

On motion by Hon. V. Hamersley debate adjourned.

BILLS (2)—FIRST READING.

1. Settled Land Act Amendment.
2. Cottesloe Beach Rates Validation.

Received from the Legislative Assembly.

House adjourned at 7:50 p.m.

Legislative Assembly,

Thursday, 16th December, 1909.

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

PAPER PRESENTED.

By the Premier: Report of the Board of Governors of the Perth High School for the year ended 30th June, 1909.

PRIVILEGE—HOUSE TYPIST.

MR. HUDSON: On a matter of privilege I want to draw your attention, Mr. Speaker, and the attention of hon. members to a notice which is posted on the door of the office of the typist, who is engaged to do the work of hon. members of both Houses of Parliament. It reads as follows:—

"The typist is engaged primarily to enable members to have their official correspondence typed, and he is in-

structed by the Committee not to do work for members other than such work as is connected with the carrying out of their duties as members of the Legislative Assembly or Legislative Council respectively.

Subject to doing the work for members as above, the typist will do work for the officials of both Houses in connection with their official duties.

The typist will keep a record of the time occupied by him each day, the name of the member who employs him, and the nature of the work on which he is engaged."

It is signed, "Bernard Parker, secretary Joint House Committee." I want to know whether this Bernard Parker has been authorised to post such a notice, which I consider to be a direct insult to hon. members of this Chamber. It is a gross piece of impertinence on the part of this officer if he has done it on his own account, and if he has done it by order of the House Committee, then that House Committee should be admonished by the Chamber. I do not employ that typist myself, but I am not going to admit that the work I may ask him to do shall first be submitted to Bernard Parker to know whether it is official business or not; neither shall I allow my business to be submitted either to the House Committee or to Bernard Parker to allow them to decide whether or not I am exceeding my duties or privileges as a member of Parliament. I would like to know from you, Mr. Speaker, as Chairman of the Committee, whether such a notice has been authorised.

MR. SPEAKER: I am not supposed to answer questions, but in this case I have much pleasure in informing the hon. member that I was unaware that such a notice had been posted, nor do I know whether it is the outcome of a decision of the House Committee. The House Committee is a joint committee, and I was not present at their last meeting. I shall, however, bring the matter under their notice; in fact, I shall endeavour to have a meeting called as early as possible for the purpose of bringing the matter forward.

Mr. Horau: Will Mr. Speaker take action to have this notice removed?

Mr. SPEAKER: I am only one of the Committee; there are 10 in all.

Mr. Horau: It is disgraceful.

IMMIGRATION SELECT COMMITTEE.

Extension of Time.

Mr. DAGLISH moved—

That the time for bringing up the report of the Immigration Select Committee be extended until Tuesday next.

Mr. BATH: Before the House agrees to the extension I would like to know whether we are likely to have that report on Tuesday.

Mr. DAGLISH: I will give the House an assurance that the report will be ready on Tuesday.

Motion passed.

BILL—SETTLED LAND ACT AMENDMENT.

Second Reading.

The ATTORNEY GENERAL (Hon. J. L. Nanson) in moving the second reading said: Under the Settled Land Act, 1892, Section 35, where a tenant for life desires that capital money arising under the Act should be applied towards payment for improvements authorised by the Act, he may submit to the trustees of the settlement, or to the Court, a scheme for the execution of the improvements, to be approved by the trustees or the Court. It was held in 1887 in *re Hotchkiss* settled estates, that in order that the Court may sanction expenditure of capital money in payment of the cost of improvements, the scheme must be submitted by the tenant for life to the trustees before the works are commenced, and that where a tenant for life executes work at his own expense, without first submitting a scheme, the Court had no power to authorise repayment of the cost out of capital money. In consequence of the decision given in England, the Imperial Settled Land Act, of 1890, by Section 15 made an alteration in the law to meet such a case as that I have

described, and under the law as amended in England, the Court has now jurisdiction to sanction the application of capital moneys in repaying a tenant for life expenses of improvements on the settled estate, which may have been executed and paid for by him without first submitting a scheme; but, as stated in the case *re Tuckers* settled estates 1895, the Court, in exercising such jurisdiction, takes care that no expense is thrown upon capital which, as between tenant for life and remainder man, should, in fairness, be paid out of income. By Clause 2 of the Bill, Section 15 of the Imperial Act of 1900 is adopted. Clause 3 adopts the provisions of Section 11 of the Imperial Settled Land Act, 1890, and enables the tenant for life to raise money by mortgage of the fee simple to discharge encumbrances of the settled land. This power, however, as expressed in the clause, is to be exercised subject to the provisions of the principal Act, that is, our own Act. I beg to move—

That the Bill be now read a second time.

Question put and passed.

Bill read a second time.

In Committee, etcetera.

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

Read a third time and transmitted to the Legislative Council.

BILL—LEONORA TRAMWAYS.

Second Reading.

The MINISTER FOR WORKS (Hon. F. Wilson) in moving the second reading said: This Bill I am introducing at the request of the municipal council of Leonora. There has been a tramway in existence in that town for the past seven or eight years. So far back as 1902 a provisional order was issued to permit a tramway to be constructed, and in the following year, 1903, a tramway was duly constructed, but certain departures were made from the original provisional order. The gauge of the tramway was set forth in the original provisional order as 2ft.,

whereas when constructed the tramway was a 3ft. 6in. gauge. Later on the works were extended beyond the boundary of the municipality. That, of course, also exceeded the powers possessed under the original provisional order and the enabling Act which followed. The first extension was some 14 chains in 1904, and this carried the tramway beyond the bounds of the municipality. When the municipality were asked for an explanation by the Works Department as to why they had extended the tramline without getting authority, the reply was put forward that the then Premier had visited the municipality and verbally assured the local authority that they could proceed with the construction, and that an enabling Bill would be passed in due course. There is no absolute record of that, but it is stated in writing officially from the municipal council that that is the position. Later on, in 1908, there was a scheme evolved to reconstruct the whole tramway and electrify it, to do away with the steam power which was originally sanctioned, and turn the scheme into an electric tramway. This work was carried out, and at the same time the tramway was extended 45 chains right down to the Gwalia mine. The unfortunate part of the business is that the municipal council went on with the work without getting any new provisional order for the purpose. Not only did the route of the extension traverse some Crown lands but it also traversed a mining lease, which, of course, necessitated special provision. It is true the municipality took the precaution to get permission to construct the tramway from the local authority, the North Coolgardie road board, which on the 12th February, 1908, by letter gave permission for the construction of the tramway through its territory, while the agents for the mining lease, Messrs. Bewick, Moreing and Company, on the 27th February, 1908, gave their sanction to the tramway being constructed across the lease, provided that at any time, should the land be required for mining purposes, the tramway would be removed. The position is just this, briefly: They have really no actual power to run the tramway, and through their solicitors they have approached me in

order to have the matter rectified and have the tramway put on a proper basis. Hence the introduction of this Bill. The provisional order I have already signed is similar in terms to provisional orders granted from time to time to municipalities elsewhere. North Fremantle and Victoria Park have provisional orders on similar terms. Except where it is necessary to alter the terms to agree with the reconstruction and because of the fact that it is an electric tramway instead of a steam tramway, generally speaking the terms of the provisional order are similar to those of the original provisional order of 1902. I am not attempting to excuse the neglect of the local authorities. I think they have been neglectful. In fact, they have messed things up very considerably. They have taken the law into their hands and have constructed a tramway and run it, and now it is for Parliament to say whether we are to give them relief by this Bill endorsing the provisional order. I see no reason why the Bill should not be passed. It is in the interests of the public that the municipality have acted, though they have been neglectful in their duty. The tramway is a creditable piece of work, and serves a large population in that portion of the goldfields. It is already completed in every respect. I think we would be wise in passing the measure in order that they may be put on a legal footing and may carry on their operations under an Act of Parliament. When they advertised, as is necessary under the Tramways Act, their intention to apply for this provisional order in September last no objection whatever was raised. Objections were raised two years ago by the Gwalia Progress Association. The objection was to the tramline crossing certain footpaths in residential areas, but that objection has been overcome by including the land in question in the Leonora municipality for tramway purposes. When we are in Committee there is one amendment I shall have to ask the Committee to permit me to move, and that is to embody the terms of the permission granted by the owners of the mining lease to cross their property. I found after the Bill was printed on going through the file, the letter which the

agents for the Sons of Gwalia, Limited, had written. This letter said—

"In reply to your council's request to be allowed to extend the Leonora-Gwalia tramline across our Western lease, as shown on attached plan, we have to advise you the company has no objection to the same provided that if the ground is required for mining purposes or otherwise by the company the council will consent to remove the tramline on notice being given to them."

I saw that condition in this letter, and I immediately got into communication with the council's solicitors, and they said that of course they were quite prepared to abide by the conditions imposed in the letter; and with the object of keeping faith with these conditions I propose in Committee to add to Clause 4 the following words, to which the council's solicitors have agreed—

"And subject also, in respect to gold-mining lease 534T, to the terms and conditions of a consent in writing by the Sons of Gwalia, Limited, dated 27th February, 1908, deposited at the Department of Public Works."

I do not think we would be justified in departing from the conditions which the municipality have accepted and on which the owners of the mining lease have granted this permission. I move—

That the Bill be now read a second time.

Mr. BATH (Brown Hill): So far as the Bill is concerned I have no objection to giving the municipality of Leonora authority to carry out this provisional order and make provision for the tramway which they have been running for some years between Leonora and Gwalia, but there is one clause in the provisional order to which I take exception, and that is the provision which gives to the promoters the right to transfer all the rights and privileges under this provisional order to any person, corporation or company. It may mean that we will grant this provisional order under this Bill, but in the immediate future the municipality may turn over all their rights to a corporation or company.

The Minister for Works: That is in the original provisional order, you know.

Mr. BATH: If Parliament is called upon to give its legal sanction to a provisional order, Parliament should have the right to give its legal sanction to any transfer before a transfer is made.

Mr. Angwin: And put it in the Bill.

Mr. BATH: Yes. I do not know whether we should amend the provisional order, but if not it will be necessary to fix it up in the Bill. My proposal is that in dealing with the schedule containing the provisional order we should provide that it shall be lawful for the promoters, subject to the confirmation of Parliament, to transfer their rights and privileges under the provisional order to any person, corporation or company. That would be only a reasonable amendment to make. If we have to give sanction to the construction we ought also to give sanction to a change in the Bill passed by the House. I intend to move that amendment when we are dealing with the Bill in Committee.

The MINISTER FOR WORKS (in reply): This condition has already been sanctioned by Parliament in the original Act of 1902. The transfer can only be done with the approval of the Minister. The original Act was with the approval of the Commissioner of Railways, but by this Bill it is provided that it shall be lawful for the promoter, with the approval of the Minister for Works, to transfer any person, corporation or company. There is no danger of any great wrong being done. The approval of the Minister will have to be obtained before the right of transfer can be exercised under the clause.

Question put and passed.

Bill read a second time.

The MINISTER FOR WORKS moved—

That Mr. Speaker do now leave the Chair for the purpose of going into Committee on the Bill.

Mr. ANGWIN: The Bill should not be dealt with in Committee now as there was an amendment to be moved regarding the right of transfer. It would be far better

if the Committee stage were fixed for the following day.

Question passed.

In Committee.

Mr. Daglish in the Chair; the Minister for Works in charge of the Bill.

Clause 1—agreed to.

Clause 2—Confirmation of Provisional Order:

Mr. BATH moved an amendment—

That the following be added to the clause: "That the right of transfer contained in Clause 23 of the provisional order shall not be exercised except with the approval of Parliament."

The MINISTER FOR WORKS: Would it not be better if the provisional order itself were altered by striking out the word "Minister" and inserting "Parliament"?

The CHAIRMAN: That course could not be followed. The amendment must be moved in the form proposed by the member for Brown Hill.

The MINISTER FOR WORKS: If the amendment were adopted there would be one provision in the Bill relating to the right of transfer and another in the provisional order. The former would say that it should not be lawful to transfer without the approval of Parliament, while the latter would set out that it would be lawful provided the consent of the Minister was obtained. Personally he had no serious objection to the amendment, but surely the position would be perfectly safeguarded as the authority of the Government would have to be obtained before the venture was parted with. He had known of cases of railways in the other States which had been handed over to private companies to run for a term of years, and he could well imagine a similar state of things existing on the gold-fields. The time might come when the ratepayers of the municipality would decide that it was too costly to run the trams as a municipal concern and that it would be better to hand them over to private control. In such circumstances it would be rather unwise to prevent the council from getting rid of the venture. It would probably be very inconvenient

for the municipality to be compelled to wait until Parliament met in order to get consent to the transfer. The position might easily arrive that a council would be only too glad to get rid of ventures such as this if a favourable opportunity arose.

Mr. BATH: The precaution was a reasonable one, and while he could not quote instances in Australia yet in America it had frequently happened that through the growing feeling in favour of municipal control undertakings had been entered into by the municipalities, and later on, through jobbery and corrupt practices, private enterprise had come in and by the power of transfer had secured the works from the corporations. There might be a little delay entailed owing to the amendment, but it was necessary that some such power should be inserted in the Bill. If it were provided that such a matter should come before the House, it might well be that members would think the Government should take the line over, instead of some private company.

Amendment passed; the clause as amended agreed to.

Clause 3—agreed to.

Clause 4—Power to construct an additional tramway:

The MINISTER FOR WORKS moved an amendment:—

That the following be added to the clause: "and subject also in respect of Gold Mining Lease 534T to the terms and conditions of a consent in writing by the Sons of Gwalia, Limited, dated the twenty-seventh day of February, one thousand nine hundred and eight, deposited at the Department of Public Works."

Amendment passed: the clause as amended agreed to.

Clauses 5, 6, and 7—agreed to.

First Schedule:

The ATTORNEY GENERAL: It would be necessary to amend the provisional order, which had been made under the Tramways Act of 1885, but which, nevertheless, was in one paragraph contradictory of that Act.

The CHAIRMAN: No amendment at all could be accepted. The schedule would have to be accepted or rejected, and if the schedule were rejected the Bill would be practically defeated. The schedule was an agreement between the Minister for Works and the mayor and councillors of Leonora, and could not be altered by the Committee except under Clause 2.

The ATTORNEY GENERAL: The Tramways Act empowered the Committee to amend the schedule; but even if it were not so it would be perfectly within the jurisdiction of the Committee to amend the schedule, otherwise it was meaningless to ask the Committee to pass it.

The CHAIRMAN: The schedule was an agreement between two parties and could not be altered by the Committee, which was a third party. The schedule could only be altered by the amending of Clause 2 which adopted the schedule with or without amendment. In this case Clause 2 had been amended so as to adopt the schedule with an amendment; that amendment had been made and the schedule could not be further altered.

Schedule put and passed.

Second schedule, Title—agreed to.

Bill reported with amendments; the report adopted.

Third Reading.

Read a third time and transmitted to the Legislative Council.

BILL—COTTESLOE BEACH RATES VALIDATION.

Second Reading.

The MINISTER FOR WORKS (Hon. F. Wilson) in moving the second reading said: This Bill has become necessary because the Cottesloe Beach roads board have been advised that owing to certain defects which appear in the keeping of their rate book they are unable to collect the rates due to them. The principal fault lies, I suppose, in the neglect of a past secretary to, from time to time, enter up the books in the proper manner prescribed by law. Several rate books, I am informed by the present secretary, have not even been signed by the chairman of the roads board; and as the personnel

of the roads board has been changed on several occasions, to-day the new roads board find themselves in the unfortunate position that they cannot enforce payment of the rates. Portions of the land rated have not been sufficiently described, and in many cases where the full name of the occupier should be in each instance entered in the rate book it has been entered in one instance against one lot of land, and then just passed by with a tick in other entries; and I may say, generally, that the rate books of this roads board have been sadly neglected. Now the board have taken legal advice on the matter, and in view of certain actions that have been tried in the courts, notably in connection with the Claremont roads board versus the diocesan trustees of the Church of England; and, I believe, another case, of which I have not the particulars—in each of these cases it was declared that the rates could not be recovered on account of errors similar to those in evidence in the rate books of this roads board. In consequence they are advised that it would be of no use throwing money away in legal proceedings in an endeavour to collect these rates unless they have first of all a validating Bill. The new secretary has been in charge, I am informed, for the last 18 months or two years; but of course he has been powerless. There is a sum of £850 outstanding, some portions of which have been outstanding for the last five or six years, and it is necessary that they should have this small validating Bill in order that they may recover that £850, which they so sadly need.

Mr. George: What have they done for it?

The MINISTER FOR WORKS: They have not spent it yet, because it is not yet collected; but when they have collected it they will do good work with it. I believe the member for Dundas acts as legal adviser to this roads board at the present time, and that he has given his advice in the direction indicated. I move—

That the Bill be now read a second time.

Mr. BATH (Brown Hill): I am not going to oppose the Bill and inconvenience the ratepayers of this district simply because there has been neglect on the part of those who were entrusted with the management of their affairs; but these Bills for the validation of rates have become annual visitants to this House, and the accounts of neglect, given by the Minister, show that some steps will have to be taken for dealing with these people who take up duties under the Roads Act and then fail to carry them out, and by their neglect make it necessary for the House, session after session, to pass Bills to amend their errors. We may be able to deal with this later on when we are discussing the comprehensive Roads Bill, which, I suppose, will have to stand over till next session; but certainly it does seem to be a very slipshod method of carrying out the affairs of these roads boards.

Mr. HUDSON (Dundas): I desire to confirm the observations made by the Minister. And in reply to the leader of the Opposition as to the neglect of the responsible officers in the past in not carrying out their duties, I would point out that there is some excuse, inasmuch as there was a system in vogue under the Roads Act, which existed at that time, of entering up their books. Many other roads boards are in a somewhat similar position, having adopted a style of doing their work which was accepted until the matter came to be decided in the Supreme Court, when it was found that this was not the proper method. Many of these men are laymen and do not seek legal advice as to how their books should be kept; and in some respects, I must confess, our Roads Act is somewhat complicated in regard to the particulars which should be given in the roads boards' books. In view of what is understood to be the law having been altered by legal decision, we are justified in passing this Bill to enable the board to collect their rates, and prevent those people who really owe money from escaping their liability on a legal technicality. That is what we are really seeking to do by this Bill. I hope it will meet with the approval of the House.

Question put and passed.
Bill read a second time.

In Committee, etcetera.

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

Read a third time and transmitted to the Legislative Council.

BILL—ROADS ACT AMENDMENT.

Second Reading.

The MINISTER FOR WORKS (Hon. F. Wilson): In moving that this Bill be read a second time I desire to express my regret that I have been quite unable to get the main Roads Bill, which it was proposed to introduce this session, put in order in time to place it before the House. It is a Bill of very great volume, containing some 300 to 400 clauses, and a short time since I was notified by the Parliamentary draftsman, the Solicitor General, that it would be absolutely impossible for him to complete his work—as there had been many important amendments since we considered the Bill last—to enable me to submit it this session, and he asked me to allow it to stand over to enable him to have a full opportunity during recess to go into each amendment and make the Bill as perfect as possible.

Mr. Angwin: It has been promised for the last few years.

The MINISTER FOR WORKS: I recognise that, but the hon. member will remember that everybody is having a cut at it. Every roads board throughout the State and every conference is having a cut at this unfortunate Bill, and amendments are freely suggested from time to time, and, I suppose, the longer we put it off the more suggestions there will be. But we have got so far into the session that it would be impossible to commit the fallacy of introducing a measure of this kind with the prospect of it going through both Houses of Parliament at this late hour. I have been requested by many of the roads boards, especially the goldfields roads boards, to pass a short amending Bill in order that they may have certain powers, and the principal object of this amending Bill which I am submitting this

afternoon, consisting of eight clauses only, is to give the roads boards on the goldfields the right to rate tramways or railways constructed under any lease or permit, license, or other authority granted, whether under the Land Act or the Mining Act.

Mr. O'Loughlen: It will apply over the whole of the State.

The MINISTER FOR WORKS: It will apply over the whole of the State. The unfortunate position the roads boards have found themselves in up to the present time is that they have been unable in some instances to collect any rates at all from the firewood companies who own the principal tramlines referred to on the goldfields. In one instance two law court cases were instituted to endeavour to secure rates from one company by different roads boards. In one instance, I understand, the verdict was given that the board could rate on the annual rental which these companies paid to the Government for the permit to construct and run these tramlines. But as members know, the rental is merely nominal. In most instances it is £2 per mile, but in some it goes as high as £10 per mile, and even that is not of sufficient value to rate upon. As I said before, in one or two cases the magistrate ruled that the boards could rate on that rental. If members will think for a moment they will understand that, taking 10 miles of tramline at £2 per mile, that is £20, the rate to be collected on that being 1s. in the pound or 1s. 6d. that would give £1 or 30s. per annum on a tramway line of 10 miles. The magistrate ruled that was all that could be collected by these roads boards. In another case the magistrate held that the roads boards had no power to rate at all, that the tramline was not land or buildings and could not be rated; hence the desire that this amending Bill should be passed in order to give the roads boards the power to get a reasonable return from the owners of the tramlines. What I propose, as members will see, is that the roads boards shall have the power under the principal Act to rate these tramways, and the annual

value shall be assessed at £5 per centum on the capital cost of such tramlines or railways, with a reasonable percentage for depreciation. That would be in the case of a 10-mile tramline, supposing the cost was fixed at £500 per mile that would give £5,000 as the capital value, and 5 per cent. on that would be £250. The rate collectable at 1s. in the pound would be £12 10s. That is not excessive at all, I maintain. If the capital cost was £600 or £800 a mile it would only be a reasonable return for the privileges which these companies enjoy. If you take a big company—I believe the Kurrawang firewood company owns something like 100 miles of lines, and if you take the capital cost at £500 a mile that would amount to £25,000, and taking 5 per cent. of that at 1s. in the pound would amount to £125. I think that is a reasonable amount to ask that this company should contribute, and they would have to contribute to the several roads board districts through which the tramline runs. Whatever portion of the tramway goes through a district that portion would be valued and assessed, as I have stated. The rolling stock is not intended to be included in the capital cost of the tramway. In order that there may be no litigation or trouble on the valuation or depreciation it is provided that any dispute as to such capital cost shall be referred to and finally decided by the Minister. I do not apprehend any difficulty in the working of the clause, and it will be a great convenience to the roads boards in the districts in which these tramways exist.

Mr. Horan: What service do the roads boards render to the tramway companies?

The MINISTER FOR WORKS: What service is a roads board to anyone who does not keep a buggy and would have to walk? Will the hon. member answer me that? If people do not use the roads, and they do not keep a trap or motor car, for the general welfare of the community they must contribute to the upkeep of the roads boards. In addition to that these companies in carrying on their operations have, to a

great extent, to use the roads if there be roads in the district. They cannot carry on their operations to the extent they do without deriving the benefits the local authorities confer on the community. Anyone carrying on operations in a given district is entitled to contribute a fair proportion of the revenue to the local authority. There are two or three other clauses that do not require much explanation at my hands. We are taking power under Clause 2 so that any sea or river jetty, the approach to which is within a district can, by order of the Governor-in-Council, be deemed to be within that district, and if a public jetty the Governor-in-Council may direct the control of the jetty to be transferred to the local authority; if it is a private jetty it can be subject to the rate in the same way as other property. Clause 4 provides for power to subsidise hospitals. That is inserted at the request of several of the roads boards who are desirous of assisting in that direction. Members will see that although we have provided that they may subsidise hospitals within the district or outside, they shall not expend more than $7\frac{1}{2}$ per cent. of their ordinary revenue in this direction. There is also Clause 5, which has been included principally to overcome a very serious difficulty that the Melville roads board find themselves in in connection with the ferry service which ran between Perth and Applecross. It empowers the board to subsidise any ferry service within any given district. For some time the Melville people—those residing at Applecross and Canning Bridge—found themselves cut off from the City, because the ferry company which had undertaken to run the ferry service for a number of years ceased to conduct that service because they found it was not paying. The roads board for a short time subsidised the ferry service.

