

# Legislative Council,

Tuesday, 11th September, 1928.

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

## ADDRESS-IN-REPLY—PRESENTATION.

The PRESIDENT: I desire to inform hon. members that I waited upon His Excellency the Governor, and presented the Address-in-reply to which His Excellency has been pleased to make the following acknowledgment—

Government House, Perth, 6th September, 1928. Mr. President and hon. members of the Legislative Council, I thank you for your expressions of loyalty to His Most Gracious Majesty the King and for your Address to the Speech with which I opened Parliament. (Sgd.) W. R. Campion, Governor.

## QUESTION—TRAFFIC ACT—FEES COLLECTED.

Hon. W. T. GLASHEEN (for Hon. H. Stewart) asked the Chief Secretary: What was the amount collected under the Traffic Act, 1919, by way of license fees for vehicles during the last financial year—(a) by local authorities in the metropolitan area under Section 13; (b) by country road boards; and municipalities not included in (a)?

The CHIEF SECRETARY replied: 1, The amount collected by the Commissioner of Police, who is the local authority for the Metropolitan Area, was £100,760, 7s. 7d. 2, The figures for the financial year ended 30th June, 1928, are not yet available. The amount collected during the year ended 30th June, 1927, was £89,256 18s. 3d.

## BILL—ELECTRIC LIGHT AND POWER AGREEMENT AMENDMENT.

Read a third time and passed.

## BILL—EDUCATION.

### Second Reading.

Debate resumed from the 5th September

**THE CHIEF SECRETARY** (Hon. J. M. Drew—Central—in reply) [4.35]: In the discussion on the second reading of this Bill we had two remarkable speeches—one from Sir Edward Wittenoom and the other from Mr. Stewart, and they are as opposite as the poles. Sir Edward considers we are spending too much money on education that we are providing more blind alleys for our young people; and that, on account of this excess of education, manual labour is in many instances looked upon as degrading. Mr. Stewart, on the other hand, thinks we are not spending nearly enough, and for the second time he submits a proposal which if adopted, would increase the expenditure of the Education Department enormously and far beyond the means of the State. The hon. member seems still to be of opinion that a school should be started wherever four children could be gathered together. He said so when discussing the Address-in-reply, and in speaking on this Bill he remarked: "There may be four children only, and those four children not of one family who are unable to take advantage of the correspondence system. Why should they be made to suffer?" It is easy enough for any person to press such a request, but one would have thought that when a member of this House submitted a proposition of such proportions, he would have taken a little trouble to see that it was accompanied by some scheme under which it could be successfully financed. But not one word about that aspect of the question, except a passing remark that he would be prepared to bear his proportion of increased taxation to bring about the desired result. No doubt he would, but would members see the justification for so burdening the general community? Now, to establish a school of the smallest sort would, apart from expenditure on the building, cost about £300 for the first year, and £280 a year afterwards, either directly or indirectly. So that a school of four children would entail an expenditure of about £70 a head per annum. The effect of Mr. Stewart's speech is to lead the public to believe that primary education is sadly neglected in Western Australia, whereas, probably no other country in the world (where the disadvantage of

vast distances and a scattered population have to be overcome) has done, or is doing, so much in the cause of primary education as Western Australia. Obviously it is impossible, owing to the expense involved, to bring education within the reach of all, just as it is impossible, for the same reason, to provide medical and hospital treatment in every little centre of our State. What Western Australia is doing in connection with primary schools compares more than favourably with what is being done in the Eastern States. I will go over some of the ground I went over a few weeks ago, even if it be distasteful to Mr. Stewart to be told what he already knows. We open a school, if the parents provide the building, when the average attendance is eight, and we permit children of five to help make up the number. In similar circumstances Victoria demands 12, Tasmania 10 and Queensland nine. We provide a building when the average attendance reaches 10. Only New South Wales is equally liberal. Queensland requires 12, and Victoria, South Australia and Tasmania require 20. Does Mr. Stewart want us to go further than that and establish a school and provide a building for four children when Victoria and South Australia do not attempt the task until there is almost a certainty of an average attendance of 20. We also assist settlers or a combination of settlers to provide teaching facilities for their children. In coastal districts we subsidise them to the extent of £12, and in the goldfields districts £13 10s. for every child in daily attendance, if the parents secure the services of a suitable teacher. There are 16 such assisted schools in the State now. Adding to these provisions the motor van services (about 17 at present), and the correspondence classes, it must be recognised that, while every family cannot possibly be served, we are doing very well in providing facilities for primary education in this State, and we are doing much better in fact than any of our Eastern neighbours. I must confess that I cannot follow Sir Edward Wittenoom in his seathing references to universities and secondary schools. I do not know whether he would abolish these institutions and high schools, or whether he would reserve them for the sons and daughters of the well-to-do. My conception of what the aims of these institutions ought to be is that they should

provide the means of training the intellects and developing the talents of brilliant young men and young women in the interests of the community as well as of students. In my opinion character and practical proof of the possession of brains should be the essential qualification for a High School or University education. Boys and girls who give evidence that they are likely to distinguish themselves in literature, or in the other professions should be regarded as great potential assets for the nation, and should be encouraged in every legitimate way to continue their studies on lines suited to their talents. "We want more scholarships to keep the clever boys at school" Dr. Saw interjected, while Mr. Stewart was speaking. I am in hearty accord with that expression of opinion. The importance of the matter has not been overlooked by the State. Secondary school scholarships for boys were instituted in 1885. These scholarships, two in number, were of the value of £50 per annum, tenable for three years at the High School, Perth. In 1895 the value of the scholarships was raised to £75. The number was increased to three in 1900, each of the value of £50 per annum, tenable for three years at a school in which higher education, as approved, was given. In 1904 the number was increased to three or more of the value of £50 per annum, tenable for three years. The scholarships were added to and the conditions altered from time to time until, in 1923, there were 50 secondary school scholarships of the same value, namely, up to £3 for books, travelling expenses, and £30 for board, where necessary, and payment of University public examination fees. There were also 50 scholarships for District High Schools. Scholarships, tenable at the Narrogin School of Agriculture, were awarded for the first time in 1917. Five were offered. They are of the value of £30 per annum tenable for two years. Two scholarships are offered each year by the Education Endowment Trustees. All these scholarships are awarded on the recommendation of the District Inspectors. Children of fallen or disabled soldiers are also cared for. Six places are reserved annually in the Perth Modern School, four in the Goldfields High School and ten at any of the District High Schools. If the successful candidates are obliged to live away from home they receive a lodging allowance of £30. From 1919 two more scholarships were offered, tenable at the

Perth Technical School, two at the School of Mines, Kalgoorlie, and two at the University. These were each of the value of £30 per annum, tenable for three years. In 1925 the regulations were altered to allow of six scholarships tenable at the University of Western Australia, Technical School, School of Mines and the Teachers' College. The scholarships at the College are tenable for one, two or three years, according to the course being taken. The others are tenable for three years. They are each of the value of £30 per annum. Altogether, there are 26 scholarships for the children of fallen or disabled soldiers. Several large country schools prepare scholars for the Junior examination. Commencing in 1925, since I have been in office, scholars at any of these schools who have passed the Junior examination may be transferred to High Schools for two years to prepare for the Leaving examination. A lodging allowance of £30 per annum is granted. Sixty-six transfers were approved on the results of the 1927-28 Junior Examinations. It will be seen therefore, that as time goes on, the encouragement to a higher education is increasing. There are now no fewer than 133 scholarships and 13 Government exhibitions. With regard to University exhibitions, little was done worth mentioning until 1900, when a University exhibition was offered of the value of £150 a year, tenable for three years, to be held at any recognised University in the British Empire. This was restricted to boys under 19 years of age, who had completed three years' residence in the State. In 1911 new regulations governing University exhibitions were gazetted, and the following were awarded:—University: 3 at £150 per annum, tenable for three years; Senior: 7 at £25 per annum, tenable for one year; Junior: 12 at £15 per annum, tenable for one year. In 1913 regulations provided for 10 exhibitions tenable at the University of Western Australia for three years at £50 per annum:—Senior: 7 at £25 per annum, tenable for one year; Junior: 12 at £20 per annum, tenable for two years. In 1914, Junior and Senior exhibitions were abolished and 10 were offered. These were tenable for three years at £40 per annum in the case of students who were able to live at home while attending the University; and at £60 per annum for students who were obliged to live away from home. Since 1921 an additional exhibition has been awarded to a candidate who is prepared to take the course prescribed

for the Degree of Bachelor of Science in Agriculture. In 1926 two additional exhibitions were provided by me for candidates who wished to become teachers of science. These exhibitions are of the same value as the others to which I have referred. Successful candidates are required to devote three years to the course for the B.Sc. degree and a fourth year to the post-graduate course at the Teachers' College. But not all our boys can hope to have a University training, and our object should be to give each child the instruction that will enable him to develop his particular capacity to the fullest extent. And we try to do that. Some boys have no inclination even for a secondary school course. They wish to learn a trade, and we provide the means by which they can become skilled tradesmen. This is done through our technical schools. I have been paying special attention to the improvement of the apprenticeship classes, and in order that I might be guided by the best available advice, I arranged with the Government of New South Wales to allow Mr. Nangle, the Superintendent of Technical Education in that State—a gentleman who has distinguished himself in that office—to come to Western Australia to report on our Technical School system and to furnish suggestions to enable the classes to render even better service than in the past. I will give hon. members a brief outline of the work done in our Technical Schools in connection with the training of apprentices. This information has been supplied to me by Mr. Allen, the Director of Technical Education, who says—

