MINISTER FOR MINES: That is not so, because we amended the relative clause dealing with that phase. The member for Murchison has overlooked that fact. We have provided that the men suffering from tuberculosis are to receive £3 10s. a week, and may receive an additional amount up to the basic wage until such time as they receive the full amount of £750 by way of compensation. Reviewing the criticism of members, the difficulty, it seems to me, was that members considered the board would not have sufficient funds with which to meet

their obligations under the Bill. I suggested that it would be better if no reference were made to that phase, although I quite agree that we must know where we stand. The point is that the Government will have to do what they do under existing circumstances; they will have to make good any shortage to the board to enable the board to make the necessary payments. Successive Governments have done that notwithstanding that no statutory obligation was imposed upon them in that respect. It was a voluntary contribution to the fund, in addition to the money that it had been agreed should be contributed, and was made available in order to enable the obligations of the board to be met. We have now agreed in the Bill to make it a statutory obligation upon Governments that they shall not only contribute their share towards the fund, but shall make up any shortage in the board's funds. It is true that we say the contributions shall be in the form of a loan. I explained the position shortly before, and I shall refer to it again briefly, because the position should easily be understood. The money will be made available by way of loan, and there will be an obligation on the board to repay that money. But should the board be without funds and be unable to repay the money so advanced on loan, no Government could make the board repay, as there is no personal liability attached to the loan. As a matter of fact, exactly the same thing has happened in the past, and the members of the board were not made to repay the money, seeing that the Fund did not possess the wherewithal to enable the repayments to be made. I think the member for Hannans during his regime as Minister for Mines made some such arrangement. If the board should have money with which to repay, the repayments will be made.

Hon. S. W. Munsie: As a matter of fact, the board did repay some in the past.

The MINISTER FOR MINES: That is so. I can assure the member for Murchison that the position is not so bad. All I suggest is that the legislation will be a contribution towards the solution of a difficult problem, and members will not be prevented from further attempts to perfect it. I do not suggest that the Bill is perfect, but Parliament will not close down shortly for all time. We shall see how the position is affected, and later on, opportunities will be afforded for introducing amending legislation. The Bill represents a definite step forward, and, in the circumstances, I think the member for Murchison could well have accepted it in that sense. Later on, when weaknesses are discovered, Parliament will be able to deal with them in another amending Bill. By that means they will be able to see that justice is done to those who have done so much for the State in the past and are continuing to do so to-day. I regret the hon. member's attitude. I thought that members representing goldfields constituencies, although they might not be completely satisfied with the Bill, would at least be in agreement that it represented an appreciable improvement. Naturally the payments from the funds at the disposal of the Mine Workers' Relief Board will be such as the board themselves recommend and, as the board consists of two representatives of the Miners' Union and two representatives of the mine owners, with an independent chairman nominated by the Government, that fact itself should provide a sufficient guarantee that justice will be done to the men concerned.

Mr. Marshall: To the extent of the funds available.

The MINISTER FOR MINES: And we have made provision whereby shortages will be made up. In the circumstances, surely it will be realised that nothing but consideration to the fullest possible extent will be extended to the unfortunate miners by a board so constituted. The members of the board are concerned with the allocation of the funds at their disposal. They have nothing to gain, and there are no dividends for them to collect. Their task is simply a matter of distributing the funds that are contributed by the three parties concerned, among those men whose health has been injured as a result of their occupation in the mining industry. Should a man reach the stage suggested by the member for Murchison, namely, silicosis advanced, before he leaves the industry, he will receive compensation under the Workers' Compensation Act, and the certificate he presents, as a result of the laboratory test, has to be accepted. In the past he had to prove that he had been permanently incapacitated, and that was very difficult to do. As the Leader of the Opposition pointed out, a miner might have worked for two months after leaving the

mining industry, and then if he sought to secure compensation, he would have to prove permanent incapacity. The very fact that he had worked for two months after leaving the industry would result in the board's saying, "You are not permanently incapacitated. You have worked for two months, so that in itself is evidence that you are not permanently incapacitated." We have got away from that position, and have made the presentation of the certificate proof of a man's claim for compensation. If a man leaves the industry not having reached that stage, he does not necessarily lose the benefits of the Act. So long as he maintains his contributions to the fund, should he contract silicosis in the advanced stage, it does not matter whether he has left the industry for five months or 15 years, he will be treated as though he were continuing in the industry, provided he has kept up his contributions.

Hon. S. W. Munsie: That is the best feature of the Bill.

The MINISTER FOR MINES: And it will serve to encourage those men to take other positions and know that their interests will not be jeopardised. Under the existing conditions, if a man were to take up such a position, he would know that in time he would lose the right to go back to the industry, and to any claim for compensation. The alterations effected by the Bill are surely worth while, and I think the position of the men will be infinitely better. In the circumstances, I suggest to the member for Murchison that it would be better for him to agree to the third reading of the Bill and then when weaknesses are discovered, Parliament can pass amending legislation later on.

Mr. Marshall: I will never agree, so long as I am a member of this Chamber, to the passage of a Bill that reduces benefits.

The MINISTER FOR MINES: What I propose to do is, as soon as I know that the Bill will be passed, to have the regulations tabled before Parliament rises. These regulations will provide for the existing benefits are paid under the Mine Workers' Relief Fund.

Mr. Marshall: We will not have that.

The MINISTER FOR MINES: I have already explained that these regulations are not like the laws of the Medes and Persians; they can be amended from time to time. At least, when the regulations are passed they cannot be altered unless the Government of the day put up other regulations which are not disallowed by the Upper House. In a matter of this kind, where we are dealing with women and children, there is not much in controversy as to what the State ought to do. I do not suggest there is no possibility of a Government introducing a regulation to reduce to an extent the amount now being paid; but, as I believe will happen and as is shown definitely by the graph on the wall of this Chamber, there will be a gradual and probably a sudden reduction, as there was last year, in the number of cases to be dealt with, and with the building up of the fund in the meantime, we shall be able to increase the benefits without increasing the levy on the mine owners or the workers. We can make the minimum the amount which the men are receiving to-day. A great number of men have had to leave the industry because there is no legislation of this description at all. They have not had the benefit of the £750 compensation payable weekly, with an additional sum to bring the payments up to the amount of the basic wage. Unfortunately in the majority of cases the men who contract T.B. do not live for a period of four years on the average. The result is that the man prohibited from continuing to work in the industry will be very fortunate indeed if he draws the total amount.

Mr. Marshall: What about his wife and children?

The MINISTER FOR MINES: As a matter of fact, we do make provision to carry them on.

Mr. Marshall: No, you do not.

The MINISTER FOR MINES: We do. If the worker's life is shortened to such an extent that he does not draw the £750 compensation, then his dependonts will draw the balance.

Mr. Marshall: I know about that.

Mr. SPEAKER: Order! It seems that a duel is proceeding between the two hon. members.

The MINISTER FOR MINES: Surely the hon member can see—

Mr. Marshall: I can.

The MINISTER FOR MINES: —that this is an improvement on existing conditions. There are two purposes sought to be achieved: one is to clean up the industry, and in the process to do justice to those who will be compelled to leave it not only in their own interests, but in the interests of those

remaining in it. The other purpose is that when they do leave the industry they shall be assured of reasonable benefits.

Mr. Marshall: My opinion of the reasonable benefits is the Act as it stands.

Question put and passed.

Bill read a third time, and transmitted to the Council.

BILL—NARROGIN HOSPITAL.

Second Reading.

THE MINISTER FOR HEALTH (Hon. C. G. Latham—York) [5.5] in moving the second reading said: The small Bill which I propose to ask the House to pass is to enable the local governing authorities at Narrogin to enter into an agreement to construct a hospital. The residents of the districts interested will have to find half the money and the Government will find the other half. That is the usual arrangement entered into between local authorities and the Government when it is proposed to construct a hospital. I regret to say that Subclause 3 of Section 27 of the Hospitals Act limits to five years the period for which an agreement may be made. That provision was not inserted in the Act by this House but by another place. Consequently, it is impossible for the local authorities to enter into an agreement for a period long enough to raise the £5,000. The whole proposal is set out in the preamble of the Bill, and were I to speak for an hour I could not make the matter any clearer than it is set out there. The Bill is to enable the Narrogin Municipal Council, the Narrogin Road Board, the Cuballing Road Board, the Wickepin Road Board, the Williams Road Board and the Kulin Road Board to enter into an agreement to raise the sum of £5,000 towards the building of a hospital which will cost £10,000. I hope hon. members will allow the Bill to go through, so that it can reach another place quickly, because the people of Narrogin are anxious to get the construction of the hospital under way. I move —

That the Bill be now read a second time.

HON. W. D. JOHNSON (Guildford-Midland) [5.8]: I desire to protest against this method of extending the functions of local governing bodies. Some little time ago, certainly during the term of the present Government, a proposal was introduced to extend the powers of certain road boards in connection with contributions to recreation grounds or agricultural societies. I think it was in connection with Brookton. I have a distinct recollection of the Bill and I pointed out at the time that if we extended the functions of local governing authorities in that way, it would be difficult to ascertain what the powers of those bodies were without looking up various Acts to find out exactly what rights local governing bodies had to raise and expend money. I submit that if it be desired to raise money for the purpose of building a hospital, then the Act governing local bodies should be amended, giving them the necessary authority. After all, the money will be raised by a section of the people only, and if that section are to be taxed for a specific purpose, then I think the rights of ratepayers should receive main consideration. Under the Bill they do not get that consideration. The Minister nods his head. I quite realise that a local governing body would not do this without the approval of the ratepayers, but the fact remains that the ratepayers within the boundaries of these local governing districts may not have been directly consulted in the matter. That, however, is not the point I wish to make. If we are going to extend the functions or the powers of local governing bodies, then we should do so by amending the Act governing them, and not by a separate and distinct measure of this kind. I have entered my protest before against Bills of this kind, and I desire to enter it again. I oppose the Bill, not because the principle is unsound, but because the method adopted is wrong.

