

The Minister for Lands: What about the case of China, which was a member of the League of Nations?

Hon. C. G. LATHAM: Japan left the League, as also did Germany. When a nation in the League does disagree with other members, it generally leaves the League. In this case both the nations are members of the League.

The Premier: The responsibility is not all on Britain. It is a collective responsibility.

Hon. C. G. LATHAM: Yes. Britain could not possibly carry the entire responsibility.

The Premier: She would be very foolish if she attempted to do so.

Hon. C. G. LATHAM: Britain is extremely concerned about the present position. If the League does fail, we can look for nothing but chaos in the future. Therefore we hope, naturally, that the nations involved in the dispute, and the nations associated in the League, will have such guidance as will bring about a conciliatory attitude between the two nations at issue. I hope that when the next Budget is introduced, these troubles will have cleared away. Any man to-day holding a responsible position must grasp what the future may have in store. While things seem to be peaceful and happy, and while there is considerable improvement everywhere, especially in the Old Country and in most of her Dominions, an outbreak of war at any moment is predicted, and war might plunge us into greater difficulties even than those we have encountered during the past few years. I trust that when the next Budget is introduced, all misunderstandings will have been cleared away and our position will have become even happier than it is to-day.

Progress reported.

House adjourned at 9.27 p.m.

Legislative Council,

Wednesday, 18th September, 1935.

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

BILL—CREMATION ACT AMENDMENT.

Read a third time and returned to the Assembly with amendments.

BILL—STATE TRANSPORT CO-ORDINATION ACT AMENDMENT.

Second Reading.

HON. A. THOMSON (South-East) [4.36] in moving the second reading said: In submitting the amendment that is embodied in the Bill, I trust that the same sense of justice that actuated Parliament in the past in granting to civil servants and railway employees the right of appeal if they felt they had suffered an injustice, will permit members to grant the same privilege to a district that may be situated in similar circumstances to Kojonup, owing to a decision of the State Transport Board. The Kojonup district is 160 miles from Perth by road and 240 miles by rail. Prior to the proclamation of the State Transport Co-ordination Act, the district had the advantage of motor transport, which materially reduced the cost of goods required by the residents. Immediately the Transport Board were established, they notified the owners of the motor vehicles used in the delivery of goods, that their licenses would not be renewed. The owners appealed and the district protested. To all protests, the Transport Board turned a deaf ear, stating that they were definitely appointed to protect the interests of the State railway system. The Kojonup Road Board combated that statement and quoted Section 10 of the State Transport Co-ordination Act, drawing attention particularly to sub-paragraphs (i), (ii) and (iv), which read—

Subject to this Act, the board may of its own volition, or under the direction of the Minister, shall—

(a) make investigations and inquiries into transport matters. In making such in-

investigations and inquiries, the board shall give consideration, among other factors, to all or any of the following factors, namely—

- (i) The question of transport generally in the light of service to the community;
- (ii) The needs of the State for economic development;
- (iii) The industrial conditions under which all forms of transport are conducted;
- (iv) The impartial and equitable treatment of all conflicting interests.

I want members particularly to note the wording of sub-paragraph (iv). Public meetings were held at Kojonup, and a deputation waited on the Transport Board, but nothing would shift them. All the agitation was rendered absolutely useless because there was no appeal from the board's decision. When the legislation was originally before the House, I fought some of the provisions strenuously and pointed out that great hardship would be imposed upon the people of the country districts. The right of appeal in the Act in Sections 24 and 32 refers only to motorists who held licenses as at the 31st December, 1933. It will be seen, therefore, that the right of appeal was given only to those who held a license, not to a district that suffered disabilities, such as Kojonup has laboured under. When the Act was proclaimed, I stated at a public meeting held at Katanning that the legislation should receive a fair trial, and if it were found that it operated unduly harshly, I had no doubt the Government would amend the Act. In the opinion of the Kojonup people, it has operated definitely to their detriment. I shall quote, for the information of members, figures relating to the cost of transport of various articles. The particulars were submitted for the consideration of the Transport Board and, to my knowledge, have never been controverted by that body. The particulars were incorporated in the letter to the board and also appeared in the Press. I shall quote the details to indicate that the Transport Board have not viewed this matter impartially and have not extended to the Kojonup district the impartial and equitable treatment mentioned in Section 10. It is true that a reduction has been experienced in the cost of transport since the figures were submitted, but the decrease has been so infinitesimal that the Kojonup

people consider they are still suffering disabilities. The details are as follows:—

	Per road.			Per rail.		
	£	s.	d.	£	s.	d.
Wire netting, 3 cwt. lots	0	6	0	0	11	0
Molasses	0	2	6	0	4	6
Ploughshares, each	0	0	2	0	0	4
Spare parts for topdres- ser	0	1	0	0	3	9
Spare part for har- vester	0	2	0	0	5	6
Set of harrows	0	18	0	2	14	4
Car battery	0	3	0	0	6	6
Motor tyre (truck)	0	2	0	0	5	0
Motor tyre (car)	0	1	6	0	3	0
Petrol, per gallon	0	0	3	0	0	4½
Wireless set	0	4	0	0	14	0
Wireless (complete)	0	10	0	1	0	0
Sugar, per ton	2	13	4	3	14	0
Chaff bags, per bale	0	10	0	1	0	8
Separator	0	6	0	0	13	0
Metters stove	0	7	6	0	19	0
Tobacco	0	3	6	0	18	8

The total of these items shows that the cost by motor transport came to £6 10s. 9d., whereas the rail charges represented £13 13s. 7d., or a difference of £7 2s. 10d. in favour of the motor transport that was then operating. The farmers are compelled to cart their produce to the Kojonup station, although they are from 20 to 25 miles nearer Perth, and then have to pay freight to Perth over a distance of 240 miles by rail, as against 145 to 150 miles by road. Paragraphs (a) and (b) of Section 10 of the Act clearly lay down the duties of the board. In the light of the figures I have quoted, and the fact that the farmers are compelled to cart their produce away from their nearest market to the railway, can the board be said to have considered transport matters in that district in the light of service to the community? It is definitely laid down in paragraph (i) of Section 10 that the board shall give consideration to the question of transport generally in the light of service to the community. My dictionary defines "community" as a society of people having common rights and privileges. Can it be truthfully said that the people of Kojonup, who are portion of the community of Western Australia, have had the common privileges of the people in the metropolitan area? Can it be said that the board have carried out paragraph (iv) of Section 10 of the Act, which provides that the board shall give consideration to the impartial and equitable treatment of all conflicting interests? Kojonup residents therefore feel that they are quite justified in saying that the decision of the

Transport Board was biased, and that their claims did not receive that just and equitable treatment which is stipulated in the Act and which they had a right to expect. Kojonup is not singular in this respect. Last week-end two residents in the Gilamining area pointed out that when the depression occurred, they were encouraged to undertake the raising of side-lines extensively. They went in for poultry with the idea of exporting eggs, and also for pigs. They were encouraged to engage in raising those side-lines extensively because a motor was running through the district from Yealering via Wickepin to Perth, picking up butter, eggs, meat, etc., and landing them at the markets in a few hours. Owing to the elimination of that service, those people are precluded from carrying on that part of their living. They are located 16 to 18 miles from a railway, and of course it is impossible to travel that distance to put small lots on the train to Perth. Even if that were done, the train would take nearly as many days to get the produce to market as the motor truck occupied hours. With a view to enabling districts suffering from the administration of the Act to secure relief, I am proposing to repeal Section 37 of the Act and to insert the new provision which is before members. Section 37 reads—

Subject to the provisions of this Part, the board may grant the application (with or without variation), or may refuse to grant the application.

There shall be an appeal to a stipendiary magistrate against the decision of the board in refusing to grant the application.

In relation to any such appeal the provisions of subsection (2) of Section 24 shall apply with the necessary modifications.

It has to be remembered that this is governed by Section 24, subsection (2), which stipulates any person who at the 31st day of December, 1933, was the holder of a license for a vehicle. We thought that we would be protecting the rights of some people when we provided for an appeal, but we find that districts situated as are Kojonup and Gilamining have no right of appeal. If the board refuse to grant a license, the people may be suffering a distinct disability and may be thoroughly dissatisfied, but they have no right of appeal to the resident magistrate. Recently I asked the Chief Secretary whether he would place on the Table particulars of the inquiry which the

board made and their reasons for not granting a license to the Kojonup district. It was definitely laid down that the result of any investigation or inquiry by the board should be reported to the Minister. No doubt the members of the Transport Board have acted according to their interpretation of the Act. Evidently they take the view that, no matter what disabilities may be suffered by a district, they have been appointed to protect the railways. I do not think that was the belief of members of this House when the measure was before them.

Hon. G. W. Miles: Have not they submitted a report?

Hon. A. THOMSON: No report whatever has been submitted.

Hon. J. Nicholson: Section 10 rather indicates that they should have taken an impartial view.

Hon. A. THOMSON: Yes, and the residents of Kojonup contend that the board have not done so; otherwise the residents would not be suffering in the way they are. The Bill is on all fours with a provision in the Transport Act of New South Wales, subsection (1) of Section 168 of which reads—

(1) Subject to this section, any owner of an omnibus, or any municipal or shire authority, aggrieved by any decision of the Trust with respect to the issue, transfer, suspension, refusal, cancellation, or revocation of a motor omnibus service license or the discontinuance of a route under this Act, or in respect to the amount of any annual service license fee, or with respect to any terms or conditions attached to any such motor omnibus service license, except where such terms or conditions have been imposed in conformity with an express requirement of this Act or of the regulations thereunder, may appeal to the Transport Appeal Court.

In asking members to agree to the deletion of Section 37 and the insertion of my amendment, I am merely asking that country residents here should have the same privilege as is extended to country residents in New South Wales. Members will observe that the Bill is designed to give the right of appeal to the resident magistrate. Clause 2, subclause (2), paragraph (a), reads—

Any owner of a commercial goods vehicle, or any municipality or road board, or any other person feeling himself or itself aggrieved by any decision of the board refusing the application or by any terms or conditions attached to the license granted by the board on such application, may appeal to the resident magis-

trate in whose magisterial district is situate or principally situate the area or route which would be served by the proposed service.