I enclose a statement showing the number of registered apprentices and probationers in various trades and the number of those in attendance at the day classes at the technical schools at Perth and Fremantle.

For the day classes for apprentices the following instructors are employed. With the exception of the instructors for printing (composing) and for the electrical trades, they are all full time instructors:—

Carpentry—2 full time instructors.  
Fitting and Turning—1 full time instructor.  
Painting—1 full time instructor.  
Plumbing—1 full time instructor.  
Printing (machining)—1 full time instructor.  
Printing (composing)—1 two-thirds full time instructor.  
Electrical trades—1 part-time instructor (6 hours per week).

The allied class work of 10 hours per week is done by full time officers.

**Allied Classwork:**

1 full time officer for fitting and turning, etc.

1 full time officer for building trades—brick-laying, plastering, and stonemasonry.

In carpentry, two trade instructors give the apprentices instruction in the theory and practice of the trade and conduct the allied class work in trade calculations and drawing for all sections.

In fitting and turning, each apprentice receives two hours per week instruction in the theory and practice of the trade, and two hours per week in trade calculations and drawing from an officer specially qualified to teach these allied subjects.

In painting, the trade instructor conducts classes in the theory and practice of the trade, and also gives the apprentices instruction in allied classwork such as drawing, etc., connected with the trade.

In plumbing, the trade instructor conducts the classes in theory and practice of the trade and also gives instruction in trade calculations and drawing as required in plumbing and sheet metal working. He spends Friday morning and Friday afternoon at Fremantle, conducting classes in plumbing and sheet metal working at that centre.

**Day Classes.**

For Registered Apprentices and Probationers.

Trade.	Total registered.	Number attending classes.
Carpentry ... ..	187	149
Fitting and Turning ... ..	52	43
Motor Mechanics ... ..	58	56
Brass Finishers ... ..	10	7
	120	108
Painting ... ..	70	66
Plumbing—Perth ... ..	64	57
Fremantle ... ..	13	13
Sheetmetalwork—Perth ... ..	26	24
Fremantle ... ..	6	5
	109	99
Printing (Machining) ... ..	40	40
Printing (Composing) ... ..	58	58
Electrical Trades ... ..	52	49
Building Trades—		
Bricklayers ... ..	39	31
Plasterers ... ..	29	15
Stonemasons ... ..	15	14
	83	60
	699	625

It will be seen from the return that I have read that of 699 registered apprentices no fewer than 625 are taking advantage of the instruction that is given in our technical schools. There is no doubt much money will have to be spent on it to make it the institution I desire it to be. But it is doing good work even now, and much interest is taken in it by all who should be concerned. Last week the newly-appointed Apprenticeship Board, appointed under the Arbitration Act, and presided over by Mr. Somerville, met to lay down syllabuses of instruc-

tion and to arrange future courses for the students. This information should be especially pleasing to Sir Edward Wittenoom, who may now be prepared to admit that even from his point of view the Education Department is endeavouring to fulfil its responsibilities, and enable those who are qualifying to engage in manual work to perfect themselves in their respective trades. Then there is manual training in the large country schools. Many of them are coming more closely into touch with the different aspects of rural life. The older girls receive a training in home economics and in drying and preserving fruit and vegetables. Then there is the Narrogin School of Agriculture. It was started by the Department of Agriculture, but was handed over a few years ago to the Education Department. Agriculture in Western Australia is a great and permanent industry and it must continue to expand for many years to come. Any scheme that fits lads to become capable and scientific farmers is accomplishing something that must later on be beneficially felt in the increased wealth production of the State. After a careful inspection, I have no hesitation in saying that the Narrogin School of Agriculture is training boys not only to become farmers in the general acceptance of the term, but farmers of an advanced type. At this school I saw, on the occasion of my visit, boys instructed in the different trades. I saw blacksmithing in all phases likely to be useful in an agricultural life. I saw lads engaged in woodworking and harness-making and repairing, with a similar objective. I was shown what could be done by them in building construction. It was pointed out to me that they were instructed in the care and management of horses, cattle and pigs; how to make ensilage; how to look after an orchard; how to cultivate land and remove the crop; how to cure bacon and hams, make butter, preserve and dry fruit; manufacture jams, and, in fact, how to do almost everything requisite for a farmer to know in order to assist him in achieving the largest measure of success. Then there was the educational side. Among the subjects taught are English and History, Elementary Chemistry and Physics (as a base of Agricultural Science), Mathematics, including Farm Book-keeping, Mensuration, Elementary Surveying and Geometrical Drawing and the elements of Rural Economics, Sanitation, Hygiene, and First Aid. At this school there are about

70 boys, and the area of the farm is 2,000 acres. The age of admission is between 14 and 16, and the course extends over two years. It should be remembered that the institution, or any others to follow—and I hope others will follow—is not to be in competition against Muresk. It is something on its own. Boys who wish to go on until they are 19 years of age should attend High School, pass junior examination and then go to Muresk. The Narrogin school is for those who are unable to devote the time necessary to enable them to pursue their studies at the Muresk Agricultural College. Mr. Stewart referred to frequent changes of head teachers at Wagin school. No head has been removed in less than two years from the Wagin school except in 1920 when the head teacher was promoted. In 1926 another head was removed for promotion after having been there for two years. Long service leave was responsible for a break in two instances. But all this is unavoidable. We cannot refuse to promote a teacher because he is giving satisfaction to parents, nor can we refuse to give a teacher long service leave when it is due to him. I regret to say that there is no remedy for Mr. Stewart's complaint under this head. I am pleased that Mr. Stewart, as a representative of the agriculturists in the House, is prepared to support the excision of the clause which gives the Minister power to excuse from attendance at school, children who are required to help in the fields at harvest time. That provision first appeared in the 1899 amending Act, and it is clear that it has outlived its usefulness. As this is a consolidating measure I, with two exceptions, inserted only those amendments which had been recommended by the department, and there was no suggestion that this particular section should be removed. I will accept Mr. Lovekin's amendment for the deletion of the clause. The proviso to Clause 32 is also 29 years of age. I was wrong in saying that it dated back to the time when Sir Edward Wittenoom was Minister for Education. I find that he had accepted the office of Agent-General the year before. It enables the Minister to certify that a school is efficient without a prior inspection. The Director informs me that he has gone back 25 years and has not been able to find an instance in which the power has been exercised by any Minister. That clause also should be deleted. Any efforts to improve the Bill will be welcome. That is what it is here for. But nothing

should be done to weaken any provisions of the measure which have been tried and tested over a long number of years, and which the department have found to be necessary in carrying out the work of administration.

Question put and past.

Bill read a second time.

#### *In Committee.*

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

Clauses 1 to 3—agreed to.