Mr. Angwin: Why not give them a railway?

The MINISTER FOR WORKS: The ferry service was run for a few months, but the board found that they were doing something illegal and which they

were individually responsible for, and, therefore, they ceased to contribute. This clause gives the roads boards power to utilise some of their ordinary revenue to subsidise a ferry service in the interests of the ratepayers. Under Clause 6 it is provided they may use a certain percentage of their ordinary revenue to subsidise fire brigades. Here, again, we have taken the precaution to limit the amount to $7\frac{1}{2}$ per cent. of the ordinary revenue of the board in any one year. I think it will be recognised these roads boards who are public-spirited enough to devote some of their revenue to this purpose ought to be encouraged, and I propose to do it in that clause. In Clause 7 I take power to dissolve a roads board which is not raising more revenue than £200. This clause states—

“If the ordinary revenue of any board shall, in any financial year, be less than two hundred pounds the Governor may by Order in Council abolish the district and include the area thereof in any adjoining road district, and the proviso to Section 6 of the principal Act shall not apply.”

I think it is about time that some of the roads boards that cannot, or will not, as the case may be, exert themselves to raise reasonable revenue should be abolished and included in some more active centre. In some instances perhaps they have been created prematurely, or they may have been created at a time when there was a large influx of population, and that population having fallen away it is impossible for them to raise a reasonable amount of revenue, the consequence being that the whole or a large portion of their revenue is expended in administration, in secretary's salary, office rent and stationery. It is reasonable that we should have the power, and the sooner we have it the better, to remedy any defects in that direction. Then I ask for power in Clause 8, which has been requested by many of the roads boards.

Mr. Angwin: It goes scarcely far enough.

The MINISTER FOR WORKS: This is the outcome of some conferences to which I have referred, and it is that a

person shall not be disfranchised under the terms of the old Act, which provided that if rates were not paid by the 30th November, that is prior to the election, they were disfranchised. This clause provides that if the rates are paid at least seven clear days before the date of the election, the ratepayer shall be entitled to vote, and it also provides that even if his name is not on the roll, if he produces a receipt from the roads board for the payment of his rates that shall entitle him to vote. This is briefly the effect of the measure. There are other matters that one perhaps would have liked to include in the Bill, but they would have made it controversial, and as the Bill was not of extreme urgency I thought it advisable not to jeopardise its passage.

Mr. Johnson: There are no two opinions about this Bill.

The MINISTER FOR WORKS: If there is to be any serious objection to it, of course I shall withdraw it; I am not going to spend a lot of time over it.

Mr. Walker: What is the object of putting in Clause 4?

The MINISTER FOR WORKS: The object is that the board may utilise a certain proportion of their ordinary revenue in order to subsidise hospitals.

Mr. Walker: They have no revenue to spare.

The MINISTER FOR WORKS: The hon. member is speaking from his unfortunate experience of a poverty-stricken roads board. I sympathise with him, but I would like to say that every roads board is not poverty-stricken; in fact boards have approached me and asked for this power.

Mr. Walker: Where are they?

The MINISTER FOR WORKS: One came along only the other day and said that they had already voted £30, but they wanted power to give it to the hospital. The hon. member must admit that when a roads board has money and the inclination to devote it to a hospital, it is good that they should devote some of that money to such a laudable purpose. I am sure the hon. member will be the last man to prevent them doing this. I beg to move—

That the Bill be now read a second time.

Mr. BATH (Brown Hill): The difficulty that faces hon. members is that when a short Bill is brought in as a substitute for a more comprehensive Bill which is desired and may be on the stocks, the difficulty which confronts them is which particular clauses are of such importance that they should be included in the short Bill. I am in the position to say that there are other clauses which I would like to see embodied in this Bill and which I understand are to be placed in the comprehensive measure which we cannot hope to see until next session. That being the case it is rather difficult to determine which are the more urgent matters. As far as this Bill is concerned there are two of its provisions which deal with matters upon which there is urgent need for amendment, matters which have been brought under my notice and the notice of my colleagues. The first is the power which is given to the roads board to assess firewood tramways and railways on a reasonable basis, and the other is even a more important provision to my mind, and that is with regard to the right given to the ratepayers, if the Bill is passed, to vote at an election providing their rates are paid seven clear days before the day of election. As far as the proposal to rate tramways is concerned, I would like to say that there are people who might ask—and in the immediate present it would be difficult to determine—what specific service the roads board might be rendering. If we went on that line of argument the only alternative that would be open to us, other than this provision which we have here, would be for the roads board to exact a toll from those who come within its area at the exact time a service was rendered. That would be a clumsy and costly position of affairs for the roads board to undertake. As a matter of fact the roads board is a communal institution under which all people in a certain area contribute to the revenue of the board for the common good, and in this connection the people running the tramway have no more right to escape than the man receiving eight shillings a day and who has to contribute to the roads board. The Kalgoorlie roads board which from its experience in the

courts found this course to be necessary, while no doubt they are glad the Minister has moved in the direction of giving them power to rate, regard this amendment as being most satisfactory, and they are of opinion that the case could be simplified by assessing the annual value at 5 per cent. on the present value of the tramway or railway, and thus there would be no need for any provision as to depreciation, because if the valuation were made on the present value, that would automatically make provision for the depreciation, because the present value would be the original value of the railway less loss from depreciation.

The Minister for Works: That would mean a valuation.

Mr. BATH: It would mean that they would have to do with regard to the tramway just what they do with regard to other properties which are assessed from year to year. They make up their assessments each year and if such an amendment to this clause were devised, it would mean in connection with the tramway just what they are doing with regard to other ratepayers in their area. It would also stop the litigation, as they point out, in which they have been involved. The clause as it is will mean that the Minister will be involved in settling the question as to whether the amounts set down for depreciation are fair or not. I am inclined to the view that the proposal for fixing the assessment on the present value is preferable to the provision as we have it here. That would mean that we could do away with the two provisos inserted at the end of this clause. The other provision with regard to the rates is one I am pleased to see in the Bill, because the position on the goldfields is often that ratepayers have paid their rates some months previously to the election and yet they might be debarred from exercising their vote owing to the difference in the time between the making up of the rate book and the date of the election. This clause will simplify matters and it will be a fair arrangement by which the ratepayer will be permitted to vote. There are several other provisions I would like to see in the Bill and I hope the Minister will give favourable consideration to them

when they are put before him in Committee.

Mr. WALKER (Kanowna): I have no fault to find with the Bill, which is a needful measure; but I have not exactly an objection but may I say a suspicion with regard to Clause 4. The Minister smiles, but I know what the intention of the Health Department is with regard to hospitals. It is intended gradually to compel these roads board districts, where there are hospitals, to entirely support the hospitals without Government subsidy. I would rejoice if these districts could support the hospitals. I would be glad if such a progressive stage could be arrived at, but we are not in that position, and what I fear is that the clause in question, although it is only a permissive clause, is such that it can be used as somewhat of a weapon by the Health Department.

The Minister for Works: The hospitals need help.

Mr. WALKER: I believe that most of these districts do help their hospitals, but I am speaking of districts where hospitals are not a luxury but a necessity, and where they must in the present stage of development be subsidised by the Government. The idea from Perth, and I know it is in the minds of some in the Health Department, is that everybody can keep their own hospitals going if they only wish to do so, and that the reason why there are requests from the goldfields for subsidies is that the people there are very heartless or stingy. The supposition is that they are mean enough to allow their hospitals to starve if they are not subsidised. I have conversed with gentlemen high in the service upon this subject, and they say, "You must make your own citizens support their own hospitals." I say they would be very glad to do it if they could, but when mining districts are fluctuating, rich to-day and to-morrow in that state of poverty alluded to by the Minister, we are obliged to nurse these hospitals, otherwise it would mean abandoning mining development and allowing towns that are going down to be rooted up absolutely and turned into deserted camps. We cannot afford that

where we believe there is still gold to be exploited and that good times will come again. It is the universal history of gold-fields towns that they have their ups and downs. Even the great mining centres of Bendigo and Ballarat! Years ago I remember in my youth we talked about them as done, as being dead places: to-day they are more prosperous than ever we could have dreamt they would be. So it is with some of the mining centres here. If we can keep the people there, keep them contented for a while, almost all these centres will come again. Of course some will be permanent failures, but there will be many that will come again, and we must keep the civilising institutions going in the meantime; and among those, of course, are the hospitals. Although the power in Clause 4 is only permissive, I fear it is a warning of the ultimate intention of the Government to do away with all these outback hospitals, and when the Bill is in Committee I am not quite certain whether we should not remove the clause.

Mr. JACOBY (Swan): I regret the circumstances have been such as not to permit us having the opportunity of dealing with the whole question of an amendment of the Roads Act. Such a measure has been promised for a long time, but somehow or other we cannot get it to the House, though last session it was read a first time. We have had conferences of roads boards, and members individually have given a large amount of attention to the amendments necessary, but we have not the Bill before us for our consideration. I regret this exceedingly, because many of the roads boards and ratepayers of roads boards are considerably hampered owing to the lack of power under which the boards at present suffer. I do not suppose any serious objection can be taken to the amendments brought in by the Minister, but I regret the Minister has not seen his way clear to include in the Bill a provision to extend the powers given for borrowing.

The Minister for Works: That would need a large number of sections.

Mr. JACOBY: An alteration to the schedule would be all that is required.

At present only a few roads boards in the metropolitan area are permitted to borrow. Many roads boards are desirous of being able to borrow, but have not the power to do so. The districts are developing at an enormous rate, and settlement is going on apace, but the Government subsidy is being reduced. The boards have rated themselves to the limit provided in the Act, but have not been able to get sufficient money for their purposes. The only way to do it is to borrow, and many districts have been waiting the opportunity to borrow, but another year has gone by and still the power is withheld. However it would not be wise to add any amendment to this end to the present Bill because I hope the Government will be prepared to come down with a scheme similar to that adopted in New Zealand, whereby the Government guarantee loans for local authorities. The local authorities are enabled to borrow at the same rate of interest as the Government borrow at, and they have the advantage of the period for the repayment of the loan being extended over a great many years instead of a few as is the case in our Roads Act.

Mr. Walker: Is not that also the case in New South Wales?

Mr. JACOBY: I do not know, but New Zealand has just started the system. Instead of paying 10 per cent. sinking fund as they do now, the local authorities pay the same as the State does, a half per cent. sinking fund, and instead of paying it back in 10 years they pay it back in 66 years. The result of such a scheme if adopted here would be that the roads boards would be able to make wonderful progress in the work they are doing in connection with roads and other public conveniences, and at the same time it would relieve the Government. The roads boards would be able to get along without so much assistance from the Government. I hope a consolidating and amending Roads Bill will come down early next session. The Minister has not stated his intention in the matter, but I hope he will be able to make an announcement to that effect, because the roads boards all

over the State are anxiously waiting the advent of that consolidating and amending Bill. Also I hope by the time the Government bring down that Bill they will have worked out some scheme whereby these boards will be able to obtain loan moneys in something the same way as is done in New Zealand.

Mr. HUDSON (Dundas): I notice provision is made here to give roads boards power to expend portion of their revenue on fire brigades, ferries, and hospitals. I commend the clause in its relation to hospitals. I think in the future it will be advisable to do away with a great many of the small municipalities and make the roads boards include them. For instance, I know of a municipality in my electorate where the population fell away and eventually the municipality was abolished and the roads board took over the work of the district. The roads board then practically had a town within its district far apart from any other centre. This is the case with many boards; and it may be necessary for them to have the power to spend some of their money to obtain hospital facilities, or to give medical assistance for those in the neighbourhood. Therefore, unlike the member for Kanowna, I am rather inclined to support the clause whole-heartedly. In regard to the provision for the amendment of Section 25 of the principal Act, this is a matter that needs further consideration. Of course it is liberalising the present legislation, but it is quite possible to go even beyond what is proposed by this particular clause. I do not see why the owner of property, or an occupier, or a person entitled to vote, should be deprived of the vote merely because on the particular day he has not paid his rates. It may be that the rates have only become due within a short period of an extraordinary election. So I think it would be advisable to strike out the clause and enable the person whose name is entered as a ratepayer on the books to exercise his vote. The rate may be made payable on the first of the month in a district with a large area. The person concerned may be perfectly willing to pay his rates dur-

ing the month, but an extraordinary election may come round and the person may not have the opportunity of getting notice of the rate, or at all events of paying it during the month. Consideration should be given to this. With regard to rating of tramways, I think that is a fair proposition. I think they should pay something towards the upkeep of roads in the district in which they operate. No doubt they do derive some benefit directly or indirectly from the work done by roads boards. Taking the Bill as a whole, subject to a few minor amendments that may be made in Committee, it should be supported on the second reading.

Mr. OSBORN (Roebourne): The member for Kanowna said he had some suspicion as to how Clause 4 originated. I can safely say that the clause has originated from the roads board executive and roads board conferences. I happen to know something about these conferences and the executive meetings of the roads boards, and I know that several roads boards were anxious, when the movement was on to establish the hospital at Midland Junction, to contribute towards that institution.

Mr. Angwin: They will be forced to do it.

Mr. OSBORN: The matter has been practically before all the roads boards throughout the State, through the general conferences and executive meetings, and I am correct in saying that it is through the conferences and the executive of the roads boards that this clause is inserted, and I trust no action will be taken to delete it. I hope something will be done in this direction of assisting the local hospitals, or, at any rate, the sick in the various districts. With respect to the franchise, the conference was very desirous the franchise should be further extended, but it was decided to accept the present suggestion pending further effort to persuade the authorities to make the franchise more liberal and allow a person on the production of receipts for rates paid to vote up to the close of the poll.

(Sitting suspended from 6.15 to 7.30 p.m.)

Mr. ANGWIN (East Fremantle): I regret that the Minister has not been able to bring down a proper comprehensive Bill for the control of the roads boards of the State. I had hoped that even at the latter end of the session the Minister would have introduced such a measure so that the various bodies controlling the roads of the State might have an opportunity to peruse it during recess and see whether it contained such provisions as would be in their best interests and for the proper carrying out of the work they have to undertake. There is no doubt that the local authorities should have had such an opportunity, as the result of their deliberations during recess would have been of great advantage to members when discussing the Bill as a whole next session. In looking through the measure now before us I find that the majority of the clauses are required for the proper management of the roads districts. We must not forget the fact that while certain clauses have been put in at the request of several roads boards, especially in order to allow them to assist public hospitals, that request was made previously to the present action of the Government in regard to the management of hospitals. In many cases the roads boards of the State are also the health boards, and owing to the latest decision arrived at by the Government the roads boards will be compelled to pay for all infectious cases sent to the hospitals if the amount cannot be obtained from the patients themselves. In cases where hospitals do not exist a clause of this kind might be necessary, but it is clear that it will meet with the opposition of a large number of the boards. I am pleased to see that power is given by the Bill to allow a board to subsidise ferry services. I hope that the people affected by this clause, especially those in the Melville road district, will not only have to subsidise a ferry service but will also be brought under the same conditions as those in other parts, by having railway facilities. I hope that before long there will be a railway run along the south side of the river. The last clause of the Bill is of importance, but it should be carried still further. At the present time the Roads Act provides that the qualifi-

cation for voting shall be the payment of all rates and taxes on or before a certain date before the compilation of the rolls. This Bill goes further, for it allows persons to vote if they pay their rates within seven days of an election and produce a receipt to that effect. Property owners and occupiers of property should be allowed to vote whether they have paid their rates or not. Thousands of people have been disfranchised through no fault of their own—as they had paid their rent, which included rates, week after week—but because the agents of the owners had not paid the rates. It was a hardship on those people that they should be disfranchised through no fault of their own. Such a thing as this happened in thousands of cases in connection with the recent municipal elections. I intend when the Bill reaches the Committee stage to move an amendment to this clause. I am quite in accord with the remaining clauses.

The MINISTER FOR WORKS (in reply): It is quite unnecessary for me again to say that I would have been very pleased had I been able to bring down the full measure this session. The member for Swan can rest assured that the measure will be duly prepared and be introduced next session if I hold the office I now occupy. I cannot say it will be the first measure to be introduced, but it will be brought before members in ample time for them to give it the full consideration which it certainly deserves. I do not want to take up much time on this measure, which has been introduced at the request of many roads boards in order to overcome certain difficulties they now labour under. No matter if members think we might go further in certain instances. I would ask them to be good enough to refrain on this occasion, at any rate, from introducing amendments that would probably cause hours of debate. The Bill is a step in the right direction, for we can give some relief by it, and in a very few months when we meet again we shall consider the whole measure, when the suggested amendments can be discussed at length. I hope the leader of the Opposition will not think I am discourteous if I oppose any of the amendments he

suggested in the course of the second reading debate. I know the roads boards are desirous of having these amendments included in the Bill, and many of them are incorporated in the draft Bill which has been prepared, but I feel sure that to propose them now would mean that several hours would be spent in deliberating them before we could come to a satisfactory decision. If I oppose those amendments it is simply on account of want of time and because I desire to give the relief embodied in this Bill, so that the boards may at all events have some relief pending the passing of the main measure.

Question put and passed.

Bill read a second time.

In Committee.

Mr. Daglish in the Chair; the Minister for Works in charge of the Bill.

Clauses 1 and 2—agreed to.

Clause 3—Rating of timber tramways:

Mr. BATH moved an amendment—

That in line 6 the words "capital cost" be struck out and "present value" inserted in lieu.

The amendment would involve a further amendment later on, when he would move to strike out the remainder of the clause after the word "railway" in line 7. His idea in presenting the amendment was that the valuation of the timber tramways for roads boards' purposes should be made on precisely the same basis as valuations of other properties. This would mean that if the present values were determined according to valuation, provision would be made for the depreciation which the Minister sought to provide for by another method. The amendment would simplify the clause and cause it to work well, while litigation would be avoided in regard to the valuation of properties. By the amendment a uniformity in the method of values would be brought about. This was desirable, as the same principle would then be applied to fire-wood tramways as to other ratepayers.

The MINISTER FOR WORKS: The amendment would create trouble, and as that was a thing he desired to avoid, especially at the present juncture, he was

compelled to oppose the amendment. The clause had been drafted as printed so as to simplify the matter and avoid any trouble such as always arose in arriving at the value of a work of this description. If the words "present value" were inserted there would be all the cost and trouble of valuations, and apart from that there would be appeals against such valuations, and probably litigation later on. The system was simplified by taking the capital cost less a reasonable percentage for depreciation. He was taking it upon himself to decide any disputes that might arise. He could go to the books of the company, have the vouchers produced, and so obtain all the information as to what was the cost of the work. Personally, he had some knowledge of this work, as had the officers of the department, and the question could easily be settled once and for all. It would be done promptly and the roads boards would get the advantage of the rates. Otherwise the roads boards would get no advantage from this small measure. The clause as printed represented the easier way out of the difficulty and would tend to the best interests of the roads boards.

Mr. BATH: The arguments of the Minister would apply in precisely the same way to every valuation made by roads boards for the purposes of rating. It was essential that reliance should be placed on the discretion and good sense of the roads boards to make a fair valuation. He could not see why provision should be made for one method of valuation for one class of property and another method for another class. The Minister had referred to the possibilities of litigation, but the roads boards, when considering the proposed amendment were evidently not of the same opinion as the Minister; because in regard to this question they had written stating that the provision for depreciation was just the provision likely to lead to expense. With regard to Clause 3, the roads boards were confidently of the belief that litigation lay in the word "depreciation," and were prepared to strongly urge that all reference to depreciation be omitted from the Bill. In these circumstances he (Mr.

Bath) thought the amendment was one which should commend itself to the Committee.

Mr. KEENAN: The clause as printed was much more likely to be effective and to lead to a quick and ready determination of the matter than would be the amendment suggested by the leader of the Opposition. It was obvious that the term "present value" as suggested by the leader of the Opposition would give rise to doubt and indecision. What did it mean? It meant many factors not even expressed, and an infinite number of queries must arise as to the interpretation of the words. The leader of the Opposition had said that his amendment was only in accordance with the methods followed by roads boards in making their ordinary valuations; but it was to be remembered that with regard to the property they rated under the Roads Act these boards proceeded on definite lines. To arrive at the value suggested by the leader of the Opposition no one would know where to look. The amendment would be the best thing imaginable for the disengaged lawyers of the district.

Mr. Bath: The boards make a valuation each year for roads board purposes.

Mr. KEENAN: That was so, but on definite lines. They had certain things to value and nothing else. Here, however, under the amendment they would have to value an unknown quantity. They would have to take so many elements into consideration, and every one of these elements would be the subject of chance. It would be better for the public that the clause should pass as printed rather than in the way suggested by the leader of the Opposition.

Mr. McDOWALL: The amendment moved by the leader of the Opposition would scarcely be an improvement on the clause. Considerable trouble could be foreseen in arriving at a valuation of the description indicated. The only thing that ought to be definitely fixed was the amount of depreciation. That ought not to be left for arrangement between the company and the Minister. If the clause were to be amended at all it would be much

better to amend it by definitely fixing the depreciation.

Mr. GEORGE: What would the hon. member consider a fair amount to allow for depreciation? When once the capital cost of these timber tramways was arrived at one could be certain that the tramways would be kept up to the mark by those who had to run them. If any other policy were pursued it would lead to expense and delays, and would involve serious loss under the Workers' Compensation Act and other statutes. There was no occasion for any reference in the clause to depreciation. If this reference were left in the clause it would certainly lead to the accusation that interested parties were concerned in the valuation.

Mr. BATH: Notwithstanding what the member for Kalgoorlie had said of the limitations imposed on the roads board's in fixing the valuations each year it might be contended that in fixing the valuations for this purpose the roads board would have to proceed to work in almost a precisely similar way. The method of valuation might be slightly different, but in order to determine the annual value the board would have to include the tramways with the other properties valued for roads board purposes. In a matter of this kind some weight should attach to the opinions of those who were administering these local government bodies. If, to-morrow, it were a matter concerning the Municipal Act and suggestions were submitted, the result of the experience of the Kalgoorlie municipal council in regard to the administration of that Act, the member for Kalgoorlie would pay considerable deference to the opinion of that municipality. As a matter of fact the member for Kalgoorlie received many communications from the Kalgoorlie council to which he gave considerable weight; and the hon. member made the representations the municipality asked, because he placed a fair amount of reliance upon those requests, seeing the source from which they emanated. It was the same in regard to roads boards; and seeing this amendment was asked for by roads boards, the fact should carry weight with members.

Mr. OSBORN: The rating was different from that followed by municipalities. They did not take capital cost into consideration. This Bill, however, provided that capital cost should be taken into consideration, and that there should be an allowance for reasonable depreciation. But where plant was renewed there was addition to the capital cost. In other words the effect was that there was no depreciation, the capital cost being maintained at its previous figure.

Amendment put and negatived.

Clause put and passed.

Clauses 4 to 7—agreed to.

Clause 8—Amendment of Section 25:

Mr. ANGWIN moved an amendment—

That all the words after "four," in line two, be struck out.

This would provide that all owners of rateable land would be entitled to vote. Thousands were disfranchised at the last municipal elections, mainly owing to the fact that their landlords had neglected to pay the rates. There was ample provision in the Act whereby rates could be collected, so that in the circumstances we might agree to the proposal that rate-payers should not be disfranchised because rates were not paid. Again, it was a dangerous proposal to make the rates payable within a few days of the poll to secure a vote. It would play into the hands of certain candidates. That, however, was a point he did not wish to go into at present. The main principle was that the property carried the rate and the person who owned or occupied the property should have a vote.