We in the country feel that we should have the right of appeal to the local magistrate. For this there is a reason. We know that it was the intention of the Government, when motor licenses were being refused and when a series of appeals were lodged, to appoint one magistrate whose duty it would be to adjudicate throughout the State. The idea was to get what was termed uniformity of decision. If a magistrate were appointed for that work and understood that he must give uniform decisions, the decisions on country appeals, judging by the actions of the Transport Board, would be tinged with the same desire to protect the railways as has actuated the Transport Board. I have no wish to attack either the Transport Board or the Railway Department. All I am asking is that a district which feels aggrieved shall have the right of appeal to the local magistrate. That would save expense to the appellants, and the magistrate, having a knowledge of local conditions, would be able to view the position impartially. I feel confident that the House will concede to country districts which feel aggrieved at the decisions of the Transport Board the privilege which is accorded to railway employees and to civil servants when they feel aggrieved. I move—

That the Bill be now read a second time.

On motion by the Chief Secretary, debate adjourned.

BILL—INDUSTRIAL ARBITRATION ACT AMENDMENT.

Returned from the Assembly without amendment.

BILL—FORESTS ACT AMENDMENT.

Second Reading.

Debate resumed from the previous day.

HON. H. SEDDON (North-East) [4.58]: This is a Bill which is introduced annually to appropriate into Consolidated Revenue the royalty received from sandalwood. This year the Bill, as introduced, proposes that the whole of the sandalwood money shall

be taken for general revenue purposes. None of it will be applied to the reforestation of sandalwood: in fact, on the Minister's own statement, all research work done in the past with a view to the re-establishment of sandalwood on the goldfields has been suspended, and the only work being carried on, the only experiments being continued, are those in the Great Southern and in the wheat areas. For many years the only sandalwood cut in Western Australia has been taken from two areas, one the Eastern Goldfields area and the other the North-West. I believe that those two areas are at present the only places where sandalwood can be obtained or is being obtained, but no work is being carried out in either of those two areas with the object of re-establishing what has been so profitable an industry. Certainly a few years ago plantations were established on the goldfields. They were established under conditions which unluckily were unfavourable climatically, and the results were unfortunately more negative than positive in regard to the information obtained. However, I do not think that is a unique experience as far as experimental work and scientific investigation is concerned. Very often valuable results from investigating any important question come from determining what cannot be done. Had there been a continued policy adopted with regard to experiments on the goldfields, and had those experiments been duplicated in the North-West, it is possible that a lot of valuable information would have been gathered and we should have been able at the present time to see possibilities of which we are now ignorant. Consequently I regret to find that the Government has definitely abandoned any further work in that direction. The question has been raised by other people that it is all very well to advocate research work with regard to the dry areas, but will it pay? We know what amount of money has been obtained from sandalwood and we know that in the future there will be a demand for sandalwood oil for medicinal purposes, quite apart from the use of the tree as an ornamental wood. The continued occupation of our interior depends upon our being able profitably to exploit it, and so we see the whole question is

really worth while, particularly as it would involve the annual expenditure of only a small sum of money. There is associated with this question a research work on the goldfields that is of considerable importance. The sandalwood plant, as most people know, is a parasite on many of the other goldfields plants, and those other plants are largely fodder plants which are availed of by pastoralists. The ravages of the rabbits on the goldfields areas have for many years been very serious, that seriousness lying in the fact that there has been no natural re-growth of those fodder plants. The rabbit has really eliminated them all and stock is being carried at the present time by the old and matured plants. When those plants are gone the stock-carrying capacity of the inland pastoral areas will be seriously diminished. When we realise the importance of the pastoral industry to Western Australia we are entitled to expect that the expenditure of £1,000 or £2,000 per annum on research work there would appeal even to a Government that was anxiously trying to get in revenue from every possible source. We are further impressed by the serious results that must follow from the denudation of natural plants in those dry areas. One would think that every person in the community who was interested in the welfare of Western Australia would have insisted that it would be only a natural precaution to protect the inland areas so as to preserve the prosperity of the great industry which those areas support. Information has repeatedly been placed before Parliament as to the effect of the eating out of the fodder plants in our dry areas.

Hon. C. F. Baxter: It is very serious.

Hon. H. SEDDON: It is. I have previously told the House of the experience in South Australia near Koonamarra reserve where pastoralists overstocked a certain portion of their country. The carrying capacity of that district is now not more than 25 per cent. of what it was some two generations ago. Hon. members may possibly have an opportunity of seeing what the effect is from soil erosion when the natural plants are destroyed by overstocking and the rabbit invasion. The latter really amounts to overstocking the areas by reason of the rapidity with which the

rabbits eat the fodder plants. In South Australia one can see square miles of country reminding one of nothing so much as pictures of the Sahara desert, where the soil has been blown away from the dead roots of the trees and plants that have been destroyed.

Hon. J. Nicholson: It is the same in Western America.

Hon. H. SEDDON: Yes, I shall refer to that shortly. In South Africa serious damage to the lands was experienced from soil erosion resulting from both water and wind. In that country a Royal Commission was appointed to investigate the whole question and they reported that the damage to the soil in South Africa meant a loss of millions of pounds per annum through the destruction of the fertile land in which plant life grew.

Hon. J. Cornell: South Africa has no trees.

Hon. H. SEDDON: A lot of their territory is grass country and there is a good deal of what they call veldt country and overstocking there resulted in the destruction of plant life and a loosening of the soil. I recommend members to read the report of that Royal Commission, the members of which were authorities in their particular line. The report makes very interesting reading and it is particularly applicable to Western Australia. A few months ago we read of the effect of soil erosion in the dry parts of the United States. Hundreds of acres were destroyed and rendered incapable of carrying crops for a good many years to come. I remind hon. members that the rainfall in those States was inches higher than the rainfall in our wheat belt, and consequently we should study the question and profit by the experience of those western States. We have only to travel through our own wheat lands on anything like a windy day to realise what a tremendous quantity of soil is carried off the land in suspension in the air. When we see that and realise how our methods of clearing have exposed those wheat lands to the action of the winds, action that is almost continuous, we must realise what destruction is occurring there. Consequently, I suggest that the Government should seriously consider an extension of their forestry policy to prevent a national calamity similar to

that which occurred in the western States of America, and a calamity which is forecast in South Africa. Seeing that the wheat areas have been robbed of their natural protection, the question of protecting the land is one which could well come within the scope of the Forests Department, and to which a portion of Forests revenue could be devoted. I have dealt with the two directions in which the Government have entirely neglected their responsibility in the way of safeguarding the vegetation of our wheat and pastoral areas. The questions are both urgent and vital because what has been the experience in other parts of the world will surely be our experience. And if we are men of intelligence and possess a sense of responsibility we will profit by the experience of other countries and do our utmost to safeguard ourselves. Other speakers intend to refer to the financial aspect of our forests policy, and so I will leave that question to them. I do, however, desire to point out that reforestation is not a matter of to-day nor of a few years. We are planting and working for 50 or 80 years ahead, and consequently if we continue the policy we are adopting now of taking forestry revenue into ordinary Consolidated Revenue and spending it for every-day purposes, while we are borrowing money for reforestation, we are pledging ourselves to an annual charge by way of interest and sinking fund over a period of anything up to 50 years, until the forests become established and reproductive. I trust that my remarks will commend themselves as being so far expedient that the Government will see fit to adopt a policy of conservation of our national wealth. I ask again, why should our goldfields and the North-West be entirely left out of any research scheme in connection with this sandalwood question? Why could there not be set aside a small sum out of the £18,000 which is being received from sandalwood, so that it might be spent in each district merely in research work carried out by scientific men?

Hon. J. M. Macfarlane: It would be better to use the whole of the money.

Hon. H. SEDDON: We could do that. We are, however, concerned because the Government are not carrying out a policy of investigation. I feel confident in saying that if the Government set aside a small sum

of money, say £1,000, for five years and appoint experts to investigate the question of regrowth, not only of sandalwood, but natural fodder plants in our dry areas, the result of that expenditure would be repaid to the community a thousandfold in the information that would be obtained and in the indicated source of increased wealth production that would result from such an investigation. I am not in a position to move an amendment to the Bill before us, but I do urgently appeal to the Government to set aside a small sum under the control of the Forests Department for the purpose of the investigation I have referred to, and in the case of the reforestation of the wheat-belt, the preservation of this country from an experience similar to that of the western States of America.

HON. G. W. MILES (North) [5.15]: This Bill or one like it comes up almost every session. During one session this House refused to grant the request of the Government that they take this money into revenue. I hope the House will do the same again to-day. I agree with all that Mr. Seddon said, but when this reforestation legislation was introduced in 1919, it was understood that three-fifths of the revenue should go to reforestation purposes. I understand that under this measure before the House the Government will take £18,000 into Consolidated Revenue. I quite agree with the speech of the Chief Secretary on the reforestation policy last night, but I do not agree with the method the Government adopt in taking this money into revenue and then borrowing money for reforestation purposes. It is against the declared policy of the Government. For years past successive Parliaments have allowed dust to be thrown in the eyes of the taxpayers, and time and again have I appealed to members of the House to record a protest against the methods of Government bookkeeping. The Treasurer when delivering the Budget speech the other evening said that owing to the new Agricultural Bank Act the Treasury was deprived of £368,000, that in the past the interest due to the Agricultural Bank had been credited to the Treasury whether the Bank had received the money or not, and then loan money had to be raised for the carrying on of the Bank. The argument of the Treasurer was that if the Government had been allowed to use that £368,000 last

year they would have shown a surplus of £201,000, instead of a deficit of £167,000. But it would have been a fictitious surplus. The same practice is going on in almost every department. Last year I tested the feeling of the House with a view to having a protest entered when the Government took into revenue £80,000 from the Fremantle Harbour Trust, and then borrowed £70,000 for reconditioning the North Wharf. The same thing applies to Government property: If a public building is sold the money is taken into the Government Property Sales account, and afterwards becomes revenue. This, of course, creates an utterly fictitious position. It was only because of the exception taken by the Federal Grants Commission to this method of finance that an alteration was made. This House to-day has the opportunity to turn down the Bill before us, as an indication to the Government that we want the affairs of the country run on business lines, so that the taxpayers shall be able to see how we stand. It is absolutely dishonest to continue carrying on as we have carried on in the past, and I hope the House will reject this Bill. When certain other Bills come forward I am going to enter my protest in the same manner. It is of no use saying we cannot amend the position, because of course we can do so. The electors have been hoodwinked for years past, through this House failing to reject measures of this kind and insisting on the Government setting up a proper method of book-keeping.