HON. S. W. MUNSIE (Hannans) [5.10]: Unlike my colleague, the member for Guildford-Midland, I support the Bill. When I introduced the Hospitals Bill some eight years ago, one of the objects was to procure uniformity. If ratepayers wanted a hospital erected in their district, they should be able to raise half the money by any method they desired. Such a provision was inserted in the Bill, but another place, for some reason unknown to me, deleted it. I had either to accept the Bill or drop it altogether. The position in the State at that time, so far as hospitals were

concerned, was absolutely deplorable. Neither a committee hospital, nor a Government hospital had any right whatever to sue a person in order to recover fees. A man might have been drawing a salary of £1,000 a year, but if he entered one of the committee hospitals and refused to pay the fees, the hospital had no power to sue him in order to recover them. Another clause which I inserted in the Bill that I introduced and which the Upper House did not agree to provided that where a majority of local authorities affected by the Act decided to erect a hospital, the Minister should have power to compel the dissenting minority to join in the proposal. In this particular case, four local authorities out of five have been agreeable for the past eight years to erect a hospital, and they proposed to strike a rate for the purpose of finding half the amount required, but one local authority has refused to join in for about six years. As the Minister has pointed out, the Council amended the Hospitals Bill by inserting a provision limiting the period under which an agreement could be made to five years. That period of five years is nearly up. Before they can actually raise the loan, I believe the five years will have expired, so that they will have no security or authority whatever. Now that the other local authority has fallen into line, I think we ought to pass the Bill and give all the local authorities concerned the right to do what they have willingly agreed to do in the interests of the people at Narrogin and the surrounding districts.

MR. DONEY (Williams-Narrogin) [5.13]: The member for Guildford-Midland seems to have an idea that the Bill in some way infringes the rights of local governing bodies.

Hon. W. D. Johnson: No. It extends their powers.

Mr. DONEY: I do not think there is anything wrong in extending their powers in the direction proposed. As a matter of fact, the Bill expressly provides for something which the authorities have been asking for. I am very pleased indeed that the Minister has seen fit to bring down the Bill, and I am glad that the provisions of the Bill are so very fair. The town of Narrogin and the districts adjacent thereto are willing to enter into an agreement to make the periodical payments of principal and interest, but there are certain limitations imposed by the Hospitals Act which prevent them from doing so. This Bill merely makes the deficiencies of the Hospitals Act good. Personally, I have no objection whatever to the passing of the measure.

THE MINISTER FOR HEALTH (Hon. C. G. Latham—York—in reply) [5.14]: I am very glad that members generally seem disposed to support this simple Bill. Replying to the member for Guildford-Midland, the Bill does not extend the powers of local governing bodies, because they already have power to extend the period for which they may make an agreement. That is all the Bill does. Under Section 160 of the Road Districts Act local authorities already have this power.

Hon. W. D. Johnson: Then why do they not exercise it?

The MINISTER FOR HEALTH: Simply because they could not make an agreement with outside local authorities. This Bill is for the purpose of enabling them to make an agreement with other local authorities. This is not to be an ordinary hospital, but will be available to everybody, so long as there is the necessary accommodation. It is not intended to increase the powers of the local authorities, but rather that they may use the powers they already have. But for that amendment in the Hospitals Act made in another place, there would have been no trouble at all.

Question put and passed.

Bill read a second time.

In Committee.

Bill passed through Committee without debate, reported without amendment and the report adopted.

Standing Orders Suspension.

On motion by the Minister for Health, so much of the Standing Orders were suspended as to permit of the Bill passing through its remaining stages at the one sitting.

Third Reading.

Bill read a third time and transmitted to the Council.

BILL—BILLS OF SALE ACT AMENDMENT.

Second Reading.

THE ATTORNEY GENERAL (Hon. T. A. L. Davy—West Perth) [5.20] in moving the second reading said: In 1906 an amendment of the Bills of Sale Act was made. This is to be found on page 9 of the consolidation of the Bills of Sale Act in the 1925 volume. Amongst other provisions the amendment contained the following—

> Sections 3 to 13 inclusive of this Act shall not apply to any bill of sale on wool or stock separately or combined on any station.

For some reason best know to themselves, the financiers of stations—and incidentally the definition of station includes farms and even dairy farms—started to put into their bills of sale words which covered not only stock actually on a station, but stock in transit to a station. The reason for that was that where a man requires finance for the purchase of some sheep, the person making available that finance wants his security the moment the money is paid over. The finance is necessary at the sale yards where the sheep are bought, and where the money is to be paid over to the auctioneer for the vendor. Consequently the person lending the money to enable the sheep to be bought wants a bill of sale before his money is parted from. So the bills of sale were drawn to cover not only sheep on a station, but sheep on the way to a station. The other day somebody tested the legality of that, and the Full Court held that such a bill of sale as that which purports to be given under Section 18 was null and void as against any third party because of the inclusion of those sheep which were not on a station, but were in transit to it. The only difference between a bill of sale which comes under this, and an ordinary bill of sale, is that a bill of sale coming under this can be registered without notice, whereas every other bill of sale requires to have 14 days' notice before registration. The result of the decision of the Full Court is that every bill of sale which includes those words is now null and void as against the third party, although still standing good as between the grantor and the grantee. The firms who have financed farmers and pastoralists are extremely nervous, and at their instigation—

Hon. J. C. Willcock: The buyers could sell stock after they bought it at the sales and prior to its reaching their stations.

The ATTORNEY GENERAL: Yes, if the bill of sale is not taken when the money is advanced, there is no security at all. The people who advance the money must have their security before parting with their money. Now in an attempt to cover that position they have rendered their security nothing at all as against outside people. This position was brought to my attention by banks and by big stock firms, with a request that amending legislation be brought down. I do not know whether I would have been agreeable to that if it had not been that the position of the pastoralists and farmers enters into it also. If the position is not rectified, those people, to protect themselves, must make an endeavour to get substitute bills and that at considerable expense. So I came to the conclusion that it was a proper thing to carry out their wishes more or less and try to rectify the position.

Hon. J. C. Willcock: Otherwise they would not advance money with which to buy stock.

The ATTORNEY GENERAL: I propose to rectify the position for the future and also to rectify the position of existing bills of sale, but reserving any accrued rights of third parties. That is the object of this measure. I do not know whether I would have agreed to bring in the Bill had it not been that the appeal to the High Court from the judgment of the Full Court was not possible this session. I would have preferred to wait until we got the High Court's determination as to whether the Full Court in its judgment was right or wrong. But unfortunately, although the very best endeavours have been used to get the appeal brought on, it cannot come on until March or April of next year.

Mr. Corboy: Still it seems wrong to do anything in anticipation of that decision.

The ATTORNEY GENERAL: But it will not affect the parties to the action in the slightest degree. When the Full Court has disclosed what it thinks to be a defect in a piece of legislation, it is a perfectly proper thing to rectify it without waiting to see whether it is right or wrong.

Hon. P. Collier: If the High Court endorses the Full Court's decision, you will have to rectify the position.

The ATTORNEY GENERAL: Yes, and I do not see how the banks and stock firms can risk carrying on this form of financing without endeavouring to get proper security.

Mr. Corboy: They have been doing it for a long while.

The ATTORNEY GENERAL: Yes, but they thought they were all right. What is proposed in the Bill is to cut out the words "on any station." Then the position will be that a bill of sale may be good for wool or for sheep wherever they are. That sounds drastic, but in effect it is no more than declaring that a bill of sale may be given on sheep on their way to a station; because sheep must be on a station or in a saleyard or on their way to another station.

Hon. A. McCallum: Where are they when they break through a fence?

The ATTORNEY GENERAL: They are still on a station.

Hon. M. F. Troy: But why call it drastic? These bills of sale are purely voluntary.

The ATTORNEY GENERAL: I do not think it is drastic. We simply say a bill of sale may be given for sheep wherever they are, and without notice.

Hon. P. Collier: So long as a man owns the sheep, they are his property.

Mr. Corboy: Do you think it is right that a bill of sale should be registered without notice? I think it is wrong.

The ATTORNEY GENERAL: I cannot see any reason why notice should be required for the registration of any bill of sale.

Mr. Corboy: Well, amend the lot; not just a section.

The ATTORNEY GENERAL: I can see no reason why a man may mortgage his land and his house without notice, but may not so mortgage his chattels.

Hon. J. C. Willcock: Someone may run off with his chattels but not his house.

The ATTORNEY GENERAL: The necessity for giving notice is not to prevent a man running way with the security. It has enabled the unsecured creditor to come in and block the transaction. That has nothing to do with the Bill.

Mr. Corboy: It has a great deal to do with it.