The MINISTER FOR WORKS regretted the amendment could not be accepted. He asked members to accept the clause as printed, because it was certainly a step in the direction the hon. member wanted to go. The hon. member wanted to give every person a vote whether he paid his rates or not, but that was a question that would take a lot of discussion, and it would be better to defer that discussion until the main Bill came before the House. In the meantime we should pass this measure of relief. There was great diversity of opinion as to whether a person who had not paid his rates was en-

titled to a vote. We made no provision in the Municipalities Act to enable the person who had not paid his rates to vote, and why should we do it in the Roads Act?

Mr. Angwin: I have an amendment to the Municipal Act in this direction.

Mr. George: Why not have manhood suffrage? We have it for Parliamentary elections.

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

Ayes	..	..	..	19
Noes	..	..	..	20

Majority against .. 1

AYES.

Mr. Angwin	Mr. Hudson
Mr. Bath	Mr. McDowall
Mr. Bolton	Mr. O'Loughlin
Mr. Butcher	Mr. W. Price
Mr. Collier	Mr. Swan
Mr. George	Mr. Taylor
Mr. Gill	Mr. Walker
Mr. Heitmann	Mr. Ware
Mr. Holtman	Mr. Troy
Mr. Horan	

(Teller).

NOES.

Mr. Brown	Mr. Mitchell
Mr. Cowcher	Mr. Monger
Mr. Davies	Mr. N. J. Moore
Mr. Draper	Mr. S. F. Moore
Mr. Gregory	Mr. Nanson
Mr. Hardwick	Mr. Osborn
Mr. Hayward	Mr. Piessie
Mr. Jacoby	Mr. J. Price
Mr. Layman	Mr. F. Wilson
Mr. Male	Mr. Gordon

(Teller).

Amendment thus negatived.

Clause put and passed.

Title—agreed to.

Bill reported without amendment; the report adopted.

Third Reading.

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

BILL.—TRANSFER OF LAND ACT AMENDMENT.

Second Reading.

The ATTORNEY GENERAL (Hon. J. L. Nanson) in moving the second reading said: The main purpose of this Bill is to enable conditional purchase leases

and other leasehold interests issued under the Land Act, 1898, to be brought under the operation of the Transfer of Land Act. The Bill does not apply to mining leases, which will continue to be registered under the provisions of the Mining Act. As hon. members are aware the Land Act, 1898, makes provision for dealing with Crown leases and for the registration of mortgages affecting the same. The machinery of that Act does not, however, offer that security to the lender which is demanded and expected in such transactions, and it has been represented to the Government that a greater degree of security would be afforded if the provisions of the Transfer of Land Act were applied to those leases and the work of registration were transferred from the Lands Department to the Lands Titles Department, to which latter department it more properly belongs. I do not propose to go at length into all the arguments for and against the proposed change, because the subject has been already this session debated on a motion brought forward by the leader of the Opposition, the division on which resulted in an expression of opinion favourable to the change which this Bill is designed to effect. The fact that the business and agricultural community desire the adoption of this legislation and that if it be adopted these Crown leases will become a security upon which money can readily be borrowed, may be taken, I think, as a sufficient justification for the Bill. At a time when every nerve is being strained to turn our agricultural lands to productive account, a reform which will enable the conditional purchase holder readily to procure capital for the development of his holding is one deserving of every encouragement. It may be argued that the field is already covered by the operations of the Agricultural Bank, and that the intervention of the recognised banks of issue and other financial corporations is not required; but, although the Agricultural Bank is doing an admirable work, no one who is at all conversant with the requirements of our country settlers would for a moment contend that it is other than to the advantage of the farmer that he should have a wide

range of choice as to the directions in which he will seek financial aid in developing his holdings. It is one of the most satisfactory features of the present business position in Western Australia that the banks, insurance companies and other bodies having funds for investment should at length recognise the real value of the security and should be ready, provided that the security is a safe one, to advance funds in order to permit of these lands being developed. If this Bill be passed it unquestionably will increase and facilitate transactions of that character, and to that extent it will play an important part in securing the opening up of our territory and in adding to the wealth of the country. The Bill is one which lends itself more to a discussion in Committee than on the second reading but I will describe briefly the method by which we propose to bring about this change which the Bill will effect. Immediately this Bill becomes law every Crown lease extending over a period of five years or more will be issued in duplicate by the Lands Department and by that department will be forwarded to the Registrar of Titles who will enter the particulars of the lease in a journal to be kept for that purpose.

Mr. Draper: Why five years.

The ATTORNEY GENERAL: It is thought that five years is a sufficiently short period. That is not the maximum but the minimum period. One of the two instruments, called the original, the Registrar of Titles will retain, the other, called the duplicate, he will deliver to the lessee or, in the case of a mortgage, to the mortgagee. The original he will also register in the register of leases. As regards leases issued before the Bill becomes law means are provided for bringing these under the Transfer of Land Act. Application to that end may be made either by the lessee, by any person claiming through him, or by any mortgagee of the lease so desired to be dealt with. The application must be accompanied by the lease instrument, by certified copies of all existing mortgages, subleases, or other dealings registered under the Land Act, 1898. In addition, the applicant must hand in a

certified copy of the lease which will be supplied by the Lands Department, and he must be able also to produce the written consent to the registration by all existing mortgagees whose mortgages have been registered under the Land Act. These conditions having been complied with, the next step will be for the Registrar of Titles to refer the application to the Commissioner of Titles, and on that officer having satisfied himself as to the title of the applicant, the Registrar will bring the lease under the Transfer of Land Act. In order to do so he will follow the procedure I have described as to be laid down in the case of Crown leases issued after the Bill becomes law. In addition, he will enter in the journal of leases particulars of all existing mortgages and sub-leases and will endorse on the lease and on the certified copy of it a record of all such mortgages and sub-leases. When the mortgages and sub-leases have been recorded as described they will be read as if they contained all the covenants, powers, and conditions which by the Transfer of Land Act are implied in mortgages made under that Act, unless a mortgage or sub-lease contains express provisions to the contrary. As the sections of the Transfer of Land Act dealing with the implied covenants in mortgages made under that Act will henceforth apply to Crown leases brought under that Act, the sections of the Land Act dealing with implied covenants in mortgages under the Land Act will not longer apply to Crown leases which have been brought under the Transfer of Land Act. In the same way the sections of the Land Act dealing with the registration of leases will no longer be applicable. Also the covenants and powers implied in respect to leases under the Transfer of Land Act will not apply to Crown leases, the conditions under which such leases are granted remaining as before. Immediately the Registrar of Titles has placed his signature on a Crown lease it will be regarded as being registered under, and subject to, the Transfer of Land Act, and the provisions of that Act with respect to freehold land will

apply to it and to every mortgage and sub-lease of it, with such variations as the difference in the nature of such property requires. As Crown leases have attached to them conditions as, for example, to terms of payment and improvements required, it is provided that Crown leases shall not be transferred, mortgaged, or sub-leased without the consent of the Minister for Lands, or an officer appointed by him, and all the conditions of the Land Acts as to the qualifications of the holder of a Crown lease will remain in force as at present. In the same way before an order of foreclosure of a Crown lease is made, the consent in writing of the Minister for Lands must be obtained. These are necessary safeguards in order to prevent the provisions of the Land Act in regard to improvements and the maximum holding by any single individual being put aside. In order to protect the interests of mortgagees and sub-lessees, it is provided that in the event of a forfeiture of a lease for non-payment of rent or for some other cause the mortgagee or sub-lessee of the lease so forfeited shall receive notice and be given thirty days in which to carry out the conditions of the lease and apply to the Minister for Lands to waive the forfeiture. Another provision deals with minors or legal infants. As members are aware they are allowed to become lessees of Crown lands, and in order to guard against the possibility of a minor repudiating his contract on attaining full contractual age it is provided by the Bill that for all purposes in connection with the transferring, sub-letting, mortgaging, or otherwise dealing with the lease, he shall, although a legal infant, be regarded as having contractual capacity. Such briefly is a description of the Bill so far as it relates to Crown leases issued under the Land Act and proposed to be brought under the operation of the Transfer of Land Act. The opportunity has also been taken of making some minor amendments which experience in the working of the Transfer of Land Act has shown to be necessary. For example, amendments are made in Sections 78 and 90 of the principal Act

consequential upon the extension of local court warrants of execution under the Local Court Act, 1904, to land as well as to goods. Section 195 of the principal Act has been redrafted so as to provide that in the event of an extension of a mortgage, charge, or lease, an instrument of extension must first be executed by all the parties, stating the terms and conditions on which the extension is made, and such instrument has to be retained by the Registrar of Titles. The section in its present form provides that extension is merely made by an endorsement of the mortgage, charge, or lease, and the section as amended will bring our practice into line with that of the other States. Another direction in which it is sought to make a change is in regard to what are known as easements in gross, in other words easements or rights, in respect of which there is no dominant tenement, and which cannot therefore be registered under the Act. It has been laid down that although you can register easements proper under the Act you cannot register easements in gross, and when we come to this clause in Committee, if further information is desired in regard to it, I will supply hon. members with an instance of the inconvenience caused by lack of this provision enabling these easements in gross to be registered. I may say in making this amendment we are adopting the law as it is in South Australia and Tasmania, and the law as it was supposed by authorities to be in this State until in a certain case it was laid down that these easements in gross could not be registered. A clause has also been added protecting the assurance fund from any claim by a mortgagor in respect to an irregularity by the mortgagee. It has also been provided that the assurance fund shall not be liable for loss to any person claiming under an unregistered instrument, or under any equitable mortgage, unless such person has taken the precaution to protect his interests by lodging a caveat. This clause has been introduced to avoid the possibility of loss by the assurance fund in the case where a special

certificate of title has been issued in consequence of representations having been made that the first certificate has been lost, and where it is afterwards discovered that such first certificate has in fact been pledged, and that there are, therefore, two certificates in existence in respect to the one parcel of land. I do not think there is much more that need be said with regard to the Bill. As to the details those can be more readily dealt with in Committee. I shall therefore, content myself by moving—

That the Bill be now read a second time.

Mr. HUDSON (Dundas): I agree with the last remark of the Attorney General that this is essentially a Bill to be dealt with in Committee. It is largely composed of machinery clauses although there are a few points upon which a difference of opinion may arise as to the practicableness of certain sections. The only principles that can be found in it are those which deal with transfers, the registration of instruments dealing with land from the Lands Department to the Titles Office, and in that connection the paramount one is the question of centralisation. Under the Land Act it has been possible to have an office in country districts where transfers and other deeds could be registered with regard to land held under the Land Act of 1898, but once the transfer is made in the Titles Office then it will be impossible under the provisions of the original Act, and of this amending Bill, to have offices in no other place than in the capital of the State. As the Attorney General had pointed out, the question of centralisation was thrashed out very fully in the House and the House came to the determination, whether rightly or wrongly does not concern us at present, but it came to a determination which we are bound to accept. Personally I approve of the transfer from the Lands Department to the Titles Office, because I think, besides giving greater security to the holders of leases under the Lands Act, there will be greater facilities given, not so much with regard to the lands held under the Land Act, but because many persons will have ob-

tained freehold land as well as conditional purchase land. Under the present system⁶ a person holding land under the Transfer of Land Act, land under conditional purchase, in the event of that person selling the two parcels of land he would be compelled to execute two transfers, and to pay a double fee to register it in different offices, and it would cause him, or the purchaser, an immense amount of trouble. This alteration has been recommended by those who are acquainted with dealings in land and should commend itself to the Assembly. There are other matters in the Bill which, as I stated before, can be better dealt with in Committee. The Attorney General is going to give us a disquisition on easements in gross, and I shall be pleased to hear it as a matter of legal education if for no other purpose. I have no doubt it will immensely benefit the member for Boulder to know the full details with regard to easements in gross because when he goes back to Boulder he will be able to apply the principle when he is on the dump of one of the larger mines. The Attorney General laid stress upon the assurance fund. That of course is the fund by which holders of titles are given security as to the validity of their titles. I do not think that inroads should be made upon the principles of the original Act. Because a mistake has been made in this direction, or because it has happened that the department has been called upon to pay certain moneys out of the assurance fund, they should not immediately bring down the measure to relieve themselves of the responsibility in a similar case. If we are to have the security, and if the public are to regard the title as secure and guaranteed by the assurance fund, no inroads should be made beyond those provided for in the original Act, and those which apply in the other States. With regard to leases under the Lands Act and under the Transfer of Land Act being dealt with in one office, I have had experience of the working of that method in Victoria, and I can say that the results have been satisfactory. In Victoria they go so far as to have their mining leases under the Transfer of Land Act, as well as those under the Lands Act

and under the Transfer of Lands Act. I have much pleasure in supporting the second reading.

Mr. WALKER (Kanowna): I want to know from the Attorney General what machinery it is anticipated will be required to meet the extraordinary amount of work that must of necessity be placed upon the Commissioner of Titles. At the present time Mr. Sayer, who is Solicitor-General, and who has multifarious duties to perform, is also Commissioner of Titles, and I think it is fairly well recognised that in consequence of the pressure upon his time in attending to his duties in the Crown Law Department he can only afford a small portion of his time to deal with the duties that come under the office of Commissioner of Titles. I want to know if there is any intention on the part of the Attorney General to provide some agency which will allow for despatch, and also give that degree of security that a measure of this kind demands. One does not frequently encounter mistakes that are made by the Commissioner of Titles in that department, and I know, not only from recognition but from slight experience, that there is no department in the service which is more attentive to its duties, and more strictly on the *qui vive* for correctness, than the Lands Titles branch of the Public Service, yet the possibility of a mistake in the exigencies of business must never be forgotten as a great wrong and great injury to our citizens may occur by an almost unavoidable oversight. A little time ago we dismissed from that office a public servant who gave his whole time, and was fully engaged in supervising the issue of titles under the Transfer of Lands Act. Now we have a Commissioner of Titles in name and I believe there is some attention to duty, as far as time will permit, but only as far as time will permit, and it is recognised I believe at the present moment that a good deal of the responsibility is really falling upon the Registrar, and that the Commissioner is relieved very considerably by the arduous efforts and continuous application of the Registrar of Titles. Over-working the Registrar of

Titles may be prejudicial to the interests of this important department. We may not always have one who can be so trusted. I am now pointing out that by bringing Crown leases under the Land Act of 1898 into that department, we are multiplying the duties, we are increasing the responsibilities, and I want to know what has been provided to meet the new state of affairs, to meet the new development; to me that is the most important feature of this measure. We should heed where we are going. I agree with the member for Dundas that we are losing something whilst we may be gaining something; we are losing the facilities enjoyed by the settler to deal with his property without having to come to Perth and wait the delay that must of necessity ensue in going through the formalities of registration in Perth. What a pressure there must come in that department when we consider the vast settlement proceeding throughout the length and breadth of the State! So far as I can gather from inquiries, every day new business is being added. The lands office, which deals with this part of the business at the present time, is over-worked and cannot keep abreast of requirements.

Mr. Hudson: Want of system rather than too much work.

Mr. WALKER: I quite agree that there is a want of system; in fact, it is that want of system which has brought about the necessity for this Bill at all. But apart from the want of system, if the very simplest routine were adopted in the lands office the pressure of business, the multiplication of applications, of approvals, of transfers and mortgages, is so great that even then there must be delay. As population goes along and settlement continues, new complications arise in the dealings with property. We are every day getting more complicated matters to be settled in the Titles office. When matters begin they are simple, but as society goes on these complications increase, and I want to know what we are going to do. I would like to have the assurance of the Attorney General in reply that it is in his con-

templation to appoint someone to this branch, someone capable from experience and qualifications to be an adequate safeguard to the department, to the public, and those who have to deal in these land matters. I would not, I believe, vote for this measure as it is unless I could feel confident that it would be properly supervised. With every respect for Mr. Sayer, the Solicitor General, whose multifarious capacities are truly marvellous, I cannot believe that he has the energy to fulfil all his other duties and to attend to this duty at the same time.

Mr. Hudson: Do not you think we ought to relieve him of the Parliamentary draftsmanship?

Mr. WALKER: I think we might well do that, and might also relieve him of the Commissionership of Titles; and then he would find plenty to do. There is an abundance of work. I do not know whether to regard him with admiration or as a marvel of abnormality, so to speak. I contemplate his wondrous energies, the number of things he has to attend to, the details he looks into. The supervising of the department is nothing, but he does the detailed work of the clerks as well as performing the higher functions of generalship, so to speak; and I cannot conceive it possible that he will be able to attend to this department as Commissioner of Titles when this new branch, as it may be called, is added. It is an important branch, and an increasing branch, and one that will require special care. The danger of this Bill may be this: leaseholders will get into the hands—very innocently—of the bank. The incidents of beginning the settlement of a country always bring with them the necessity for borrowing; and this Bill enables one not only to go to the Agricultural Bank where, so to speak, one eye only is on the settler, but to all banks, two or three banks, to mortgage to this, to that, and to the other.

Mr. Hudson: They can go there now.

Mr. WALKER: But this is to make it very easy and simple to obtain all the necessary transfers from one to the

other at little cost and little expense—a good thing in itself; but there is something further than that, and something behind it. A man who takes up land in this country has not only the obligation of paying his debts to the Crown and to the mortgagees as he goes along, but he has the obligation to the public of improving his land at every step.

The Minister for Lands: That is where the banks come in, surely, with the money.

Mr. WALKER: Yes; but there is just one point which must not be forgotten. Before I can part with my land I ought to have it inspected to show that I have done everything necessary to entitle me to give a transfer. Now, I want to know is this Bill going to remove the necessity for inspection?

Mr. Hudson: No.

Mr. WALKER: When we get banks dealing with this Titles office it will be the documents of a Minister, the documents of the officers of the Lands Departments which will be taken as the necessary evidence. Now, I do not see anything in the Bill that makes it necessary to give an inspector's certificate.

The Attorney General: It is in the Land Act.

Mr. WALKER: Yes. But here when you come to a transfer, whilst undoubtedly you have a reference to the principal Act, yet certain particulars only are necessary to obtain your transfer, to get registered as mortgagee, or, indeed, to transfer entirely.

The Attorney General: The conditions of the lease must be carried out.

Mr. WALKER: But I see nothing in the way of protection in that respect. There is a tendency, I must confess, to dispense with the inspection, and the object is to make it easy and speedy to get your transfers under this Bill. Now, I cannot see the necessity for great speed if in every instance before a transfer is made, an inspection must take place. I do not see that that means speed. There must be the inspection, which must always mean delay. I am only pointing these out as some of the matters which may possibly be better explained in Com-

mittee. I am not opposing the Bill; in fact, I believe in simplicity in all these transactions. We ought to be able to deal with property of this kind as with our personal property; the only safeguard should be that we do not deprive others while parting with our own. We ought to simplify it wherever we can, and I will admit that this Bill has a tendency in that direction. But before I vote for the second reading I want to know that we will have the machinery for carrying it out. Who is going to be Commissioner of Titles? Are we to have a proper officer in charge to do this work? If so, I have no objection to the Bill.

The ATTORNEY GENERAL (in reply): In regard to what the member for Kanowna has said as to making provision for administering this new order of things which the Bill is intended to inaugurate, I may say that at the present time the Registrar of Titles and the officers of his department are doing the work of registering dealings with leases under the Land Act, and therefore, preparation is already being made to bring about the complete change in the system as soon as this Bill becomes law. So far as it is possible to make a change without any change in legislation, that has already been done, and I have every reason to believe that the new departure is working with a fair degree of smoothness—making allowances for little difficulties that must always be met on the inauguration of a new system and the bringing in of new officers to cope with it. As regards the question of appointing a new Commissioner of Titles, I am not prepared at this stage to make any announcement on behalf of the Government. The matter will receive consideration should it be necessary to make a change. I may point out, however, that the routine administration of the department is mainly in the hands of the Registrar of Titles. The Commissioner of Titles is always available when his advice is required in regard to any legal point that may arise, and he is able to exercise a general supervision, no doubt, over the administration. But we are fortunate in having in the Registrar of Titles an ex-

exceptionally able, accurate, and experienced officer, and I do not think that there need be any fear that when this change is adopted in every particular, as it is partially adopted at the present time, there will be any difficulty in regard to its smooth working. If the increased work should mean an extra burden on the Commissioner and his officers and so far as may be necessary provision will have to be made for it. But we must also take into account that, unfortunately, within the last year or two there has been some falling-off in the work of the Lands Titles Department. In regard to the retirement of the officer to whom the member for Kanowna referred, he was a very efficient officer, but he had reached the age at which officers have to retire from the public service. I may say he had been kept on for something like 12 months after the time at which, strictly speaking, he should have retired, and the Registrar of Titles was able to report that he could do without the extra assistance. I think we may compliment ourselves upon the fact that we have in this country a very excellent Titles Office, an office that gets through a great deal of work with a very small number of officers. I am only too happy to endorse what has fallen from the member for Kanowna as to the assiduity displayed by the Commissioner and registrar and the officers working under them. One does not want to increase the staff before there may be necessity, but I recognise we must not wait for harm to be done. I can assure the hon. member that the responsible officers of the department, the Commissioner and the registrar, are fully seized with the necessity of not incurring any unnecessary risk.

Question put and passed.

Bill read a second time.

In Committee.

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

Clause 1—agreed to.

Clause 2—Amendment of 56 Vic., No. 14, Sec. 4:

Mr. HUDSON: Why was it necessary to provide that Crown leases must be

those granted for a period of five years or more? Why was five years fixed as the minimum?

The ATTORNEY GENERAL: It was considered five years was a short enough period. The object of the Bill was to deal with conditional purchase leases, and these were in every case for a period of 20 years.

Mr. DRAPER: There appeared to be no reason for the period being fixed at five years. What leases were granted by the Crown under five years? ?

The Minister for Lands: Special leases.

Mr. HUDSON moved an amendment—

That in the last line "five" be struck out and "three" inserted in lieu.

This would bring the clause into line with the principal Act.

Amendment negatived.

Clause put and passed.

Clause 3—agreed to.

Clause 4—Registration of Crown leases granted before commencement of Act:

Mr. HUDSON: This clause provided that application for registration under this Transfer of Land Act should be made by the lessee or by any mortgagee, and it further provided that the consent of all registered mortgagees was required. If the words "by any mortgagee" were allowed to stand he intended to move an amendment providing that no mortgagee could apply to bring land within the purview of the Act without the consent of the owner of the land. The principal Act provided that the mortgagee could make an application, but only in the event of exercising the power of sale to give the purchaser a title under the new system. Would the Attorney General consent to the inclusion of words providing for the consent of the owner?

The Attorney General: No.

Mr. HUDSON moved an amendment—

That in line 2 of Subclause 2 the words "or by any mortgagee" be struck out.

The ATTORNEY GENERAL: This amendment could not be agreed to. It would defeat one of the objects of the Bill. At least the hon. member should give some reason why the consent of the mortgagor should be obtained.

Mr. HUDSON: The holder of the conditional purchase who had borrowed on the security of his lease might wish to continue dealing with the Lands Department and might not wish to be brought under the Transfer of Land Act; and we should not give power to the mortgagee to force him to come under the Transfer of Land Act. The principal Act gave no right to the mortgagee to alter the state of the mortgagor's title until the mortgagor made default. Therefore, before the mortgagee should take upon himself any authority not given by the mortgagor he should obtain the consent of the mortgagor.

The ATTORNEY GENERAL: The hon. member could show no possible injustice that would be done to the mortgagor if the lease was brought under the Transfer of Land Act by which the mortgagor would have a more perfect system of registration. Why should we provide facilities to enable the mortgagor possibly to block the operation of bringing a lease under the Transfer of Land Act without a valid reason being advanced for doing so?

Mr. WALKER: The amendment was a protest against giving exceptional powers to the mortgagees. We would allow the mortgagee to bring a lease under the Act, but would not allow the owner to do so without the consent of the mortgagee. What harm could come to the mortgagee if no harm could come to the owner on the application of the mortgagee to bring the land under the Act? What injury could be done to the mortgagee if the owner wanted to bring land under the Act? Both the owner and the mortgagee were fortified by the registration. It seemed to be a distinction in legislation in favour of the mortgagee as against the proprietor. There was an invidious distinction and apparent excess of privilege to the mortgagee.