Hon. G. Fraser: You are advocating direct action?

Hon. G. W. MILES: Yes, so far as this Bill is concerned. This money should be retained for the purpose for which the fund was created. Subsection 2 of Section 41 of the principal Act reads as follows:—

Three-fifths of the net revenue of the department, to be certified by the Under Treasurer, shall in every financial year be placed to the credit of a special account at the Treasury and shall form a fund for the improvement and reforestation of State forests and the development of forestry, and such fund may be expended by the Conservator with the approval of the Minister without any other authority than this Act.

Now it is proposed in the Bill to insert after the word "department" the words "except revenue derived from sandalwood." I am not taking the present Government to task any more than previous Governments, for they have all done the same thing. But that

is no reason why an alteration should not be made, and it is for this House to give a lead. Under the Agricultural Bank Act the Treasurer has been prevented from taking £368,000 into revenue, money which was not revenue until collected. The Treasurer in delivering his Budget remarked that the real effect of that procedure was to use loan moneys for revenue purposes.

Hon. A. Thomson: Every Government has been doing that for years past.

Hon. G. W. MILES: Is that any reason why the taxpayers of the country should be hoodwinked any longer? At that stage in the Treasurer's remarks a member of the Assembly interjected, "That is one way of producing a good Budget." Whereupon the Treasurer said, "It is not done in this Budget." No, not so far as the Agricultural Bank is concerned, but it is done in this Budget so far as the Forests Department is concerned. The Treasurer went on to say that the Government were not doing that kind of finance any more. Yet we have the Chief Secretary attempting to do it here through this Bill. The Treasurer continued—

Although the old practice may be condemned as unsound, Parliament by the Act of 1912 specially authorised it to be done. All Governments have done this in the past, but we are not doing it here.

That is what the Treasurer said, but the Chief Secretary comes along as his representative in this House and attempts to do exactly the same thing through this Bill, if the House will allow him. The Treasurer, proceeding, said—

As the result of this position the Treasury last year lost £368,000.

The deficit last year was £167,000, but had the Government gone on in the bad old way there would have been a surplus of £201,000, and the people of the country would have been hoodwinked as usual by those figures. I venture to say there are not many members of Parliament who realise the actual position in regard to finance. A few of us have tried to elucidate it in this House, but have not received much support. Other members say we cannot take this revenue from the Government, and so we let the whole of the taxpayers be hoodwinked. The Treasurer continued—

We took into revenue this interest payable, and if the full amount was not received the balance was taken from loan fund.

The Treasurer candidly admits it there, yet this is what we are asked to do under the Bill. The Treasurer admitted that it was really unsound finance. And so is this unsound finance, notwithstanding which the Chief Secretary asks the House to continue this unsound financial policy.

Hon. J. Cornell: The Government have not a forestry conscience.

Hon. G. W. MILES: I give them credit where credit is due, for I am not against them any more than I am against any previous Government. At that stage of the Treasurer's remarks, a member interjected that there were a few other things to be taken up similarly, and the Treasurer said, "Yes, but we are making a start." Certainly they are making a start in respect of the Agricultural Bank business, but not in respect of our forests. We want to see introduced proper methods of bookkeeping, so that when the Budget is presented members of Parliament can see exactly what the position is. The present form of bookkeeping is thoroughly dishonest. I oppose the second reading. I think I have given members something to consider before they record their votes and I hope they will fully realise the position. The principle is wrong, and applies in many different methods. If the Treasury buildings were to be sold, the money would go into Government Property Sales Account, and eventually would be taken into revenue. Our agricultural lands are being sold on conditional purchase, and the money comes into revenue. There we are selling a capital asset and creating a liability for the rising generation. Sooner or later that rising generation will come up here and shoot every member of Parliament, and Guy Fawkes will not be in it; and we shall deserve it if we allow this method of bookkeeping to continue.

HON. L. CRAIG (South-West) [5.27]: I was not quite prepared to speak on the Bill to-day, but since Mr. Miles has tried to create a forestry conscience, it is perhaps appropriate that I should carry on. I commend the speech of Mr. Seddon in regard to the forest policy necessary in the wheat belt, where owing to the cutting down of the original forest the soil is likely to be swept away by wind and water. The hon. member also suggested that the

Government should allot a certain sum of money each year for reforestation purposes, including the regrowth of sandalwood. Considerable money has been spent in many attempts to sow sandalwood, and I am told on good authority that it is not difficult to establish sandalwood seedlings, but that the difficulty, as Mr. Baxter interjected, is to be found in sheep, to say nothing of rabbits. In the pastoral areas sheep are a great menace to the regrowth of sandalwood. When the sandalwood tree is young, stock of all sorts are very partial to it, and rabbits think it a great luxury. Although the Forests Department have no trouble whatever in making sandalwood grow, they have found it impossible to maintain that growth owing to the rabbits and, in pastoral areas, to the sheep. That was the chief reason for the attempt being given up.

Hon. H. Seddon: They have not even attempted it.

Hon. L. CRAIG: The only way to bring about the reforestation of sandalwood is to get rid of the rabbits, and net in the planted country. That would be an expensive method of dealing with the question.

Hon. H. Seddon: What about research work?

Hon. L. CRAIG: They have gone past that. It is easy to grow sandalwood. It has been planted amongst jam, which is one of the hosts. The thicker the jam is, the greater the growth of sandalwood. In pastoral areas, however, the great difficulty is to keep the stock away, and as a rule, where there are no sheep, there are rabbits to eat down the young trees. This is one of the greatest difficulties in connection with the sandalwood industry. Mr. Miles contends that the royalty from forest areas is being taken into revenue, and that Loan funds are being used for forest purposes. We must walk warily when dealing with this subject. Quite recently I spent two or three days in the forest areas, and I am in accord with the forest policy. I am satisfied that a tremendous lot of good work is being done.

Hon. G. W. Miles: So am I.

Hon. L. CRAIG: I hope so. The Conservator pointed out to me that for 40 or 50 years there was no forest policy, and that our forests were being robbed. It was necessary to spend some loan money in the endeavour to make up the leeway, not to deal with the present denudations but the

denudations that occurred in the past. It is also necessary to have money for the relief of the unemployed in the forest areas, as three-fifths of the royalty would not be sufficient for that purpose.

Hon. G. W. Miles: Of course it would not be sufficient.

Hon. L. CRAIG: Money, therefore, has to be found. As it is capital expenditure, it is reasonable that some loan money should be spent on a reforestation policy. Useful development work has taken place in the mallet bark industry. That is capital expenditure. Until recently it was considered that the only place where mallet trees would grow was on the top of stony hills or ridges. As a boy I used to think that was so because that was the only place in which I saw mallet growing. On most stony, rough hills one could see growing a little belt of mallet trees. Members could see them to-day in the Great Southern areas. Farmers as well as laymen maintained that those were the only places in which such trees would grow. The Conservator, however, had a different view. He thought they grew there only because bush fires had burnt them out on the lower slopes where grass was growing. On the tops of stony outcrops no grass grew, and no fires occurred to burn the trees. Mallet, therefore, was growing where the fire could not get at it. He followed up that thought and began to plant mallet trees. Mallet grows in light country. The department chopped down certain areas, put a big fire through, and sowed mallet seed in the ashes. Every effort was then made to keep fires out of the sown areas. The results have been astounding, for there are now several thousand acres of mallet trees growing well. I have seen this development. It is a credit to the State. The mallet trees are growing better in the valleys than in the hills. I venture to say that a profitable industry will be built up in mallet bark. It is reasonable that some loan money should be spent in this direction. It is a reasonable capital expenditure, and I hope the Government will go on with the work.

Hon. H. Seddon: Would the proceeds of the sale of mallet bark go into revenue or would they be used for the repayment of loan moneys?

Hon. L. CRAIG: None of this bark has yet been sold. I take it that

three-fifths of the proceeds would be used for forest purposes, and two-fifths would go into revenue. If the Government spend money on the industry, the income from it should be regarded as legitimate revenue. We must go warily before we condemn the policy of the Government in spending some loan money on reforestation purposes.

Hon. G. W. Miles: No one objects to that.

Hon. L. CRAIG: But the hon. member objected to the expenditure of loan money.

Hon. G. W. Miles: I object to money being taken into revenue and loan money being used to replace it.

Hon. L. CRAIG: The royalty from our forests does not all represent capital; some of it is revenue.

Hon. G. W. Miles: You have not read the Bill.

Hon. L. CRAIG: I have.

Hon. G. W. Miles: Then you do not understand it.

Hon. L. CRAIG: I do, and I understand the forestry policy also. I highly approve of the work of the Conservator.

Hon. G. W. Miles: We all agree with that.

Hon. L. CRAIG: I agree that the Government should have some of the revenue. That is all they are getting to-day. They are receiving two-fifths for revenue purposes.

Hon. A. Thomson: They want to take all the revenue from sandalwood.

Hon. L. CRAIG: They endeavoured to re-establish the sandalwood industry, but have found it impossible to do so.

Hon. A. Thomson: They have proved that it is possible to do so.