Clause 4—Minister for Education:

Hon. Sir EDWARD WITTENOOM: I notice by this clause that the administration of the Act is to be vested in a responsible Minister of the Crown. I suggest that more publicity should be given to the curriculum of the schools. I am led to make this remark by reason of some criticism that followed the speech I made on the second reading of the Bill. I happened to say that I thought when a boy had passed the elementary stage, unless he was going in for a profession, that should be sufficient education. This has been interpreted by critics to mean that I would make boys hewers of wood and drawers of water—that is, those boys leaving school after going through the elementary course. Many of us who have read the Bible know that those words "hewers of wood and drawers of water" are used contemptuously towards the lowest class of workers. It is unfortunate, therefore that they should have been applied in a case like this, because such criticism is apt to result in exactly what I said the other day, the creating of the idea that manual labour is degrading. I am represented as having said that all that was learnt was the three Rs. The Minister has told us that in the elementary course a good deal more than the three Rs is taught. I intend to give the public some idea of what the elementary course consists, so that it shall not be thought any longer that only those who are educated are not hewers of wood and drawers of water, and I ask the Minister to give the matter some publicity so that disparaging remarks shall not again be made. We find that in Class VI. there are different methods of teaching English; then we come to drawing, which is most useful, and which was not taught in my young days; next there is arithmetic, and then scripture, morals and hygiene. With these included,

I am wondering why Mr. Lovekin wants his Children's Court.

Hon. A. Lovekin: The Bill does not go far enough.

Hon. Sir EDWARD WITTENOOM: Next we have history and there we find a long list of useful subjects. Then there is geography in a very complete form. With all these subjects how can it be said that only the three Rs are taught? Then we come to manual work. All these subjects are included in the elementary course, and yet we are told that any young man who does not want to enter a profession does not get a very good start in life. My argument is that if we keep young fellows too long in a town or a city, they will not afterwards go to the country. When they are armed with an education, the details of which I have just given, no one can possibly say that they are badly started in life.

Hon. A. J. H. SAW: Unfortunately for Sir Edward Wittenoom, I am afraid that until recently he did not know that the subjects he outlined were included in the curriculum of the schools; consequently they were not present in his mind when he gave utterance to the remarks that gave rise to the criticism in the public Press.

Hon. Sir Edward Wittenoom: You are quite wrong: I knew them exactly.

Hon. A. J. H. SAW: Unfortunately, because of the fact that I thought another motion was to be taken before this Bill came on, I was not in my seat when the Chief Secretary rose to make his reply, otherwise I would have offered a few remarks with reference to the subject that Sir Edward Wittenoom touched upon during the second reading debate. As Sir Edward has re-opened the subject on this clause, perhaps I may be permitted, with your consent, Mr. President, and that of the House, to make some reference to the matter at this stage. Many of the differences of opinion among people with regard to education are due to a misunderstanding of the purpose and objects of education, and of the results that can be achieved by means of education. Education is not intended to make a man merely a money-making machine. It is designed not only to lay the foundations on which may be erected the superstructure that will qualify a man for his avocation in life, but also to extend a man's mental outlook and to multiply the avenues of his rational enjoyment, as a means whereby he may cultivate all his

faculties, and, above everything, education should teach a man that it does not end when he leaves school but that it should be continued throughout the rest of his life. Unfortunately there are certain limitations to what education can achieve. Biometricians have demonstrated by mathematical methods that nature is more than five times as important as nurture in forming a man's qualities. In other words, heredity is five times more powerful than environment in forming a man's character. As the diamond-cutter is to the diamond, so is education to the human mind. Diamonds are valued for their size, purity, colour, freedom from flaws, and also for the skill of their manufacture. The diamond-cutter cannot increase either the size, the purity, or the colour of the diamond. In the same way education cannot increase either the quantity or the quality of the brain-cells of the human mind. But both the diamond-cutter and education can remove flaws and give a polish or brilliance to the object on which they work. Unfortunately both can also ruin and depreciate the material on which they work. I think education sometimes achieves that end by cramming and over-pressure. If the objects of education were borne in mind, we would not so frequently hear criticism of the nature of that made by Sir Edward Wittenoom, who imagines that in some way or other education can spoil people for their avocations in life. Proper education cannot do that. It may be that a boy whose father intends him for a certain avocation may, through the increased development of his mind, acquire different tastes, which render that particular avocation distasteful to him. But, on the other hand, should the boy retain his tastes and go in for any particular avocation, he will undoubtedly be a better man through having had his mind trained and through the information and knowledge which he will attain during the years of his education.

Clause put and passed.

Clauses 5, 6—agreed to.

Clause 7—Appointment of officers:

Hon. A. LOVEKIN: I move an amendment—

That in Subclause (2) the words "on the recommendation of the Director" be struck out.

Under our system of government the Minister must be responsible, and we ought not

in any Act of Parliament to leave him a loophole to say, "I did this on the recommendation of a subordinate." Clause 4 of the Bill says that the administration of the measure and the control of the Education Department shall be vested as heretofore in the responsible Minister. The words I propose to strike out make the Minister to some extent subordinate to a director. Further, Clause 8 says that the Director shall be the permanent head of the department, and, subject to the Minister, shall be responsible for the administration of the measure. The words "on the recommendation of the Director" rather nullify those two clauses. Perhaps the matter is not very important, seeing that Subclause (2) says the Minister "may" transfer any teacher, and so forth, on the recommendation of the Director. However, suppose that by a unanimous vote this Chamber desired the Minister to transfer a teacher; with those words retained, the Minister would be unable to do it except on the Director's recommendation. The Minister must always be responsible to Parliament.

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

Clauses 8 to 13—agreed to.

Clause 14—Reasonable excuse:

Hon. A. LOVEKIN: I move an amendment—

That in paragraph (b) the words "such excuse shall not be entertained unless the parent has given the teacher notice thereof, in writing, within seven days after the occurrence of such prevention" be struck out, and the following inserted in lieu:—"the parent shall give to the teacher notice thereof within seven days after the occurrence of such prevention, or within such extended time as the court may deem to have been reasonable in the circumstances."

The paragraph provides that an excuse that a child has been prevented from attending school by sickness, danger of infection, temporary or permanent infirmity, or any unavoidable causes shall not be entertained unless the parent has given notice of the excuse to the teacher within seven days. That does not seem to me right. The parent might be prevented by sickness in the house or some other good reason from communicating with the teacher; and the court should have discretion to say that there shall be another ten days' time allowed, or whatever period the court may consider reasonable in the circumstances.

The CHIEF SECRETARY: I would have no objection to the amendment if it were properly drafted. Some days ago I met Mr. Lovekin and discussed these matters with him, the Director of Education being also present. I was prepared to approve of this amendment provided it passed the ordeal of the Parliamentary draftsman. I asked Mr. Lovekin to see Mr. Sayer on the subject.

Hon. A. Lovekin: Which I did.

The CHIEF SECRETARY: This is what Mr. Sayer writes—

If these words are substituted and the parent does not give notice, what is the effect of the omission?

Apart from that aspect, the amendment will not fit in grammatically. I think Mr. Lovekin, if he studies the amendment, will find that it does not run correctly.

Hon. A. LOVEKIN: I did see Mr. Sayer with regard to several of these amendments, and the result of the short discussion we had was that Mr. Sayer asked me to put the amendments on the Notice Paper, whereupon he would see them and then would make such recommendations as he thought fit to the Minister. Accordingly I asked the Clerk to send to Mr. Sayer a copy of the Notice Paper. So when I came here to-day I thought that if there were objections to any of these amendments, the Minister would be in a position to put them right.

The CHIEF SECRETARY: I can make a suggestion to the hon. member. It is that after "prevention" in line 7 of paragraph (b), the words be inserted "or within such extended time as the court may deem to have been reasonable in the circumstances."

Hon. A. LOVEKIN: I will agree to that. I withdraw my amendment in favour of what the Minister has put up.

Hon. A. J. H. SAW: I presume the phraseology of the Bill was in the old Act. The Chief Secretary: Yes.

Hon. A. J. H. SAW: And I assume it has not given rise to any hardship, that there has been no complaint about it. It seems to me that to throw on the parent the onus of giving seven days' notice is calculated to ensure the better attendance of the children. But Mr. Lovekin, I understand, intends to loosen that and to allow the parents a longer period than seven days, so, perhaps, increasing the difficulty of compelling the attendance of children at school. If there has not been any hardship under the old provision, why alter it?

Hon. A. LOVEKIN: It is not intended to loosen anything. The point is that the clause as it stands says that if notice be not given within seven days no excuse whatever shall be entertained. It is not right. If there is an unavoidable cause preventing the parent from giving notice within seven days, it is unreasonable to say that it shall not be entertained in any circumstances whatever.

Amendment, by leave, withdrawn.