The ATTORNEY GENERAL: The mortgagor was not prejudiced in the slightest degree by the lease being brought under the Transfer of Land Act.

Mr. DRAPER: So long as we recognised the principle of ownership of land we should not interfere with it unneces-

sarily, and it was not for this House to decide whether a hardship was to be imposed on the mortgagor or not. If the owner of land mortgaged a property that mortgage was sufficient to secure the mortgagee's rights. Why, in addition to that, should the mortgagee be placed in a better position than the mortgagor, and be entitled to have land brought under the Transfer of Land Act whether the owner liked it or not? There appeared to be no logical reason for giving that additional remedy to the mortgagee. Why then should the owner be interfered with? The suggestion made by the member for Dundas was a reasonable one.

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

Ayes	..	..	..	19
Noes	..	..	..	19
				—
A tie	..	..	..	0
				—

AYES.

Mr. Angwin	Mr. Hudson
Mr. Bath	Mr. Johnson
Mr. Bolton	Mr. McDowall
Mr. Collier	Mr. O'Loghlen
Mr. Cowcher	Mr. W. Price
Mr. Draper	Mr. Swan
Mr. George	Mr. Walker
Mr. Gill	Mr. Ware
Mr. Heilmann	Mr. Troy
Mr. Horan	(Teller).

NOES.

Mr. Brown	Mr. Monger
Mr. Butcher	Mr. N. J. Moore
Mr. Davies	Mr. S. F. Moore
Mr. Gregory	Mr. Nanson
Mr. Hardwick	Mr. Osborn
Mr. Hayward	Mr. Plesse
Mr. Jacoby	Mr. J. Price
Mr. Layman	Mr. F. Wilson
Mr. Male	Mr. Gordon
Mr. Mitchell	(Teller).

The CHAIRMAN: I give my casting vote for the Noes.

Amendment thus negatived.

Mr. HUDSON: The effect of the clause, now that the amendment had been defeated, was that permission was given to the mortgagee to apply to bring the lease under the Transfer of Land Act. That privilege should not exist without the consent of the owner. It was provided by paragraph (c.) of the clause that if the owner wished to bring the land under the Act the written consent of all registered

mortgagees should be obtained. It would be only fair, therefore, that a provision should be inserted to the effect that if the mortgagee applied he should first obtain the written consent of the lessee. That would put both on even terms and no hardship would be inflicted. He moved an amendment—

That the following paragraph be added to Subclause 2 to stand as paragraph (d.): "and in applications by the mortgagees the written consent of the lessee."

The Attorney General: That is the same thing over again.

Mr. HUDSON: That was not so, for the Committee had only decided that the mortgagee could make an application. As it had been established that he might do so there should be a provision that he could not do so without the consent of the lessee, the owner of the land.

Mr. WALKER: Previously to this amendment being put, there was one he desired to suggest to follow paragraph (b) of Subclause 2; that was that a certificate of a land inspector, to the effect that all conditions of the lease had been complied with, should accompany the application. Subclause 2 set out—"Such application may be made by the lessee or any person claiming through him, or by any mortgagee, and shall be accompanied by (a) the instrument of lease and certified copies of all existing mortgages, subclauses, and other dealings (if any) registered under the Land Act, 1898, and a certified copy of the lease to be supplied by the Department of Lands and Surveys to the applicant for such purpose, and the written consent of all registered mortgagees." It would be a good safeguard to include the provision that there should be a document showing that the improvements had been carried out. There would then be a complete register, and one would know exactly the value of the lease at that particular moment. If the land had been held for five years there should be certain improvements upon it, and it would be wise that a certificate from the inspector showing that these improvements had been

effected should accompany the application. He moved an amendment—

That in line 3 of paragraph (b) after the word "purpose" the following words be added:—"and a certificate from the land inspector that all the conditions of the lease up to that date have been complied with."

Mr. DRAPER: It appeared to him that there would be some difficulty in bringing this land under the Act. The word "land" included "lease," and we had included in the definition the words "Crown leases." Crown leases now were brought under the Act, and they would therefore be included in the word "land." Under the Transfer of Land Act it was necessary to make a contribution to the assurance fund. That contribution was shown in the last schedule of the Act, and the amount was a half-penny in the pound sterling on the value of the land. How were we going to get at the value of the land unless we knew what improvements had been made upon it? With regard to conditional purchase lands, were we to consider that certain improvements had been made? Improvements had to be made every two years, and unless we knew what the improvements were, it would not be possible to get at the value. The value was practically the amount of rents which had been paid plus the improvements which had been made. It would be advisable for a clause of this nature to be inserted in the Bill.

The ATTORNEY GENERAL: The clause was intended simply to bring these leases under the provisions of the Transfer of Land Act. That was, instead of being registered under the Land Act they would be registered under the Transfer of Land Act. There was no change of ownership. If there were it would be necessary no doubt to obtain the consent of the Minister for Lands, and the Minister for Lands would obtain information with the help of his inspectors as to whether the improvement conditions, and other conditions, had been carried out.

Mr. George: Do they not forfeit their leases if they do not carry out improvements?

The ATTORNEY GENERAL: Unquestionably. This clause was not dealing with the transfer of land from one lessee to another; it was simply enabling the existing leases at present registered under the Land Act to be registered under the Transfer of Land Act. What possible reason could there be to go to any unnecessary trouble of obtaining a report from the inspector with regard to every separate application to bring land under the provisions of the Transfer of Land Act? The member for Kanowna had pointed out the necessity for not having a cumbersome system, and a few minutes afterwards, he moved an amendment which would cumber the measure immensely and would mean a considerable expense to the Lands Department, and which moreover would serve no useful purpose. What possible use at that stage could there be in getting a certificate as to improvements? This could be understood if it were a question of transfer from one holder to another. The necessary precautions had been taken in the Bill. With regard to the objection of the member for West Perth, one could not but wish that any questions wherein there was a certain amount of legal intricacy the amendments would be put upon the Notice Paper in order that they might be dealt with at more than a minute's notice. He found, however, that provision was made in Section 40 of the Transfer of Land Act for ascertaining the value of the land brought under the Act for the purpose of the assurance fund. The value was to be ascertained by a statutory declaration, or the production of a certificate of value under the hand of a sworn valuator. The machinery of the Transfer of Land Act dealing with the valuations for the purpose of the assurance fund was ample to meet all difficulties which the member anticipated.

Mr. WALKER: While he wanted simplicity, he also wanted exactness and safeguards. This Bill dealt with a stage beyond the owner, and it seemed to him to deal with the individual who had land in the second stage, that was to say the mortgagee.

Mr. BATH: The member for Kanowna had got down to the very kernel of the question with the amendment submitted. When some time ago he (Mr. Bath) had moved a motion in connection with what he considered a retrograde step in regard to the transfer of lands on the goldfields, the Attorney General and also the Minister for Lands had cited this Bill as the measure that was going to obviate the difficulties mentioned. But further than the difficulties to which the lessees were put on the goldfields, he (Mr. Bath) had pointed out that by this proposal we were destroying the safeguards provided in the Land Act and its amendments, safeguards for the proper use of the land.

The Minister for Lands: The safeguard is the forfeiture.

Mr. BATH: So long as the Lands Department had controlled these leases up to the time they were made freehold, so long as the department had been well administered we had been able to see that those safeguards were properly worked; but to place on the officers of the department the onus of seeing that the conditions were fulfilled, and on the other hand to transfer the transactions to another department—this was to leave it open for the conditions to be evaded. The Minister had said that the amendment would make the measure cumbersome, but the mere fact that the measure had been introduced was going to make the transactions cumbersome.

The Minister for Lands: No; it will simplify them.

Mr. BATH: It could not simplify them unless the Minister did away with the provisions in the Lands Department and made the question of a certificate from the Lands Department, or the consent of the Minister, a mere matter of form, handing over to the Titles Office the entire right to deal with transactions. That apparently was the whole object of the proposal, namely, gradually but surely to sap the provisions in the Land Act which provided a safeguard in connection with the alienation of the land. The Attorney General had said that it did not provide for transfers to any person but merely for the registration. He (Mr. Bath) would contend that even the act of

registering was going to give to those dealing with the instrument a claim to have the document regarded at something which could be trafficked.

The Attorney General: Not without the consent of the Minister.

Mr. BATH: The Bill would sap the power of the Minister so far as the Lands Department was concerned.

The Attorney General: Not at all: it is absolutely safeguarded.

Mr. BATH: No. By the Bill the Minister would be transferring responsibility which he should not transfer. The State should hang on to the provisions in the Lands Department to the fullest extent. From the nature of the documents which the Public Service Commissioner had issued to members of the House, he (Mr. Bath) was convinced that this was a proposal to make the transfer of documents much easier, to facilitate it, not in a proper manner, but by doing away with the conditions which in his opinion, were necessary if we were to ensure that the lands would be put to legitimate use. The member for Kanowna had pointed out that when the documents got into the hands of the mortgagee the improvement conditions would, to a certain extent, be set aside.

The Attorney General: That is not so.

Mr. BATH: It seemed that it was so.

The Attorney General: Read the Bill.

Mr. BATH: To take an illustration. From time to time grants of land were made under certain conditions for mechanics' institutes, trades halls, and other similar purposes. He had known of instances in which money had been advanced on these blocks of land, possibly with some other security, and the mortgagee had foreclosed and had taken possession of the land, and the department had given the mortgagee a title to that piece of land, although the conditions under which it had been granted had not been fulfilled.

The Attorney General: That would not be due to defective legislation but to defective administration.

Mr. BATH: That was exactly the point. The Attorney General had said that the whole safeguard lay in the fact that the transfer could be only with the

consent of the Minister. Seeing that we had had experience of cases in which the consent of the Minister had been given as related, what safeguard would be found in the Bill? The amendment would give a better assurance than the provision to be found later on in the Bill, namely, that the written consent of the Minister, or an officer of the department authorised by the Minister, must be given.

[Mr. Dalglish resumed the Chair.]

The ATTORNEY GENERAL: Should the Bill become law there was not a single precaution provided by the Land Act for securing the carrying out of the improvement conditions which would not remain as it was to-day. The member for Kanowna had proposed that additional means should be adopted to see that improvement conditions were carried out. If the amendment were carried it would throw a very large amount of additional work on the Lands Department. There were 40,000 of these conditional purchase leases in existence, and it was to be assumed that a large proportion of these would be brought under the operations of the measure. If, in every case, before they could be so brought under the measure there would have to be an inspection made by an inspector, the work of the Lands Department would be very materially increased. If hon. members were of opinion that the provisions of the Land Act in regard to seeing that the improvement conditions were carried out should be a further safeguard, the place to provide that additional safeguard was, not in this Bill, but in an amendment of the Land Act. In a general way the leader of the Opposition had indicated that the safeguard provided by the Land Act would be diminished if the clause were passed as printed; but the hon. member had not brought forward a single specific instance where one of these safeguards had been removed—nor could he do so.

Mr. Hudson: Of course not, not before the Bill comes into force.

Mr. KEENAN: The discussion on the clause had pointed out very clearly

the justice of reasons he had at one time laid before the House as to why a measure of this character should not be brought forward. It had been urged that it was brought forward for the purpose of simplifying the methods of dealing with land held under tenure. So far from simplifying that procedure it would lead to confusion and to a great deal of work in duplicate. In order to properly safeguard the interests of the State it would be necessary that the two departments should be consulted, that two sets of officers and two Ministers should deal with the same matter. The transfer of land was a department that must be under legal officers of the Crown. The Lands Department must be under a Minister. Those of the public dealing with land would have to chase from one office to another to get the necessary information in order to secure themselves before proceeding with the registration of their dealings or with the various transactions made possible under the provisions of the Bill. At this late period of the session when everyone was desirous of curtailing and avoiding, discussion, as far as possible, a Bill of this character seemed to be entirely unseemly. It was impossible to cover all the grounds one could urge why a Bill of this character should not be proceeded with now. The evil could be overcome by creating in the Lands Department a small sub-department in touch with the department dealing with the tenure of land, and not giving powers to a foreign department which had nothing to do with land tenure, but was simply an office for the examination of the legality of titles, and which was not suitable for the work now to be entrusted to it. The session was too far gone for a discussion of the Bill and its merits. It was regrettable the Minister had not brought it forward at an earlier stage.

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

Ayes	..	..	..	18
Noes	..	..	..	18
				—
A tie	..	..	..	0
				—

AYES.	
Mr. Angwin	Mr. O'Loghlen
Mr. Bath	Mr. W. Price
Mr. Collier	Mr. Swan
Mr. Cowcher	Mr. Taylor
Mr. Draper	Mr. Troy
Mr. George	Mr. Walker
Mr. Gill	Mr. Ware
Mr. Horan	Mr. Heltmann
Mr. Hudson	(Teller).
Mr. McDowall	

NOES.	
Mr. Brown	Mr. N. J. Moore
Mr. Davies	Mr. S. F. Moore
Mr. Gregory	Mr. Nanson
Mr. Hardwick	Mr. Osborn
Mr. Hayward	Mr. Plesse
Mr. Jacoby	Mr. J. Price
Mr. Layman	Mr. F. Wilson
Mr. Male	Mr. Gordon
Mr. Mitchell	(Teller).
Mr. Monner	

The CHAIRMAN: In order that there may be further discussion I must vote against the amendment.

Amendment thus negatived.

Mr. HUDSON moved a further amendment—

That in Subclause 2 the following paragraph be inserted:—"And (d.) in applications by the mortgagees the written consent of the lessee."

This would place the mortgagees and the mortgagors in a position of equality. Paragraph (c) provided that before the lessee could bring any land under the Transfer of Land Act he must have the written consent of all registered mortgagees. It was proposed to extend to the mortgagor or lessee the same privilege. The instrument guaranteeing the payment of money raised by mortgage was registered in the Lands Office. The contract having been entered into between the parties there should not be an attempt to impose any further obligation upon the mortgagor. He would be deprived of a right or privilege if we were to say, as was proposed by the Bill, that the mortgagee could take the title and other documents to the department and say, "Give me a different title from that which the mortgagor has pledged to me," and could get that without consulting the wishes of the mortgagor, who entered into the contract with him. Under the Land Act certain privileges were given to the Minister,

and if the title remained under that Act. as the mortgagor might wish it to do, he would be able, possibly, to set up a case that would placate the Minister for Lands and induce him to extend the time for the performance of certain duties cast on the lessee. On the other hand if the lease were brought under the Transfer of Land Act the Titles Office might not be satisfied with such an extension and would say to the man, "We have to work within the four corners of the Act and cannot take a certificate from the Minister that is not in accord even with his Land Act." The same privilege should be accorded to the mortgagor as to the mortgagee. Why did the Attorney General take on himself the obligation of protecting the mortgagee as against the mortgagor? Who was the Attorney General seeking to benefit: who was behind the Bill; who sent the Bill to him: did the Attorney General really know the effect of the clause? The amendment would lead to fairness and to a proper understanding between the mortgagor and the mortgagee, and in addition would help the parties to come to a right understanding as to their title and their financial transaction. The mortgagor should be able at the end of the term for which he had obtained the advance, to go to the mortgagee and say, "I want the document I actually pledged with you, not some other document." On making this application he should be able to receive the same document. It was a term of the contract that when he repaid the mortgage money and interest the mortgagor should be able to get back the title deeds he pledged. If the Bill were passed as printed the mortgagee could do something without the consent of the mortgagor, and refuse to return the document which was really pledged. The owner had to get the consent of the mortgagee, and the latter should be forced to obtain the consent of the lessee.

The ATTORNEY GENERAL: The amendment had already been voted upon. The hon. member had moved an amendment providing that before the lease could be brought under the Act the mortgagor must give his consent.

That having been defeated he now brought forward an amendment that there must be the written consent of the lessee. Surely that was not in order?

The CHAIRMAN: The amendment could not be rejected on the ground raised.

Mr. DRAPER: Let the Attorney General look at the matter impartially, and forget if he could for a moment that the Bill was brought down by the Government and that an alteration was proposed to it by a member of the Opposition. He should recollect that if the amendment were carried it would be in no way derogatory to the Government. There was no reason for the Minister's stolid opposition to the amendment. It made one wonder whether the Minister was really conversant with the interests of the general public in this particular matter. The Minister had said he could see no harm, no disadvantage, to the mortgagor if the mortgagee brought the land under the Act without first obtaining the consent of the mortgagor. If the Attorney General persisted in his opposition at that time because he could see no disadvantage to the mortgagor, surely if he (Mr. Draper) could point out a serious disadvantage to the mortgagor the Minister would alter his position. All he asked for was that before the mortgagee brought the land under the Transfer of Land Act he should obtain the consent of the mortgagor. Many people who held land had not brought it under the operation of the Transfer of Land Act because of the expense incurred in so doing.

The Premier: Does that apply to conditional purchases?

Mr. DRAPER: It applied to all certificates of title. The mortgagee, by bringing the land under the Act, possibly improved the remedies he had against the land. It might be simpler for the mortgagee to realise the security. That was of advantage to the mortgagee. Did the Attorney General imagine that the expense of bringing the land under the Transfer of Land Act and the contribution to the assurance fund would come from the pockets of the mortgagee? That expense would be forced upon the mort-

gagor, whether he liked it or not. The mortgagor himself might have sufficient money to bring the land under the Act, and so reap the advantage which would accrue to him by so doing. Not from choice, but from poverty, perhaps, he would be unable to bring the land under the Act, and if that were so why should the mortgagee have the right to bring the land under the Act whether the mortgagor wished it or not? The mortgagee for a certainty would see that the expense of doing this would ultimately fall on the mortgagor and would be charged against the security. That might not appear to be a hardship to the Attorney General, but he begged to differ from him, because he (Mr. Draper) knew that the expense of bringing land under the Act was in many cases heavy, and many people would not do it because of the out-of-pocket expenses. This was the reason why the consent of the mortgagor should be obtained before the land was brought under the Act.

The ATTORNEY GENERAL: It was desired that the Bill should be the best Bill it could possibly be made, but he was not prepared to accept amendments unless a good reason was given for them. He freely admitted that in the reasons the hon. member for West Perth had given there was a considerable amount of force. It was true that under the Transfer of Land Act the consent of the mortgagor was not required. On the other hand it was also true that if the mortgagee wished to bring the land under the Act he could only do so when he was about to exercise his power to sell. That being the case perhaps it might be said that that restriction balanced the restriction that the member for Dundas sought to impose. However, he thought there was a certain amount of expense with regard to the assurance fund, and that being so he was prepared to accept the amendment.

Amendment put and passed; the clause as amended agreed to.

Clauses 5 to 8—agreed to.

Clause 9—Crown lessee to be deemed of full age:

Mr. DRAPER: The clause was a very necessary one, because under the Land Act, it was recognised that an infant at

the age of 16 years could hold land. Although the statute gave him the right to hold land it did not give an infant any power to make a contract. The result was that the infant might transfer the land and yet the contract might be impeached at any time until he attained the age of 21 years. The amendment he proposed to move would deal with the future, and it was his desire also to make it retrospective from the commencement of the Act which was the 1st January, 1899. With regard to the future operations, and also with regard to this retrospective operation, it was desirable that there should be some safeguard because undoubtedly some contract might be made with an infant by which he would be defrauded of his just rights, so both with regard to the clause, and as he proposed to amend it, it would be fair and would attain its object if it were provided that a transfer or sub-lease or mortgage, or other dealing by an infant, should be subject to review and be altered by a Judge of the Supreme Court on application in Chambers which would be an inexpensive way of testing any doubtful transaction. He moved an amendment—

That the following paragraphs be added to the clause:—“(2.) The provisions of this section shall be deemed to have applied to all holdings under the Land Act, 1898, from the 1st January, 1899

(3.) The terms and conditions of any such transfer, sub-lease, mortgage or other dealing may be renewed and altered upon application in Chambers to a Judge of the Supreme Court.

The ATTORNEY GENERAL did not propose to offer any objection to the amendment which would have the effect of protecting an infant and at the same time would provide with regard to contracts which had been entered into that an improper advantage was not taken

Amendment put and passed; the clause as amended agreed to.

Clause 10—agreed to.

Clause 11—Repeal of Section 39:

Mr. HUDSON: Why was this clause included in the Bill? It seemed to be quite foreign to the purposes of the measure.

The ATTORNEY GENERAL: The reason for the proposed repeal of Section 39 was that ever since its insertion in the principal Act it had been a dead letter. However, if members had any strong objection to the repealing of the section he would not demur, because the section could do no harm, it was merely redundant.

Mr. HUDSON: The section should be retained as it stood. He would vote against the clause.

Clause put and negatived.

Clauses 12 and 13—agreed to.

Clause 14—Amendment of Section 104:

Mr. HUDSON: In this clause there was a variation from the original Act with regard to the form in which documents should be prepared. There was much to be said in favour of the forms under the Transfer of Land Act. They were brief and led to facility in dealings. However, the form for mortgage or charge should be in the form prescribed by the Act. The words should be "shall" instead of "may." He moved—

That in line 6 the word "may" be struck out and "shall" inserted in lieu.

Mr. DRAPER: It was to be hoped the amendment would not be passed. In nine cases out of ten where statutory forms were given it was found they were not sufficient for the purposes required.

Mr. Hudson: You can add to them.

Mr. DRAPER: Not if we make the clause read "shall be in a particular form." How can we add to a prescribed form?

Mr. Hudson: With the permission of the Committee he would withdraw the amendment.

Amendment by leave withdrawn.

Clause put and passed.

Clause 15—Certificates of Title may be printed on paper:

Mr. DRAPER: It was to be hoped the clause would not be passed. Certificates of title issued in Western Australia were a credit to the State and were generally recognised as such. However, if we were to put aside parchment for paper that credit would very soon disappear. The fee charged was made to cover the cost of the parchment, and surely there could

be no valid reason for adopting paper for certificates of title.

The ATTORNEY GENERAL: The amendment had been recommended by the officers of the department, by the registrar, and by the inspector of plans. Some years ago the inspector of plans had visited the chief registries in the mother country and Europe, and had gone into the subject with considerable minuteness. That officer had found in those countries that duplicate certificates of title were issued on paper. It was paper of a very good quality and had a guaranteed life of two or three centuries. It was a simple matter to replace a worn out document, and it was an actual fact that paper of good quality would stand an extreme degree of heat, whereas parchment would shrivel up. A saving of £300 a year would be effected on the present operations of the office, but there was no desire to run counter to public sentiment in the matter. If the change was found not to answer it would not be persevered in.

Mr. HUDSON: The experiment was tried in Victoria and found wanting, and they have reverted to the old system.

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

Ayes	..	..	..	19
Noes	..	..	..	20

Majority against .. 1

AYES.

Mr. Brown	Mr. Mitchell
Mr. Davies	Mr. Monger
Mr. George	Mr. N. J. Moore
Mr. Gordon	Mr. Nanson
Mr. Gregory	Mr. Osborn
Mr. Hardwick	Mr. Plesse
Mr. Hayward	Mr. J. Price
Mr. Jacoby	Mr. F. Wilson
Mr. Layman	Mr. Cowcher
Mr. Maie	(Teller).

NOES.

Mr. A. Gwin	Mr. S. F. Moore
Mr. Bath	Mr. O'Loughlin
Mr. Bolton	Mr. W. Price
Mr. Collier	Mr. Swan
Mr. Draper	Mr. Taylor
Mr. Gill	Mr. Walker
Mr. Heltmann	Mr. Ware
Mr. Horan	Mr. A. A. Wilson
Mr. Hudson	Mr. Troy
Mr. Johnson	(Teller).
Mr. McDowall	

Clause thus negatived.

Clauses 16 to 18—agreed to.