Hon. L. CRAIG: It is not possible to do so because of rabbits and sheep, unless they are prepared to rabbit-net the whole area in which the young trees are planted. I do not think the industry could stand that expenditure.

Hon. G. W. Miles: Why not use that revenue for reforestation purposes, as was intended when the forest policy was put up and the Bill went through?

Hon. L. CRAIG: I will support the second reading of the Bill.

HON. A. THOMSON (South-East) [5.37]: Mr. Craig has proved that sandalwood can be grown, and that a policy of reforestation can be adopted.

Hon. L. Craig: Subject to certain conditions.

Hon. A. THOMSON: Yes.

Hon. G. W. Miles: The Chief Secretary said it was being done in the Great Southern.

Hon. A. THOMSON: The Great Southern areas were, in the first place, opened up by sandalwood-getters. This led to the settlers taking up the land. We owe a great deal to the sandalwood-getters, who really pioneered that part of the State and preceded the Great Southern railway. I am not opposed to certain loan moneys being expended on reforestation. In the Conservator and his officers we have men who are imbued with the desire to preserve our forest assets.

Hon. G. W. Miles: Quite right, too.

Hon. A. THOMSON: As Mr. Seddon said, it is true that, as a result of much clearing, a great deal of valuable land has been lost to the State as well as to private individuals. In various parts of the Great Southern considerable areas of land are carrying no stock at all, because owing to the clearing along the creeks and water-courses the land has been going salty. That is a problem we have to face. We are urged to protect the forest industry and to increase the productivity of forest lands. I endorse that policy. I also agree that the department has done excellent work in the reforestation of mallet bark. In South Africa, particularly outside Durban, practically every farmer grows wattle trees on his property, as a sideline. It seems rather absurd that Australia should be importing wattle bark from South Africa when our own country is the home of the tree. The Forests Department might collaborate with other departments and see whether it is possible to extend the growth of mallet trees. If that could be done, no doubt it would go a long way to preventing soil being blown away, and would also be the means of returning some profit to the settlers. The proposal before us is that none of the revenue derived from sandalwood shall be reserved for the Forests Department. It is essential that pines should be planted and our forests should be rejuvenated in the cut-out areas. In view of the enormous value the sandalwood industry has been to the State, we are justified in asking the Government to persevere in the endeavour to maintain the growth of sandalwood. Most

people in the Great Southern would not know a sandalwood tree if they saw it. Although I have lived in the district for 30 years, I had to go to the goldfields to see a sandalwood tree. I have no desire to restrict the revenue of the Government, but I think that portion of the Bill which deals with the revenue from sandalwood should be deleted.

Hon. G. W. Miles: That is all the Bill refers to.

Hon. A. THOMSON: If so, it will go out as far as I am concerned. The sandalwood industry has been of great value to this State. When I was in another place I recall the enormous expenditure that was incurred in circularising members concerning the industry. Every day one's box was filled with letters and communications from different people pointing out the value of the industry. There must have been a lot of money in it in those days because so much was spent on propaganda. Therefore I consider that the amount of money available should be expended. Mr. Craig has said that the proposal is impossible, though on the other hand he has declared that it has been definitely proved we can grow sandalwood.

Hon. L. Craig: Subject to certain conditions.

Hon. A. THOMSON: That it has been definitely proved that the seedlings will grow.

Hon. L. Craig: That is so.

Hon. A. THOMSON: Having ascertained that fact, surely it is fair and reasonable to declare that in given areas the regrowth of sandalwood will be part and parcel of the Forest Department's work, that a small area should be put down in sandalwood, which should be sufficiently protected by wire netting to allow of its establishing itself.

Hon. L. Craig: Rabbit netting.

Hon. A. THOMSON: After all, that work can be done year by year with the sandalwood revenue which the Government now propose to divert into Consolidated Revenue.

Hon. L. Craig: Suppose the sandalwood revenue were not sufficient to cover the expenditure, would the work be worth while?

Hon. A. THOMSON: That argument would apply equally to the revenue to be

derived from the re-establishment of mallet bark. It may be asked, will that revenue be sufficient to warrant our expending loan moneys for the purpose of re-creating an asset the proceeds of which will eventually be taken into Consolidated Revenue?

Hon. L. Craig: Yes, definitely.

Hon. A. THOMSON: It has not been proved, at all events not to me, that the re-establishment of the sandalwood industry is impracticable.

Hon. J. J. Holmes: If we protect the forests against fire, why not protect sandalwood against rabbits?

Hon. A. THOMSON: That is a pertinent interjection.

Hon. L. Craig: But the one thing is simple, while the other is difficult.

Hon. A. THOMSON: Let us bear in mind the hundreds of thousands of pounds by which the sandalwood industry has benefited the revenue through railway freights and so forth. If sandalwood has been such a valuable asset, why allow it to perish altogether?

Hon. G. W. Miles: In the old days sandalwood was one of Western Australia's chief exports.

Hon. A. THOMSON: Yes, it was.

Hon. G. Fraser: Since those days we have had an import in the form of rabbits.

Hon. A. THOMSON: I admit that there are many difficulties to be overcome. Hoping that the House will insist on the reforestation of sandalwood, I oppose the second reading of the Bill.

HON. J. CORNELL (South) [5.50]: I have listened with considerable interest to hon. members who are opposing the Bill. As far back as 1924 the late Mr. Harris and I discovered the raid which was being made on the Forests Act. In that year a Bill was brought down to remove from the purview of the dalwood. In every session since 1934, a Bill has been brought down to continue that practice. I said last session, and I repeat now, that after 10 or 11 years of annual legislation on the subject we ought at least to know where we stand in regard to sandalwood. If the results of researches which have been made are such as to lead us to the conclusion that the regrowth of sandalwood by human effort is almost an impossibility, the time has arrived for doing away

with this hardy annual and making the existing Act a permanent statute. Let us now say, once for all, either that henceforth the revenue from sandalwood shall go in the direction originally intended, or that the decision in question shall be revoked altogether. My considered opinion is that the Bill should be passed, and, further, that sandalwood revenue should be removed from the Forests Act altogether. Then any Government would be able to take sandalwood revenue into Consolidated Revenue, and there would be no more need for this recurring measure.

Hon. J. J. Holmes: What about money to carry on the job of reforestation?

Hon. J. CORNELL: I intimated at the outset that Mr. Harris and I were the discoverers of the attempt made by the Treasurer of 1924 to invade the realm of the Forests Act and take away from the Forests Department certain sandalwood revenues which it was provided should be used for a specified purpose. That was 10 or 11 years ago. The measure making the alteration has now been continued for 10 years.

Hon. G. W. Miles: We disallowed the practice once or twice, and so the funds accumulated. Then the Mitchell Government came in and got about £30,000 of accumulated sandalwood revenue.

Hon. J. CORNELL: If we were to disallow the practice, what would happen? Instead of giving one Government one year's sandalwood revenue, another Government would get two or three years' revenue.

Hon. J. J. Holmes: In some sessions a continuance Bill was not brought down.

Hon. J. CORNELL: A reference to the records will show that during the first two years of the existence of the Act I was one of two or three members who strenuously opposed the inroads being made on the revenue of the Forests Department. Those inroads have been made for ten years.

Hon. J. J. Holmes: Cannot we stop the practice at ten years just as well as at one?

Hon. J. CORNELL: But there is no more justification for stopping the practice now than there was at any other period of its existence.

Hon. J. J. Holmes: Then you are on false ground.

Hon. J. CORNELL: I am not on false ground.

Hon. J. J. Holmes: You should have challenged the practice ten years ago.

Hon. J. CORNELL: I challenged it ten years ago, nine years ago, eight years ago, and seven years ago. If we are to agree every year to do again what we did in the preceding year with regard to sandalwood revenue, surely it is just about time we sized ourselves up and sorted ourselves out and came to a definite decision whether or not these annual Bills are necessary, or whether it would not be better to remove the sandalwood revenue from the purview of the Forests Act and permanently authorise the Government to take sandalwood revenue into Consolidated Revenue. My considered opinion is that if the House refuses to pass this session's Bill, we cannot but admit that our refusal is based on no other reason than that for which we agreed to pass previous Bills. I have heard absolutely no reason for the re-enactment of the statute. Years ago statements were made by Mr. Lane-Poole, a very fine forester, and later by Mr. Kessell, his successor, that it was possible to re-establish sandalwood growth. Thereupon a special part of the State was set aside as being the most suitable for the experiment. That part was just outside Ravensthorpe, on the old estate of the Dunne Brothers, with which you, Mr. President, are acquainted. The estate was netted, and every practicable effort was made by the Forests Department to demonstrate conclusively that the regrowth of sandalwood was possible to human effort. I remember letters which reached me—I think you, Mr. President, received similar communications—from that part of the South Province protesting against reservations of jam wood, which timber grows in the district where sandalwood was to be re-established. The local farmers said, "We desire the jam wood for posts." But the Forests Department replied, "Sandalwood has been grown in only one way. Sandalwood is to a certain extent a parasite, and cannot be regrown in its native habitat by human aid unless it has a host; and the best host in Western Australia is jam wood. As a result of our conclusions on the subject, we cannot agree to open up that reservation and allow settlers to cut jam wood posts there." This clearly demonstrates that Mr. Kessell and his department were determined to exploit every avenue and to protect every opportunity for the regrowth of sandalwood. I believe that to-day the considered opinion of the Forests Department

is that sandalwood cannot be grown by human effort any more than Christmas trees can. That being so, we should make up our minds one way or the other, and say to the Government that from now on they shall do either this or that. We can say to the Government, "You are no longer to have that sandalwood revenue which you have received for the last 12 years. That revenue is to go in the direction of re-establishing sandalwood throughout the State." The alternative to that is that we should say it is our considered opinion, legitimate efforts to propagate sandalwood having failed, that the House should not be bothered, year after year, by a Bill of this description. I support the second reading, and if I follow my personal inclinations, I shall move, when the Bill is in Committee, that it be made permanent.