Hon. H. J. YELLAND: I was going to suggest what the Minister has suggested. I think that will meet the case. As to what Dr. Saw has said, the insertion of these words is merely to allow the court a little discretion. On the present reading, the court has no discretion whatever.

Hon. A. LOVEKIN: I move an amendment—

That after "prevention," in paragraph (b). the words "or within such extended time as the court may deem to have been reasonable in the circumstances" be inserted.

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

Clause 15—Minister may excuse certain children at certain times:

Hon. A. LOVEKIN: I ask the Committee to delete this clause. Only the other day Mr. Stewart said it was an insult to the farmers. The Chief Secretary, on the second reading, told us he did not approve of the clause, and could see no necessity for it. I am sure Dr. Saw will agree that this clause should be deleted. I do not think the future of a child should be interfered with merely because his or her parents desire to make profit out of the child. We do not want a community of uneducated masses. We have the experience of Russia, where masses of the people are uneducated, incapable of thinking, and with untrained minds.

Hon. Sir Edward Wittenoom: The children are not uneducated in the elementary course.

Hon. A. LOVEKIN: Educate the people, and you have a safeguard against communism and red ragging. The only safety of a democracy to-day is the education of the people. No parent ought to keep his child away from school and so sacrifice it to his own profit.

Hon. C. F. BAXTER: I am astounded at Mr. Lovekin's statement. First of all, this provision is to be exercised only at the Minister's discretion, and in the second place parents are just as eager to educate their children as is Mr. Lovekin to see them

educated. There may be isolated cases where children will be required at home for a week at harvest time. Does that justify comparison with the uneducated masses of Russia? There is a good deal of wisdom in the clause, and it is protected by the provision that it shall be exercised solely at the discretion of the Minister. Only in extreme cases would parents approach the Minister for his sanction.

Hon. V. HAMERSLEY: I protest against the proposed deletion of this clause. It may be that many members think only of large centres of population, affording conveniences for the taking of children to school. In many parts of the country all through the year children are taken to school by their mother, who, suddenly, is confronted with a very strenuous time at home while the harvest is being gathered, rendering it impossible for her for the time being to convey her children to school. As Mr. Baxter has said, it would mean not more than a week or a fortnight in the whole of the year. To delete the clause would be to impose a hardship upon a very deserving class of people.

Hon. A. J. H. SAW: Has the Minister received many applications for the exemption of children from school attendance at harvest time?

The CHIEF SECRETARY: I have delegated my authority to the Director of Education, who informs me that there have been very few. I certainly would not approve of a farmer keeping his children at home to assist in the fields. I consider the clause a blot on the Bill, but as this is a consolidating measure, I did not remove it. Personally, I would not excuse attendance in such circumstances. Where parents have been sick, I have given approval after careful consideration, but I would not entertain an application on these grounds. The clause must have been framed for the days when there were struggling farmers in Western Australia.

Hon. C. F. BAXTER: Are not there struggling farmers in Western Australia now?

Hon. V. Hamersley: There are more than the Minister thinks.

The CHIEF SECRETARY: I agree with Mr. Stewart that the clause is an insult to our farmers.

Hon. A. J. H. SAW: The main reason why the clause should be retained is in the interest of truth. Otherwise, I can imagine a great number of children being kept at home under the plea that they were suffer-



ing from severe cold or even hay fever. Probably that scheme is already resorted to instead of parents complying with the cumbersome method of requesting special permission from the Minister.

Hon. C. F. Baxter: Let us keep them as honest as we can.

Hon. A. LOVEKIN: If it is a case of sickness, provision is made for it in Clause 14. This clause will give the Minister discretion to enable children to work in the fields. Have we not progressed beyond the days of child labour, especially as we provide compulsory education for children up to the age of 14? We are asked to provide a loophole whereby children may be put to work in the fields for the profit of the parents and to the injury of the children.

Hon. E. H. Harris: It does not say for their parents.

Hon. A. LOVEKIN: We should consider the future of the children rather than the interests of parents who would employ them at picking tomatoes and such like work.

Hon. W. T. GLASHEEN: It is immaterial whether the clause is retained or is deleted, because the measure already provides for a certain period of absence from school. Mr. Lovekin evidently does not understand the position when he suggests that children will be engaged handling bags of wheat in the field. A child would probably be employed to carry out lunch to the men in the field.

Hon. A. LOVEKIN: The extra time that may be granted by the Minister would be in addition to the exemption provided for in this clause. Therefore, the clause should be deleted.

Hon. E. H. H. HALL: If Mr. Lovekin had been through the farming districts, he would realise that there is a good deal of child labour. On a good many farms boys of 13 and 14 are driving tractors and doing jolly good work. It is no hardship on the boys and no sympathy is needed on their account. We have listened to a learned dissertation from Dr. Saw, but I would like to ask our educationists, "What is education?" A professor of our University recently asked, "Do we think or do we only think we think?"

Hon. C. B. Williams: It all depends upon the state you are in.

Hon. E. H. H. HALL: I question whether education is achieving its purpose. It would be well to think something about

the education our children are receiving. Excellent though the State school system is, I am convinced it is education in the mass. The money we are spending upon it is all we can afford and perhaps more, but it is only more because we are not getting the results we have a right to expect.

The CHAIRMAN: I assume the hon. member intends to connect his argument with the clause dealing with harvesting in the fields.

Hon. E. H. H. HALL: I support the remarks of Mr. Glasheen. It does not matter whether the Minister has this power or not.

Hon. C. B. Williams: Does it not matter that we should be honest and say we do not want children to work in the fields?

Hon. E. H. H. HALL: It is better for parents to apply for exemption rather than tempt them to give an excuse that is not genuine.

Hon. H. SEDDON: We should express ourselves strongly in favour of keeping the children at school. The remarks of Mr. Hall regarding the employment of boys to drive tractors would induce me to vote for the deletion of the clause. The last year of school attendance under a capable teacher often does more to form a boy's character than do the previous years.

Hon. H. J. YELLAND: To delete the clause would impose a disadvantage on many struggling farmers. I do not approve of children being kept home from school, but the Minister has to be satisfied that the excuse is genuine. That is all that is necessary for the well-being of the children. Recently I visited some schools with the Governor General, who gave the children a holiday. At one school he said to the children, "We are now going to give you a holiday. What day will you have?" One youngster replied, "None at all. If we do not come to school, we shall have to go out root-picking."

Hon. E. H. Harris: They were thinking.

Hon. H. J. YELLAND: School life nowadays is attractive and only in cases of absolute necessity will children remain away.

Hon. C. B. WILLIAMS: I protest against the clause. I am one of the poor individuals who were kept away from school and made to work, and consequently I have a soft spot for the children. We ought to be honest and express ourselves in opposition to child labour of any kind.

Hon. E. H. Harris: But the Government have included the clause in the Bill.

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

Ayes	..	..	..	8
Noes	..	..	..	15
				—
Majority against	..			7
				—

**AYES.**

Hon. C. F. Baxter	Hon. J. Nicholson
Hon. J. T. Franklin	Hon. H. A. Stephenson
Hon. E. H. H. Hall	Hon. Sir E. Wittenoom
Hon. V. Hamersley	Hon. H. J. Yelland
	(Teller.)

**NOES.**

Hon. J. R. Brown	Hon. Sir W. Lathlain
Hon. J. M. Drew	Hon. A. Lovekin
Hon. G. Fraser	Hon. G. W. Miles
Hon. W. T. Glasheen	Hon. E. Rose
Hon. E. H. Gray	Hon. A. J. H. Saw
Hon. E. H. Harris	Hon. C. B. Williams
Hon. G. A. Kempton	Hon. H. Seddon
Hon. W. H. Kitson	(Teller.)

Clause thus negatived.

Clause 16—agreed to.