The ATTORNEY GENERAL: I think not. I am sorry the Bill has come down so late in the session but it could not be avoided. I ask members to excuse its lateness, to peruse it, consider it, and pass it if they think it is a sound and proper thing to do. I move—

That the Bill be now read a second time.

On motion by Hon. W. D. Johnson, debate adjourned.

BILL—SECESSION REFERENDUM.

In Committee.

Mr. Richardson in the Chair; the Premier in charge of the Bill.

Clauses 1 to 4—agreed to.

Clause 5—Issue of writ for referendum:

Hon. N. KEENAN: I move an amendment—

That in Subclause 1 the words "a compulsory basis on" be struck out.

If that is agreed to, I intend to move for the insertion of three new subclauses to stand as Nos. 2, 3, and 4. The present provision, which is designed to make the voting compulsory on this question, is very crude, and would be difficult to work out in practice. It certainly could not be handled by regulation. If it is the intention that the voting shall be compulsory, the subclauses I am going to suggest will much better meet the position.

The PREMIER: I have before me a copy of the subclauses the member for Nedlands proposes to move. I am sorry they were not put on the Notice Paper. I think it would be an offence under the Act if an elector failed to record his vote, but I admit that the amendment in this clause is a fairly stiff one. I have no objection to the hon. member's proposal.

Hon. J. C. WILLCOCK: There is a lot to be said for the amendment, for it will enable the electors to arrive at a general understanding of what compulsory voting means. If we are going to have voting by compulsion, we should know how it is to be brought about.

Amendment put and passed.

Hon. N. KEENAN: I move an amendment—

That the following be inserted to stand as Subclauses 2 and 3:—"(2) It shall be the duty of every elector to record his vote at the taking of the said ballot; and (3) any elector failing to record his vote without good cause shall be guilty of an offence."

Amendment put and passed.

Hon. N. KEENAN: I move an amendment—

That the following subclause be inserted to stand as Subclause 3:—"Every elector convicted before any court of summary jurisdiction of such offence on complaint by the Chief Electoral Officer shall be liable to a penalty not exceeding £2."

Hon. J. C. WILLCOCK: It ought not to be necessary to hale a person before the court for an offence of this nature. If he admits his failure to record a vote, it should be sufficient for him to pay the fine, say half-a-crown, without going through the court. It is objectionable that people who may be sick at the time or infirm, and do not vote, should be compelled to attend the court and pay the fine there. I suggest that before the Bill is read a third time this matter should be gone carefully into and an amendment drafted to meet the situation.

The ATTORNEY GENERAL: I agree with the hon. member that many capable persons are inadequate defenders of themselves, but I do not agree with him when he proposes that we should make the Chief Electoral Officer a kind of judge.

Hon. J. C. Willcock: But people frequently admit these offences.

The ATTORNEY GENERAL: I agree that if a person admits an offence, say, against the traffic regulations, he need not appear in court. He simply pleads guilty, but if, under the electoral laws, we are going to make it an offence, as the hon. member proposes, it should be an offence like any other. It is a bad principle to build up different methods of dealing with offences.

Hon. S. W. Munsie: The Commonwealth law is that if an offence of this description is admitted, the offender is fined so much, but if he does not admit it, he goes before the court.

Hon. J. C. Willcock: The average citizen when he gets a summons to go before the court thinks that he must do so.

The ATTORNEY GENERAL: We will have a different kind of summons which will let him know that if he pleads guilty, he need not go before the court.

Hon. P. Collier: Yes, you can make that summons out on white paper.

Hon. N. KEENAN: Under the Commonwealth law, the Chief Electoral Officer has to be satisfied with the excuse given, and if he is not satisfied he endorses it and within a certain period of time—two months—the offender is prosecuted. In nine cases out of ten there is an admission by the party concerned, and it does not go to the court. My view is that it is not right to give the officer authority to impose a fine. However, it is a matter for individual opinion.

The PREMIER: The Federal law works satisfactorily. We want the Chief Electoral Officer to accept what might be regarded as a reasonable excuse. I suggest that we pass the clause as amended.

Mr. PARKER: The Federal system has worked well to an extent, but not the way members think. The Chief Electoral Officer sends a letter to the voter, who has to call on him to explain. The electoral officer remarks, "No. I will not accept your explanation; I propose to fine you 5s. or issue a summons against you." The voter may say that the explanation is perfectly true, but the electoral officer will not have it. It is not satisfactory to put an official who has not a judicial temperament in such a position.

Clause, as previously amended, put and passed.

Clause 6—Questions to be submitted to the electors:

Hon. N. KEENAN: I move an amendment:—

That the clause be amended by omitting therefrom all the words after the word "be," in the first line of that clause, and inserting in lieu thereof the following—

1. "Are you in favour of a Convention of Representatives of equal number from each of the Australian States being summoned for the purpose of proposing such alterations in the Constitution of the Commonwealth as may appear to such Convention to be necessary?

2. "Failing the summoning of the Convention referred to in question (1) on or before the 31st August, 1933, and an alteration of the Commonwealth Constitution, within six months thereafter, granting the relief asked for on behalf of the State of Western Australia, are you in favour of the State of Western Australia withdrawing from the Federal Common-

wealth established under the Commonwealth of Australia Constitution Act (Imperial)?"

The CHAIRMAN: I draw the hon. member's attention to the fact that it is not necessary for him to strike out the first subclause which is really the first question to be put to the electors.

Hon. N. KEENAN: It is necessary to do so, because it will be inserted in a different order.

The CHAIRMAN: If the hon. member strikes out Subclause 1, Subclause 2 will then become Subclause 1, or he can move that Subclause 2 be No. 1. Subclause 2 is exactly the same as the first part of the hon. member's amendment.

Hon. N. KEENAN: Very well. I will submit it in that way. I move an amendment:—

That subclause 1 be struck out with a view to inserting other words.

Personally I much prefer that there should be a straight-out issue on the question whether Western Australia should continue to remain a member of the Federation or whether, in its own interests, it should leave the Federation. Although the submission of two questions, as I pointed out a year ago, tends to confuse the issue, I have bowed to the desire of members as expressed on that occasion that two questions should be submitted. If two questions are to be submitted, it is necessary that they should be submitted in some logical manner so that the electors may come to a logical conclusion. With that in view, I have suggested striking out the first question so that the second question shall become the first, and my intention is to insert the following to stand as question 2:—

Failing the summoning of the Convention referred to in question (1) on or before the 31st August, 1933, and an alteration of the Commonwealth Constitution, within six months thereafter, granting the relief asked for on behalf of the State of Western Australia, are you in favour of the State of Western Australia withdrawing from the Federal Commonwealth established under the Commonwealth of Australia Constitution Act (Imperial)?

The position, as I understand it, is that everyone is agreed that Western Australia is suffering great disabilities as a result of being one of the federated States of Australia. Some people suggest that those disabilities can be remedied or removed by calling together a Convention of the States and remodelling the Federal Constitution. It is perfectly clear that unless such a remedy is practicable and feasible, it is not a remedy at all. It would be neither practicable nor feasible unless the Convention were called within a reasonable time. One of the easiest ways to defeat the calling of a Convention would be continually to postpone steps to call it together, and allow it gradually to drift, until in the end it was not called at all. Therefore I submit we are not asking too much in requesting that the Convention be called, not necessarily immediately, but at some time before the 1st September of next year. It will be within the recollection of members that the present Prime Minister, Mr. Lyons, when speaking in the Melbourne Town Hall on the 30th April, 1931, promised that one of the first tasks to which his Government would address themselves would be the calling together of a Convention of the States to revise the Federal Constitution. Twenty months have passed, and that promise is still unredeemed. It is not unreasonable to ask that it should reach the point of being redeemed.

Hon. P. Collier: Was that promise made by Mr. Lyons?

Hon. N. KEENAN: Yes.

Hon. P. Collier: He was not in office in April of last year.

Hon. N. KEENAN: He promised that if his party were returned to power, he would address himself to the question of calling a Convention.

Hon. P. Collier: He was not the leader of any party in April of last year.

Hon. N. KEENAN: Yes, that was after he had been made Leader of the then Opposition. At any rate the date was given to me as being accurate. He made the statement as Leader of the United Australia Party, and the party came into power at the subsequent election. The promise was made, no doubt, to obtain a certain amount of support when the impending elections were held. Surely it is not unreasonable to ask that a promise made so long ago should be redeemed within eight months from now. That would give ample time to any person or party to redeem a promise made. Further, it is a matter not unknown to the Federal Parliament that there should be considerable haste in passing certain measures. For instance, The Federal Emergency Enforcement Act was passed through the Federal Parliament in two days, and other measures were passed through within a very short period of time.

Hon. A. McCallum: One measure was passed in one night.

Hon. N. KEENAN: But I think it occupied two days to pass both Houses. It is not an undue test of sincerity to ask that the necessary legislation should be passed. We have a right to ask for that test of sincerity to be applied, and we have a right to ask that it be conceded. If the convention is held, but denies any relief whatever, or any satisfactory relief to Western Australia, or if, although the Convention does recommend some relief which could be accepted as satisfactory, no legislation be brought down to give effect to the recommendation—it might be left in a cupboard as so many reports of Royal Commissions and other bodies are—then we should say, "If you will not extend any remedy, notwithstanding the report to Parliament, we have a right to regard you as persons determined to refuse any redress to Western Australia." For these reasons the amendments have been drafted. Members will observe that if my amendments be adopted, the first issue will be to ask the electors, "Are you in favour of a Convention," and then there would follow question No. 2, "Failing the summoning of a Convention on or before the 31st August, 1933, and an alteration of the Constitution within six months thereafter granting the relief asked for, are you in favour of Western Australia withdrawing from the Commonwealth?" That is a logical issue. It will enable those people who believe a Convention can be successfully called and can deal with our difficulties to vote for a Convention. The second question merely provides that, if relief is denied and we are left to suffer disabilities which all but a contemptible few realise we are suffering, we must look to some other power to enable us to escape from our difficulties and from inevitable disaster by severing the ties that now bind us to the Commonwealth. That is an eminently logical way to put the issue, and enable the people to express their opinions.