HON. R. G. MOORE (North-East) [6.1]: I do not intend to oppose the second reading of the Bill, but I shall refer to some remarks made by Mr. Seddon. I am still of the opinion that money would be well spent in an endeavour to promote the reforestation of sandalwood. Mr. Cornell informed us that he was satisfied that it could not be done.

Hon. J. Cornell: Not that I was satisfied, but that the Forests Department were satisfied.

Hon. R. G. MOORE: Mr. Cornell seemed so satisfied that he was prepared to make the legislation permanent. I believe there is a good prospect of securing a successful regrowth of sandalwood. I remember experiments being carried out on a plot not far from Kalgoorlie. The young plants grew quite readily, but then the rabbits ate them down. If we are to stop such experimental work simply because rabbits destroyed those young plants, it will not say much for our enterprise. If we refrain from research work merely because of a setback in the early stages, we cannot expect to make much progress. Rabbits have attacked not only sandalwood, but other crops. They have attacked wheat, and farmers have taken the precaution of fencing their properties and keeping the rabbits out. In the pastoral industry, dogs attacked sheep. The pastoralists did not say they would not worry any more about sheep because the dogs attacked them.

They dealt with the dogs, and continued to raise sheep. I believe that success would be experienced if we went in for reforestation of sandalwood in certain areas, not necessarily on large blocks. It would be essential to protect the holdings.

Hon. J. Cornell: That was done in the Ravensthorpe district, and the attempt failed.

Hon. C. F. Baxter: You know the cost of rabbit-proof netting per mile?

Hon. R. G. MOORE: I have a good idea, and I also know the value per ton of sandalwood. I know the important part sandalwood played in the early days of the mining industry.

Hon. C. F. Baxter: Do not forget that you would have to patrol the rabbit-proof fence every 48 hours.

Hon. R. G. MOORE: I do not know that it would be necessary to do that.

Hon. C. F. Baxter: You must constantly attend to the fences.

Hon. L. B. Bolton: If you did not, you would find the rabbits under the fences in less than 48 hours.

Hon. R. G. MOORE: At any rate, I think it could be done. Not only should we endeavour to re-establish the growth of sandalwood, but we should go in for experiments with fodder plants that could be acclimatised and be of assistance to the pastoralists in the drier areas. We have been told that South Africa has established the wattle in that country and has developed a large sale for wattle bark. The seeds were originally imported from Western Australia and the trees have become acclimatised in South Africa. Similarly, I think, fodder plants that have proved valuable in other countries could be acclimatised in our drier pastoral areas. If we were to enclose the areas where sandalwood was planted, the experiments with the fodder plants could also be undertaken on the same plots.

Hon. J. Cornell: You rarely find sandalwood and saltbush growing together.

Hon. R. G. MOORE: I have not referred to saltbush.

Hon. C. F. Baxter: At any rate, even saltbush is being eaten out quickly.

Hon. R. G. MOORE: That is all the more reason why we should endeavour to introduce additional fodder plants. In South Africa similar experiments have been carried out. Fodder plants were established

and the stock were kept out of the paddocks. The plants were allowed to mature and the seed, being blown about by the wind, helped to spread the growth. In the interests of the pastoralists we should attempt something along those lines. I am not prepared to say that because we have tried and failed, we should give up the effort altogether. Some research work has continued for over 100 years before success was attained. Some results have not been secured even yet, but still research work goes on.

Hon. G. W. Miles: Why not vote against the Bill and that will mean that the money will be retained in the sandalwood fund?

Hon. R. G. MOORE: I do not know that that will make much difference. If it goes into the fund, the Government will still borrow money for reforestation purposes. If I desired to buy some furniture and told my wife that I would borrow £50 for that purpose, of what avail would it be if she were to say, "No, I would rather pay £50 in cash and borrow £50 for our housekeeping"? It would amount to the same thing.

Member: It might fool some of the people.

Hon. R. G. MOORE: I do not think the people are fooled so much as we imagine. Probably some of them know a good deal more than we give them credit for. I do not think that all knowledge belongs to members of Parliament or that one or two members of Parliament only possess that knowledge. I should say that some have been trying to become educated for a long time, but apparently with little success. If we do retain the money in the reforestation fund, it will really not make much difference because the Government will borrow just the same. It should be our object to borrow as little as possible, but this will not make much difference. I want the sandalwood proposition to be further investigated because I believe the difficulties can be overcome.

HON. J. J. HOLMES (North) [6.10]: I have followed the debate with interest. We have passed various measures that directed that three-fifths of the forest revenue should be devoted to reforestation and the remaining two-fifths should be paid into Consolidated Revenue. By this means, all the revenue from sandalwood had to be utilised in the regrowth of that plant. Some difference of opinion has arisen with regard

to opposition to the Bill. Boiled down, it amounts to this, that some of us consider—we do not say we possess all the knowledge apparent in this House—it is wrong in principle to take revenue from the Forests Department, especially the revenue that was specifically set aside for the regrowth of sandalwood, and pay it into Consolidated Revenue, at the same time permitting the State to borrow money for reforestation purposes. Nothing has been said against the Conservator of Forests, Mr. Kessell, or his department. Everyone recognises the wonderful work that the Conservator and the department have effected. On the other hand, it is fallacious and absurd if, after spending £430,000 in reforestation, we then take money from the forest revenue and contribute it to the general revenue fund. Judging from remarks that have been made and from what I know myself, sandalwood can be grown and protected. I have no hesitation in saying that if the £18,000 that the Government propose to allocate to general revenue were given to the Forests Department, the officers concerned would grow sandalwood and see that the young plants were protected from rabbits, just as they protect the forests from fire. Mr. Cornell is very difficult to understand. He claimed that he and the late Mr. Harris first discovered this underhand system of finance. He told us that they fought the matter for several years, but because they did not succeed, he would now adopt an opposite course. He is prepared to let it go on permanently.

Hon. J. Cornell interjected.

Hon. J. J. HOLMES: The hon. member must remember that the personnel of this House changes every two years, and men who would not support him and the late Mr. Harris 10 years ago may not be here to-day. On the other hand, there may be new members who would be prepared to support Mr. Cornell if he stood up to the principles that he advocated 10 years ago. I intend to vote against the Bill because I cannot, and will not, be a party to taking forest revenue into general revenue and then borrowing for reforestation purposes. It is wrong in principle. Anyone who knows anything about first principles in business and finance must realise it is wrong. If they do their duty to the country, they will vote against the second reading of the Bill.

HON. J. M. MACFARLANE (Metropolitan-Suburban) [6.14]: When Parliament passed an Act under which sandalwood was to be protected and its regrowth secured, members determined that it was a work well worthy of being undertaken. They recognised the value of the sandalwood industry to the State. They knew that the exports of sandalwood from Western Australia were the largest in the world and desired to maintain that level. They recognised it could be done with a little care and research work. Year after year, the importance of doing something more regarding the reforestation of sandalwood was urged in Parliament. I listened to speeches, year after year, during the course of which we were told by successive Governments that experiments had been undertaken with partial success, or had proved entire failures. Those failures were not attributed to the depredations of rabbits, but to seasonal conditions being unfavourable. Members who have an intimate knowledge of the sandalwood tree apparently know that it can be propagated and that its lack of growth arises not so much from the plant propagation itself and its host, but because of the lack of research work required to make the effort a success commercially.

Sitting suspended from 6.15 to 7.30 p.m.

Hon. J. M. MACFARLANE: I was endeavouring to illustrate the position as I understand it. Parliament agreed that a certain sum should be allocated each year for the regeneration of sandalwood and for research work, but particularly for regeneration. From time to time we have received reports of a varying nature regarding the possibility of regenerating sandalwood. I understood that seasonal conditions operated against the carrying out of the work rather than the depredations of rabbits, but from the speeches delivered to-night, it seems that the rabbits present the greater difficulty. If that is so, there should be some way to overcome the difficulty, if not to the fullest extent, then in a sufficiently generous way to demonstrate that sandalwood can be propagated and that the industry can be kept alive. It has been said that the world will not call for sandalwood in the same measure as it has done in the past, but another industry is growing up, namely the distillation of sandalwood oil, and the sandalwood is well worth preserving for that reason alone. The speeches

to-day have indicated that the members of Parliament who supported the work of propagating sandalwood are still of that mind. I am satisfied that a majority desire that the work be continued. The industry is certainly worth something to the State, and should be preserved. My friends and I have been accused of having from year to year transferred the money from the sandalwood fund to Consolidated Revenue without question. I beg to differ from that statement. I have been persuaded to support the Government's proposals from time to time, not because I did not believe in its being used for the propagation of sandalwood, but because of the need of Governments for money. That conditions of affairs has passed, or at any rate is less stringent than it was. Therefore I have come to the conclusion that the work of propagation should be resumed and that the money should be used for that purpose. Mr. Seddon impressed me with his statement that not only was the parasite disappearing, but also the host, as well as other edible plants valuable to the pastoral industry. By protecting the one, the other would be preserved. The research work should be continued, even if it meant making reservations rabbit-proof. There are large areas in the State which could be used for this work without incurring great expense in the way of providing fencing or other protection. I have been influenced a good deal by the remarks of Mr. Miles. It is bad finance to be passing certain revenue funds into the general fund and then having to borrow to replace them. If the Forests Department officials report that the propagation of sandalwood is an unsound proposition, the money could be devoted to the propagation of mallet, the bark from which could be made a commercial industry. The money could be better used for that work or for the growth of softwoods, so that the State would derive permanent benefit from the revenue obtained. If the money cannot be used for the propagation of sandalwood, then let it be used for saving the jarrah, karri or other timbers, and for the propagation of timbers that otherwise might become extinct. As I desire to see the timber industry protected and developed, and as I believe that that was the view of Parliament when the original provision was agreed to, I feel disposed to vote against the second reading of the Bill.