Clause 17—Penalties for neglect:

Hon. A. LOVEKIN: The Act is a regulation Act. Under the Traffic Act, the Police Act, and others, when a child is guilty of a breach of a regulation, it is not summoned to the court by an ordinary summons delivered by a police officer, but a notice is sent to the parents by registered post. The child attends upon that notice, and if it does not, a summons is issued. The procedure that is followed will be found in Section 24 of the Child Welfare Act. Truants are frequently brought before the Children's Court. They are mostly the children of poor people, who may be in receipt of relief from the State. A summons is issued by an ordinary police constable, and whatever the court may think fit to do with the parents, there is inevitably the 3s. costs given against them. In many cases the parents cannot afford to pay that money without taking bread out of the mouths of their children. When the costs are awarded, a levy and distress are issued, and this means a further 4s. 6d. Then there are the bailiff's fees to be taken into account. On scores of occasions when I have been sitting on the bench, I have ordered the 3s. costs to be paid, and have made them good myself. On one occasion I paid 12s. I desire to bring this clause within the more benevolent section of the Child Welfare Act, and provide that in-

stead of a summons being issued, a notice shall be sent by registered post to the parent to attend the court. Failing such attendance a summons would be issued. This would be advantageous to the parents, and would also save costs to the department. Outback constables often have to travel long distances to deliver a summons, and this expense could be avoided by the posting of the necessary notice. Parents also would be saved the expense of proceeding to the court, for they would fill in the necessary forms, plead guilty, and automatically pay the fine. I move an amendment—

That all the words after "Act" in line 4, down to "shall" in line 9, be struck out, and the following inserted in lieu:—"may be required by notice posted to or served upon such parent at his usual place of residence, to attend before a court of summary jurisdiction at the instance of a compulsory officer, or any other person appointed in that behalf by the Minister, to show cause why he should not be adjudged guilty of an offence against this Act. If such parent fails to comply with such notice, he may be summoned on the complaint of any person authorised on that behalf by the Minister to attend before such court, and upon conviction."

The CHIEF SECRETARY: I am in sympathy with Mr. Lovekin's amendment, and so is the Director of Education, but the Parliamentary Draftsman tells me that such an amendment can only be made to the Child Welfare Act. He says—

Proceedings for simple offences are commenced by complaint and summons under the Justices Act, 1902-20, and if the offence is against some provision of the Education Acts, the proceedings are taken and the complaint is heard and determined in the Children's Court. It is provided by the Child Welfare Act, 1907, Section 24, that where an offence is charged against a child, then in lieu of service of a summons on the child notice is posted to or served on the child, and a summons is not issued or served unless the child fails to appear in response to such notice. Mr. Lovekin apparently desires to amend the procedure in the Children's Court by extending Section 24, which relates to children, to proceedings against the parents of children. This can only be done (even if desirable) by an amendment of the Child Welfare Act. It is not within the scope of the Education Bill. It relates to judicial procedure.

Hon. A. LOVEKIN: It may be heresy to say so, but I do not agree with the Parliamentary Draftsman. I fail to see why, if we can say in the Bill "may be summoned before a court of summary jurisdiction on the complaint of the compulsory officer," we

cannot say, "You may be required by notice to attend." Where is the difference between notice to attend and summons to attend? I think I should press this amendment in order that the matter may be further considered. In other cases no question has been raised as to which particular Act should be amended, when such Act relates to matters of this kind.

Hon. A. J. H. Saw: Why not postpone this clause until you have seen the Parliamentary Draftsman?

Hon. A. LOVEKIN: For the present, I will withdraw the amendment.

Amendment by leave withdrawn.

On motion by the Chief Secretary, further consideration of the clause postponed.

Clause 18—Employment of children of compulsory age:

Hon. A. LOVEKIN: Between the ages of 13 and 14 is the period when the child is going to get the best out of his schooling. Notwithstanding this, provision is made in Subclause 4 for the absence of a child from school, in addition to the other absences that may take place for different sets of conditions. If it is a case of poverty, the State should assist the parent rather than sacrifice the future of the child. I move an amendment—

That Subclause 4 be struck out.

The CHIEF SECRETARY: If this amendment is carried the Minister will have no power to grant exemption in any circumstances. A few years ago application for exemption from attendance at school was made on behalf of a girl of about 12 years of age. Her mother was a widow who had a baby about 12 days old. She wanted her daughter to remain home a few weeks until she had recovered her strength, and I gave the necessary permission.

Hon. A. LOVEKIN: The case referred to by the Minister is well covered by Clause 14, which sets out what shall be a reasonable excuse for absence from school.

*Sitting suspended from 6.15 to 7.30 p.m.*

Amendment put and negatived.

Hon. A. LOVEKIN: In Subclause 5 reference is made to "an inspector," who, under the measure, will be an inspector of schools, whereas the inspector who is intended is really the truant inspector or com-

pulsory officer. As the subclause reads, it may lead to confusion and, in order to make it clear and uniform, I move an amendment—

That in line 2 of Subclause 5 the words "an inspector" be struck out, and "any duly appointed officer" inserted in lieu.

The CHIEF SECRETARY: I have no objection to the amendment.

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

Clause 19—Habitual truants:

Hon. A. LOVEKIN: I move an amendment—

That all words after "school" in Subclause 1, line 1, be struck out, and the following inserted in lieu:—"or, owing to immorality or gross misconduct, is harmful to other children, he may be deemed to be uncontrollable or incorrigible, as the case may be, and may be dealt with in manner provided by the Child Welfare Act, 1907-27."

I suggest that we recast the subclause. We have already postponed one amendment I suggested, and since then I am more than ever convinced that my suggestion was right, because I have turned up a case in which an attempt was made to serve a notice under the Child Welfare Act upon a parent, and the Crown Solicitor ruled that the person had to be summoned under the Education Act, and that the Child Welfare Act could not apply. Unless we make the same provision in this Bill, we shall again have the same difficulty. The only penalty provided under the subclause is to send a child to an institution. We have had instances where parents have declared that no suitable institution existed where children of their religion could be sent. In such circumstances the court have been powerless because the Child Welfare Act provides that the court cannot send a child to an institution if the parents objects. We have had Jewish children before the court and we have not been able to send them to an institution because their parents objected to their children being sent to Christian institutions. We have also had Mohammedan children before the court, and the difficulty was overcome by the parents agreeing to the children being sent to a Roman Catholic institution as representing a religion nearest to Mohammedanism. However, they have now raised objections to the way the meat is killed, and in one instance an application is being made for the release of the child on the ground

that the child is not being trained along proper religious lines. Under the Child Welfare Act, a child that is deemed to be uncontrollable or incorrigible may be sent to an institution, or may be put on probation, or be dealt with in any other way that the court may determine.

Hon. A. J. H. Saw: What does the court do, read a sermon and dismiss the case?

Hon. A. LOVEKIN: The court may send the child to an institution, or, if he is a male child, may order him to be whipped.

Hon. Sir William Lathlain: Who will whip him?

Hon. A. LOVEKIN: If the court releases the child on probation under conditions that may be set out, the child is under the supervision of the department until he attains the age of 18 or an earlier age, as the court think fit. If we amend the subclause as I suggest, we will accomplish more than is possible under the subclause as it stands.

The CHIEF SECRETARY: Under the provisions of the subclause we take action against the parent, but under the proposed amendment we could not do so. Any action taken would have to be at the instance of an inspector of the Child Welfare Department against the child, not against the parent. In administering the Education Act we desire full power to take action in any direction desirable. At first I could not see any objection to Mr. Lovekin's amendment, but I have since received the following memorandum from the Parliamentary Draftsman, who said—

The Education Act should retain the power to proceed against the parent in the case of habitual truants, etc., by its own officers. Mr. Lovekin suggests that the charge should be against the child, either at the instance of the parent under Section 32 of the Child Welfare Act, 1927, or at the instance of an inspector of the Child Welfare Department under Section 33 of the Act. The Child Welfare Department can attend to its own business in the case of uncontrollable and incorrigible children, or in a proper case, proceedings can be taken by that department in lieu of proceedings under this clause. The Child Welfare Department will, no doubt, co-operate with the Education Department. But there is no reason why the clause in the Bill should be interfered with.

Hon. A. LOVEKIN: I suggest the amendment will mean nothing of the kind. Clause 17 provides that the parent of any child of not less than six or more than 14 years of age who neglects to cause the child to attend a school may be summoned and, under Clause

19, I propose to carry out the same provision. The parent is responsible.

Hon. H. J. Yelland: Who will issue the summons under your proposal?

Hon. A. LOVEKIN: The truant officer, or some person duly authorised by the Minister. The parent is still responsible for the child, but Section 19 provides that if a child is constantly and habitually absent, he may be dealt with not only by being sent to an institution, but he may be dealt with also under the other provisions to which I have referred.

Hon. A. J. H. SAW: Under the Child Welfare Act, has not the Children's Court power already to deal with a child guilty of immorality, or a child that may be a danger to others? If so, why drag it into this Bill also?