The PREMIER: The amendment really proposes to put the same questions to the electors in another way. It means that if a Convention be not called before the 31st August, 1933, the vote in favour of withdrawing from the Commonwealth will stand I imagine there is very little difference except the time limit. I am not satisfied that the Commonwealth Government will call a Convention even if we fix a time limit. They could ignore it altogether. In that event the vote in favour of secession would be the stronger.

Mr. Angelo: One hundred per cent.

The PREMIER: I do not know that the time suggested—31st August, 1933—would be sufficiently long to enable the Federal Parliament to deal with the matter and call a Convention.

Mr. Sampson: It would allow eight months.

The PREMIER: But the Federal Parliament will not necessarily be sitting, and it would take some months to prepare for a Convention.

Mr. Sampson: It is merely to summon a Convention within that period.

Hon. P. Collier: It could not be summoned by notices. Federal legislation would be required.

The PREMIER: Yes; that is the point, and it may take time to get the legislation passed. I think we might give a little longer time, but I have no objection to this method of putting the questions to the electors.

Progress reported till a later stage of the sitting.

BILL—LOAN, £2,176,000.

Returned from the Council without amendment.

BILL—ROAD DISTRICTS ACT AMENDMENT.

Council's further message.

Message from the Council received and read, notifying that it had agreed to the Assembly's request for a conference, and had appointed the Hons. J. J. Holmes, J. Thomson and C. F. Baxter as managers for the Council, the president's room as the place of meeting, and 7.30 p.m. as the time for the conference.

Sitting suspended from 6.15 to 8.35 p.m.

BILL—ROAD DISTRICTS ACT AMENDMENT.

Conference Managers' Report.

The MINISTER FOR WORKS: I desire to report that the managers representing this House and the other place have met and come to an agreement as follows—

No. 11. Clause 39.—The words "and from time to time" previously struck out be reinserted. The words "deemed to be" previously struck out be reinserted.

No. 14. Clause 63.—Paragraph (b), reinsert and amend the clause by inserting after the word "Act" in line 5 the words, "Provided that no board shall appoint or dismiss an auditor without first obtaining the consent of the Minister."

No. 15. Clause 64.—Previously deleted, be reinserted.

Report adopted, and a message accordingly returned to the Council.

BILL—SECESSION REFERENDUM.

In Committee.

Resumed from an earlier stage of the sitting. Mr. Panton in the Chair; the Premier in charge of the Bill.

The CHAIRMAN: Clause 6 is before the Committee to which the member for Nedlands has moved an amendment to strike out the first question.

Hon. P. COLLIER: I hope the Premier will stand by the Bill and not accept the amendment moved by the member for Nedlands. If I understood the Premier correctly, he stated that the amendment is practically similar to the clause in the Bill. If that were so, why is there any need for the change? On the other hand, the amendment goes much further than the clause. Should it be agreed to, it would entirely nullify the voice of the people who believe in the referendum. The terms of the amendment are such as would prevent effect being given to the vote of the people, should it be in favour of a convention instead of secession. It may be argued that the time set out in the second question embodied in the amendment, would be sufficient for the Federal Parliament to decide whether or not they would call a convention, but the rather subtle portion is in the second part which means that, failing an alteration of the Commonwealth Constitution within six months thereafter, the people may indicate their desire regarding secession. Surely the member for Nedlands does not contend that it would be possible for a convention to meet, discuss the whole of the ramifications of the Federal Constitution and its operations during the past 30 years, and pass the necessary legislation to give effect to the recommendations of the convention, all within six months of the date of the convention being agreed to! The hon. member himself declared that the calling of a convention by the 1st September did not necessarily mean that it would meet by that date, but only that the necessary legislative provision would be made for the holding of the convention. The hon. member emphasised that point when it was contended that the time for calling the convention by the 1st September was insufficient, by his answer that the calling of the convention did not necessarily mean that the convention would meet by that date. Assuming that all the formalities were complied with for the calling of the convention by the 1st September, and the convention did not meet for a month or even two months, would the hon. member expect the convention, representative of all the States, to meet, review the Constitution and its operations during the past 30 years, report to the Federal Parliament and effect be given to the alterations to the Constitution, all within six months? The hon. member knows it is an utter impossibility. Every Parliament in Australia, including the Commonwealth Parliament, would have to pass enabling legislation.

Mr. Sampson: The Premiers' Plan was put through in one month.

Hon. P. COLLIER: There is no comparison between the Premiers' Plan and an amendment of the Constitution.

The CHAIRMAN: Order! Members must discuss the Bill before the Committee.

Hon. P. COLLIER: I am answering interjections. A wide divergence exists in all the States with regard to the amendment of the Constitution. The hon. member knows that the members of the convention which drafted the Constitution were elected in 1896 and that they sat in 1897 and 1898. Over two years was occupied in framing the Constitution as it now stands, yet the hon. member says that what occupied three years should now be done in six months.

The Attorney General: In less than six months.

Hon. P. COLLIER: Yes. Not only must the proposed convention make its recommendations, but the Parliament of the Commonwealth must give effect to the alterations. The Bill must then be submitted to the electors of the Commonwealth and endorsed not only by a majority of the electors, but by a majority of the States. All this must be done within six months or less, as the Attorney General has pointed out.

Hon. W. D. Johnson: What is the use of a convention?

Hon. P. COLLIER: None. Then it is proposed that unless all the relief asked for by Western Australia is given effect to by an alteration of the Constitution, we are to secede. There is no question of compromise. Who is to present the case for relief? The Secession League, or a committee appointed by this House? Will the measure be framed by the Government or by a responsible committee or commission, or will it be framed by the Secession League? The effect of the amendment would be that, instead of two questions being submitted in a fair and open manner, one question only would be submitted, and that is the question of secession. I hope the Government will stand by their Bill. The Bill was not considered hastily: it was before the House last year and, I think, was passed in its present form.

Hon. N. KEENAN: The Leader of the Opposition is under a misapprehension. The amendment will not, in his words, nullify the votes of those who believe in the possibility of a convention to deal with the disabilities of Western Australia. If the hon. member votes in favour of question No. 1, as I presume he will from the general trend of his remarks, that will only be a limitation of the second question. Even those who believe in the possibility of a convention must be apprised of the fact that, unless there is some time limit it is absolutely valueless. The present Leader of the Government in the Federal Parliament distinctly made a promise to facilitate the formation of a committee or a convention to deal with the Federal Constitution. There has been an entire breach of that undertaking.

Mr. Corboy: It is not the only undertaking he has broken.

Hon. N. KEENAN: It is the only undertaking with which I am now dealing. Surely, it is but common prudence to insert a time limit. The time limited suggested may be too short. The criticism of the Leader of the Opposition on that point may be sound, but that is another matter altogether. The time limit suggested is said to be six months, but it really is a year and three months. We are going downhill and we must do something to stop that course. This is the right occasion to ask the Committee to test the proposal. It can only be done by imposing a time limit.

The ATTORNEY GENERAL: I regret I am unable to agree with the proposal of the member for Nedlands to amend the questions to be put to the people. I have not found it extremely acceptable to me to support the measure which has been presented to the House: I do not light-heartedly accept the proposal that Western Australia should secede from the Commonwealth: but having agreed that the questions should be put to the people, it seems to me I have gone as far as I can in accordance with the views that I take. I do not want to see the Commonwealth disrupted; I hope to see Australia remain as a whole, although I am by no means satisfied with the position of Western Australia in the Commonwealth. I do not believe there is a member of the House who is satisfied that our Constitution has worked out fairly in holding the balance between the Federation and the States.

Hon. A. McCallum: That applies to every State Parliament.

The ATTORNEY GENERAL: I believe it does.

The CHAIRMAN: I hope the Attorney General is not going to make a second reading speech in Committee.

The ATTORNEY GENERAL: No, I am not, but the point of view of the individual represents whether he is prepared to support the two questions in the Bill or the two questions in the amendment. People who think that with alterations, the Commonwealth is worth preserving can logically support the Bill as presented to Parliament, but the people who really desire to see the Commonwealth broken up will support the amendment. Reluctantly I will be prepared to accept the questions proposed in the Bill, but not those in the amendment. As the Leader of the Opposition has pointed out, if the amendment is carried, anyone who votes for question No. 2 will, in effect, be recording a vote in favour of secession, because it is impossible that the saver can operate. It must be that the relief asked for on behalf of Western Australia will not be put into legislative effect

within the time proposed, which is approximately the 1st January, 1934. It is impossible to have the convention meet, and its resolutions submitted to the Federal Government, considered by them and agreed upon, submitted to the Federal Parliament and to the various State Parliaments, submitted to a referendum of the people and made into law within six months, not from the 31st August, 1933, perhaps, but possibly from a date many months later than that.