HON. E. H. ANGELO (North) [7.37]: I was a member of another place in 1919 when the parent measure was brought into being, and I recollect the keen desire then expressed by members in another place that reforestation should be carried on, and that the sandalwood industry should not be allowed to lapse for want of wood. That is why three-fifths of the net revenue was to be placed into a separate account. Not very long afterwards we found that the revenue being derived was considerably greater than the work being carried on at the time required. When the Bill was introduced the royalty on sandalwood was £1, but it was afterwards raised considerably, and that was the reason why large sums of money accumulated in the special fund. Mr. Miles has told us that at one time there was an accumulation of £35,000, which an indigent Treasurer collared by means of a Bill of this kind for Consolidated Revenue purposes. The original measure stipulated that three-fifths of the revenue was to be paid into the fund, and the other two-fifths was to be paid into Consolidated Revenue. I want members to bear that fact in mind. Consolidated Revenue was really the place for the revenue, but out of that a certain allocation of three-fifths was set aside for a special purpose. It was found later, as I have said, that too much money was being produced by the three-fifths. Lately, as members have mentioned to-night, it has appeared doubtful whether a success can be made of cultivating sandalwood. My opinion is that it cannot be done in the North-West. Even if it were attempted, a big slice of land would be required which probably could be far better used for carrying sheep. However, the question now arises as to what is the right thing to do with the surplus money in the fund. Mr. Miles, Mr. Holmes and Mr. Macfarlane have told us that it is a wrong policy—in fact wicked—to borrow money for reforestation purposes while putting this money into Consolidated Revenue, but on the large sums of loan money already spent, interest has to be paid. Where does that interest come from? It has to come from Consolidated Revenue. Therefore, by transferring this amount, which seems to be at a loose end, to Consolidated Revenue, we shall be making a cross entry, because it will assist us to

pay interest on the money borrowed for reforestation purposes. Mr. Miles referred to a statement by the Premier about his not taking credit for £368,000 of interest on Agricultural Bank loans. I cannot see for the life of me that the two matters are on the same footing. The £368,000 to which the Premier referred was uncollected interest still owing. In the past wrong action was taken by borrowing that money and paying it into Consolidated Revenue. I am glad that the Premier is not continuing the practice any longer. The difference between that set of circumstances and the present case is that we have collected the money and do not know what to do with it. The only thing we can do with it is to let it go into Consolidated Revenue, and then Consolidated Revenue will have the assistance of this money to pay the interest required on the money borrowed for forestry purposes. I quite agree with Mr. Seddon. We should do away with the allocation of the three-fifths revenue. Even if it were found later on advisable to do more reforestation work in sandalwood, mallet or any other kind of timber, the House could make a special allocation, whether out of loan money or revenue would not matter so long as it was done.

Hon. H. Seddon: We could not do that.

Hon. E. H. ANGELO: The Government could do it, and we could approve of it. I was greatly interested in Mr. Seddon's remarks, and I feel certain that the Chief Secretary will bring his views before the Government. If we approve of this money being paid into Consolidated Revenue—

Hon. G. W. Miles: Would you conduct your private business in that way?

Hon. E. H. ANGELO: Certainly.

Hon. G. W. Miles: Then you would soon be in the Bankruptcy Court.

Hon. E. H. ANGELO: I would not borrow £368,000 from Consolidated Revenue to cover uncollected interest, but when we have money and do not know what to do with it, the only thing is to transfer it to the general fund and let Parliament allocate it as may be required later on. I support the second reading.

HON. G. FRASER (West) [7.43]: I agree with the views expressed by Mr. Angelo inasmuch as I cannot see the wisdom or logic of the argument presented by members who are opposing this measure. They

are prepared to defeat the Bill so that the whole of the revenue under this heading shall be available for reforestation purposes, and at the same time they maintain that if sufficient money is not available, loan money should also be used for reforestation. Posterity will benefit from the reforestation policy, and that being so, posterity should bear some of the burden of that policy. That is the position created by adopting a reforestation policy and financing it with loan funds.

Hon. J. Cornell: Posterity is well loaded up now.

Hon. G. FRASER: Possibly so, and we have been loaded up by our predecessors. It seems to me that if we are carrying the load to-day from loan moneys expended in previous years, we should also get something of the benefits from that policy, and the two-fifths proposed in the Bill appears to me to be the only way in which we can get it. Quite a lot of argument has been advanced with regard to the reforestation of sandalwood, but I am satisfied that the Forests Department are quite content that they can handle the question. Other factors come into consideration which will ruin the chances of success. It appears to me they are convinced that the cost of protecting sandalwood during its growth would be too costly.

Hon. C. F. Baxter: Has that been said by the department?

Hon. G. FRASER: So far as I am aware, the department has never made any application for money to go on with the reforestation of sandalwood. Everyone knows what revenue has been derived from the sandalwood industry, and I do not know who would be prepared to hinder the policy that has been in progress, in the event of there being a chance of success.

The Chief Secretary: It has not been a success for eight years.

Hon. G. FRASER: The question is whether we should prevent this money from going into Consolidated Revenue. If we did so prevent it, we would be making a present of that money to provide a good feed for the rabbits. That being the position, I would prefer to see the money go into revenue. I have heard nothing sufficiently convincing to induce me to vote

against the second reading of the Bill; therefore I intend to support it.

On motion by Hon. W. J. Mann, debate adjourned.

BILL—JUDGES' RETIREMENT.

Second Reading.

Debate resumed from the previous day.

HON. J. NICHOLSON (Metropolitan) [7.50]: I am in accord with the views of those members who have addressed their remarks in opposition to the Bill. The proposal to retire judges just because they have attained the age of 70 years, and who themselves may be physically and mentally fit, seems to me to be both unwise and uneconomical. I agree with the views expressed by Mr. Holmes and Mr. Parker on that point. Mr. Holmes gave us certain instances with regard to particular persons and he mentioned the cases of two men who were drawing their pensions, and a third man filling the position, the two men who had retired apparently being quite physically and mentally sound, and who could have given the benefit of some further years of service without the State being put to the expense of paying pensions plus salaries. There are many members in this House who, I think, would provide examples, not only in themselves, but of others, of men who have preserved their vitality and mental qualities after having passed the age of 70.

Hon. G. W. Miles: What better example could we have than the Leader of the House for his knowledge and experience?

Hon. J. NICHOLSON: We recognise in the Chief Secretary one of the most vigorous and virile debaters and one who takes a keen interest in everything that comes before the House.

Hon. G. W. Miles: And he gets better as he grows older.

Hon. J. NICHOLSON: Mr. Parker also raised a very important aspect which deserves the consideration of every hon. member, and that is, if this limitation as to age is to apply to judges who are interpreting the laws, why should it not apply to members of Parliament who make the laws? It is a very pertinent question for hon. members to ask themselves, whether or not, if this Bill be passed, there should not be a like provision in our Constitution Act that

no man over the age of 70 years, despite the fact that the people may elect him, should be entitled to take his seat in Parliament. One of the main arguments of the Chief Secretary in introducing the Bill seemed to be directed to the idea of bringing the judges into line with members of the Civil Service. Mr. Cornell also suggested a comparison between the position of a judge and that of the Crown Solicitor or Solicitor General. This attempted similarity or comparison, I suggest with every respect, is an entirely mistaken one, because a person who enters the Civil Service usually does so when young and he grows up in the service. There are instances where men are appointed to certain higher positions at a later stage in life who may never have been in the service before. But these are exceptions. Ordinary members of the Civil Service grow up in the service.

Hon. J. Cornell: The Solicitor General does not.

Hon. J. NICHOLSON: I have already stated that there are exceptions, and that is one of them. Before a man can be qualified to take the office of Crown Solicitor or Solicitor General, or an office of a similar character, it is essential for him to have the qualifications of a legal practitioner under our laws in force in this State. So that no man could possibly hope to attain that position or fill it without first having those qualifications. I contend that the position of a judge is entirely different from that of any member of the Civil Service. A judge is not a man who is asked to wield an axe or handle a pick or shovel; it is not for his physical prowess or strength that he is required to show that he is fit; it is because of his mental acumen and powers, and so long as these are alert and bright, there is no reason why we should dispense with his services. A man cannot enter the legal profession in the first place and say, "I have entered this profession so as to qualify for a judgeship." He could only enter the profession with the intention of qualifying under the Legal Practitioners Act, and if fit, and circumstances so prescribed or permitted, then he might in due course reach that higher and elevated position.

Hon. A. M. Clydesdale: What chance has he of reaching it?

Hon. J. NICHOLSON: Everyone has his chance. In a similar way, a man entering any of the other professions, medicine, for

example, enters that profession with the object of qualifying as a medical man. He will take up some branch or other of that work, just as many lawyers in the Old Country take up one side of their work while others take up another side; one man is versed in equity practice, another in common law, while a third shows brilliance in criminal law, or whatever the profession may be offering as opportunity to display his ability and his power to fill one or other of those positions. The same thing might apply to a man qualifying as an architect.

Hon. J. Cornell: Surely the hon. member does not seriously assert that the qualifications for a judge or for a surgeon are in any way alike.

The PRESIDENT: I think the hon. member has already addressed the House. He might well allow Mr. Nicholson to proceed.