The CHIEF SECRETARY: It is necessary to take direct action in cases of this kind, and the action should be taken by the compulsory officer attached to the Education Department. Under Mr. Lovekin's amendment the case must be dealt with in the manner provided by the Child Welfare Act. What is that manner? Action is taken by the inspector of the Child Welfare Department and not by the compulsory officer of the Education Department. We propose to bring the parent into court.

Hon. A. Lovekin: Under Clause 17 you take the action.

The CHIEF SECRETARY: We take action under Clause 19; we usually take action without reference to the Child Welfare Department.

Hon. A. LOVEKIN: Under Clause 17 action is taken against the parent and taken at the instance of the compulsory officer. Now we say that if a child is brought before the court and is constantly and habitually absent through no fault of the parent, and the child may be guilty of immorality that may be harmful to other children, he may be dealt with, not by being sent to an institution as the clause says, but under the provisions of the Child Welfare Act which provide that a child may be put on probation or sent to an institution or dealt with in any manner the Bench may think fit. I want to bring the Bill into line with the Child Welfare Act. The parent is still responsible, but if a child is brought into court at the instance of the compulsory officer by summons or notice to the parent and it is then found that the child is practically uncontrollable, the court may deal

with the child under Sections 32 and 33 of the Child Welfare Act.

Amendment put and negatived.

Hon. A. LOVEKIN: I move an amendment—

That in Subclause 4 the words "or other person for the time being legally liable to maintain the child" be struck out.

These words will lead to confusion because the definition of "parent" in the Bill is "guardian and every person who is liable to maintain or has the actual custody of any child." Now we propose to alter the phraseology. We can well leave the definition as it stands in the interpretation clause. If we have two definitions confusion will result.

Amendment put and passed.

Hon. A. LOVEKIN: I ask the Chief Secretary to again discuss Subclause 5 with the Crown Solicitor. The subclause reads: "This section shall, mutatis mutandis, apply to any child whose attendance at school would, owing to immorality or gross misconduct, be harmful to other children." Where is the mutatis mutandis in this? It seems to me that the subclause is not properly drafted.

Clause, as amended, put and passed.

Clause 20—Blind, deaf and mute children:

Hon. A. LOVEKIN: I ask the Chief Secretary whether he has any proposal to make in regard to Subclause 9. We should have the same procedure as that under the Child Welfare Act and not all the rigmarole contained in the subclause. The clause reads peculiarly. It refers to the court or another court. There cannot be another court; the Children's Court is a continuing court.

The CHIEF SECRETARY: Mr. Sayer says that this is essential. A parent may change his place of living and it would be necessary to follow him to wherever he went.

Hon. A. LOVEKIN: I ask the hon. gentleman to read the subclause carefully and tell me what he would make of it if he were called upon to interpret it. The Chief Secretary might reconsider it.

The CHIEF SECRETARY: I am informed by Mr. Sayer that this clause is taken from the South Australian Act, the Victorian Act and the New Zealand Act.

Hon. A. LOVEKIN: My desire is merely to assist the Government.

The CHIEF SECRETARY: I move an amendment—

That in line 16 of Subclause 10 the word "ten" be struck out, and "twelve" inserted.

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

Hon. A. LOVEKIN: It seems to me that paragraph (b) of Subclause 12 does not do credit to the draftsman. It says, "Whether efficient and suitable instruction is being provided for a blind, deaf, or mute child or not shall be a matter for the decision of the Minister (who may, if he deems it necessary, obtain a report by an inspector or some other person authorised by him in that behalf), etc." He may obtain a report or make all sorts of inquiries. Of course he may do it; it is an inherent power of the Minister, and we put it in an Act of Parliament. I move—

That paragraph (b) of Subclause 12 be struck out.

The CHIEF SECRETARY: The Parliamentary draftsman writes that there can be no sufficient reason for the omission of these words.

Amendment put and negatived; the clause, as previously amended, agreed to.

Clauses 21 to 27—agreed to.

Clause 28—Regulations:

Hon. A. LOVEKIN: In contradiction to a previous clause to which I have referred, the Minister here says, in paragraph (d) of Subclause 1, that he may make regulations for "the admission, training, examination, appointment, promotion, transfer, dismissal, resignation, leave of absence, discipline, and duties of teachers." In the other clause these things were to be done on the recommendation of the director.

Hon. A. J. H. SAW: Regarding paragraph (h), which refers to the establishment of scholarships, and the conditions connected therewith, I have already said that in my opinion the greatest defect of our educational system is that there are not sufficient scholarships and bursaries given whereby the children of poor parents may be enabled to carry on their education beyond the age of 14 in order to obtain a secondary school education. About 1922 I had the honour of serving on a Royal Commission on Education, which reported on the educa-

tional system of this State. The thing that impressed the Commission most was the wonderful wealth of material in our State schools. If there is one cure for pessimism, it is to go into the State schools and see the fine physique and the fine intelligence of so many of the pupils. I have always been impressed with the fact that there are not sufficient facilities given whereby the children of poor parents can carry on their education from the primary schools to the secondary schools, and then on to the university. Under the Hackett bequest, we fortunately have considerable advantages for necessitous scholars, but the system is lacking in the provision of sufficient scholarships and bursaries. No nation can afford to neglect the talent inherent in so many of our children. It is the inalienable birthright of these bright children to have such facilities given to them. In this respect, other countries undoubtedly do far more than Western Australia is doing. I have been further impressed with that fact since I have been on the selection board of the Coombe scholarships. There, every year we have a number of extremely intelligent and bright boys applying for scholarships, and unfortunately only three can be granted every year. It is very much indeed to the credit of Sir Thomas Coombe that he has endowed three secondary schools scholarships every year. I would earnestly urge the Government to see whether they cannot grant larger facilities in the way of scholarships and bursaries.

The CHIEF SECRETARY: I move an amendment—

That in Subclause 3, paragraph (c), line 1, the figure "(2)" be struck out, and "(4)" inserted in lieu.

This is the correction of a clerical error.

Hon. A. LOVEKIN: Will the Chief Secretary state why paragraph (c) is needed in the Bill at all? The matter is provided for in the Interpretation Act. Under the Interpretation Act every regulation must be laid on the Table of the House in the every manner provided by this paragraph. In fact, a subsection of the Interpretation Act is embodied in the Bill. Why load up the Bill in that way?

The CHIEF SECRETARY: Quite a different procedure has been adopted in connection with this Bill from the procedure adopted in connection with any measure previously submitted to the House. This Bill gives the Minister power to make regulations,

and the paragraph is necessary because the Minister may make some regulation that would interfere with the status of teachers. If such a regulation were made by the Governor in Council and gazetted straight away, the teachers would have no right of appeal under the Public Service Appeal Board Act. At the time of the recent reclassification of teachers we fixed salaries and put them through the Executive Council. The teachers went before Mr. Justice Draper, who held that there was no right of appeal, the regulation having gone through Executive Council. Mr. Justice Draper said the Minister should have put up the salaries as a proposal. Consequently I had to put the proposal in the form of a regulation. After there had been an appeal to the court in connection with the so-called regulation, it was submitted to the Governor in Council and gazetted. That procedure has to be followed in view of the Public Service Appeal Board Act. In the department such regulations are merely called proposals. Mr. Sayer considered it advisable, instead of relying upon the Interpretation Act, to place the provision of that Act in this Bill. I explained the matter to Mr. Lovekin recently.

Hon. A. LOVEKIN: The same explanation was given the other day, but on referring to the Arbitration Act I find that Subsection 4 of Section 36 specifies the same procedure as we have in this paragraph of the Bill. The regulations are to be approved by the Governor, are to be published in the "Gazette," are to take effect, and are to be laid before both Houses of Parliament, and if either House disapproves of them they shall go. Bills should not be loaded up with repetitions from Acts.

The CHIEF SECRETARY: I have here some notes from Mr. Sayer in regard to the matter. He says that in Clause 28, by Subclauses 3, 4 and 5, power is given to the Governor to make regulations, but under Clause 28 of the Bill regulations are made, not by the Governor, but by the Minister, the reason being that these regulations affect the classification of teachers, their salaries etc., and therefore are subject to appeal under the Public Service Appeal Board Act. Mr. Sayer says that obviously, under that right of appeal, the regulation must be made by the Minister, since there can be no appeal from a regulation made by the Governor in Executive Council.