Hon. P. Collier: This is one way of getting only one question submitted to the people.

The ATTORNEY GENERAL: I think it is very nearly that, and I do not want that to be done. I do not want the member for Nedlands, or the Dominions League, to say, "Lord spare us from our friends," but I suggest to them that if their basic desire is the alleviation of the disabilities of Western Australia, they cannot go a better way about defeating that desire than by carrying this amendment. My principal objection to the original proposal for a straight-out vote on secession was that I did not believe such a vote could be carried by the huge majority necessary if it was to be worth twopence. Obviously on the question of secession or no secession we would require something like a 90 per cent. vote so that we could tell the Imperial Parliament that practically all the people of Western Australia wanted to secede. If we could not do that, the Imperial Parliament would laugh at us. So to get a 50 or 60 per cent. vote would merely mean that we would be laughed at when again we complained of our disabilities. On the other hand, I believe we will get 100 per cent. of the people of Western Australia to vote in favour of the convention. I am sure the Leader of the Opposition and the whole of his party will suggest to the people to vote solidly in favour of that convention. Then we can go to the Commonwealth Government and show that 100 per cent. of the people of Western Australia demand a convention. The proposal in the amendment is that we should ask the people are they in favour of the convention, and if the convention is not granted within a specified time, are they in favour of seceding. I will not say if things went far enough I would not be prepared to secede.

Mr. Sampson: Things have gone a fair distance.

The ATTORNEY GENERAL: We in Western Australia are suffering in the same degree as they are in Guatemala and Equador and China and Peru: I do not believe there is any substantial difference. Under the amendment, when I go to the poll I will be asked whether, unless the convention is held and does its work and that work is 100 per cent. in favour of the case for relief put up by Western Australia—

Hon. P. Collier: And unless it is done in an impossible time.

The ATTORNEY GENERAL: Yes. I cannot agree to such a proposition. I will not say there may not be circumstances in which I would be prepared to secede. And mark you, Sir, if secession ever occurs in Western Australia it will not occur by constitutional means; it will involve the leaders of secession marching down to Fremantle and putting the Customs officers on a boat and sending them back East. That is the way it will happen. It is no use our pretending that we will ever get the Imperial Government to poke its nose into our affairs and split one part of Australia from the rest—it cannot conceivably happen; so I do want to see the simple and fair questions which are in the Bill left there.

Mr. ANGELO: Subject to two small modifications, I will support the amendment moved by the members for Nedlands. In the first place, I should like to see an extension of the time for carrying out the work to be done, and in the second question I should like to delete the words "granting the relief asked for on behalf of the State of Western Australia"; because, if we get a properly constituted convention, those words will not be necessary, for such a convention will give Western Australia and the other small States the relief they are entitled to. I support the amendments, on grounds that are more in keeping with the situation than are the arguments of the Attorney General. I believe in Federation, and would be sorry to see it break down. I am, however, afraid it will break down because the other States will never agree to the relief we are asking for. My quarrel is with the people who are administering the Commonwealth, and with the undue control that is exercised by the other States. The Government should insist on a Convention being called so that the Constitution can be thrown into the melting-pot, and an amended Constitution evolved

that would be of greater advantage to the smaller States. Some 13 years ago, when the late Sir Henry Lefroy was Premier, he asked Mr. Hughes to carry out the promise that was given when Federation was brought about, that a Convention would be called 20 years after the birth of Federation. Mr. Hughes brought down a Bill for the calling of a Convention, but when it was found that Western Australia had appointed a select committee to prepare its case, and that similar steps had been taken in South Australia, pressure was brought to bear upon him by New South Wales and Victoria, and the promise was turned down.

Hon. P. Collier: Have you no faith in the promises of Mr. Lyons?

Mr. ANGELO: This may remind him of his undertaking. I hope that a properly constituted Convention will be called, and that the Constitution will subsequently be amended. We should exhaust every constitutional means to get relief before we put the secession question to the people. The Leader of the Opposition has said, "Let us ask for a Convention, and if that is turned down there is nothing left to us but to secede."

Hon. P. Collier: Yes.

Mr. ANGELO: Surely we are prepared to abide by the results of a properly constituted Convention, provided the Constitution is amended according to the wishes of that Convention. If then the Federal Government do not give us what we ask, there will be nothing for us but to secede.

Mr. GRIFFITHS: I support the amendment. We have been promised Conventions in the past, but our requests have been treated in a cavalier fashion. On April 13, 1931, in Melbourne, Mr. Lyons promised that if returned to power he would take early steps to call a Convention. He made a similar statement in Adelaide. Some time limit should be imposed when the request of Western Australia should be complied with. If the Federal Government wanted to get the necessary legislation through Parliament, it would not take them very long to do so.

Mr. SAMPSON: I was very disappointed with the speech of the Leader of the Opposition. He implied that if the time limit were sufficiently long to enable those things that were set out in the second paragraph to be carried into effect, he would support the amendment. Apparently the Attorney General is not prepared to give the people the right to vote.

Mr. Wansbrough: That is not so.

Mr. SAMPSON: He did not suggest what extended time was necessary. He also said that if that time were long enough he, too, could vote for the amendment. He indicated further that the referendum would not be carried by a sufficient majority to give it the necessary weight. Anyone who imagines there would be a 55 per cent. vote in favour of secession is out of touch with public opinion. I hope the amendment will be carried. It provides the right sentiment, and gives the people an opportunity to say what is required. I would welcome an extension of the time if the powerful support of the Attorney General and the Leader of the Opposition could be obtained.

Hon. N. KEENAN: Some members have fallen into error in this matter, and I should like to put them right. The two questions suggested in the Bill are, "Are you in favour of a Convention to consider the Constitution?" and "Are you in favour of seceding?" What I suggest, to make the issue logical, is to leave the first words untouched, but to add a proviso to the question "Are you in favour of seceding?" reading, "Are you in favour of it if some practical effort to hold a Convention fails?" Is that not an improvement? If justice is not given to Western Australia by some form of convention, I do not know of any one who would not be prepared to take some steps to obtain justice. Any step thus taken would be an alternative step to secession. I am making it a more logical issue for the voter by asking him to say first "Are you in favour of the convention?" And if that breaks down, if it is not a practical proposition, if it is refused, then "Are you in favour of secession?" My proposal takes the place of the bald issue in the way it is set out in the Bill.

The Minister for Railways: It would be only an expression of opinion.

Hon. N. KEENAN: Of course, but we want to get a true expression of opinion.

Hon. P. COLLIER: The hon. member has not answered the points advanced by the Attorney General and myself. The hon. member must know it is not humanly possible to give effect to his proposal. It would be quite impossible for a convention to meet, consider amendments to the Constitution, make reports and recommendations to the

Federal Parliament, for the Federal Parliament to pass the necessary legislation, for all the State Parliaments to do likewise, and for a referendum to be held in all the States to decide the question, all within a period of six months.

Hon. N. Keenan: I am prepared to extend the time.

Hon. P. COLLIER: But the hon. member did not say so. It has been clearly demonstrated that it is not possible to do what he suggests in anything like the time set out in his amendments. Neither has he answered the point as to the nature of the relief to be asked for on behalf of the State. Who is going to submit that question and what is going to be the form of relief? Suppose the Federal Parliament agreed to a convention, it would be necessary to pass legislation to decide how the delegates from Western Australia should be appointed. Who would appoint those delegates?

Hon. N. Keenan: Parliament, unquestionably.

Hon. P. COLLIER: It may be that Parliament would appoint them, but not unquestionably. To the original convention the delegates were elected by the people, in some of the States. We have gone past the stage in our history when our people will be satisfied that we should elect the delegates to the convention. There is a pronounced division of opinion in the State as to the form of relief that ought to be granted. Some would say that our tariff barriers should be broken down and those people would be favourable to the appointment of delegates who would support a free trade policy. There would also be a section of people in favour of a tariff policy.

The Minister for Railways: Against the rest of Australia.

Hon. P. COLLIER: Yes, and they would be favourable to the election of representatives to the convention who would support a tariff policy. Therefore, is it not possible but highly probable, that whether the representatives of this State were elected by Parliament or by the people whose delegates would go to the convention holding opposite views as to the form of relief to be given, our delegates would not go there as a body holding similar views? Who would decide then the line of relief to be granted? It would be assumed that we were of unanimous opinion as to the lines upon which relief should be granted, whereas we ourselves would know that that was not the case. The amendment is wholly impracticable and would reduce the people to voting solely on the question of secession or no secession. I hope it will not be agreed to.

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

Ayes	.. .. ..	19
Noes	.. .. ..	26
Majority against	..	7

Ayes.	
Mr. Angelo	Mr. McLarty
Mr. Barnard	Sir James Mitchell
Mr. Brown	Mr. Patrick
Mr. Church	Mr. Sampson
Mr. Doney	Mr. J. H. Smith
Mr. Ferguson	Mr. J. M. Smith
Mr. Griffiths	Mr. Thorn
Mr. Keenan	Mr. Wells
Mr. H. W. Mann	Mr. North
Mr. J. I. Mann	*(Teller.)*

Noes.	
Mr. Collier	Mr. Millington
Mr. Corboy	Mr. Munsie
Mr. Coverley	Mr. Nulsen
Mr. Cunningham	Mr. Parker
Mr. Davy	Mr. Piesse
Mr. Hegney	Mr. Scaddan
Miss Holman	Mr. Sleeman
Mr. Johnson	Mr. F. C. L. Smith
Mr. Kenneally	Mr. Troy
Mr. Latham	Mr. Wansbrough
Mr. Lindsay	Mr. Willcock
Mr. Marshall	Mr. Withers
Mr. McCallum	Mr. Wilson
	(Teller.)