Clause 19—Assurance Fund not liable for breach of trust:

Mr. HUDSON: The assurance fund was not to be liable for loss occasioned by any breach by a registered proprietor of any trust or by the improper exercise of any power of sale expressed or implied in any mortgage or encumbrance. This was an innovation. Why was the assurance fund to escape in this way? Surely the protection should be for the holder of the title.

The ATTORNEY GENERAL: It was considered that in a case like this the claim by a mortgagee should be against the mortgagor and not against the assurance fund. It was not through any fault in the Titles Department that a claim of this kind could arise, and there was no equitable reason why the assurance fund should be made responsible.

Mr. HUDSON: Supposing the mortgagee properly exercised the power of sale and the Titles Office had issued a certificate on the sale, then the holder of the certificate would assume he had a good title, and that it was a guarantee to him by the Transfer of Land Act. The Titles Office had an opportunity of seeing whether the documents were in order before they allowed the transfer of the mortgage. Go beyond that; take it that the purchaser from the mortgagee sold, and that this was done through two or three stages. Ten years afterwards a man would be the possessor of a title that appeared to be clean on the face of it. Something might happen whereby the original mortgagor would make a claim and endeavour to upset the title. Why should it be upset? The purchaser was deprived of his land, and had no recourse against the assurance fund.

The Attorney General: He would have it against the mortgagee.

Mr. HUDSON: The mortgagee had done nothing of which the purchaser could complain. There was no privity of contract between them, and no wrong was actually inflicted by the mortgagee upon that individual to justify him in bringing an action. His only guarantee was the assurance fund.

Mr. WALKER: The Act imposed that certain duties should be performed before registration could be obtained. The matter had to be referred by the registrar to the Commissioner of Titles, and it was just at that point where the matter he had spoken of on the second reading was concerned. When the Government passed the certificate as a tradeable document, that document could be passed from hand to hand for value, and in such circumstances it should be known whether the bona fide purchaser of the title, for which he had paid value, could rest assured that he had a good title, one vouched for by the Commissioner of Titles. If by the issue of the certificate there was no guarantee of the genuineness of the document what was the good of it? If the Commissioner of Titles issued a document purporting to be genuine, why should anyone else have the responsibility thrown on him afterwards. Supposing the fifth or sixth transferee discovered that at some stage anterior to, or at the time of, registration, there was fraud, misrepresentation, or concealment, what a source of litigation was open to him who had done nothing but spend his money and pay his cash on the security that the name of the Commissioner of Titles was on the document. That man had to go hunting for the culprits beyond the Commissioner, who had given his imprimatur to the genuineness of the document. The duty was cast upon the Commissioner to see to the genuineness of all transactions by fortifying a subsequent holder of the document. He should make the necessary inquiries and obtain the necessary proofs at the time the document was lodged, for if he did not do that the whole Act was valueless.

Clause put and passed.

Clause 20—agreed to.

Schedule, Title—agreed to.

Bill reported with amendments and the report adopted.

RAILWAY EMPLOYEES' GRIEVANCES.

Statement by the Premier.

The PREMIER (Hon. N. J. Moore): With the permission of the House I would like to make a statement with regard to

the railway matter which was discussed on a motion for adjournment the other evening. At that time it was the desire of members generally that a conference should be held in connection with the matters which were in dispute, and in accordance with the wishes of the House a conference was arranged by me at which there were present in addition to the Minister for Railways and myself representatives of the Officers' Association and the Amalgamated Society of Railway Employees. Various questions were brought up and as a result of the investigation which extended over three sittings, to-day the following communications were addressed by me to the two societies concerned, embodying the awards made by me with reference to the matters in dispute:—

“December 16, 1909.

To the General Secretary, W.A. Railway Officers' Association.

Sir,—In accordance with the desire of the officers of your association, I have met your representatives in conference, and have since given consideration to the various matters presented by them.

As already intimated to you, it has been found impossible with the limited time at my disposal for me to go into detail in connection with the whole of the questions raised, and necessarily matters of minor importance must stand over to be dealt with departmentally.

I have, therefore, confined my inquiry to those subjects which were deemed by them to be the most urgent, viz.:—

1. The question of Sunday time;
2. Classification of stations; and
3. Appeal board.

Sunday time.—I am of opinion that the present system by which officers are continuously employed seven days per week without extra remuneration should be abolished, and, therefore, award that Sunday time be paid for at ordinary rates on the basis of the present salaries being as for 313 days per annum: the payment to be on the basis of actual time worked with a minimum of a quarter-day's pay for each Sunday worked.

Classification of stations.—Each station will be classified by a board, and a minimum and maximum salary will be fixed for each station.

Appeal board.—I am of opinion that the Act vests in the Commissioner the power of final decision in cases of appeal, but the Commissioner has appointed a board which will be empowered to hear appeals against the classification, while at the same time where the decision of the board is questioned a right of final appeal to the Commissioner will be reserved.

The arrangements referred to in the foregoing will operate as from the first day of January, 1910.

(Signed) N. J. Moore, Premier.”

“December 16, 1909.

To the Secretary, W.A. Amalgamated Society of Railway Employees.

Sir,—In accordance with the desire of the members of your society, I have met your representatives in conference, and have since given consideration to the various matters presented by them.

As already intimated to you, it has been found impossible with the limited time at my disposal for me to go into detail in connection with the whole of the questions raised, and necessarily matters of minor importance must stand over to be dealt with departmentally.

I have, therefore, confined my inquiry to those subjects which were deemed by them to be the most urgent, viz.:—

1. Extension of the 48 hours per week;
2. Payment of increments.
3. Retrenchment.

I now award—

1. The 48 hours per week to be adopted generally, except in the case of the employment of men on a weekly wage, irrespective of the hours already worked.

The Commissioner advises this is necessary owing to the peculiar conditions of their employment, but he is prepared to consider any representations in regard to the amount of remuneration.

2. Payment of increments.—In common with other departments the salary and wages staff for the last two years have not received increments, but provision has been made on this year's Estimates to allow of the Commissioner reviewing the salaried staff with the object of making certain increases, and this will also apply to the employees.

3. The general retrenchment scheme for the time being is at an end.

The arrangements referred to in the foregoing will operate as from the first day of January, 1910.

(Sgd.) N.J. Moore, Premier."

In reply, I have received the two following letters, the first being from the Railway Officers' Association:—

"Sir,—I have to acknowledge receipt of your decisions regarding matters laid before you by my association, and in reply I am directed to state:—

1. The question of Sunday time.—Your award is accepted, though we regret you could not grant time and a half to bring salaried staff in line with other workers.

2. Your award is accepted, provided that it includes classification of all positions and hours of duty.

3. We regret to state that we are disappointed with your decision, and desire that you request the Commissioner to arrange for appeal board created under Railways Act to hear all appeals.

In conclusion, I am directed by my executive to express appreciation of your efforts to remedy grievances represented to you by this association. We trust that you will see your way clear to give favourable consideration to the matters re-submitted to you, which are of vital importance, in order to rectify anomalies affecting a very large number of officers.—(Sgd.) E. P. Phelan, general secretary."

From the Amalgamated Society of Railway Employees I received the following:—

"Sir,—I beg to acknowledge receipt of your decision re matters laid be-

fore you by deputation from this association, and in reply am instructed to say:—

1. With regard to the hours of duty this association cannot accept your offer of a 48-hour week unless the electrical linemen, gangers, and line-men are included. At the same time I am instructed to express our disappointment that the other employees on weekly wages, especially the watchmen, have not been included, and to express the wish that the Commissioner will be asked to grant some measure of relief to these men.

2. On the question of increments, we recognise that it would be unreasonable to expect you to go thoroughly into the matter. For this reason it has been decided to ask the Commissioner to receive a deputation from our society to go into the following questions, namely:—Increments, junior labour in the workshops, and individual grievances and the Union. (The question of the 'old men,' I understand, is in the hands of Mr. Swan and yourself.) If we are unable to come to a satisfactory settlement with the Commissioner we rely on your assurance that we can look to you for a final settlement.

3. Your decision re the retrenchment being at an end has been received with the greatest pleasure by this association, not alone because of the great interest we have in its abolition from our own standpoint, but also because it is an undoubted indication that the depression is left behind as far as it affects our State.

In conclusion, sir, on behalf of the Amalgamated Society of Railwaymen, I beg to tender you our sincere appreciation of your earnest efforts to bring about a peaceful settlement, and to assure you that whatever the end may be the railway men are convinced that consistent with your great responsibilities, you are endeavouring to be fair and just to us. We trust, therefore, you will grant the request we make, and we will honestly endeavour to settle the remainder with the Com-

missioner ourselves.—(Sgd.) Phil. Hunt, general secretary.”

Since the letter was received representatives of the men and members of the House have met the Minister for Railways and myself and, as a result of the facts placed before us it has been decided to include in this award of 48 hours electrical linemen and linemen gangers, some 20 men in all. I am informed that the matter has been practically settled, while as regards the one or two minor differences of opinion outstanding the Commissioner of Railways will give these his attention at the earliest possible opportunity. Taking it all round I think the wishes of the House and of the State generally have been fairly met in the award.

Mr. Bath: Mr. Chairman—

The CHAIRMAN: I cannot allow any discussion on this.

Mr. Walker: But you allowed the Premier.

The CHAIRMAN: On indulgence.

Mr. Walker: Surely you will extend the same indulgence to the leader of the Opposition.

Mr. BATH: Like other hon. members I am very pleased with the result of the efforts put forth not only by the Premier but by members on this side of the House to have these matters fixed up in a conciliatory manner. The seriousness of the matter impressed itself on certain hon. members and action was taken with a view entirely to having the differences adjusted by a conference over a council table. I have been convinced all along that if only the Premier could have the case put to him from the point of view of those who considered they laboured under grievances we could hope for a satisfactory settlement. That has been the result and I am pleased indeed, if only on the score of the assurance that the big operations of the Railway Department will go along uninterruptedly.

Agricultural Department (Hon. J. Mitchell, Minister).

Vote—*Agriculture Generally*, £19,145:

Mr. GEORGE: The Auditor General's report had come to the House during the last day or so, and it was necessary, therefore, that one or two items should have the attention of members. It was a pity that the report was not in before, because, without any desire to block the progress of the Estimates, it must be realised that there was so much information given in that report with regard to various matters that the House should very seriously consider, even if they took a special evening to do it. Attention should be drawn to page 121 of the Auditor General's report in order to learn what that officer thought of the manner in which the cash of the State was dealt with. In quoting from this report it was only desired to show what the real position was and to hope that next year the Auditor General's report would be presented in time to guide members when the whole of the Estimates were under discussion. The Auditor General, with regard to the Lands Department of the State, wrote—

“The position is the same as previously reported. The reorganisation scheme has not been completed, and in the main the cash shown as received by the personal accounts has not been balanced with that actually brought to account and paid to the Treasury. As long as these conditions obtain, the audit of the accounts cannot be considered an effectual check against fraud.”

On page 122 the Auditor General stated, “The queries and observations raised under Section 41 of the Audit Act have been numerous.”

The CHAIRMAN: The hon. member could only deal with the Agricultural Department.

Mr. GEORGE: That point was discussed a little while ago, and it was decided that members should be allowed to talk generally. The Chairman's ruling now was different from the ruling which was given some weeks ago on this point.

ANNUAL ESTIMATES, 1909-10.

In Committee of Supply.

Resumed from the previous day: Mr. Dalglish in the Chair.

The CHAIRMAN: The hon. member was labouring under an entire mistake and certainly he should not have made that statement. There had been a general discussion on the Lands administration in connection with the Estimates of the Lands Department. After that general discussion the items of the Lands Department were passed. The hon. member could not therefore go back to the department or to the items already fully discussed and passed by the Committee. The ruling of the Chair was entirely in accord with the decision given by the House when the matter was discussed.

Mr. GEORGE: The statement of the Chairman explained the position and he (Mr. George) apologised. He had certainly been under the impression that the opposite was the position. He would not say anything further.

Mr. TROY: Experts were being appointed in all directions through the department. Surely there was no real necessity for so many as were provided for on the Estimates. Recently a dairy expert had been imported from Scotland. Was there no suitable man available in Australia? The Government of New South Wales had not sent to Scotland for a dairy expert but had been content with an Australian or, more accurately, a New Zealander. This man had done magnificent work in New South Wales with the result that the dairying industry had become the most important in the mother State. Why had not the West Australian Government given an opportunity to an Australian expert to make a success of dairying in this State? As for the entomologist, would the Minister give the Committee an indication of that gentleman's whereabouts at the present time and of the value of his work up to date? The Minister was filled with enthusiasm in regard to dairying a few years ago. If he still possessed it he kept it to himself. The irrigation works at Brunswick and importation of cows were to give the lead to the industry, but were we any further advanced in regard to the production of butter?

The Minister for Lands: Yes; there is a butter factory at Bunbury turning out a couple of tons a week.

Mr. TROY: The Minister might inform the Committee what had been the results from the irrigation works and the importation of cows; also the importation of experts. Who was the new irrigation expert? Where had he gained his experience?

Mr. Jacoby: He is a very good man.

Mr. TROY: As many members could not make themselves acquainted with the nature of the country in the North of the State, and as the information which Ministers had available to place before members was not always too reliable, it was pleasing that Mr. Despeissis had been sent to the North to inquire into the prospects of tropical agriculture. The Minister might tell members what progress had been made and what products the Government considered would be best suited to grow in the North. Ministers had talked of the possibility of growing sugar. Though the climate was suitable from all accounts, it was doubtful if sugar could be grown in the North with success; but certainly maize could be grown there with advantage.

Mr. Jacoby: There is no need to go North to grow maize.

Mr. TROY: Maize grew best in the North.

Mr. Jacoby: It would cost too much to bring it down.

Mr. TROY: That would apply to any produce grown in the North. If the cost in that respect was to be the obstacle it was no use sending up the expert to report. It would be the duty of Parliament to provide means for bringing down any commodity at a reasonable rate. Bananas were being successfully grown at Beagle Bay.

The Minister for Lands: Sugar cane grows there also very well.

Mr. TROY: If we could grow bananas in the North we could bring them to Perth much more rapidly than from Fiji or Queensland and it would build up an important industry. The growth of tropical fruits should do a great deal towards the development of the North. It was to be hoped the result of the visit of Mr. Despeissis would be that the Government would be able to settle the North and have tropical fruits and other

produce grown successfully. Was it intended to have experimental farms in the Northerly portions of the State on the lines of those established in the South? It would be a wise policy; it would give a badly needed lead to settlement. It was understood to be the intention of the Government to establish freezing works at various ports. Such works were necessary in the North in order that the surplus stock might be dealt with and brought into touch with the consumers. They would be one of the most important means of breaking up the meat ring. To the North of Geraldton there were three million sheep and 657,000 cattle, and the flocks were increasing year by year. The country was being rapidly taken up for sheep runs and there must be increased production. The Minister might follow the example set by the Argentine Government and have a floating freezer to visit the various ports in the North in turn and then take the carcasses either to Fremantle or Singapore for transhipment. It would be a progressive step towards the development of the North. It was proposed that there should be a subsidy for the carrying of fruit and for jam-making. There was no objection to subsidising co-operative firms with this object, but there was objection to subsidising firms only anxious to exploit the producers of the State and the consumers. There was considerable talk of a glut of fruit last year, but it only lasted for about a week. To-day cherries were sold for 1s. a pound and apricots for 10d. a pound.

Mr. Jacoby: You are quoting out-of-season prices.

Mr. TROY: Was the idea of those engaged in the industry to keep up the prices? It was impossible in many parts of the State to get apples at under 9d. or 10d. a pound. Apparently the idea of those people who predicted a glut was to export the surplus crop in order to make their profit from the people in the State. If they received Government aid in this it would not be a policy that would operate in the interests of the whole State.

Mr. ANGWIN called attention to the state of the House.

Bells rung and a quorum formed.

Mr. TROY: There was not sufficient fruit raised for the daily requirements of the people of the State. The Government's first duty was to the people of the State and not to help to build up a fruit ring.

[Hon. T. F. Quinlan took the Chair.]

Mr. Jacoby: If the hon. member could show the fruit-growers how to give the people cheap fruit, the fruit-growers would be pleased.

12 o'clock, midnight.

Mr. TROY: Why the necessity for providing means to get rid of the surplus crop when there were thousands in the State who could not get fruit for their daily requirements? With regard to the production of wheat, it was most satisfactory that the season was a prosperous one and that the yield would be far in excess of all previous records; but he hoped the Minister would not pursue last year's policy of rushing the wheat away for export at 3s. 6d. and buying it back again later on at 5s. The Minister boomed the export of wheat last year, and it was proved later on that those who exported had acted most unwisely.

The Minister for Lands: They sold a great deal at 5s.

Mr. TROY: Fortunately the position would not be the same this year as the yield was so much larger. It was to be hoped we would not export more than was reasonable, but would retain sufficient for the wants of the people.

Mr. ANGWIN: If it were necessary, there was no objection to assisting the producer in connection with the fruit trade or that help should be given for the manufacture of jam provided all were treated alike. It would be far better for the Government to take the work in hand themselves. They should not benefit one company at the expense of another in the same business. Without doubt the Minister had agreed to subsidise the industry because he had been informed that there would be a surplus of fruit in the market. Last year he (Mr. Angwin) had been credibly informed that it was almost impossible to get fruit

in the State for the industry his informant was engaged in.

The Premier: Mills and Ware.

Mr. ANGWIN: Even if it were that firm all credit was due to them for opening up the industries they had done in this State and the Government were well entitled to encourage them. He knew of cases where orchards of fruit had been purchased and the fruit had been allowed to rot on the trees so as to keep up the price. If that were done by those controlling the fruit market then the producer himself was taking advantage of the people and was entitled to no assistance.

Mr. Jacoby: But you said he sold the fruit.

Mr. ANGWIN: Even if he did the producer knew that the people could not get fruit on account of the compact entered into. Reference should be made to the grant for the establishment of preserving works in the Donnybrook district. On the 12th October the Minister sent to a firm this letter: "Referring to your letter respecting an advance in connection with the fruit-canning and preserving industry I have the honour to inform you that the matter is now under consideration of Cabinet. I will advise you as soon as it has been decided." The firm in question, though perhaps not financially wanting, had written to the Government on the question. It was impossible for any firm to build up an industry against another which was assisted by the Government and paid the small interest of 4 per cent. So long as fruit was difficult to get there was no necessity for the existence of such works. If the Government intended to assist private enterprise in this respect all should be served alike. Subsequently the Minister wrote another letter to the firm in question in which he said: "We will not advance money in regard to fruit but we will advance it to you on your holdings."

The Minister for Lands: No, I did not.

Mr. ANGWIN: The Minister said the Government would advance pound for pound on money up to £1,000 spent on buildings.

The Minister for Lands: That is not so.

Mr. ANGWIN: What was the difference between making an advance on fruit and on buildings? In the latter case the owners would spend so much less on the buildings according to the amount of the Government grant and that money would be utilised for the purchase of fruit. If the Government intended to start a factory of their own he would raise no objection, but it was not right that one man should be given preference over another. What was the scheme of the Agricultural Department in regard to the manufacture of agricultural implements? A Bill had passed this Chamber for the purpose of enabling the Agricultural Bank to advance money towards the purchase of agricultural machinery, but what steps did the Minister intend to take to have the industry opened up in this State? Did he intend to call for tenders for the supply of a certain number of machines or would he leave the matter open and allow any person to manufacture who thought fit to do so? If the latter course were adopted there would be no possibility at the present juncture of starting the industry here. Dumping was bound to take place. Evidence given before the select committee dealing with the industries of the State which met about eighteen months ago showed clearly that the implement makers of the Eastern States did not intend to lose our trade as it was the best they now possessed. They would flood the market at less than cost price in order to prevent an industry from springing up here.

The Minister for Lands: They have not done it yet.

Mr. ANGWIN: Because there were no implement makers here yet.

Mr. Jacoby: The farmers will get the benefit if they do.

Mr. ANGWIN: Yes, for a short time, but a man who attempted to build up the industry for the purpose of giving employment to our own people would be wiped out of existence, for he could not compete with the manufacturers of the Eastern States whose surplus machines would be sent here at a very low price.

The thousands of pounds sent away for machines should be kept in the State as it would mean the provision of good work for all those engaged in the industry and, in addition, the producer would prosper. It was a matter for grief that almost daily train-loads of harvesters and strippers arrived in the City while at the same time people were leaving the State to look for work elsewhere. With regard to the appointment of experts in the department it was only a few weeks ago that the Minister told a deputation they were no good. He sacked the poultry expert, but almost every other officer of the department was described as an expert. There was no necessity for the irrigation expert and the only one who was of great value was the Director of Agriculture. In the annual report of the Auditor General it was stated that in connection with the Denmark settlement details were not provided for the expenditure of £1,118 out of a total of £17,000. Surely the Minister would not approve of this unless he had accounts showing how the money was spent. Information should be given on the matter. When the Auditor General found it necessary to draw attention to the expenditure of a large sum like this, without the provision of details, members were entitled to an explanation. He was very pleased to know that the Minister had recognised at last the necessity for further consideration being paid to Mr. Paterson, the manager of the Agricultural Bank. Had that gentleman been engaged with a private firm he would have earned much more salary than he received from the Department. In him we had a man who could be trusted, who knew the State and the value of the land, and who was in the proper position to safeguard the best interests of the State in connection with money lent by the bank. When we had a good man we should recognise him. Mr. Paterson was in a position where he could, had he wished, have made a very large sum of money but he had kept strictly to the work of the department and had properly looked after the interests of the State.

Mr. TROY moved—

That progress be reported.

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

Ayes	..	..	10
Noes	..	..	25

Majority against .. 15

AYES.

Mr. Angwin	Mr. McDowall
Mr. Collier	Mr. O'Loughlin
Mr. Heilmann	Mr. Scaddan
Mr. Horan	Mr. Swan
Mr. Hudson	Mr. Troy

(Teller).

NOES.

Mr. Bath	Mr. Male
Mr. Bolton	Mr. Mitchell
Mr. Brown	Mr. Monger
Mr. Cowcher	Mr. N. J. Moore
Mr. Daglish	Mr. S. P. Moore
Mr. Davies	Mr. Nanson
Mr. Gill	Mr. Osborn
Mr. Gordon	Mr. J. Price
Mr. Gregory	Mr. Ware
Mr. Hardwick	Mr. A. A. Wilson
Mr. Hayward	Mr. F. Wilson
Mr. Jacoby	Mr. Layman
Mr. Keenan	(Teller).

Motion thus negatived.

The MINISTER FOR LANDS (in reply): Comment had been passed upon the experts in the department but he could inform members that notwithstanding the fact that several assistants to the Director of Agriculture had been appointed the cost to the department would be less this year than it was last year. Surely it was better that the agriculturists of the State should obtain advice from these experts rather than from a number of clerks. As to the Commissioner for tropical agriculture it was early for him to say much in connection with the work of that officer. Mr. Despeissis was now in the North and on his return members would be informed what the Government intended to do. It was suggested that we should establish experimental farms there. Experiments had been tried at Beagle Bay and tropical fruits had been grown with success. The banana, dates, and pineapples were found to grow well while rice, cotton, and sugar had been grown also with a great degree of success. Hemp too, it was believed was well worth fostering in those parts. When it was remembered

that we imported £400,000 worth of tropical fruits and sugar hon. members would realise the importance of giving the question of tropical agriculture serious consideration. With regard to the position of pathologist to the department members knew that there had recently been an outbreak of Irish Blight in potatoes and it was necessary that there should be an officer to combat such diseases. The pathologist might also be asked to undertake the duties of botanist, for it was advisable in a State like Western Australia that there should be a botanist. As far as the dairy expert was concerned the State had made some advance in dairying during the past year. When Mr. Kinsella left the department a gentleman was brought out on the suggestion of Professor Lowrie who was a highly qualified expert and it was believed that he would do great good in the State. He was a graduate of the Aberdeen and Glasgow colleges of agriculture. A reference had been made to the Donnybrook co-operative jam and fruit canning works. Did the member for East Fremantle understand that these works were co-operative and that only the producers in that district would own shares in the factory and fruit grown only by shareholders would be treated there, whereas at Fremantle the works were privately owned. The hon. member was in favour of co-operation because the other night he supported a motion on the subject.