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

Clauses 29, 30—agreed to

Clause 31—Census may be taken:

Hon. A. LOVEKIN: I draw attention to the penalty here provided, which is a sum not exceeding £5, or in default one month imprisonment. We should observe some consistency. Under the Justices Act a penalty of £1 carries with it three days imprisonment, whereas here we have £5 or one month.

The CHIEF SECRETARY: I have placed this question before Mr. Sayer, who points out that imprisonment must be apportioned, not only in respect of fines, but also in respect of costs.

Clause put and passed.

Clause 32—Schools other than a Government school may be found efficient:

The CHIEF SECRETARY: I move an amendment—

That the proviso be struck out.

The power given there has never been exercised.

Hon. H. SEDDON: What happens if no application is made by a school proprietor to have his school found efficient?

The CHIEF SECRETARY: If an elementary school, it is inspected periodically.

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

Clauses 33 to 38—agreed to.

Clause 39—Sections of Schedule 2 of the Interpretation Act incorporated:

Hon. A. LOVEKIN: I wish to ask the Chief Secretary whether he desires to have Section C of the Second Schedule of the Interpretation Act incorporated in this measure.

The CHIEF SECRETARY: I recall that the hon. member explained this to me, but I subsequently overlooked it. I think he gave very good reasons why Section C should be omitted.

Hon. A. LOVEKIN: Under Clause 20 the court may, on the application of the Minister, commit any child on the hearing of a summons or at any time thereafter. It means an unlimited time. Then in this last clause of the Bill, by incorporating Section C of the Interpretation Act we

limit the time to three months. I propose to move an amendment to strike out Section C.

The CHIEF SECRETARY: If the hon. member will let it go for the present, I will inquire into it. Then, if necessary, he can move his amendment on recommitment.

Progress reported.

### **BILL—MUNICIPAL COUNCIL OF COLLIE VALIDATION.**

Returned from the Assembly without amendment.

### **BILL—PERMANENT RESERVE (KING'S PARK).**

*Second Reading.*

Debate resumed from 5th September.

THE CHIEF SECRETARY (Hon. J. M. Drew—Central [8.26]): In moving the second reading Mr. Lovekin put up quite a good case, from his own standpoint, in favour of the partial partition of the King's Park reserve. This Bill has been given careful consideration by the Government, and I must oppose it. The object is to lease, for a long term of years, portion of a reserve which was created for the use of the people. It is true that it is only a small slice of that reserve, and that it is somewhat isolated from the main park. But that in no way affects the principle, and there is reason to fear that if consent is given to this measure it will lead to the further partition of the park. A thousand and one plausible reasons could be given by alert intellects why some of the land should be devoted to a better purpose than that for which it was set aside. The lease is, of course, to be subject to the consent of the Governor, but once the purpose is altered, this affords little protection. It is provided in the measure that the lessee shall not carry on or conduct any business which may at any time be objected to by the King's Park Board. In view of the fact that the board has already permitted the locking up of large areas of the park for tennis courts conducted by private enterprise, it would scarcely be wise to hand over an area of the park to be used primarily for private gain. Those tennis courts in King's Park are occupied by clubs to the

exclusion of the general public, and without even the approval of the Governor.

Hon. A. Lovekin: That is not right.

The CHIEF SECRETARY: Then I have been misinformed.

Hon. A. Lovekin: You have so.

The CHIEF SECRETARY: Even so, there is little doubt the users are in illegal occupation. They have taken possession of land that belongs to the public. To give a lease of the piece of land referred to in the Bill would establish a precedent that would be used later on towards securing approval for a lease to the tennis clubs already operating on this Class A reserve. It is easy to foresee that the acceptance of this Bill would be the first step towards whittling away from the King's Park stretches of land along King's Park Road, Thomas Street, and other places, with serious effect on the rights of the people as a whole.

Hon. A. Lovekin: We would have to get the authority of Parliament for it all.

The CHIEF SECRETARY: For years successive Governments have refused to introduce legislation similar in nature to that now proposed. It is true a mistake was made in South Perth many years ago. A portion of a Class A reserve was permitted to be laid down with bowling greens and tennis courts, and the balance has been found to be too small for such sports as cricket and football, while the bowling greens and tennis courts are for the exclusive use of members of the clubs who take part in those sports. One of the objects of the proposed lessee is to run a tearoom and tennis court. He and others applied to the State Gardens Board for the right to conduct such a business on land within their jurisdiction; but it was considered undesirable to have such structures on the foreshore. As a public utility on the land indicated in the Bill tearooms are not at all necessary, as it is within the city. There is a tea-room a little further on, and there is always the possibility of others being opened. In the opinion of the Government this block could very much better be utilised in years to come as a beautiful park approach with stairways and escalators leading from the lower levels to the heights above.

Hon. A. J. H. Saw: Why, the Government are starving the park already.

The CHIEF SECRETARY: In the course of time there would not be much

park left to starve if this policy were put into operation.

Hon. J. Nicholson: What suggestion is made that the policy would be pursued any further?

The CHIEF SECRETARY: The same assurance is always given, "We want a small portion, but no more." We all know what an ardent champion the University had in the late Sir Winthrop Hackett, how he was heart and soul in it, and how it benefited by the benefactions under his will. Fifteen years ago, in this House, when the question whether the University buildings should be erected in King's Park was under discussion, Sir Winthrop took a determined stand. Notwithstanding that he was largely responsible for the establishment of the University and that its welfare was ever present in his mind, when it came to a question whether the interests of the University or the interests of King's Park should be paramount, he had no hesitation in coming to a conclusion, and he combatted the suggested encroachment with all the eloquence at his command.

Hon. A. Lovekin: We have all done that.

The CHIEF SECRETARY: I have made an extract from his speech which was delivered in the Legislative Council on the 11th December, 1913:—

On the very first visit the organiser of the University paid to King's Park he became obsessed with the idea that that was the site for the University, because it was so beautiful. We want that beautiful site and other sites added to it, and I am happy to say that I believe the King's Park is absolutely safe in the guardianship in which it is placed. There is a majority of the King's Park Board in favour of keeping it as it is, there is a majority in the Legislative Assembly and a majority in the city council of the same mind, and we could get up a circle of meetings to show that there is a majority amongst the people.

Hon. J. D. Connolly: Hear, hear!

Hon. Sir J. W. Hackett: I thank the hon. member for that "hear, hear," because he was looked upon as one of the possible vandals.

Hon. J. D. Connolly: Where did you get that idea?

Hon. Sir J. W. Hackett: I speak strongly on this question because of remarks that were made yesterday. If this question were to be settled by my using any little influence I possess in regard to King's Park, it is possible that my help might be forthcoming in that direction—I only say possible—but as a matter of fact any such action would be as if I were to charge a cannon. The protecting powers are too strong, I thank heaven, to allow that park to be invaded in any one cor-



ner, for such an invasion would quickly extend to all other corners. I hope the park will be treasured as the only garden of wild flowers of its character in the Commonwealth of Australia. For my part I should prefer to see the University remain in Irwin-street for an indefinite time rather than use it to injure the King's Park.

There we have the reply to Mr. Lovekin's advocacy of this Bill. "If you allow that Park to be invaded in any one corner, such an invasion would quickly extend to other corners." Although it was proposed to erect beautiful buildings on it to provide a fount of free learning for the sons and daughters of the people, without distinction of class, Sir Winthrop said that he would prefer to see the University remain in Irwin Street for an indefinite time rather than use it to injure the King's Park.

Hon. A. Lovekin: Hear, hear! We are all in accord with that.

The CHIEF SECRETARY: That should be the resolve of everyone who recognises the value of such reserves, and who can appreciate the danger of allowing them to be tampered with in any way. I intend to vote against the second reading of the Bill.

**HON. J. NICHOLSON** (Metropolitan) [8.37]: I regret the speech made by the Leader of the House on this Bill, which has the definite object of improving and certainly has no intent of robbing the people of this State of any of the benefits of King's Park. One would think from what the Chief Secretary has said that the small strip of land in question really formed one of the main portions of the park. As a matter of fact, it is only a sort of appendage to the park, a promontory projecting from the mainland. In one sense it does not form portion of the park, nor is it used at present as a portion of the park. It is more or less a serious encumbrance because, as was explained by Mr. Lovekin when moving the second reading of the Bill, the park authorities have been put to considerable expense and trouble in trying to reclaim the land. The strip of land is low-lying, situated at the foot of the hill fronting Mount's Bay road. In former years it was occupied and utilised by Chinamen as a garden. Ultimately, owing to the trouble that arose from the spread of mosquitoes, it was decided something should be done to suppress the nuisance. With that object in view the land was vacated and, at fairly considerable expense, the responsible

authorities succeeded in getting the area drained and filled in. Even at the present time it is a source of trouble to drain the water from the land. As for its utilisation for park purposes, that is an absolute impossibility, and could not be done except at very heavy expense. I ask members to view the land for themselves and see what they could make of it, even if it were presented to them.