Amendment thus negatived.

Clause thus passed.

Clauses 7 to 18—agreed to.

Schedule:

Mr. SAMPSON: The referendum will be nullified if confused by two questions. I move an amendment—

That the paragraph containing the second question be struck out and consequential alterations made.

The CHAIRMAN: I cannot accept the amendment as the Committee have already decided that question on Clause 6.

Hon. N. KEENAN: Clause 5 was amended to provide for compulsory voting. In the schedule provision is made for the advertisement to be inserted giving notice of the poll. I propose that we have inserted in the advertisement that voting is compulsory under penalty of £2. When voting was made compulsory under the Federal Act, electors were informed, and it is only fair that their attention be directed to the fact that voting on this occasion will be com-

pulsory so that, if they commit an offence, they will do so wittingly. I move an amendment—

That the words "Voting is compulsory" be added.

Amendment put and passed: the schedule, as amended, agreed to.

Title—agreed to.

Bill reported with amendments.

BILL—ROAD DISTRICTS ACT AMENDMENT.

Council's Further Message.

Message from the Council received and read notifying that it had agreed to the Conference Managers' report.

BILL—BULK HANDLING.

In Committee.

Resumed from the 8th December. Mr. Angelo in the Chair; the Minister for Works in charge of the Bill.

Clause 3—Constitution and powers of trust:

The CHAIRMAN: Progress was reported on an amendment moved by the member for Nelson that the following words be inserted in lieu of paragraph (a), which was struck out:—

That the trust shall consist of five persons, three of whom shall be bona fide wheatgrowers who are not themselves associated with any wheat-buying partnership or organisation connected with the purchase of wheat; one member to be a nominee of the Commissioner of Railways and a chairman to be appointed by the Government.

The MINISTER FOR WORKS: I do not know whether the member for Nelson is prepared to withdraw his amendment. The proper place for it is in Clause 14. If he is not prepared to withdraw it, I move—

That the amendment be amended by striking out all the words after "That" and inserting the following in lieu:—"for the purposes of this Act there shall be a bulk handling trust consisting of the members for the time being of the Board constituted by this Act, and that such Trust shall be a body corporate with perpetual succession and a common seal, with power to sue and be sued and to own, hold, and dispose of all kinds of property, and to enter into contracts and to do and suffer such acts and things as it may be necessary or convenient to do or suffer for the purposes aforesaid."

Hon. M. F. TROY: I cannot support the amendment by the member for Nelson. Why should the Commissioner of Railways have a representative on the trust? I can understand the Government and the growers being represented, but it is not necessary for the Railway Department to be represented. I suggest that the board shall be representative of the pool, the Government, the growers and the merchants.

The Minister for Railways: And the lumpers?

Hon. M. F. TROY: If they are included, why not the Fremantle Harbour Trust and the Bunbury Harbour Board?

Mr. H. W. Mann: Do not you think you will want the co-operation of the carriers?

Hon. M. F. TROY: I consider a board such as I have suggested would be satisfactory.

Mr. PATRICK: I do not propose to support the amendment moved by the member for Nelson. Clause 14 is the place for his amendment.

Mr. DONEY: The Minister's amendment is the foundation for what is intended to be an entirely new scheme. I admit that some such foundation is necessary, but I object to it because the Minister proposes to give the trust powers that are altogether too wide.

Hon. W. D. Johnson: That is not the question before the Chair.

The CHAIRMAN: The amendment is to strike out all the words after "That" in the amendment moved by the member for Nelson.

Mr. DONEY: Then I consider I am quite in order. The Minister desires to give to the new trust the power to choose the scheme for the farmers.

Hon. W. D. Johnson: I should like your ruling definitely whether the hon. member is in order. He is dealing with words to be inserted provided we strike out the words the Minister has moved to delete. The question is whether the words shall be deleted.

The CHAIRMAN: The member for Williams-Narrogin must discuss the amendment on the amendment.

Mr. DONEY: That is what I started to deal with.

Hon. P. Collier: You are discussing what it is proposed to insert, not what it is proposed to strike out.

Mr. J. H. SMITH: I am prepared to withdraw my amendment, as I realise the Minister's suggestion is necessary for inclusion in the Bill.

Hon. W. D. Johnson: Why did not you do that before?

[*Mr. Richardson took the Chair.*]

Mr. J. H. SMITH: Clause 14 will provide an opportunity to insert what I desire regarding the composition of the trust. I shall ask leave to withdraw my amendment.

The MINISTER FOR WORKS: I understand that before the member for Nelson can withdraw his amendment, I must withdraw mine. I ask leave to withdraw my amendment on the amendment.

Amendment, on amendment, by leave withdrawn.

Mr. J. H. SMITH: I ask leave to withdraw my amendment, for the reasons I have already indicated.

The CHAIRMAN: Is it the wish of the Committee that the amendment be withdrawn?

Members: No.

Hon. W. D. Johnson: No, not now.

The MINISTER FOR WORKS: I hope the Committee will reject the amendment. We should deal with this phase when we consider Clause 14.

Amendment put and negatived.

The MINISTER FOR WORKS: I move an amendment—

That the following, to stand as paragraph (a), be inserted in lieu of the words previously struck out:—"(a) that for the purposes of this Act there shall be a bulk handling trust consisting of the members for the time being of the Board constituted by this Act, and that such Trust shall be a body corporate with perpetual succession and a common seal, with power to sue and be sued and to own, hold, and dispose of all kinds of property, and to enter into contracts and to do and suffer such acts and things as it may be necessary or convenient to do or suffer for the purposes aforesaid."

This is merely a machinery matter in order that the body corporate may be properly constituted.

Hon. W. D. JOHNSON: This amendment is, in effect, the Bill. If we were to agree to this proposal regarding the trust, then all the other amendments that will be proposed by the Minister will really be consequential. We shall have to consider the constitution of the trust. What will it be? Can we say that the trust will be selected in such a way as to justify us in granting it the power to spend the large amount of money suggested by the Minister? I am just giving headings at the present stage, and I shall have to debate them later on, if necessary. Who will appoint the trust? Is it reasonable that the Governor-in-Council, which means the Government, shall appoint a trust to deal with obligations and to control such expenditure as is suggested for the establishment of bulk handling? When the Governor-in-Council goes into this question, what interests will receive consideration when the personnel is being determined? Does the Minister contemplate giving representation to all interests mentioned in the amendment that has been defeated, with other additions? Is it suggested that the private merchants should be considered? We must debate whether certain interests should receive consideration, or whether the trust should be limited to representatives of the wheatgrowers and of the Government. Then we shall have to consider the term of the appointment, the time of the appointment and what time the Minister may consider is reasonable. Next the question arises as to whether the trust is to be a nominee body, and what power should be exercised by such a body. If we arrive at a decision regarding the powers of the trust, then we must consider—I am merely mentioning points that I propose to debate at length at a later stage—the danger of vesting such powers in nominees appointed by the Governor-in-Council only. Then the question arises as to how the individuals who will be vested with such enormous powers, are to be chosen. Will the Minister give consideration to balancing the trust in such a way that those favourable to bulk handling will have equal representation with those who are opposed to it? The trust will have to do all things, and therefore the Minister is asking us to accept an amendment that will grant these powers to the trust who will be responsible for the bulk handling activities. Will the Minister give an opportunity to those opposed to the system to voice their views equally with those who are in favour of the system? The Minister proposes to vest the trust with powers to decide what type of design or kind of bulk handling plant shall be foisted upon or provided for the use of farmers. The trust will have to decide which country sidings in

the Fremantle zone shall be equipped with bulk handling facilities. What will be the basis of arriving at the decision regarding the bulk handling system? Will it be one capable of handling 20,000 bags or will it be on a 40,000 bag basis?

The Minister for Railways: Where does it say all this in the amendment?

Hon. W. D. JOHNSON: The amendment says that these matters shall be decided by the trust.

The Minister for Railways: Where does it say that?

Hon. W. D. JOHNSON: In this amendment and in subsequent amendments that will be moved.

The Minister for Works: But we are not dealing with subsequent amendments.

Hon. W. D. JOHNSON: I want the Committee to appreciate that we propose to vest this trust with the powers I have indicated.

The Minister for Railways: You can say all this in one sentence. You can say it is a breach of trust to trust the trust to the Minister.

Hon. W. D. JOHNSON: That may be so. The nature of the materials to be used must be decided by the trust. Will concrete be used or local material?

Mr. H. W. Mann: Would not the concrete be of local manufacture?

Hon. W. D. JOHNSON: Not necessarily.

The CHAIRMAN: The hon. member is not in order is discussing local material.

Hon. W. D. JOHNSON: I desire your decision on that point. If we vote for the amendment we immediately agree that the trust shall have certain powers.

The Attorney General: The powers are mentioned in other clauses.

Hon. W. D. JOHNSON: Yes, but we have to anticipate that those clauses will be adopted.

The MINISTER FOR RAILWAYS: The hon. member having asked for the Chairman's ruling, I would like to hear what the ruling is.