Mr. Angwin : This is not co-operation.

The MINISTER FOR LANDS : This was purely co-operative. The member for Albany had stated that Albany was badly treated because it was represented by a member of the Opposition and he referred to the "hoodlers" at Donnybrook who were getting so much from the Government. It might be pointed out that these people at Donnybrook were finding one-half the money to erect the works and the other half was being advanced by the Government at 4 per cent. and the whole works were being given as security. It was intended to erect freezing works at Albany at Government expense and the Government had

been guaranteed against loss. Reference had been made to the fact that fruit was expensive in Perth. If hon. members thought that the distribution of fruit was such a good thing there was no reason why they should not start a co-operative concern for distribution in the metropolis. Something had been said with regard to the freezing works which the Government suggested should be erected in the North. The member for Mt. Magnet told the Committee that sheep and cattle were on the increase and that something would have to be done to provide a market for them. He (the Minister) welcomed the change which had come over the hon. member. With regard to what had been said about the last year's wheat it should be stated that very little indeed had been imported. A great deal of the wheat that was sent away was sold at something approaching 5s. a bushel and the wheat retained in the country was sufficient for our needs. As far as the manufacture of agricultural implements was concerned this was a matter which had been discussed at considerable length. We did not wish to centralise. The idea of the Government was to register firms who would be permitted to supply these implements.

Mr. Angwin : We will not get any harvesters made here.

The MINISTER FOR LANDS : The hon. member would find that already many ploughs and scarifiers and other implements were being made here to-day not by the dozen but by the hundred. The Government proposed to leave the work of manufacturing these implements to the firms already established. With regard to the irrigation expert, he was an officer who had had six years at Renmark, the whole of which time was spent on irrigation works there. He had successfully worked an irrigation farm of his own and had had full control of 300 acres of irrigated land. He had constructed earthworks at Renmark, and had been associated with many other works in New South Wales, Victoria and California. An irrigationist was not necessarily a surveyor or an engineer but would have to be more than an engineer. Mr. Scott, who filled the position here, was a prac-

tical man and was thought a good deal of by Professor Lowrie, whose word would be accepted by hon. members. If this officer had done nothing else besides establishing irrigation at Brunswick he would have proved himself most useful. There were forty irrigation schemes in the State at the present time which were under way. This State paid the officer £450 per annum. In Victoria enormous sums were spent on irrigation and the expert, Mr. Elwood Mead was drawing £2000 a year. The officer in this State was probably doing for the money he received more useful work. The member for Swan had referred to the necessity for the appointment of a fruit expert. It was hoped to make provision for this officer when the next Estimates were brought down. A fruit expert should certainly find a place in a country such as this where the fruit industry was expanding rapidly. We had 18,000 acres under crop and we were planting something like 2,000 acres per annum.

Item, Under Secretary, £500 :

Mr. ANGWIN : Would the Minister state why there had been a change in connection with this position and why the acting secretary was taken from his position as secretary of the Goldfields Water Supply Administration.

The MINISTER FOR LANDS : Mr. McNulty was at present filling the position of under secretary during the time Mr. Despeissis was in the North. If Mr. Despeissis was appointed commissioner for tropical agriculture a permanent appointment would be made to the position of under secretary.

Item, Commissioner Tropical Agriculture, £650 :

Mr. COLLIER : The Committee should be informed what it was proposed that this officer should do. He (Mr. Collier) was of opinion that this position had been created for a superfluous officer. Mr. Despeissis was a capable man in his particular line but he would not accomplish much in the North-West. What was it intended to grow in the North-West ?

The Minister for Lands : What they grow in Queensland.

Mr. COLLIER : Sugar ?

The Minister for Lands : Yes, and with white labour.

Mr. JACOBY : If it was proposed to assist people with advice and practical demonstration it was necessary in a case like this to have a practical man at the head of affairs. Mr. Despeissis was not a practical man ; he was purely theoretical. First he was a wine expert, then he was a fruit expert, and now we found him an expert in tropical culture. It was to be regretted that the Government when they decided to do something in connection with tropical culture did not obtain the services of a practical man who could have given advice which would have been of value. He regretted having to speak so harshly against Mr. Despeissis who was an exceedingly nice gentleman but unless some one with practical knowledge were appointed, the State would be spoiling the opportunity it had with regard to tropical culture. It was known that in the past men had been ruined by bad advice and industries had failed by people being put on the wrong track. He (Mr. Jacoby) believed in experts but they should be good men. There were positions that Mr. Despeissis could fill with credit to himself and advantage to the State but the position of Commissioner of tropical agriculture was one to which those words could not apply.

The HONORARY MINISTER : On the occasion of his visit to the North-West he had the opportunity of testing some samples of fine tropical fruits which had been grown there and the very best bananas he had enjoyed in Western Australia were grown in those parts. If these fruits could be grown so successfully in isolated spots it must be apparent that there was the opportunity for growing them on a larger scale. There was no doubt about the possibility of growing many things in the North-West but the question was whether they could be grown profitably with white labour. At any rate we could try. With regard to the appointment of Mr. Despeissis one had to recollect that it was a little too early—even if the statement were accepted that Mr. Despeissis was not an expert—to engage a practical man. No one would deny Mr. Despeissis' theoretical know-

ledge and as against the opinion expressed by the member for Swan he (the Honorary Minister) desired to give that of Professor Lowrie who recognised that Mr. Despeissis was eminently adapted for the position he had been called upon to fill. The officer had not received a permanent appointment. It would be time enough to condemn him when he had been tried.

Mr. TROY: Had the Minister received any reports from Mr. Despeissis and, if so, what was the nature of those reports?

Mr. ANGWIN: From information received he believed Mr. Despeissis to be a thoroughly capable officer with considerable and varied experience of tropical cultivation. Mr. Despeissis' youth had been spent in the Mauritius and he had had experience in Algeria, Spain, France, and Queensland. It was not a question of whether or not Mr. Despeissis was fully qualified; the question was as to the necessity for appointing a Commissioner of tropical agriculture. The Minister might be able to explain whether there was any land in the North available for selection. It was to be regretted that the member for Swan had gone out of his way to attack an officer unable to defend himself.

The MINISTER FOR LANDS: In regard to the land it was possible to declare an agricultural area within any pastoral area in the State. All that had to be done was to declare such area, survey it and throw it open for selection. Consequently, that objection to the appointment of a Commissioner of tropical agriculture was unsound. No formal reports had been received from Mr. Despeissis, but several letters had come to hand from him each of which went to show that tropical agriculture could be successfully carried on in the North.

Mr. Collier: Where is his headquarters?

The MINISTER FOR LANDS: In Perth. Mr. Despeissis was still Under Secretary for Agriculture.

Mr. Collier: Surely he will not be expected to spend his time in Perth?

The MINISTER FOR LANDS: No; Mr. Despeissis' headquarters would be fixed at Roebourne or some other spot likely to prove most convenient to his purposes.

In his communications with the department that officer had reported that tropical fruits and other produce could be successfully grown in the North. A large number of men could be employed in growing and handling bananas alone. Pine-apples, too, could be successfully grown up there. And not only in regard to agriculture but in regard also to horse and sheep breeding and the utilisation of forests would the services of Mr. Despeissis in the North be of great value to the State. The Director of Agriculture had declared that probably no other man in Australia was so well fitted as Mr. Despeissis for the task.

Mr. TROY: Was the Minister really in earnest in his contention that the North was suitable for tropical agriculture as a commercial project seeing that in certain districts the residents had to depend upon artesian water for their supplies? It seemed likely that bananas could be grown in the North with advantage and it was known that dates would grow anywhere in Australia; but seeing that the date tree did not bear till it reached its twentieth year, the man who started out to make a living by the cultivation of dates would have a pretty gloomy prospect. Possibly the pine-apple could be grown in the North but it was very doubtful if sugar would grow as well up there as it grew in Queensland. For the profitable production of sugar the winter rains as well as the summer rains were necessary. Certainly the successful establishment of sugar growing would be invaluable to the State and if Mr. Despeissis could bring it about his appointment would be more than justified.

[Mr. Daglish resumed the Chair.]

Mr. ANGWIN: The Minister had not satisfied him as to the precise nature of the work Mr. Despeissis was engaged upon in the North as to where land was available in those latitudes. For this reason he moved an amendment—

That the item be struck out.

The MINISTER FOR LANDS: An agricultural area could be declared in any pastoral lease in the North-West or North. He did not know of any man who, wish-

ing to secure land in the North, had been disappointed. Several Fremantle gentlemen had desired to go in for cotton growing in the North, and he understood they had secured the land they wanted. There could be no question about getting the land: it was in the lands of the Government, and could be provided for all people who wished to go in for the growth of tropical products.

Mr. SCADDAN: The Commissioner was receiving £650; had his salary in the past not been £500?

The Minister for Lands: The difference of £150 represents the tropical allowance.

Mr. SCADDAN: Would the officer's report be worth £150? Again, was there any necessity for the appointment of the Commissioner of tropical agriculture seeing that there had been no demand for the appointment and seeing also that no land had been set apart for selection?

Mr. Collier: Has anybody made a start up there?

The Minister for Lands: Yes: a number of them.

Mr. SCADDAN: They must all have been lost, for nothing had ever been heard of them. It was pretty generally understood that the appointment had been made in order to shift Mr. Despeissis out of the office so that he might be powerless to ruffle the temper of the Minister. Was Mr. Despeissis going to make reports or was he merely in the North to be out of the way?

The Minister for Lands: He will make reports.

Mr. ANGWIN: In view of the assurance of the Minister that there was plenty of land available for tropical agriculture he (Mr. Angwin) would ask leave to withdraw his amendment.

Amendment by leave withdrawn.

Item. Dairy Expert. £300:

Mr. ANGWIN: Surely the officer's professional ability could not be very high if he was prepared to accept a salary of £300.

Mr. Heitmann: Move to increase his salary.

Mr. ANGWIN: Why could not the duties of some of these experts be combined? An officer competent to advise on

the management of a dairy should be competent to advise on the cultivation of lucerne and the care of cattle. He knew of a man in the department who held diplomas in respect to dairying as high, if not higher than, any others in Australia.

The Minister for Lands: Who is that?

Mr. ANGWIN: Mr. Crawford: Why could not the services of Mr. Crawford be imported in respect to dairying? The imported officer would scarcely have come all the way out to Western Australia for the salary if he were worth the money. The former dairy expert, Mr. Kinsella, as soon as he got accustomed to the people in the State, left for another place; and apparently this new officer had merely come out to get a little colonial experience and would then drift somewhere else. It would have been better to obtain an officer in Australia for the work.

The MINISTER FOR LANDS: It would be impossible for one man to carry out the work of dairy expert and irrigation expert. Mr. Abernethy, the dairy expert, was highly qualified and was appointed on the recommendation of Professor Lowrie. He was at present at Brunswick, and in a little time would be sent around the country. Like many other young men he had come out from England to try his luck in Australia and was just as well qualified to carry out the work of dairy expert in Australia as in Scotland.

Mr. McDOWALL: Did anyone in Australia have the chance of applying for the position? It seemed from documents he had recently seen that it was useless anyone in Australia applying, because no matter what qualifications Australians possessed they were passed over for men from the old country. Was this appointment made in England or did the officer first immigrate to Australia and get the appointment in this State? The butter industry in Victoria was one of the greatest in the Commonwealth. In fact the whole of Australia, undoubtedly, was capable of supplying the world with butter, and with people able to deal with butter.

The MINISTER FOR LANDS: The position had no doubt been advertised for

in the usual way, but he was not quite sure. The officer was brought from England and was appointed by the Public Service Commissioner.

Mr. HORAN: A New South Wales man failing to secure a certain position went to England and applied from there and very soon secured the appointment.

Item, Irrigation expert, £450:

Mr. ANGWIN moved—

That the item be struck out.

With the director and with the dairy expert we had sufficient experts in the department to instruct the small number of farmers at present in the State in regard to irrigation. In this matter of experts we were going too far ahead, though recently in connection with poultry matters the Minister had said he did not believe in experts. We certainly could not be in a position to put an irrigation expert in the field. Professor Lowrie should be able to do the work, having had charge of the irrigation works at Renmark.

The Honorary Minister: Professor Lowrie was never at Renmark for more than a week.

Mr. ANGWIN: At any rate Professor Lowrie was quite competent to give all the information required by farmers about irrigation, and one would, perhaps, rather have the professor's opinion than that of the expert appointed. There was no desire to attack the officer. The point was it was not necessary to have such an officer. The finances of the farmers would not allow them to go in for works on the scale carried out at Brunswick.

The MINISTER FOR LANDS: Professor Lowrie had written a minute stating that the most favourable feature of Mr. Scott's work was that he had laid on the water and utilised it to the best advantage in a way the farmers could easily imitate, and that there would be great difficulty in getting an all-round practical man in this department like Mr. Scott.

Mr. Horan: I cordially endorse that; I have seen his work.

The MINISTER FOR LANDS: This officer had six years' experience at Renmark. Some of his work had just been

completed at Pinjarra, and 40 small schemes were on the way or were contemplated. It was necessary to irrigate in the South-West to utilise the waters now going to waste, and the small expenditure on this salary might bring thousands of acres under cultivation. At any rate Professor Lowrie would not have time to do the work.

Mr. BATH: We must deal with the matter of irrigation with small beginnings. There would be much difficulty in Western Australia in this direction. We had not the large reserves of water that they had at Renmark and Mildura, nor could we undertake such a scheme as was being undertaken by New South Wales at present in damming back the Murrumbidgee at Barren Jack. If this officer was competent and capable of carrying out the work, the money would not be wasted, because if we could establish irrigation on a commercial basis it would mean closer settlement and utilising land ten or a hundred times more than it could be used when the farmer depended entirely on the rainfall. In Canada the Canadian Pacific Railway Company in the Alberta district had gone in for an extensive irrigation scheme, and sold land in 10-acre to 30-acre blocks. It would be a good thing if we could have our land utilised in 50-acre blocks. But of course the prospects in this direction, owing to our want of rivers, were not too sanguine. However, this officer might show the way on a small scale. Mr. Johnson who was growing lucerne at Bunbury for dairy herds by means of irrigation had copied the scheme at Brunswick. At least we could give this matter a chance for a year or two, a period which was indeed not very much in the history of any State.

Amendment put and negatived.

Item, Chief Clerk, £285:

Mr. ANGWIN: The Public Service Commissioner had classified "chief clerk" and "accountant" as one. Why were there two officers on the Estimates?

The MINISTER FOR LANDS: The position of chief clerk had been abolished.

Mr. Angwin: Then we can reduce the item.

The MINISTER FOR LANDS: The chief clerk had retired but was entitled to long service leave. There was no intention of appointing another chief clerk. Only the money necessary to be paid to Mr. Hooper would be spent.

Item, Temporary clerical assistance, £1,200:

Mr. SCADDAN: As £2,049 was spent last year in this direction, some explanation was necessary.

The MINISTER FOR LANDS: The heavy expenditure was incurred through employing temporary men instead of permanent officers owing to the then pending reorganisation of the department.

Item, Officer in charge of Information Bureau, £250:

Mr. SCADDAN: What were the duties of this officer? We had information bureaus in every department.

The MINISTER FOR LANDS: The bureau kept by the Lands Department was now transferred to the Agricultural Department. The officer was Mr. Wickens, who had to answer a great deal of correspondence as well as attend to personal inquiries.

Mr. SCADDAN: There was considerable dissatisfaction at the number of people one had to go to in order to obtain information.

2 o'clock a.m.

Mr. SCADDAN: The officer could not allot a person a piece of land or say definitely whether a particular selection was available or not, and the applicant had to go to the Lands Department for further information. Even there he could not be perfectly satisfied as he was informed that the latest returns would be found in the district office. Subsequently when the man went out to look for his land he was at the mercy of the land guides. The Government did not even take the precaution of seeing that the guides did not charge exorbitant fees. The information officer was unable

to say what fees would be charged by the land guides. There were information officers all over the place but they were generally the men from whom the least information could be obtained. The understrappers knew much more than the senior officers. Only last week a man had told him that he was thoroughly tired of trying for land as he could get no information or help from the officers. The information officers should be properly posted up as to the latest selections made.

The Minister for Lands: He is as far as possible.

Mr. SCADDAN: The officer was not properly posted and no up-to-date information was able to be obtained anywhere in Perth. One officer should be so posted that a selector could go to him and be put on to land at once. Under the present system of land guides cases had been known where a selector found some good land but the guide, realising its value, told him it was selected, then went back and chose it for himself and dummed it.

The MINISTER FOR LANDS: Not long ago when the Agricultural Office a would-be selector saw him and complained that, although he had been to the Lands Office and the information bureau, he had been unable to get a block of land. He (the Minister) accordingly looked after the man himself, soon found him a good block of about 1,000 acres, gave him all information about it and as to the amount the Agricultural Bank would advance, but the man then said he did not want the land and backed away. Evidently he had no intention of selecting. Possibly a man such as that had given the hon. member his information. The information bureau was kept up-to-date and the officer there could find a man a block of land in five minutes. The department surveyed the land, cut it up and prepared plans and the officer was ready to give all information.

Item, Sub-editor at £100 (six months) £95:

Mr. BATH: Under what arrangement was the *Agricultural Journal* being published and how was it edited and prepared?

The MINISTER FOR LANDS : The paper had been discontinued and there would be no further expense in that direction.

Item. Egg-laying Competitions. £350 :

Mr. COLLIER : Altogether in various items the sum of £875 was to be spent during the year on the competitions. It was high time a stop was put to the expenditure as the sum was an excessive amount for the benefits derived.

The MINISTER FOR LANDS : The item was a small one considering the good done by the competitions. A large number of eggs from the best poultry in the State were distributed in this way. From the sale of the eggs a fair revenue was derived.

Mr. SCADDAN : Some time ago the Government were approached as to the assistance they were giving to the industry. There were plenty of opportunities for people to go in for the production of eggs and poultry in the State. The competitions merely served to play into the hands of a few fanciers and were no real good to anyone. The majority of those using the competitions for advertisement purposes had very few fowls in their yards. A balance sheet concerning the competitions had been published in the *Agricultural Journal* and showed that money was being lost over them. The State should do something for the poultry industry and that could be best done by striking the item out and by giving assistance to the practical poultry farmers. He moved--

That the item be reduced by £250.

Mr. WARE : It was really unnecessary for the hon. member to deal at such length with the question. Anyone who had the interests of the State at heart and who knew anything at all about poultry would know that this vote was altogether uncalled for, and there was no necessity to support the grant. As a member of the House, and having no other occupation to follow, he had indulged in a little poultry raising and knew what he was talking about. He felt that during the last two or three years the Government had thrown away money in this direction, and this money could well have been spent in other directions.

There was no farmer in the State who treated his fowls in the manner that the fowls were treated at Subiaco during the competitions, and it was about time that kind of thing was put a stop to. At any rate, there was no reason why it should be continued year after year. It was all right to make a test now and again, but it should not go any further. Now that we had established a record as to what certain breeds of fowls would do, the money might be devoted to better purposes. If he were in order he would say that the vote was damned rot. He would withdraw the word "damned" if it was out of order.

The CHAIRMAN : The expression was certainly out of order.

Mr. WARE : The expression would be withdrawn. The kind of competition which those interested in poultry wanted to see was a laying competition between 500 and 600 hens in a backyard.

Mr. TROY : While this policy of initiating competitions might not be of service to the whole State, it was reasonable to expect that it would be of some value as far as the improvement of the species was concerned. It was his intention to support the vote.

Mr. SCADDAN : What advantage were we reaping from the continuance of the competitions at the present time ? If particular fanciers of poultry wanted to run competitions to show what their birds could do, they should do so themselves and without Government aid. Why should the Government be an advertising medium on their behalf ? We should assist those who were trying to assist themselves in the direction of establishing poultry farms. It might be advisable to hold these competitions once in every three years but certainly not every year. As a result of the competitions nothing whatever had been done in the direction of expanding the industry.

Amendment negatived.

Item. Agricultural and horticultural subsidies, £4,000 :

Mr. COLLIER : The time had arrived when we might make a reduction here. A show such as that of the Royal Society could well pay its own way. They received £575 of the taxpayers' money every

year, and a society which was able to attract 40,000 people to its show on one day, should be able to pay its own way. Most of these small shows were politically organised meetings. The societies drawing the subsidies should not be availed of by Ministers for political purposes. Invitations to these shows were confined to Ministers and their supporters, and even when an Opposition member found his way to one of these shows he was not given a place on the toast list. The time had arrived when the subsidy granted to the Royal Agricultural Show should be withheld.

3 o'clock, a.m.

Mr. JACOBY: It was to be hoped the Committee would not reduce the amount of subsidy to the Royal Agricultural Society. As for the size of the prize list, it was to be remembered that the expenses of the exhibitors far exceeded the total value of the prizes. Indirectly the public money expended on the Royal Agricultural Society had already returned a splendid profit to the State. A good many of the small societies were under the impression that it was the intention of the Minister to reduce the amount of their grants unless they affiliated with the Royal society. It was to be remembered that it was not practicable for all these small societies to affiliate. The Minister should recognise the immense amount of good these small societies were doing throughout the country. It was unfair to say that members of the Opposition were not welcomed at these shows.

Mr. O'LOGHLEN: It was about time a reduction was made in the subsidy to the national show; indeed, the subsidy should be withdrawn, for the expenditure was by no means justified. The royal show was a big advertisement for the country and was deserving of encouragement and assistance.

The MINISTER FOR LANDS: The item should not be reduced. These shows were capable of doing an immense amount of good, and, after all, the total amount granted to them was very small. The national show at Busselton last year and at Katanning this year had been very successful, and, generally, the national

show had been of considerable benefit to the State. Just the same it was by no means that we had not had a sufficient number of national shows. Still, some districts had claims to be considered before the subsidy could be withdrawn. The royal show was of immense value to the State. Recently he had sent out a circular to the various agricultural societies telling them that unless they put certain items on their schedule the subsidies would be reduced.

Mr. GILL: Why could not a number of these small agricultural societies be reduced, and some of the little district shows amalgamated? Several shows which he had visited last season were scarcely worthy the name of shows. There had been shows at Geraldton, at Greenough, and at Dongara, and all these rolled into one would not have made a decent display. The complaint about the political aspect of some of these small shows was well founded, for they were frequently used as opportunities for Ministerial speeches.

Mr. GORDON: It was surprising to hear members of the Opposition advocating the suppression of small shows. The small shows constituted the school of the bigger shows. It would be impossible in practice to amalgamate several small shows. Each district must have its own show or go without its show; there could be no amalgamation. As for the complaint that members of the Opposition were not invited to small shows, he could say that whenever there was a show in his electorate he invited all members of the Opposition to attend.

Mr. SCADDAN: There was much to be said in favour of the small shows. Only the wealthy breeder had a chance at the big shows, whereas the small shows induced local men to enter anything they might have, and, perhaps, to secure a favourable opinion by a competent judge, which in the natural course would lead to their exhibits being sent on to bigger shows. The royal show was no longer an institution requiring assistance from the public funds. The grant for the national show should not exceed £500 a year, and there should be no additional subsidy on prize money. In

fact the grant had already achieved its purpose, and the subsidy might be stopped altogether. The smaller shows should be supported in order to encourage local breeders to exhibit. The Royal Agricultural Society was sufficiently strong financially to get on without assistance from the Government.

Mr. ANGWIN: It was a serious matter when no society was to be assisted out of this vote unless it was affiliated with the royal show. Was the royal society to control the vote, or was the control of the vote to remain with the Government?