Hon. J. NICHOLSON: Similarly, if one has an inclination to take up engineering or some other branch of work that he prefers, he will enter it with a view to gaining qualifications necessary to reach the higher positions which may be offering. The attainment, however, of the honoured position of a judge depends upon certain conditions. First the man must be qualified in the law. That is essential. The next point is that a man, to be selected for the high position of a judge of the Supreme Court, is usually selected because of the ability shown and his knowledge of the law, and the distinguished place he has gained in that profession. Such a man, to fill a position of that responsibility, should be one possessing what is generally termed the judicial mind. And above all he must be a man of the highest character and integrity, and able to show a capability which is a natural part of the judicial mind, namely the capability of administering justice impartially and without fear or favour. These are undoubted essentials for a man seeking to aspire to such a position, and, possessed of them, the man is usually a successful man. It is essential also that a judge of the Supreme Court should be free from interference and influences which might be directed towards him or exercised over him. As I have said, a comparison was made between members of the Public Service and judges. In the case of those officers in the Crown Law Department to whom reference has been made, they are

subject to the control of their Ministers. It may be an Attorney General, or a Minister for Justice, as the case may be, but they are under his control. If judges were placed under the control of Ministers, and not above them and free to act as they think proper, the position would be serious indeed, and justice would no longer be what it is. One can see, therefore, that there was a great deal of wisdom displayed when those who preceded us passed into law this very enactment in our Constitution where it is provided, in Section 54, that the commission of the present judges of the Supreme Court and of all future judges thereof shall be continued and remain in full force during their good behaviour. But if that had been left there without any other provision, there would have been some cause for complaint. So, by the following section, Section 55, provision is made giving power to remove them. It provides—

It shall be lawful nevertheless for Her Majesty to remove any such judge upon the address of both Houses of the Legislature of the Colony.

In that Section 55 of our Constitution Act of 1889 we, as a Parliament, have reserved for ourselves the right of exercising that wise control should it ever be necessary to exercise it in the case of any judge who might fail because of lack of good behaviour.

Hon. G. Fraser: Who would take the initiative?

Hon. J. NICHOLSON: The initiative would be taken easily and readily if a judge failed to carry out his solemn duties.

Hon. C. F. Baxter: Suppose he were incompetent?

Hon. J. NICHOLSON: Then I do not hesitate to say that Parliament, in its wisdom, would exercise the power reserved to it by the section I have just read. The control therefore and the power lies in Parliament to remove any judge who should no longer continue in his office.

Hon. G. Fraser: Has there ever been a move made in that direction?

Hon. J. NICHOLSON: There has never been any necessity for it.

Hon. G. Fraser: Has there never been an incompetent judge?

Hon. J. NICHOLSON: There has been no necessity for it. I should like to remind members that for the selection of men suit-

able to fill such a high position as that as judge of the Supreme Court, in a small community such as ours the sphere of selection is very limited. Indeed, members will recollect that in earlier years of our history we found it necessary, on more than one occasion since responsible government was established, to appoint judges from the Old Country, and the selections then made reflected great credit on the knowledge of those who made them. Indeed, we have one outstanding example, that of the late Chief Justice, Sir Robert McMillan, who, as Mr. Holmes pointed out, had attained the age of 72 or 73 years when he died in the full vigour of his mental faculties. He was doing almost more brilliant work in his later years than he did in his earlier years. His is only a repetition of other examples which I hope to bring to the attention of members before I resume my seat. But it has to be borne in mind that a judge, by accepting such a position, does himself a considerable disservice, in this way—that he is bound to dissociate or ostracise himself to a certain extent from his fellow men. He cannot afford to participate in our social amenities to the same extent that you or I, Sir, could afford to do, we not having such a responsible position to fill. The reason is that a judge can never tell when some person with whom he might associate in some friendly way might have some suit before him. That places a judge in a very awkward position, much more awkward than in larger communities, where a circle of friendship perhaps can be established much more freely than is possible in a small community. Such a man must not show fear or favour. That is part of his oath, as members will see if they care to look up the Supreme Court Act of 1861, which prescribes that he shall administer justice impartially without fear, favour or affection. Another man may form close friendships, but not so a judge, for he would be diffident to engage in the trial of a case in which his friend was concerned. So I do not look upon the position of a judge as one to be taken lightly, nor do I envy the man who takes it up. Then, as Mr. Holmes reminds us, the taking of such a position involves a grave monetary sacrifice, for it debars a man of brilliance from earning a remuneration much greater

than that which he receives as a judge. I therefore suggest that the comparison which has been made between those holding office in the Crown Law Department and a judge is quite inappropriate. Members of our own court have maintained the highest and best traditions of any bench in other parts of the British Empire.

Hon. G. Fraser: That is not to say they are 100 per cent. competent.

Hon. J. NICHOLSON: Members should realise that if judges are not competent they are liable to be removed, and that the power to remove them lies in the hands of Parliament. It is a grave reflection for any member to suggest a lack of competence when the men concerned are fulfilling their duties. Our judges have shown that they are competent, and that they have maintained the highest and best traditions of the bench in any part of the British Empire.

Hon. G. Fraser: I merely suggest it is a wonderful record that right through the years no action has had to be taken by Parliament to remove them.

Hon. J. NICHOLSON: I gather now that Mr. Fraser is not suggesting that our judges are incompetent. It is proposed by this Bill to limit the age to 70 at which men may hold judgeships. At present this is a life appointment. According to the Latin maxim, it is an appointment *ad vitam aut culpam* (for life or till fault). I fail to see any justification for limiting the age to 70. Innumerable instances could be quoted for leaving the position as it is, despite what has been done in the other States. The Chief Secretary referred to the fact that an inquiry was in progress in England on the question of the retiring age of judges. My attention was drawn to some remarks that the Lord Chief Justice of England had made. These appeared in the "Daily News" of the 18th May last. The Lord Chief Justice gave certain evidence before the Royal Commission that was inquiring into the matter. According to the Press cuttings he said—

I was made a judge at 52, and I hope to continue for another 20 to 30 years.

Hon. G. Fraser: How old was he when he made that statement?

Hon. J. NICHOLSON: He had been Lord Chief Justice for five or six years.

Hon. J. J. Holmes: Fifty-two plus 30 is 82.

Hon. J. NICHOLSON: He was appointed at 52, and has been sitting on the Bench as Lord Chief Justice of England ever since. He must be getting on towards 60 now. One can see what his mental vigour was at the time he gave this evidence. He was replying to a suggestion that a retiring age should be introduced for judges. He went on to say—

I cannot see why a retiring age will be more desirable in the future than in the past. However, if the knife fell it would take off many good senior men. Where is the country going to find a similar reservoir of learning, experience and wisdom?

He refers also to Mr. Justice Avery, who died recently, and says—

Mr. Justice Avery, in his 84th year, sits alongside me daily. He is an encyclopaedia of knowledge of criminal and other law. It would have been a loss if he had retired at 70 or even 75. If a judge appears unfit, an intimate colleague drops a hint, which is taken. I do not recollect a judge lingering too long.

That is the evidence of a man holding one of the highest judicial positions in England. We have to weigh that opinion very seriously. It is a good guide to us in considering a Bill of this nature.

Hon. G. W. Miles: Are you putting up his opinion against Mr. Fraser's?

Hon. J. NICHOLSON: I am endeavouring to do so.

Hon. G. Fraser: You would not expect him to express any other opinion. An engine-driver would boost up his own position just as a judge does.

Hon. H. Seddon: I always notice that these Bills that tinker with the judiciary come from the Labour Party. They are not satisfied.

Hon. A. M. Clydesdale: That was not so in Victoria.

The PRESIDENT: Order! Mr. Nicholson has the floor.

Hon. J. NICHOLSON: According to the "Glasgow Herald" the Lord Chief Justice, speaking in the Egyptian Hall at the London Mansion House on the 5th June last, had something more to say. The heading in the paper is "Proposed Age Limit for Judges," "A Hasty Generalisation"—

In the lavishly decorated setting of the Egyptian Hall at the London Mansion House last night the Lord Mayor of London gave his annual banquet to His Majesty's judges. The Lord Mayor proposed the toast of the Lord Chancellor, and described him as the greatest reformer in the law and practice of the courts this century. Lord Hewart, the Lord Chief

Justice, replying on behalf of the judges, said that on the question of the age limit for judges he gathered there was a scheme on foot to make all judges retire at the age of 52, which meant, on the theory of relativity, they would retire before appointment.

I have pointed out that Lord Hewart was made Chief Justice at 52—

I am told that the mere mention of it has spread great alarm among many distinguished classes of the community, in particular bishops, archbishops, Ministers of the Crown, Prime Ministers, and the less successful type of non-conformist ministers. I cannot help but think the proposal springs from a too hasty generalisation with the Civil Service. A judge has his hair cut regularly, and his salary cut irregularly, but in all other respects he differs profoundly from the civil servants, that body of men who are caught very young and who, I am told, retire at the age of 60. Fortified by your enthusiasm we shall go on and on and on, and up and up and up, until at length a case will be tried even the day before the writ is issued.

In the "West Australian" of last month appeared an article headed "Working at Seventy." This contained a long list of the cases of men who had rendered some of their finest services to the public and gave of their best after they had passed the age of 70.

Hon. A. M. Clydesdale: Does that not apply to civil servants?

Hon. J. NICHOLSON: The hon. member must not ask me everything. I do not pretend to be an encyclopaedia.

Hon. J. J. Holmes: You are not one of those who were referred to by Mr. R. G. Moore this afternoon.

Hon. J. NICHOLSON: I am looking for knowledge, and seeking to convey to my fellow members such information as I have been able to glean. I rather hope that the impression that has been made upon me may also be made upon Mr. Fraser.

Hon. G. Fraser: You think I am impressionable, do you?

Hon. J. NICHOLSON: I was referring to the article which appeared in the "West Australian" last month. It says—

Immanuel Kant, one of the greatest of modern philosophers, was 74 when he wrote his "Anthropology," "Metaphysics of Ethics," and "Strife of the Faculties." He died in East Prussia on 12th February, 1804, at the age of 80.

Jean Lamarck, the renowned French naturalist, was 78 years of age when he completed his great zoological work "The Natural History of the Invertebrates." It is this work which constitutes his claim to the highest honour as a zoologist.

Perhaps the most astonishing example in the sphere of art is provided by Titian the great Venetian, one of the greatest painters of all times. He died in 1576, carried off by a plague at the age of 99 years, when at work on his last picture, the "Pietà." He continued to accept commissions to the last, and among the masterpieces he painted when over the age of 80 were "Christ Crowned with Thorns," "Martyrdom of St. Lawrence," "Diana and Actæon," "Diana and Callisto," "The Last Supper," and the "Allegory of Lepanto" when, according to one authority, he was aged (98).