The ATTORNEY GENERAL: On a point of order. Is the member for Guildford-Midland in order in discussing the powers which by other clauses of the Bill it is proposed to confer upon the trust, if it is appointed?

The CHAIRMAN: The question before the Chair is the appointment of a trust. I do not think the member for Guildford-Midland is in order in discussing amendments which may be moved later by the Minister for Works.

Hon. W. D. JOHNSON: I am not doing what the Attorney General states. I am drawing the Committee's attention to the fact that the trust is to be given certain powers.

The Minister for Works: Not under this clause.

Hon. W. D. JOHNSON: The powers are outlined in subsequent amendments, which we have to take into consideration before we vote on the amendment now before the Committee.

The Attorney General: That is a matter for the Committee to decide when we reach those amendments.

Hon. W. D. JOHNSON: The Minister proposes to give the trust the power, for instance, to establish bulk handling. If that is so, surely the Committee on this amendment must analyse the whole position and see whether it is desirable that a trust should be appointed at all.

The CHAIRMAN: Order! The hon. member admits that he knows exactly what this trust will have to do. That being so, he may on this amendment consider whether it is worth while appointing the trust at all, but he should not take into consideration any amendments that may be moved at a later stage. The hon. member having said that he knows what the result of the appointment of the trust will be, it is for him to say whether he will vote against the amendment or not.

Hon. W. D. JOHNSON: I oppose the appointment of a trust because it will have the right to enter into contracts. We have to anticipate that the trust may enter into a contract for the installation of bulk handling facilities. Is it proposed to let contracts for the installation of bins at country sidings for the purpose of storing wheat, or contracts for the erection of vertical concrete silos?

The Minister for Railways: The trust could let contracts for the erection of stone walls.

Hon. W. D. JOHNSON: Will the contract for the erection of a terminal elevator at Fremantle provide that it shall be built of Western Australian timber? Will the elevator be such that ships can be loaded expeditiously? Will it be erected right on the water front?

The ATTORNEY GENERAL: On a point of order, I ask you, Mr. Chairman, to rule that the hon. member is hopelessly out of order. The amendment moved by the Minister for Works merely says, in effect, that there shall be a bulk handling trust. It does not even define who shall be the members of the trust, but it does state that the trust shall have the ordinary powers which are given to every similar body when incorporated. I urge you to rule that the discussion upon the powers which the trust shall exercise and which are dealt with in entirely different clauses of the Bill is entirely out of order.

The CHAIRMAN: In my opinion the hon. member is getting outside the scope of the proposed amendment. I see nothing in the amendment which gives rise to a discussion upon what the trust is likely to do when it is constituted. The question before the Chair is whether the trust should or should not be constituted, and whether it should have certain powers. Therefore, I ask the hon. member to keep within the scope of the amendment.

Hon. W. D. JOHNSON: It would be well at this stage to ask for your ruling, Sir, as to what is intended. I appreciate that the trust is not clearly defined in the amendment. The amendment does state, however, the powers of the trust. It says—

> . . . . such trust shall be a body corporate with perpetual succession and a common seal, with power to sue and be sued, and to own, hold, and dispose of all kinds of property, and to enter into contracts and to do and suffer such acts and things as it may be necessary or convenient to do or suffer for the purposes aforesaid.

The Minister for Works: Why make us suffer?

Hon. W. D. JOHNSON: How can it be ruled I am out of order? Why has the Minister inserted those words? They are included in the amendment.

The Minister for Works: They are the ordinary words included in connection with the incorporation of a body similar to this.

Hon. W. D. JOHNSON: I am dealing with the amendment before the Chair. The amendment mentions contracts. If we pass the amendment the trust will have power to enter into contracts for handling wheat, or the trust may elect to handle the wheat themselves. It is, however, the practice to let contracts for handling wheat. It is reasonable to assume that the contracts referred to in the amendment are contracts not only for installations, but for handling. All these matters are debatable in Committee, but I do not propose to debate them at this juncture. In my opinion, the Committee will not agree to the establishment of a trust of the description proposed. Why take up time in debating it?

Mr. DONEY: It would be of benefit to the Committee if the Minister explained exactly what the word "contract" in the amendment meant. Personally, I myself have no doubt whatever as to what it means, but it might save time in the long run if the Minister explained it.

The MINISTER FOR WORKS: It is not my intention to follow the member for Guildford-Midland all round the country and round the Bill. It is the worst attempt at stone-walling I have ever heard since I have been a member of Parliament. In reply to the member for Narrogin, the amendment is a clause inserted in every Bill when it is proposed to incorporate a body similar to the proposed trust. The body corporate must have certain powers. This is purely a machinery clause. The member for Guildford-Midland has seen such a clause in Bill after Bill.

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

The MINISTER FOR WORKS: This is not an important matter at all.

Hon. W. D. Johnson: It is the very Bill itself.

The MINISTER FOR WORKS: It is not. The Bill could go on very well without it. As for the contracts, every corporate body has to enter into contracts and must be given the legal right to do so. I hope the Committee will agree to the amendment.

Mr. DONEY: The Minister has not made clear the point I raised. He should specify what kinds of contract are referred to. There are several varieties of contract to be entered into, and I should like to hear the Minister in explanation.

The MINISTER FOR WORKS: The trust will have power to enter into contracts to do certain things, as, for instance, in the control of bulk handling. There is nothing extraordinary in that. All the amendment provides is that the trust shall have certain powers. It does not say who shall constitute the trust.

Mr. DONEY: I do not propose to deal with the personnel of the trust until we reach Clause 14. But I do propose to amend the Minister's amendment in order to restrict within reason the powers of the trust. I move an amendment on the amendment—

That in line 9, before the words "to enter into contracts," there be inserted "subject to ratification and amendment by the local wheatgrowers."

Mr. PATRICK: This is the wrong place for the hon. member's amendment. It would mean that the trust could not enter into any contract without consulting the local farmers. For a later stage in the Bill I have an amendment which I think will do what the hon. member desires.

The MINISTER FOR WORKS: Under the amendment on the amendment the trust could do nothing without the approval of the local growers, could not enter into the simplest contract. In my own department I have to enter into contracts every day. How could I get on if, before buying say a dozen shovels, I had to consult a number of wheatgrowers? The amendment on the amendment is in the wrong place, and the hon. member knows it. Why does he not come straight out and do the right thing? If he wants to defeat the Bill, let him defeat it on its merits, not in this manner.

Hon. W. D. JOHNSON: The Bill prescribes that certain moneys are to be expended, and how they are to be expended. It is not proposed to perpetuate the idea that Parliament, the representative of the people, shall direct the expenditure of the 1½ millions to be raised. That amount is to be expended by this trust, and it is not proposed by the Minister to control it in any way. The trust is the Bill and is to take the control away from Parliament. The idea is not to elect a trust representative of the wheatgrowers or of any other interest, so far as we know. The trust is to be selected by the Governor-in-Council, and it is reasonable to assume that the Minister in charge will have a fair amount of influence in the selection of the trust.

Mr. Griffiths: We can prevent that.

Hon. W. D. JOHNSON: We may or may not be able to do so. The Minister referred to my 25 years' experience. It is because I have been caught before that I have become very wary, and I am getting too old to be caught again. I want members to realise exactly what the amendment means. I am opposing the amendment. It is too dangerous to give a trust such powers. A nominee trust is to have the letting of contracts and 1½ millions of money to handle. I have been accused of stonewalling; I am not in a stonewalling humour, but I want members to realise that under the Bill there was some provision for Parliamentary control, but if we pass the amendment all power will be vested in the nominee trust. That body will decide upon the buildings to be erected and the toll to be charged. It is a wonderful power to give a nominee trust. However, I leave the question to the good sense of members.

Mr. GRIFFITHS: I can quite understand the anxiety of the member for Williams-Narrogin, which has been accentuated by some of the remarks of the member for Guildford-Midland. Country members desire that the wheatgrowers shall be elected not nominated.

The CHAIRMAN: We are not considering the constitution of the trust.

Mr. BROWN: I hope the member for Williams-Narrogin will withdraw his amendment. If we oppose the amendment many people will think we are not in favour of bulk handling. I favour bulk handling, but there are many clauses of the Bill that I cannot support.

Hon. M. F. Troy: Why change your attitude?

Mr. BROWN: I have not done so. I see no harm in the Minister's proposal.

Amendment on amendment put and negatived.

Mr. SLEEMAN: I move—

That progress be reported.

Motion put and negatived.

Mr. PIESSE: The fullest information should be given by the Minister of the personnel of the trust to be appointed. The member for Guildford-Midland is justified in asking for the information, seeing that the proposal we are now considering is entirely different from the measure introduced some three months ago. I am not opposed to bulk handling or to the Minister's amendment, but the Minister would have been well advised to bring in a new Bill because the present proposals are so different from the original ones. Material alterations will have to be made to the machinery clauses. Since the Committee de

leted paragraph (a), the Minister's proposal is a compromise. The original Bill proposed to give control to a well organised co-operative body.

The CHAIRMAN: The hon. member is out of order in referring to a paragraph that has been deleted.

Mr. PIESSE: Unless the Minister takes us into his confidence, there will be doubt in our minds as to whether we should hand over this important undertaking to a body about which we know nothing. This is an entirely Governmental scheme, and different from the original proposal that was brought down. The amendments provide for only a partial bulk handling system, and if it is put through in this form, protests may come from other parts of the State which it is not proposed to embrace. I reserve to myself the right to vote against Clause 14 unless it is materially altered.