The Premier: It was time this vote was put through. We had already spent three days on the department.

Mr. ANGWIN: Much better progress would have been made if the Premier allowed members to discuss it at a proper hour. He objected to sitting all night. The Premier must remember it was after midnight when the Estimates were called on, and the empty benches showed how impossible it was to have them properly dealt with.

The CHAIRMAN: The hon. member must deal with the item.

Mr. ANGWIN: If this principle of compelling affiliation with the royal society obtained it would prevent new societies from coming into existence. Why was there an increase in the item while right throughout the Estimates there were reductions in other directions?

Item—Producers and Fruit Growers' Conference, £200.

Mr. ANGWIN: This was a new vote last year, and it was understood it was only for a special inter-State conference, but apparently the subsidy was to be continued. It was a fact the visitors to the conference were advised by West Australians to join and bring political influence to bear so as to get subsidies following the example of this State.

Vote put and passed.

Vote — *Government Refrigerating Works, Abattoirs, and Perth City Markets*, £5,010:

Mr. COLLIER: When would the Kalgoorlie abattoirs be opened? The delay in opening them was attributed by some people to the fact that the abattoirs were a failure. Was that correct?

The MINISTER FOR LANDS: It was anticipated the works would be opened next Monday. No doubt the works would do all that was expected of them. The criticism levelled against the works came from interested people largely. It was circulated by the butchers and others who desired to remain in their own slaughter houses and avoid the charges that they would be required to pay when they went to the abattoirs.

Vote put and passed.

[*Hon. T. F. Quinlan took the Chair.*]

Vote—*Insect Pests Act*, £3,897:

Mr. ANGWIN: Many of the parasites introduced were destroyed by people who were ignorant of their nature. Steps should be taken to make people acquainted with the nature of these parasites.

Item—*Insect Pests Inspectors (12)*, £2,077:

Mr. W. PRICE: Would the Minister extend to these inspectors the same consideration as was given to the other inspectors in his department? These inspectors were required to pass an examination, and to be well versed in their work, and yet they received only £160 a year with a travelling allowance of £120. Against this the land inspectors, from whom no special qualifications were required and who had less travelling to do, were paid £200 a year, and got £150 travelling allowance. The Public Service Commissioner had classified the insect pests inspectors at a minimum of £200 and travelling allowance of £150. What steps did the Minister intend to take? Certainly the travelling allowance now given was not sufficient.

The MINISTER FOR LANDS: The insect pests inspectors were being brought up to the minimum of £200, so far as their salaries were concerned, and that was already provided for on the Estimates. In regard to the allowance, he would look into the matter and let the hon. member know the decision arrived at.

Mr. W. PRICE: The Public Service Commissioner had fixed the travelling allowance also so that there need be no looking into the matter.

The MINISTER FOR LANDS could give the hon. member no more than the promise that he would look into the matter and do what he thought right. He would see that justice was done to these inspectors.

Vote put and passed.

Vote—*Rabbits and Vermin Board Acts*, £16,800:

Item, Chief Inspector, £450:

Mr. HEITMANN: The State was not getting services equivalent to the salary paid. This seemed to be an office provided for a man who was a failure in other departments. It would seem that the department could be run from the head office without having a particular head for the branch. It was simply a matter of looking after the fence and that did not warrant our paying a man £9 a week, while we also paid fair salaries to inspectors along the fence. If this item appeared next year he would strongly oppose it.

The MINISTER FOR LANDS: The officer was not overpaid. He had been chief inspector for the last four years, and the work was not the mere task of riding up and down the fence. The officer had to attend to the destruction of rabbits and the organisation of the department, and a hundred and one items apart from the care of the fence. Mr. Crawford had done his work well and certainly was not overpaid.

1 o'clock, a.m.

Mr. TROY: The department had gone to considerable trouble in keeping the rabbits in check; notwithstanding the many difficulties they had to face the work had been satisfactory. Still, he was afraid with all the expenditure in the employment of rabbiters, boundary riders, and inspectors the rabbits were getting into the agricultural and pastoral areas. The department, however, were not responsible for that. It was very hard to keep a fence 2,000 miles long in order, especially when the country was of a nature where the

fence was likely to be badly damaged by washaways, etcetera. Two years ago when he had travelled along the fence he was greatly struck with its utility, for outside the fence there were thousands of dead rabbits. That was in a dry season. This year, however, the season was most favourable for rabbits; when he was along the fence last June he was struck with the different appearance of the vegetation outside the fence as compared with that inside. Outside the fence there was not a blade of grass to be seen, while there was a very large number of rabbits. Inside the fence the grass was splendid and there were not very many rabbits to be seen. The department had really done remarkably well. Some of the boundary riders had told him that in the Pilbara country they had a very hard time, chiefly owing to the depredations of the blacks, who caused considerable trouble by stealing their stores. The boundary riders should not be asked to bear that loss, and as the Government found food for the natives of the State an allowance should be made for the boundary riders to supply food to the natives. It was to be hoped the fence would be a success. This year the rabbits had increased very greatly owing to the favourable season, but, perhaps, during the summer months water would become scarce and the rabbits would die in large numbers.

Vote put and passed.

Vote—*Stock*, £4,609:

Mr. HEITMANN: What were the functions of the officers of the department, particularly the chief inspector.

The MINISTER FOR LANDS: The chief inspector was in charge of all inspectors, and it was his duty to go to various parts of the State on inspection work, and to see that the stock were free from disease. In the Geraldton district just now there was trouble with regard to lice and tick in sheep. When the outbreak of disease occurred the chief inspector went to the spot to cope with the trouble. Some time ago, at the time of the outbreak of swine fever, a tremendous amount of work was caused. Just at present there was very little trouble with disease. The ports of the State had to

be watched in order to see that only clean stock were brought in.

Mr. HEITMANN: The chief inspector was not doing his work. In addition to that there was a case which recently came up in the courts which did anything but redound to his credit. He was proceeded against for ill-treating a horse, and it was high time the Government looked into his case. The evidence showed that the case was one of absolute cruelty. With regard to disease in cows, two years ago the Health Department had charge of the inspection of dairy cows and determined to make a raid on diseased beasts. A stir was caused for a little time, but then the control of the work was handed over to the Stock Department. He had been led to believe on good authority that the inspection of dairies and dairy cows now was almost a farce. Recently he went out to a dairy district and was shown a cow that had been wandering in the bush for some time, and pus was dropping from the udder. It had only been turned out from the dairy for a few days. The Stock Department always waited until the police reported a case, and then they went out to the spot, and if the cow was badly diseased they destroyed her. They did not go and find out these cases themselves. The inspector at Fremantle had to look after a very large district, which covered all the port, and went right down to the South-Eastern railway, and across to Claremont. The department did not even supply him with a bicycle, and all his inspection had to be done on foot. Recently the inspectors were called out to Osborne Park by the constable there, who had found two cows suffering from tuberculosis, one of them was also suffering from cancer. The law relating to dairies was practically a dead letter. In Western Australia the infant mortality was higher than in any part of Australasia, and all knew that the chief cause of this was the milk supply. The Government should do something in the matter, and should see either that there was pure milk, or that there was no milk at all. Whether the owners were to be compensated or not, the diseased cows should be destroyed. Every cow supplying milk for

the public should undergo the tubercular test, as if that were done the diseased cattle would very soon be weeded out.

The MINISTER FOR LANDS: The inspector engaged by the Health Department still inspected the dairies in the metropolitan area. The inspection was effective. As to the animals at Osborne Park, the inspector went out for a week and discovered five of them, which he destroyed. Two were suffering from tuberculosis, but the others were so poor that it was thought wise to destroy them also. The inspectors were doing their best to stamp out disease, but it was practically impossible to stamp out tuberculosis from cows altogether. The Fremantle inspector was engaged largely on shipping work. There were three veterinary surgeons, and two other inspectors in the metropolitan area.

Mr. W. PRICE: The House should mark their disapprobation of the chief inspector by voting with him when he moved to reduce the item. That official had absolutely failed to carry out his duties properly. A man who had been found guilty of such diabolical cruelty as the chief inspector had been, would not be allowed to continue in his position did he not hold a high office under the Crown. Again, in another matter he was greatly to blame. The lower grade officials were prevented from entering into private practice, but no steps had been taken by the Minister against the chief inspector indulging in private veterinary work. Was it a wonder that there were complaints of his neglect of duty when we found he was engaged in private practice. That was sworn to in the court in Perth.

The Minister for Lands: I have never heard of him doing private work.

Mr. W. PRICE: The horse, which resulted in the chief inspector being fined in the court, was being treated by Mr. Weir, and a groom in the employ of the department was engaged leading that horse out to the inspector's private paddock, where it was to be treated when it was discovered.

Mr. Heitmann: The chief inspector has a veterinary surgeon's establishment at Subiaco.

Mr. W. PRICE: During the hearing of the case in court it was stated that the animal was being treated by the chief inspector. The police magistrate stigmatised the case as one of diabolical cruelty. Was that the kind of man to be looked to to protect the health of our citizens? One of the rules of the civil service which was adhered to was that no civil servant should indulge in private work without the permission of the head of the department, and then only in special circumstances, and yet the chief inspector had a private practice. He moved an amendment—

That the item be reduced by £50.

This would show the Minister that the House was not satisfied with the action of the chief inspector, and would show that officer that he should devote more time to the business of the State, and a little less to the private work of Mr. Weir, veterinary surgeon.

The MINISTER FOR LANDS: The member was wrong when he said Mr. Weir indulged in private practice. Anyhow the chief inspector had no right to do that. With regard to the incident as to the horse, the chief inspector was a friend of the owner and made no charge for the work he did. Inquiries should be made as to the statement by the member for Cue that Mr. Weir had a veterinary place at Subiaco. Concerning the court case, it appeared that the horse had been attended to by Mr. Weir, and that the groom, out of his working hours, was leading it across the Causeway. The animal was very lame at the time, and when going across it fell and broke its shoulder, and it was found necessary to have it shot. If Mr. Weir engaged in private practice he would be called upon to answer for it.

Mr. HEITMANN: The horse was partly owned by Mr. Weir, and an effort was made to save it for breeding purposes. The evidence showed that the horse had been treated for a broken shoulder, and that it was injured in that way before an attempt was made to lead it to Mr. Weir's private paddock. The chief inspector was in partnership with a man at Subiaco, who was not even

qualified as a veterinary surgeon. That showed the stand the chief inspector took up so far as his profession was concerned. With regard to other matters concerned in the department, it was very necessary that more should be done with regard to inspection of dairies and the herds, for inspection was not being carried out properly now. We were led to believe that there were dozens of herds of dairy cows suffering from tuberculosis. What he desired to see was a pure milk supply which would have the effect of reducing the infant mortality which at the present time in this State was exceedingly high.

Mr. BROWN moved—

That the question be now put.

The CHAIRMAN: The question is "That the House do now divide."

Mr. COLLIER: That was not the manner in which the motion was put by the member for Perth. The manner in which the member for Perth had moved the motion was out of order, and it had been proved to be out of order on a previous occasion. As it had been submitted it was distinctly out of order, and the Chairman could not accept it.

The CHAIRMAN: The member for Boulder was right. The motion had not been submitted in accordance with the Standing Orders and, therefore, could not be received.

Mr. COLLIER: The proposal to reduce the officer's salary ought to be carried. There was a great laxity with regard to the inspection of dairy herds in the metropolitan area. When the Central Board of Health initiated a crusade against diseased cattle a couple of years ago strenuous protests were made by the owners of the stock, and efforts were made also to secure the transfer of the administration of this matter to the Stock Department. Those efforts were successful, but as results had proved, the change was a decided calamity. The Central Board of Health were able to discover every week a number of cattle suffering from tuberculosis, but after the change in the administration the cattle seemed to become quite healthy. Either the Central Board of Health

were going too far in their attitude or else the Stock Department were not going far enough. The infant mortality in this State was 50 per cent. higher than it was in any of the Eastern States. and the majority of the medical men declared that it was due to the milk supply. The Chief Inspector of Stock was responsible for this position of affairs because of the casual way in which he had been carrying out his duty.

Mr. TROY: The health of the people was the first consideration, and if the officers of this department were not doing their duty it was due to the House to take action. It was due to the Minister to declare that he would have the keenest inspection made with the view to seeing that this disease was eliminated and that the purity of the milk supply was maintained. Above all things we should provide a pure food supply, not only with regard to milk but in other directions. The Minister should have the strictest inquiry made.

The MINISTER FOR LANDS: The strictest inquiry would be made into this matter. Hon. members were a little misinformed. He realised the seriousness of the complaint, and tuberculosis in cows should be stamped out at any cost. The department were constantly making inquiries to minimise risk, but it was impossible to have a herd absolutely free from disease. At the present time the department were inquiring as to certain means of putting a pure milk supply on the market. There was a process known by which sterilisation could be achieved at a much lower temperature than the system of pasteurising, and it was very economical. An order had been placed for a small plant which would cost about £50, and it was hoped that experiments which would be made would lead to the difficulty being overcome. The department were constantly conducting inquiries in order to be able to safeguard the lives of infants.

Mr. W. PRICE: In view of the assurance given by the Minister he would ask leave to withdraw his amendment.

Amendment by leave withdrawn.

Vote put and passed.

Vote—*Agricultural Bank*, £11,687:

Item, Rent, £572:

Mr. TROY: Was that the rent of the Agricultural Bank offices?

The Minister for Lands: Yes.

Mr. TROY: It would be noticed that the Government were paying rent for a number of offices. It was high time, considering the way in which the various departments were scattered around the City, that some effort was made to place them under one roof.

The PREMIER: The matter had engaged the attention of the Government for some time, and the advisableness of erecting buildings in Irwin-street and placing a number of the departments under one roof had received consideration. In the meantime the Commonwealth authorities had intimated that they proposed to transfer the post offices back to the State Government, and it was anticipated that within five years they would have erected new premises. The present general post office would provide considerable accommodation for the State Government. The idea was to as far as possible adopt the American system of having one large room, so that the work of those employed there could be supervised at a minimum of cost.

[*Mr. Daglish resumed the Chair.*]

Vote put and passed.

Department of Colonial Secretary (Hon. J. D. Connolly, Minister), the Minister for Works in charge of the Votes.

Vote—*Office of Colonial Secretary*, £9,879:

Mr. HEITMANN: The Government appeared to consider that the Estimates of the Colonial Secretary's Department were such that they did not require to be introduced. This department governed among many other important branches that of health.

The CHAIRMAN: It should be pointed out to members that there were a number of Divisions in this department, and it would be convenient if members discussed these Divisions when they were reached. He would therefore suggest that the member for Cue should wait until the Health Department was

reached before the question of health was discussed.

Mr. TROY: Would it not be far better if the Minister in charge of the Estimates introduced them?

The MINISTER FOR WORKS: That had never been done. It had not been the custom for the Minister in the Lower House to make an opening speech in connection with the Colonial Secretary's Estimates.

Mr. WALKER: It was not the custom for the Minister in charge of the Colonial Secretary's Estimates to introduce those Estimates. There was nothing, however, to prevent members from criticising them and discussing the general administration, and the Minister in charge could give any information that was desired.

Mr. TROY: If we were to follow that precedent members would get no information other than that which they called for. The fact that it had not been done in the past was no reason why it should not be done at the present time.

The CHAIRMAN: Probably the convenience of the Committee as a whole would be served by dealing with these divisions as they occurred. It would probably be a mistake for the Minister to attempt to make a statement covering all the divisions. The convenience and time of members would be served if members and the Minister alike would confine themselves to the various divisions. The division now before the Chair was, Office of Colonial Secretary.

Mr. McDowall: Would hon. members have the fullest opportunity of discussing each division?

The CHAIRMAN: Certainly.

Mr. WALKER: The Minister could scarcely be expected to know all about the Colonial Secretary's Department, but any hon. member who desired to make a criticism could do so. Was that not so?

The CHAIRMAN: That was so.

Item, Under Secretary, £600:

Mr. TROY: In the Auditor General's report was shown a written off item of £1 10s. 3d. for seeds supplied to F. D. North? What did this mean?

The PREMIER: It was understood that this was a refund. It did not mean that Mr. North had been provided with seeds free of cost.

Mr. Troy: What a cock and bull story.

The PREMIER: With a view of satisfying the hon. member he was endeavouring to give him all the information possible, and he objected to the hon. member terming the explanation a cock and bull story.

Mr. TROY: In spite of the Premier's heat he would still emphasise the statement made. How could this be a refund if it was an amount written off? He was not satisfied with the Premier's statement.

Mr. W. PRICE: Some information should be given as to the circumstances under which the under secretary, who was in receipt of a munificent salary, and whose duties were confined practically to the metropolitan area, was granted a free pass over all railway lines. That this pass was granted was shown in the Auditor General's report. Why should Mr. F. D. North receive a railway pass over the lines of the State, seeing that his duties did not take him outside the metropolitan area? Why should he be allowed to travel between Claremont and Perth at the Government's expense every day of his life. Mr. North could afford to pay for his railway travelling out of his generous salary.

The MINISTER FOR WORKS: This violent outbreak in connection with an officer of the department was beyond his comprehension. It was hardly fair to the officer in question, because it seemed that free passes had been given to the under secretaries of the different departments ever since we had had Constitutional Government in the State. Presumably, the reason for this was that occasionally under secretaries had to travel on State business. It had been the custom to provide these under secretaries with free passes, and it was not fair to attack Mr. North when all the other under secretaries received the same concession. If the hon. member objected to Mr. North having a free pass, perhaps a substantive motion would meet the case.

Mr. Collier: Not all the under secretaries are on this list?

The MINISTER FOR WORKS: Notwithstanding that they all got free passes.

Mr. W. PRICE: If the Minister were correct and all the under secretaries received free passes it was a remarkable circumstance that only three were mentioned on the Auditor General's list. Whilst there might be circumstances under which a free pass should be granted to an officer, certainly Mr. North's case was not marked by those circumstances. He (Mr. Price) desired to protest against this free pass being issued to Mr. North when apparently not all the other under secretaries were in receipt of a similar concession.

Mr. TROY: Would the Minister explain the written off item of £1 10s. 3d. for seeds to F. D. North? How had this amount been incurred, and why had it been written off?

The MINISTER FOR WORKS: The Committee would realise that it was absolutely impossible for any Minister, even the Colonial Secretary himself, to explain off-hand in detail what an item like this meant. The accountant of the department could not, from memory, explain the transaction. It was an amount that had been written off by the Agricultural Department, and he (the Minister) was perfectly sure that at any rate it had not been wrongly written off. There had been some good reason for writing it off.

Mr. Collier: His lordship Mr. Glowrey is written off too.

The MINISTER FOR WORKS: Apparently it was so. It was unreasonable to expect that any Minister could be able to give this information off-hand. However, he would get the information for the hon. member.

Mr. TROY: Had the Minister given this explanation in the first place he (Mr. Troy) would have been satisfied; but he objected to being brow-beaten and being told it was a refund.

Item, Immigration Agent, £210:

Mr. TROY: The Auditor General had pointed out in his report that an advance of £100 had been made to a lecturer in England for the purpose of providing

expenses, and as a charge against the Immigration Vote. This officer had been accompanied by two of his family and, under Ministerial authority, their expenses had been paid. Who was this officer whom the Auditor General said was not entitled to the amount paid for fares for himself and family?

The MINISTER FOR WORKS: The item on the Estimate was in respect to the officer stationed at Fremantle, Mr. Craweour, who was in charge of the immigration bureau on the wharf and who met every steamer. He was a very estimable officer and attended to his work exceedingly well. The matter referred to by the Auditor General was, he (the Minister) thought, in connection with the travelling expenses of Mr. Ranford, who had gone to London temporarily.

Item, Immigration, £800:

Mr. TROY: The State had been expending a considerable amount of money on immigration. It was not certain that the State had received much benefit from the immigration policy of the Government, or that the money was being expended to the best advantage. The agency in the Eastern States, however, had been a marked success, and had been the means of bringing over many settlers with their wives and families.

The Minister for Works: That is what this item is for, bringing wives and families from the Eastern States.

Mr. TROY: The policy of sending lecturers to England to induce settlers to come here was not altogether one that should be continued.

The CHAIRMAN: The hon. member could not discuss that on this item. As the Minister explained, this item was merely for bringing wives and families of immigrants from the Eastern States.

Mr. TROY: Was a member compelled to accept the Minister's statement or the item on the Estimates which merely said "immigration?"

The CHAIRMAN: The hon. member must accept the ruling.

Mr. TROY felt disposed to oppose it.

The CHAIRMAN: Then the hon. member must resume his seat, or appeal against the ruling.

Mr. TROY: What was the ruling?

The CHAIRMAN: That the hon. member was out of order.

The MINISTER FOR WORKS: The item was exclusively to provide the passages of wives and families of immigrants who came from the Eastern States. Last year £1,000 was on the Estimates, but the Committee reduced the item to £500. We spent £612. This year £800 was put on the Estimates.

Mr. COLLIER: Members would not have reduced the item last year had they known it was for this object.

The MINISTER FOR WORKS: Last year 149 passages were advanced for 91 adults and 58 children. The money was all returned to the department. There was no loss in connection with the item.

Mr. O'LOGHLEN: No member had any objection to the principle, but last session when we were discussing a similar item and the Committee reduced it by £500 there was not a single Minister who took the trouble to explain to the Committee the object of the item. It was only a few days later that the Colonial Secretary in an interview pointed out that it was this vote that members had attacked, and though members regretted the reduction of the item, the blame lay with the Government for not properly informing the Committee.

Mr. COLLIER: It was true there was no loss in connection with this item. The Government took very good care to get ample security before any families were brought over, but there was no reason why there should be any distinction made between the immigrants from the Eastern States and those from the old country. The wives and families of immigrants from the old country could be brought out free of charge, but in the case of those coming from the Eastern States security had to be provided that the money advanced would be refunded.

The Minister for Works: There are no free passages.

Mr. COLLIER: A man could nominate them and bring them out for half price. Not only could a man bring out his wife and family from England but he could nominate a housekeeper. On the other

hand a genuine resident of the State could not bring his wife and family across from the Eastern States without putting up a guarantee that the money would be refunded. It was time the Government dealt out equal justice in this regard, and gave assistance to bring wives and families from the Eastern States instead of spending money in chasing will o' the wisp farmers in England, half of whom never saw the land here, and many of whom were pitchforked into Government billets in the State. Why this preference to men thousands of miles away? If we assisted men to bring their wives and families from the Eastern States, it would induce those men to stay here, because often when a man returned to visit his wife and family in the East he remained in the East. We should bring the wives and families here. Men could not afford in many cases to lay out the money to bring their wives and families across, and being strangers, perhaps could not get someone to guarantee them to the department for an advance of the passage money.

Mr. TROY: When dealing with this item last year the Premier talked generally on immigration from the old country.

The MINISTER FOR WORKS: Last session the member for Guildford attacked immigration generally, referring more particularly to immigrants from the old country, and objected to the assistance given; and the Premier, in replying to the member for Guildford, ignored the specific purpose for which this item was intended, and replied generally on the question of immigration. Because there was a misunderstanding last year, the hon. member should not doubt the statement now that this item referred specifically to the passage of wives and families of immigrants from the Eastern States. We might very well put this on the same basis as nominated passages from the old country. The matter was well worthy of consideration. He had on many occasions voiced the opinion that we should pay the passages of wives and families of bona fide workers settled in the State.

Mr. W. PRICE: It would be better in future if the item were placed on the

Estimates so that there would be no misunderstanding about it.

The Minister for Works: I will see that that is done.

Mr. COLLIER: Would the Minister promise to go carefully into this matter? It would be a great concession if the Government allowed half fares, and it would assist hundreds of men to bring their wives and families over.