The "Pietà" is described as a powerful emotional work, displaying a mystic tendency contrasting with the materiality of his middle period. And so with some others. Even in the realm of music we find an Italian composer 74 years of age. In military and political life mention is made of Field Marshal von Hindenburg, as well as General von Mackensen, both of whom rendered some of their best service after attaining the age of 70 years.

Hon. J. J. Holmes: You are forgetting Johnnie Walker!

Hon. J. NICHOLSON: Bismarck also comes in for reference. Among men who are still contributing to the sum of human knowledge and endeavour, the names occur of George Bernard Shaw, aged 79 years, of Lloyd George, aged 72 years, of Mr. George Lansbury, the Leader of the Labour Party in the Old Country, aged 76 years, of Sir Oliver Lodge, aged 74 years, and of Henry Ford, aged 71 years. We are indebted to the "West Australian" for collecting that excellent summary of men who have rendered distinguished service long after attaining the age of 70 years. And one cannot forget other names. In Middle Europe there is President Masaryk of Czecho-Slovakia.

Hon. G. W. Miles: There is also the Governor General of the Australian Commonwealth.

Hon. J. NICHOLSON: I shall come to that aspect. The President of Czecho-Slovakia attained the age of 85 years on the 7th March last.

Hon. A. M. Clydesdale: How old is Mussolini?

Hon. J. NICHOLSON: I do not know. The hon. member may joke about the matter, but I wish to give instances showing that men do retain their mental faculties, and can work with mental vigour, when well over the age of 70 years. I am not giving this information for a joke.

Hon. J. Cornell: Cannot the hon. member, for a change, mention a woman or two?

Hon. J. NICHOLSON: If the hon. member chooses to enter that field, he may do so. I am giving instances of men at the present time rendering good service though over 70 years of age. It has been related of the President of Czecho-Slovakia, who has a hard task to fulfil in keeping order in that part of Europe, that he maintains his physical as well as his mental vigour. Every morning he is up early, to take exercise. He works long hours and arduously. Then we have the fine, astonishing example, mentioned by Mr. Miles, of our own Governor-General, Sir Isaac Isaacs, who has passed his eightieth birthday but retains his mental powers to an astonishing degree, being able to discharge onerous duties efficiently. There is also the fine example of Sir Robert McMillan in Western Australia. Prior to him, there was Sir Edward Stone, whose age escapes me at the moment. These are all examples of men who maintained their mental vigour and satisfactorily discharged important duties after attaining the age of 70 years. Sir Samuel Griffith was another outstanding figure in the legal life of Australia; he functioned on the bench long after attaining 70 years of age. Many instances could be quoted from other places of men who attained a very ripe age while discharging important duties. There is that great instance which you, Mr. President, will remember of Lord Strathcona and Mount Royal, High Commissioner for Canada for many years, who previously had been engaged in the development and advancement of Canada, being identified with some of the greatest public works in that Dominion. He took office as High Commissioner, I believe, after reaching the age of 70, and continued in that office for over 20 years, resigning shortly before his death at the age of 93, while in full mental vigour. Lord Halsbury was one of the greatest examples in the legal sphere. No man has contributed more to legal literature or done more in the service of the legal world than that very distinguished lawyer. As regards my own native country, one name may be mentioned as prominent amongst many others—that of Lord Glencorse, formerly known as Lord Inglis, who attained a very high position in the courts of Scotland. He died at the age of 82 or 83, full of vigour.

In concluding this phase of my remarks I should like to draw the attention of hon. members to the distinguished part played in the political and legal history of Western Australia by the father of our member here, Mr. Parker. Sir Henry Stephen Parker, after having rendered wonderful service to Western Australia in various capacities, filled the high position of Chief Justice to a late period in life. I do not wish to weary hon. members, but I should like to read a short tribute paid to Mr. Justice Avery by Lord Hewart, printed in the "Sphere" of the 22nd June last, not long after Lord Hewart had given evidence before the Royal Commission to which I have referred:—

Mr. Justice Avery died in harness last week at the age of eighty-three after sixty years at the Bar and a quarter century on the bench. He was an exception to the rule that judges, party leaders, headmasters and butlers should have a retiring age limit. His patience only increased, his wisdom developed, his analytical faculties and his lucidity grew more remarkable with the years. Some called him the hanging judge, for he was thin-lipped, cold, utterly unemotional, silent and humourless, and relentless towards lying witnesses and brutal criminals. In the last particulars he was akin to Stevenson's "Hermiston," who himself had originals on the Scottish Bench. It was almost with relish that he condemned a brute. He would soften the pronouncement no whit, nor forgo the full terrors of sentence of death. But Marshall Hall summed him up very justly as the last judge whom the guilty would desire, but the first choice of the innocent. He lived for the law, his whole life was centred on its concise, lucid and utterly impartial administration. Bench and Bar learned to love him even when they feared him, for they knew him to be not only perfectly efficient, but generous and helpful to his less experienced brethren. He was, indeed, the perfect type of administrator of a legal system whose dignity, impartiality, and efficiency are the envy of the whole world.

I can only sum up the position in this way, that the proposal to limit the services of judges, besides being uneconomical, is not only a suggestion but an acknowledgment that the present generation is weaker, physically and mentally, than its progenitors. I refuse to subscribe to such a view, and for that and other reasons I have no alternative but to oppose the second reading of the Bill.

HON. C. G. ELLIOTT (North-East) [8.43]: The question of retiring Supreme Court judges at the age of 70 years is, in my opinion, a difficult question worthy of

the most serious consideration. I believe I can safely say that a man 70 years of age is now just as fit mentally and physically as was, a couple of generations ago, a man aged 60 years, the difference being due, naturally, to the progress of medical science and, probably, to a higher standard of living. When considering the service of a man of that age to his country, we must bear in mind that during the Great War the most distinguished generals were around 70 years of age—many of them, indeed, over that age. The remark applies especially to the great German generals. Coming nearer home we find, as Mr. Nicholson has stated, our most distinguished Australian, Sir Isaac Isaacs, who has already passed the eightieth milestone in years.

Hon. G. W. Miles: And Sir Isaac Isaacs was appointed Governor General when well over 70 by a Labour Government.

Hon. C. G. ELLIOTT: Our Governor General is held to possess perhaps the greatest brain-power of any man in Australia. Had his services been dispensed with at 70 years, the loss to the Commonwealth and to the citizens of Australia would have been indeed great. So far as I have heard, the debate on the Bill has produced nothing sufficient to allow me to do otherwise than vote against the measure.

HON. L. B. BOLTON (Metropolitan) [8.45]: I feel, after listening to the speech of Mr. Nicholson and noting the many examples he gave us, that a man requires to reach 70 years of age before his brain is fully developed or there is any usefulness in him at all.

Hon. G. W. Miles: You will be a minor till you reach that age.

Hon. L. B. BOLTON: There is still some hope. My principal reasons for opposing the Bill are that the legal profession is one in which it is necessary that a man eligible for the position of judge must be well on in years and, further, the man who secures such an appointment has to make his mark in the legal profession and has to devote the whole of his attention to the position. Surely such men have many years of usefulness in them after they reach 70 years of age. Another reason that carries weight with me is the fact that while I admit those who serve the State faithfully and well are entitled to some reward by way of a pension, I consider the State is already paying

far too much money under that heading. There are hundreds of men to-day receiving such payments who would prefer to remain in harness, serving the State. I would rather support an extension of the retiring age for civil servants, thereby enabling those who can to serve the State still longer. By that means we could save many thousands of pounds annually in pension payments. Those are my principal reasons for voting against the second reading of the Bill.

HON. E. H. ANGELO (North) [8.47]:

I do not desire to cast a silent vote. My remarks will be brief because I do not like needless repetition. I am fully in accord with every word uttered by Mr. Parker, Mr. Holmes and Mr. Nicholson. When a child, I was taught to respect my elders and particularly the representatives of the King and of British justice as exemplified by the judges. I remember my father asking me never to pass the Governor or a judge without taking off my hat, and I have always done so. I am glad to say that the high respect in which I have held our judges has never, in any instance, been diminished since I have been able to think for myself. Last night we heard that sometimes judges have been appointed for political purposes, and I remember that on two occasions that was said regarding appointments made in Western Australia. On the other hand, I have never heard that those judges have done anything except what was absolutely right and honourable. For these reasons I cannot see what will be gained by agreeing to the Bill. We might lose by so doing, but I certainly do not think we can gain anything. Should a judge not carry out his duties satisfactorily, he is generally given the straight tip by his fellow judges. If that should not prove sufficient, the tip is probably given by the Government of the day, and if the judge concerned will not listen, there is a safety valve in the present Constitution Act that enables Parliament to dispense with the services of a judge. On the other hand, we have already had examples in this State to indicate that judges have been at the very zenith of their power when they have reached 70 years of age or more. If we agree to the Bill, we may secure the services of a judge in future whose capacity would be outstanding and yet we would have to

lose his services because of the retiring age. Let us leave well alone.

On motion by Chief Secretary, debate adjourned.

House adjourned at 8.51 p.m.

Legislative Assembly,

Wednesday, 18th September, 1935.

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

BILL—INDUSTRIAL ARBITRATION ACT AMENDMENT.

Bill read a third time and *passed*.

BILL—MINING ACT AMENDMENT.

Second Reading.

MR. MARSHALL (Murchison) [4.34] in moving the second reading said: I propose to be as brief as possible, because last session I moved a certain motion and submitted most of the arguments with which I could arm myself in order to support the Bill. It will be observed that the nature of the Bill is that where reservations are granted by the Minister for Mines it will not be possible, if the Bill becomes law, to give the sole occupancy of such reserves to any individual or company for the purpose either of prospecting or mining for gold. In my opinion Section 297 of the parent Act was never intended to be used in the way it has been used during recent years. Of course I cannot pit my laymanship