Hon. A. McCALLUM: If the Minister's amendment is carried, does it not involve setting up an authority that would have power to saddle the farming community with a liability of 2½ millions?

Hon. W. D. Johnson: Put upon it by a nominee body.

Hon. A. McCALLUM: Yes, in the selection of which the farmers will have no say. The Minister's proposal also gives that authority the right to charge what it likes for the handling of wheat. The Committee will be taking a grave responsibility if they agree to such a thing. Considerable resentment will be shown throughout the wheat belt if Parliament passes this. The Minister says this is the ordinary clause which is found in any Bill that proposes to create a corporate body. Every Bill, however, which sets up a corporate body does not do so with the idea of governing a whole industry, as this does. The producers will have to pay whatever toll the corporate body levies upon them, and there will be no limit to the amount that may be borrowed. Members should understand what is involved in this proposal: it is at least a million and a half for the Fremantle zone.

The Minister for Works: You say that, not I.

Hon. A. McCALLUM: The Minister's own proposals say that.

The Minister for Works: You say it is for the Fremantle zone.

Hon. A. McCALLUM: Members can find that in Subclause 5 of Clause 3, as it appears on the Notice Paper. The figures coincide with what has been put up previously by the Minister's committee.

Hon. W. D. Johnson: By Brine & Sons.

The Minister for Works: Not these figures.

Hon. A. McCALLUM: This corporate body is to be created with a definite idea in view. There can be no mistake about what that is. Apparently the Minister is going back to what was originally in his mind, and members should understand clearly what is proposed and what huge powers are to be given to the body it is proposed to establish. He was defeated earlier, and now he has returned to his original plan.

Hon. W. D. Johnson: You suggest he had his tongue in his cheek when he moved the second reading of the Bill.

Hon. A. McCALLUM: I do not know where his tongue was.

Hon. W. D. Johnson: Perhaps you think he has his tongue in his cheek now.

Hon. A. McCALLUM: I do not know when he spoke from conviction, and when with his tongue in his cheek. We know the Minister's first recommendations to Cabinet and we also know that the Bill he introduced embodied proposals diametrically opposed to his recommendations to Cabinet. Now the Minister has returned to the scheme he advocated in the first instance. The amendment represents a reconstruction of the Bill and the point raised by the Attorney General, that this is merely a formal matter, has no force when applied to the Bill, when we consider the amendments that are to be moved subsequently. We know what is in the Minister's mind.

Mr. H. W. MANN: I shall vote against the amendment because I have consistently opposed the Bill from its introduction. I am not a convert to bulk handling. There is still a great deal to be learned regarding the system. A scheme was submitted to us that was said to represent a saving to the farmers, and that has been defeated. It was supported by a majority of the members on the Government side of the House. Now we have another scheme that it is asserted will be the salvation of the wheat-growing industry. I was dissatisfied with the earlier Bill, and I am not satisfied with the measure now before us. I regard the present time as premature for the installation of bulk handling, and we should profit by the investigations made by other States and their experience of bulk handling. I realise that the amendment represents the foundation

for the scheme and that other amendments will really be consequential. I shall vote against the amendment.

Mr. SLEEMAN: I move—

That progress be reported.

Motion put and a division taken with the following result—

Ayes	21
Noes	24
Majority against	3

AYES.

Mr. Collier	Mr. Munsie
Mr. Corboy	Mr. Nulsen
Mr. Coverley	Mr. Panton
Mr. Cunningham	Mr. Sleeman
Mr. Hegney	Mr. F. C. L. Smith
Miss Holman	Mr. Troy
Mr. Johnson	Mr. Wansbrough
Mr. Kenneally	Mr. Wilson
Mr. Marshall	Mr. Withers
Mr. McCallum	Mr. Willcock
Mr. Millington	(*Teller.*)

NOES.

Mr. Angelo	Mr. J. I. Mann
Mr. Barnard	Mr. McLarty
Mr. Brown	Sir James Mitchell
Mr. Church	Mr. Parker
Mr. Davy	Mr. Patrick
Mr. Doney	Mr. Piesse
Mr. Ferguson	Mr. Sampson
Mr. Griffiths	Mr. Scaddan
Mr. Keenan	Mr. J. H. Smith
Mr. Latham	Mr. Thorn
Mr. Lindsay	Mr. Wells
Mr. H. W. Mann	Mr. North
	(*Teller.*)

Motion thus negatived.

Mr. SLEEMAN: I had hoped that the Government would report progress at this stage, and thus save some expense to the country. In view of the result of the division, we may just as well make a night of it now, and proceed with the business properly, unless the Bill be defeated, which I hope will happen. If the amendment be agreed to, it will mean the establishment of a trust that will be granted £1,500,000, if not more, to play with. We have no guarantee as to the personnel of the trust, and the Minister suggests that it is necessary to place such a huge amount of money in the hands of the trust in order to buy a few shovels. That is ridiculous. As the Minister will not let us into his confidence as to who will comprise the trust, I hope the amendment will be defeated.

The MINISTER FOR WORKS: Most of the members who have spoken to the amendment have made second reading speeches and it seems that I will have to do the same. The member for South Fremantle knows that bulk handling will not cost £1,500,000 for the Fremantle zone.

Hon. A. McCallum: He does not know anything of the sort; you do not know either.

The MINISTER FOR WORKS: The figure for the Fremantle zone was £1,150,000. Brine & Sons' figure was £1,300,000, but that was for public consumption. The sum of £1,500,000 will not only do for the Fremantle zone, but also for the Geraldton zone. Definite figures have been given by the committee appointed by the Government.

Hon. A. McCallum: But the committee knew nothing about the work.

The MINISTER FOR WORKS: That does not matter.

Mr. Panton: How often has a definite price been given and been exceeded?

The MINISTER FOR WORKS: If a contractor enters into a contract, he puts up a bond to carry it out. If he does not, he forfeits his bond. I have been twitted with bringing in a fresh Bill; it is really the same Bill, except that the House excised paragraph (a) dealing with the appointment of the trustees of the Wheat Pool. What do members want?

Mr. Panton: To go home.

The MINISTER FOR WORKS: As a compromise I introduced a Bill for bulk handling with which the House did not agree. I am still in favour of bulk handling, as I believe it will save the farmers 4d. per bushel. I would like to get a decision on this clause. When we come to Clause 14, the Committee can decide the issue with respect to the appointment of a board. Brine & Sons, when giving evidence before the select committee, stated what the cost in connection with the Fremantle zone would be, and no one has attempted to disprove that evidence.

Hon. W. D. Johnson: I rise to a point of order. We are getting a long way from the amendment now.

Mr. Sampson: This is Satan reproving sin.

The CHAIRMAN: The hon. member must keep to the amendment.

The MINISTER FOR WORKS: I am sorry I transgressed. I hope the members who were so anxious for bulk handling a few days ago will be sincere enough to say that even though the system which it was proposed to put into operation is not to be adopted, they still believe in bulk handling.

Hon. W. D. Johnson: You will be lucky if you get it your own way, with your own board, your own scheme, in your own time.

The CHAIRMAN: Order!

The MINISTER FOR WORKS: I want the Committee to deal with the question on its merits. I am quite prepared to accept reasonable amendments in order to get a bulk handling measure on the statute-book.

Amendment put and negatived.

Hon. A. McCALLUM: I move an amendment—

That in line 1 of paragraph (b), "exclusive" be struck out.

This is the provision that gives a monopoly. Although this is the paragraph prescribing the powers and responsibilities of the trust, actually there is no trust, so I suppose we must deal with an imaginary body.

Hon. W. D. Johnson: Well, that is safer than the other one.

Hon. A. McCALLUM: This is only the ghost of a body, yet it is proposed to give it exclusive power. I object to a monopoly being given to it.

The Minister for Railways: There is no one to give it to.

Hon. A. McCALLUM: No, not now.

Mr. Sleeman: On a point of order. Are we in order in discussing the giving of exclusive rights to a trust the proposed creation of which has been defeated? I should like a ruling on the point.

The CHAIRMAN: I cannot read the mind of the Minister. I take it he proposes to create a trust at a later stage.

Mr. Sleeman: But, the provision for creating the trust having been defeated, there is no trust in the Bill.

The CHAIRMAN: I have it from the Minister that he is prepared to create a trust at a later stage.

Hon. P. COLLIER: The Committee has already decided there shall be no trust. How then can the Chairman say the Minister will create a trust at a later stage? The Minister, with all his powers, is not able to create a trust in the face of the Commitee's decision that there shall not be any trust. So it is farcical to be dealing with the proposed powers of a trust when the Committee has decided there shall be no trust. The Minister, having regard to the situation in which he finds himself, ought to report progress.

The CHAIRMAN: I have to proceed with the Bill until such time as progress is reported. The Bill is still before us, and the only action members can take is in the direction of reporting progress.

Hon. P. COLLIER: In order to avoid proceeding with what appears to be a farce, I move—

That progress be reported.

Motion put and passed.

House adjourned at 11.28 p.m.

Legislative Council,

Wednesday, 14th December, 1932.

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

MOTION—STANDING ORDERS SUSPENSION.

On motion by the Chief Secretary, resolved—

That for the remainder of the session so much of the Standing Orders, including Standing Order 62, be suspended as is necessary to enable Bills to be introduced without notice and to be passed through all stages in one day.