The MINISTER FOR WORKS promised to bring the matter under the notice of his colleague, and to ask him to have full inquiry made on the question. There was one danger that we might get workers from the Eastern States and pay the passages from their families and then a man might drift away to Queensland, and the Queensland Government might assist him to take his wife and family there, and then the man might eventually come back to Western Australia, and the same process might be repeated.

Vote put and passed.

Vote—*Aborigines*, £15,208:

Mr. O'LOGHLEN: What pension was the late Chief Protector getting?

The Honorary Minister: He gets £311.

Mr. O'LOGHLEN: We should admire the patriotism of this gentleman who employed a Chinese carpenter to effect improvements on his property.

The CHAIRMAN: The hon. member cannot discuss the late Chief Protector under this vote.

Item, Travelling Protectors (2), £645:

Mr. TROY: Who were the officers, and how were they appointed?

The MINISTER FOR WORKS: Mr. Isdell members all knew had been appointed for some years; Mr. Keyser, recently appointed, had had long experience in the North-West in station life. The appointment was made outside the Public Service Commissioner, but the name was submitted to Mr. Jull.

Mr. Collier: The appointment is a huge joke in the back country.

The MINISTER FOR WORKS: Mr. Keyser was a very energetic and capable officer.

6 o'clock, a.m.

Item, Lock Hospitals, Superintending Medical Officer, £500:

Mr. TROY: Certain statements had been made as to the health of the natives in the North-West. Perhaps the Minister could inform members as to whether there were any sick natives still on the mainland, this being due to lack of accommodation at Bernier Island.

The MINISTER FOR WORKS: The accommodation at the lock hospitals on the islands was ample for the natives sent there, and no information had reached him to indicate that there was any block caused by natives being unable to be accommodated at the islands, and, therefore, remaining on the mainland. On the other hand there had been a great improvement in the health of the natives since the establishment of the hospitals.

Item, Purchase of s.s. "Venus," £1,200:

Mr. TROY: What did the item mean?

The MINISTER FOR WORKS: It was necessary to purchase a boat to provide transport from the mainland to the lock hospitals on the islands. It was a very favourable purchase, and the boat was kept fully occupied. The deal was made on the recommendation of the chief harbour master.

Vote put and passed.

Vote—*Charities*, £39,121:

Mr. ANGWIN moved—

That progress be reported.

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

Ayes	..	..	..	13
Noes	..	..	..	19

Majority against .. 6

AYES.

Mr. Angwin	Mr. O'Loghlen
Mr. Bolton	Mr. Scaddan
Mr. Collier	Mr. Troy
Mr. Gill	Mr. Walker
Mr. Horan	Mr. A. A. Wilson
Mr. Hudson	Mr. Swan
Mr. McDowall	(Teller)

NOES.

Mr. Brown	Mr. N. J. Moore
Mr. Cowcher	Mr. S. F. Moore
Mr. Davies	Mr. Nanson
Mr. Gordon	Mr. Osborn
Mr. Gregory	Mr. Plesse
Mr. Hardwick	Mr. J. Price
Mr. Hayward	Mr. W. Price
Mr. Heilmann	Mr. F. Wilson
Mr. Hale	Mr. Layman
Mr. Mitchell	(Teller).

Motion thus negatived.

Item, Superintendent of Charities and Government Labour Bureau, and Secretary State Children's Department, £450:

Mr. ANGWIN: How was the State Children's Act working? Cases had occurred where children instead of being tried for various offences by the department had been dealt with in open courts. That should not be done.

The MINISTER FOR WORKS: There was a very interesting report on the whole question of the work of the department on the table of the House. If the hon. member perused it he would assuredly be satisfied that the department was doing excellent work.

Item, Matrons (3), £285:

Mr. ANGWIN: Where were the matrons employed?

The MINISTER FOR WORKS: At the old men's home, Fremantle and at the depot, Claremont.

Mr. O'Loughlen: Why was there such a disparity in the salaries of the matrons?

The MINISTER FOR WORKS: Two of the matrons occupied higher positions than the other one. Naturally the matron at Fremantle had but few inmates to attend to as compared with the one at the depot. The matron receiving £40 a year must be a junior.

Item, Maintenance of Charitable Institutions, £9,800:

Mr. COLLIER: The item showed a reduction of £1,056 for the year. Could the Minister say in which institutions the reductions were being made?

The MINISTER FOR WORKS: The item referred to the old men's depot, and the old women's home. The reduction was brought about owing to the fact that under the Commonwealth old-age pensions scheme a number of the inmates were entitled to receive a pension. In the first instance there was a difficulty in the matter, as it was thought no inmates of such institutions should be paid, but subsequently a compromise was arrived at, and the department were paid 7s. a week for each inmate entitled to a pension. The sum went to the maintenance of the possessor of the pension in the institution, and it was the receipt of these pensions

that enabled a reduction to appear on the item. If an inmate preferred to leave the institution and get his full pension, there was no objection whatever to his adopting that course, but if not the department took the 7s. and kept him in the institution.

Mr. ANGWIN: Surely considering the large number of inmates who were entitled to the pension, the reduction should have been greater than it was. In any case, however, the old-age pensions had not been distributed fairly at all, and he had already quoted instances in the House where men who had been in receipt previously of a State pension of 10s were reduced by the Commonwealth to 7s., and then were not in receipt of rations. The department should take care to see that wherever possible the Commonwealth paid the 10s. which the old people received from the State prior to the Federal system being adopted.

The MINISTER FOR WORKS: The result of the old age pensions being paid to the department had not been to relieve the institutions to the extent expected. It had been found that in cases where the old men decided to leave the institutions and collect their pensions, they very soon got through the money and then went back to the institutions. Every pressure that could possibly be brought to bear on the Federal Parliament was brought in order to try and get the payment of an allowance to the institution for indigent persons ordered there by magistrates. It was hard to see exactly the effect that the payment of the pensions would have.

Mr. TROY: With regard to the old women's home at Fremantle, a statement had appeared in the Press recently, which was very serious. The writer of the article stated that on a visit to the home it had been found that too many inmates were placed in the wards, and that further accommodation should be provided. A great point was made of the large number of flies in the institution, and the necessity of having fly-proof doors and windows was referred to. A case was quoted of an old woman who was ill in bed, and although she was surrounded by fly papers, on which were a large num-

ber of dead flies, still, her face was covered with the insects, and she was not strong enough to brush them away. The state of affairs that was revealed by the report was somewhat revolting. Those in charge of the department should see that those people were looked after better, and provided with the same facilities as existed at the old men's home at Claremont. With regard to old age pensions and the statement by the Minister that some of the pensioners spent their money quickly and then returned to the institution, it would be well if steps could be taken whereby in cases such as those the officers of the department could see that the pensioners spent their money wisely.

The MINISTER FOR WORKS: The matter would receive attention at once. The inmates of the new home were delighted with their surroundings, and if there were small matters which required attention instructions would be given to have them carried out.

[Mr. Scaddan took the Chair.]

Item, Outdoor relief, £7,500:

Mr. TROY: Although there was a decrease of £1,654 in this item, it was a remarkable thing in a State such as this that there should be the necessity to provide so much relief. Political economists were turning their eyes towards a system of compulsory insurance with the view of providing persons, when destitute, with employment. This was being carried out in Germany, and leaders of thought in England were considering the advisableness of following on the same lines. We could not do better than adopt a similar system here.

The MINISTER FOR WORKS: A slight increase in this vote had to be expected seeing that our population was increasing. During the past year there was an increase of £493 in the City, but a decrease of 700 in the country. Any scheme, such as that suggested by the hon. member, which would give relief would be welcomed.

Item, Railway fares, £1,000:

Mr. TROY: This was a wise provision which was largely availed of. Objections were raised occasionally through free passes being granted, and the of-

ficer in charge had informed him that he was not able to arrange some passes owing to the fact that the vote was not large enough and soon became exhausted. A good deal of the money advanced was refunded, but it went into consolidated revenue. In his opinion, if there was a refund it should be shown against the vote.

The MINISTER FOR WORKS: The Audit Act did not allow that to be done. It provided that all expenditure should be shown on the Estimates and all revenue should come in by way of revenue. For the last financial year 1,685 passes were issued, the cost of which totalled £1,383 against 1,125 passes costing £700 in the previous year. The amount refunded during the last financial year was £737. This system of passes has been of great service, and had assisted men to get employment in the country.

Mr. O'LOGHLEN: The vote had been the means of good work being accomplished, and he could bear testimony to that effect. He had obtained passes for over 100 people whom he had recommended, in order to secure employment in the country.

Mr. Collier: You have been luckier than I have; I have only been able to get about half a dozen.

Mr. O'LOGHLEN: The good work which had been done through this vote was very satisfactory.

Mr. COLLIER: Preferential treatment must have been meted out to some hon. members. The last two passes issued (Mr. Collier) had asked for had been refused, and they were issued only when he guaranteed the fare.

The Minister for Works: Had the applicants work to go to?

Mr. COLLIER: There was no direct proof. He desired, however, to complain of the want of tact on the part of the officer in charge of these railway passes. There was no occasion for him to go out of his way as he did to insult a number of the men who went to the Labour Bureau, and he should not treat them either as paupers or beggars. There was not a more tactless man in the service than this officer, Mr. Hitchins. He would say nothing about

the officer's honesty or capacity, but he was wholly unfitted for the position he held. Mr. Hitchins was a mercurial-tempered man, and he had been heard abusing some of the men in front of the bureau. He might be sincere enough, but he was not fit for the position. Moreover, a great power was given to this officer in connection with these passes. He had no regulations or direct instructions and he simply exercised his own judgment.

Mr. GILL: This officer was most useful, and speaking from experience, the vote had not been dealt with in an extravagant manner. During last winter he (Mr. Gill) had occasion to attend at the bureau on an average of four days a week, and he had no difficulty in getting passes provided he could give reasonable evidence that there was employment for the men to go to. The position was one of the most thankless in the service. The officer had a big class of men to deal with, and they were a very difficult class, too. Some complaints which were made to him (Mr. Gill) were investigated, and it was found, with but one exception, they were not justified. It had been said that Mr. Hitchins did not treat these men civilly. It was surprising to find that he treated them as civilly as he did.

The CHAIRMAN: The hon. member could not discuss the officer on this vote.

Mr. GILL: There was nothing further that he desired to say.

[Mr. Daglish resumed the Chair.]

Mr. SCADDAN: With regard to these passes it had been ascertained that they had been issued to immigrants who had been only two days in the State while old residents had been refused them. This matter was mentioned to Mr. Hitchins, but he denied it. However, it was proved that it was done. Mr. Hitchins was unfitted for the position, and there was one case where he absolutely pursued a man because that man had the courage to make some remarks which Mr. Hitchins did not agree with.

The CHAIRMAN: The hon. member was going wide of the vote. The officer should not be discussed under this item.

Mr. SCADDAN: It was not possible to discuss merely the distribution of the money without referring to the officer. He was dealing with the manner in which Mr. Hitchins granted these passes.

The CHAIRMAN: The hon. member when in the Chair only a few minutes previously drew the attention of the member for Balkatta to the fact that he was transgressing in an exactly similar way.

Mr. SCADDAN: At any rate, he would say that the system of granting these passes should be extended rather than curtailed.

Mr. HUDSON: As far as this officer was concerned he (Mr. Hudson) had had no difficulty whatever in securing passes for men to go into the country, so long as he agreed to be responsible for the amount. There was a vote for the advance of money for these passes, and it was provided that there should be repayment. Would the Minister tell the Committee out of which vote the money was expended and, when repaid, into which fund it went?

The MINISTER FOR WORKS: The explanation had already been given to the Committee. According to the Audit Act the expenditure must be dealt with out of the item under discussion, and any refunds must go to revenue. With regard to the issue of these passes he had been happy to hear the remarks of the member for Balkatta. Taking it all round, the officer who had control of the department exercised very sound judgment. It was only reasonable to expect that there would be cases in which people thought they had been badly treated by being refused passes. This officer acted under instructions, and it was necessary that he should be a man of character and determination or he would never be able to hold his own with the crowd of people who sometimes assembled at that office and who were not too choicé in their language, or too careful in their behaviour.

Mr. Collier: That is an insult to a respectable body of men.

Mr. Hudson: You are maligning men on account of their poverty.

The MINISTER FOR WORKS: The member for Balkatta had said the same thing—that this had been his experience after eight months of daily attendance at the office.

Mr. Hudson: You should not malign anyone on account of poverty.

The MINISTER FOR WORKS: No one had been maligned on account of poverty or on any other score. He was attempting to protect an officer who gave good services to the State. Of this the evidence of the hon. member's colleague, the member for Balkatta, should be sufficient.

Mr. HEITMANN: This officer, so far as he (Mr. Heitmann) knew, endeavoured at all times to do justice to his position. On every occasion on which he (Mr. Heitmann) had gone to the officer to obtain an advance fare he had been met with courtesy. He could quite understand the attitude of that officer occasionally, because he himself was prepared to use language to some of the men who went to that office, for the reason that, notwithstanding their protestations, he had had to pay their fares for them.

Mr. SCADDAN: The statement made by the member for Cue might be right, but one would imagine that every man who went to the bureau had come to Perth, and, after having had a drink, went to the bureau to secure a free pass so as to get home again. The hon. member could speak from his knowledge. He (Mr. Scaddan) had never sent a man to the bureau who had refused to refund the price of his fare. Because a person happened to go to the bureau it appeared he was to be branded as a loafer and a drunkard. Many men would not go to the bureau because that sort of thing was abroad. If that was to be the case the bureau was no good. He was disgusted with the members on the Opposition side for having made such statements, for they knew they were not speaking the truth.

Mr. Heitmann: The hon. member had stated that members on this (Opposition) side were not speaking the truth. He asked that the hon. member should withdraw the remark.

The CHAIRMAN: The hon. member must withdraw.

Mr. SCADDAN withdrew the remark, but the hon. member had peculiar notions as to what the truth was.

Mr. Heitmann had just as much notice as the hon. member of what truth was.

Mr. SCADDAN: There were a few persons in the community who might be called not straight-goers, but the majority of those who went to the bureau were honest, straightforward men. He knew one case where a man went to the bureau and because he had not been there previously he was refused a pass. He (Mr. Scaddan) had been taken down by men. On one occasion he purchased a railway ticket for a man, for he would not give him money. He gave this man the ticket in the morning and in the evening he found him drunk; the man had sold the ticket and spent the money in drink. On one occasion the Premier sent a man down to the bureau, and he (Mr. Scaddan) followed the man down and entered the bureau 10 minutes after the man. He found Mr. Hitchins roundly abusing the individual. The officer was not tactful at all. If a man was abusive he should be turned adrift.

Mr. HEITMANN: One would imagine that we should have someone in the office who was prepared to accept the abuse and say nothing. The member for Ivanhoe was unfair when he claimed that this officer should be allowed to abuse all and sundry. If he (Mr. Heitmann) were in the officer's position tomorrow he would abuse some of the men who went to the bureau. A man was only human, and if the member for Ivanhoe was in the position of this officer he would abuse some of the persons who went to the bureau. Because a member gave his experiences of an officer was he to come under the abuse of the members of this Chamber?

The CHAIRMAN: The hon. member must not say that; he must withdraw the remark.

Mr. HEITMANN withdrew. He had experience of this department, and had always been treated with the greatest courtesy, and had never failed to obtain railway passes for anyone who re-

quired them. He had on occasions been forced to pay railway fares for men, and had found out later on that these men were not deserving of them. Some men came down to town and "blew" up their cheques, then they came on the bureau for a pass. All men were not the same, and he was not prepared to say that there were a great many like this; but there were men who went to the bureau for railway passes who had no right to them. Men had money, "blew" it up in the City, and then went to the bureau expecting a pass to get back to the country. He did not say these men should be refused. The officer in charge was a good officer.

Mr. COLLIER: The member for Cue had been more fortunate than he had in an endeavour to get railway passes. He resented the cheap sneer of the Minister at the class of men this officer had to put up with, and also the remarks of the member for Balkatta. While the member for Cue referred to "some men," the member for Balkatta said it was a "class of men." A remark of that kind ill-became a member of the Labour party. He believed the Minister did not know this officer or what his duties were.

The Minister for Works was fully acquainted with the duties of the officer and was in touch with them before the member for Balkatta spoke.

Mr. COLLIER: It was only after hearing the member for Balkatta that the Minister defended this officer, and on the same lines as those advanced by the member for Balkatta. The men who went to the bureau, as a class, were deserving men. It was no use members saying that the men who went to the bureau tried the patience of this particularly touchy officer. If a few men did come to the City and knocked down their cheques they were just as much entitled to a railway pass as some of the wealthy parasites who did not knock down their cheques, but who got railway passes. His experience of the men who wanted passes was that they were honest working men, but under unfortunate circumstances had been obliged to go to

the bureau. But the remarks which had been made would lead one to think that the men were an undesirable class. He resented such remarks, also the sneers of the Minister.

Vote put and passed.

Vote—*Fisheries*, £1,520:

Mr. ANGWIN: Was it the intention of the Minister to appoint a Chief Inspector of Fisheries to take charge of this department? The late chief inspector was now also Protector of Aborigines and had not sufficient time to give to both departments. It would be in the interests of the State if a chief inspector were appointed to take charge of the department. Perhaps the Minister would take into consideration the appointment of an officer.

The MINISTER FOR WORKS would bring the remarks under the notice of the Minister controlling the department, but he had no knowledge of what the Minister's intention was. The amalgamation of the Aborigines and the Fisheries Departments was made on the score of economy, because the officer who was Chief Inspector of Fisheries had sufficient time at his command to control the two departments. He had heard of no serious complaints.

Mr. SWAN: We might with advantage to the State, get rid of some of the officers of the Fisheries Department. He understood the chief inspector was largely responsible for the measure that was introduced this session to amend the Fisheries Act. If he was responsible for that Bill then he (Mr. Swan) would have great pleasure, indeed, in supporting the amendment to strike out this officer's salary.

The CHAIRMAN: That did not come under this vote.

The Minister for Works: The Government were responsible for the Bill.

Mr. SWAN: We received a considerable amount of experience when dealing with the Fisheries Bill from the members for Roebourne.

The CHAIRMAN: The hon. member must discuss the vote.

Mr. SWAN had received a communication dealing with the Fisheries Department, which he thought would be of

advantage if read to the Committee. It was from the North-West, and was really a letter of thanks to the member for Guildford and himself for certain actions which had been taken in connection with this department. The letter read as follows:—"On behalf of the Ashburton roads board and the people of this district, I have to thank you for the interest you have taken in matters pertaining to this district, more particularly the debate on the Fisheries Act Amendment Bill. A copy of the debate before me shows very clearly, with all due respects to hon. members, that they are not very well up in the habits of the turtle."

The CHAIRMAN: I do not think that letter is relevant.

Mr. SWAN: It would be found that certain portions of the letter were.

The CHAIRMAN: The hon. member should read those portions that were relevant.

Mr. SWAN: The letter went on to say—"I, therefore, submit the following for your information. In the first place the turtle never, or rarely ever, comes up on the beach on the mainland—"

The CHAIRMAN: I cannot allow the member to proceed with this letter. It is totally irrelevant to the vote.

Mr. SWAN: The letter, he was certain, contained valuable information, but if he were not allowed to read it he would take other steps to give publicity to it. He was not particular whether he read it to the Committee, or it was published in the Press. But the letter would go to show that he had some little knowledge of the working of this department.

Vote put and passed.

Vote—*Friendly Societies*, £3,879:

Mr. McDOWALL asked that progress be reported.

Mr. Bath: The Premier said that he would report progress at 8 o'clock.

Mr. ANGWIN: The select committee that had been dealing with friendly societies had brought up a report, and this would be the only opportunity of drawing attention to that report, which had been laid on the Table. The member for Coolgardie had important matters to deal with, and he trusted the Minister

would give the member the opportunity of reporting progress.

Progress reported.

BILL—LEGITIMATION.

Second Reading.

The ATTORNEY GENERAL (Hon. J. L. Nanson) in moving the second reading said: The object of this Bill is to enable children, born out of wedlock, to be legitimised on the subsequent marriage of the parents. A law, similar in the main principle, is in force in all the States of the Commonwealth, with the exception of Western Australia and in New Zealand. In each State, with the exception of Tasmania, a condition of legitimation is that at the time of the birth of the child there should have been no legal impediment to the marriage of the parents. In this Bill we are following the more liberal example of Tasmania, and providing that the fact of an impediment to the marriage of the parents at the time of the birth of the child makes no bar to legitimation. Although Tasmania is the only State at present in the Commonwealth that has gone so far on the question, an amendment is, I believe, to be made to the law in New South Wales in the same direction, and, I believe, also in some of the other States. Following the example of New South Wales, Tasmania, Queensland, and Victoria, there is in this Bill no time limit placed as to when legitimation should take place, provided, of course, that there has been a subsequent marriage. The application for legitimation, however, must be made by the father of the child. The Bill is not a complicated one. Hon. members, when they look at the clauses will see exactly the scope of it, therefore, I do not think I need detain them longer, but content myself with moving—

That the Bill be now read a second time.

Mr. COLLIER (Boulder): I only just desire to say that I am very pleased the Attorney General has brought forward this Bill. It will be within the knowledge of members that I introduced a Bill on similar lines at the beginning of the session and a promise was then made by the

Premier, that he would introduce a Bill during the session, and on that understanding I withdrew my measure. I am pleased the Bill has reached the Chamber from another place, and I hope that it will practically go through without discussion. It is desirable that such a measure should be passed. It has been postponed too long. Most of the States, as has been mentioned by the Attorney General, have had a law in existence for some 10 or 12 years. I hope members will assist in passing the Bill into law as soon as possible.

Question put and passed.

Bill read a second time.

In Committee, etcetera.

Hon. T. F. Quinlan in the Chair.

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

Read a third time and *passed*.

NOTICE OF MOTION—CONCILIATION AND ARBITRATION ACT AMENDMENT.

The PREMIER, in giving a notice of motion for leave to bring in a Bill to amend the Arbitration Court, said: This amendment refers to the question of making provision for apprentices. The measure meets with the approval of members of both sides of the House, and is brought forward at the request of the members of the Arbitration Court.

House adjourned at 7:45 a.m. (Friday).

Legislative Council,

Friday, 17th December, 1909.

	PAPER
Paper presented	2315
Bills: Cottesloe Beach Rates Validation, 2s., Com. 3s.	2315
Agricultural Lands Purchase, 2s., Com. 3s.	2316
Agricultural Bank Act Amendment, Assembly's Message	2328
Constitution Act Amendment, 2s., Bill laid aside	2329
Settled Land Act Amendment, 2s., Com. 3s.	2349
Roads Act Amendment, 1 and 2s.	2351
Transfer of Land Act, Assembly's Amendments	2351
Leonora Tramways, all stages	2352
Industrial Conciliation and Arbitration Act Amendment, all stages	2353
Adjournment, Date of Prorogation	2354

The PRESIDENT took the Chair at 4:30 p.m., and read prayers.

PAPER PRESENTED.

By the Colonial Secretary: Report of Chief Protector of Aborigines for the year ending 30th June, 1909.

BILL—COTTESLOE BEACH RATES VALIDATION.

Second Reading.

The COLONIAL SECRETARY (Hon. J. D. Connolly) in moving the second reading said: This is a short Bill brought in to validate a rate for the Cottesloe Beach roads board, because the roads board have been advised that under the provisions of the Roads Act, 1902, it is doubtful whether they can recover their rates. I understand the principal fault is due to the fact that the rate book is not in proper order according to the strict terms of the Act. Several portions of the rate book were not signed within the statutory time by the chairman of the board, and several blocks were insufficiently described. In an action by the Claremont roads board against the Diocesan Trustees for the recovery of rates the roads board was nonsuited because the property was not sufficiently described in the rate book. While the lot numbers were put in, the location numbers were omitted, and the case went against the board on appeal to the higher Court, and the board had to pay costs to the extent of £100. The Cottesloe Beach