Hon. E. H. Harris: Take a couple of miners around. They would put a hole in the cliff and fill up the land in five minutes.

Hon. J. NICHOLSON: That is the last thing Mr. Harris would do.

Hon. E. H. Harris: I said a couple of miners would do it.

Hon. J. NICHOLSON: It is the last thing that anyone possessed of an aesthetic sense would do. The Minister suggested that this strip of land might be utilised for a beautiful entrance to the park by erecting some sort of a Jacob's ladder. The Minister did not actually mention a Jacob's ladder, but if he viewed the site he would realise that by no other means could access be given to the park from that piece of land. If the hill-side were knocked away, it would probably seriously affect the foundations of the houses in the immediate neighbourhood. There are several houses along the bank all weighing heavily on the surface of the hill-side, and any disturbance of the soil in the neighbourhood would undoubtedly affect the foundations of those houses. The superincumbent weight of those houses pressing on the top of the cliff might have very serious results. To suggest, as the Chief Secretary has done, that this could be made a suitable approach to the park is drawing a very long bow.

Hon. A. J. H. Saw: There is a ladder approach to the park a little further on.

Hon. J. NICHOLSON: That approach has been more or less an eyesore for years, and at present affords a means for boys to enjoy themselves by sliding down the rails. Steps and rails were provided by the municipal council costing a fair sum of money. I am sorry that Mr. Franklin is not in his seat, because he might have been able to give us some idea of the cost to the city council of constructing those steps. I do not hesitate to say that the cost was heavy. We are now asked to do something of the same nature, separated as the approaches would be simply by a few yards. That is not the way to beautify the park. Had this been a proposal to cut out of the park some portion of

what we regard as the main part utilised by the public, I would have been the first to be up in arms and to oppose it, just as the Chief Secretary has done, but I feel sure he has opposed it under a misapprehension of the true circumstances. He could never have realised that this piece of land has been an eyesore and a considerable expense to the park authorities.

Hon. Sir William Lathlain: As well as a nuisance.

Hon. J. NICHOLSON: Yes, and a nuisance to the park authorities. The object of the park authorities in seeking to get power to lease this land is due to a desire to bring about an amelioration of the position and not to gain anything out of it. Nothing is further from their thought than self gain. It is certainly not desired to use this as a lever in order to get similar powers at some future time in connection with some other purpose affecting the park. That is the last thing anyone associated with the control of that reserve would seek. This particular piece of land is an eyesore. Whatever can be done in the way of improving it will constitute an asset, not only to the park, but to the State at large. It will remove a nuisance. If it is left there the next thing the park board will require to do will be to apply to the Government for a grant of an adequate amount to improve this area. If such a request were made, and an estimate were given as to what the cost of improvements would be, the Government would hold up their hands in holy horror and say they could not possibly find the money. The power asked for is not sought with the intention of alienating this land. That is the last thing required. What is wanted is to bind this particular individual who is prepared to lease the land for some 35 years. He is willing to spend some thousands of pounds in improving it, and laying out the ground in a proper manner. That will be done by strict covenants compelling him to level the land, fill up the holes and other places, and do what is essential to make it a place of beauty and so removing an eyesore. If by merely leasing this piece of land, with some very minor benefit to the park board, it can be brought up to a high state of improvement, we shall be creating a benefit to the State in general. I cannot see why the Chief Secretary should oppose the Bill. It was suggested by him it was possible this might be used as a precedent for further requests of a similar nature. He also stated that certain tennis and other associations

already had possession of portion of the park. No possession in that sense has been given to any authority. It is within the rights of any person to enjoy to the full, entrance within the precincts of any of the tennis courts or bowling reserves to be found within the boundaries of the park.

The Honorary Minister: What happened when the visiting tennis players came here last year?

Hon. J. NICHOLSON: Members of the public were put on their honour to pay an entrance fee. I would have been pleased to see the Honorary Minister go there and assert his rights. I paid an entrance fee to support the Lawn Tennis Association, and assist in giving the public an opportunity of seeing those players, an opportunity which could not be availed of had we not given that monetary support.

Hon. A. J. H. Saw: I would like to have seen the Honorary Minister exercise his right to walk across the tennis court while the players were giving such a fine exposition of the game.

Hon. J. NICHOLSON: If he had been struck by a ball sent by one of those experts, he would certainly have suffered some pain.

Hon. G. W. Miles: Is it not a fact that you have to be put on a waiting list before you can be elected a member of the King's Park Tennis Club?

Hon. J. NICHOLSON: People are entitled to assert their rights if they choose to do so. The public were sporting enough to assist the authorities concerned to make the visit a financial success, otherwise the distinguished players could not have come here.

The Honorary Minister: By preventing people from seeing the players, on account of the high charges.

Hon. J. NICHOLSON: The Honorary Minister is under a misapprehension. I am sorry that anyone in his position should be so grossly ignorant of the facts. The visit cost a large sum of money.

Hon. A. Lovekin: About £1,600.

Hon. J. NICHOLSON: The players were experts at tennis.

The Honorary Minister: Undoubtedly.

Hon. J. NICHOLSON: I am told the association committed itself to paying the visitors this money. No benefit was derived by the association from the visit.

Hon. E. H. H. Hall: The visitors were amateurs, too.

Hon. J. NICHOLSON: They were supposed to be. They had to pay their way in the world and to earn their daily bread,

just as others have had to do. They are not men of leisure.

Hon. W. T. Glasheen: They could not be amateurs if they received money.

Hon. J. NICHOLSON: It cost that much money to bring them here. I do not know the difference between the definition of amateur and professional, but in order that the public might have an opportunity to see those players, someone had to undertake the responsibility of paying their expenses. I believe the association received back actually less than the visit cost. It was not a profit-making stunt. The visit brought this State into prominence such as could not have come to it but for the facilities offered to the players by the presence of the tennis courts. Hundreds of people have interested themselves in this particular sport. The visit gave the State prominence that it would not have gained but for the visit of those players. They went back to their own countries, France or Germany as the case may be, and were able to tell their friends of the wonderful facilities provided in Western Australia for the game of their choice. This would not have been possible but for the laying down of the tennis courts in King's Park. Why blame these people for undertaking the obligations they did? Some members are putting them in a wrong light, whereas they really conferred a benefit on the State, without deriving any benefit themselves.

Hon. G. W. Miles: Do you mean the King's Park Tennis Club?

Hon. J. NICHOLSON: I refer to whoever it was who took the responsibility.

Hon. E. H. Gray: Can anyone join that club?

Hon. J. NICHOLSON: Yes. Mr. Gray might even indulge his sporting proclivities in that way.

Hon. E. H. Harris: Probably Mr. Gray thinks it is like the tally clerks' union.

The PRESIDENT: Order!

Hon. J. NICHOLSON: The piece of land referred to in the Bill is useless and will remain so unless the Government spend about £3,000 in putting it in order. I believe it will cost the man who is undertaking this work between £2,000 and £3,000 before he carries out his ideas.

Hon. A. Lovekin: The land was not originally in the park. We took it over.

Hon. J. NICHOLSON: It was an annex to the park. One would think this was the first occasion when anything of the kind

had happened. I have looked up the list of Acts that have been passed at various times, altering the purpose of permanent reserves. I find that there is nearly a whole page of them. The purpose of reserves has been changed in the case of Subiaco, Melville Park, Claremont, Bunbury, Broome, Perth, North Fremantle, Fremantle, South Perth, Kalgoorlie, Greenmount, York, Mt. Barker, Parkerville, Mt. Lawley, Toodyay, Merredin, the National Park and numerous other places, in some cases the purpose being changed two or three times.

Hon. A. Lovekin: Changes have occurred in connection with the University land.

Hon. J. NICHOLSON: There is nothing to justify the objection that has been raised. If it had been intended to do something that would be a detriment to the public use of this area, I would have been the first to object to it. I am quite sure that Mr. Lovekin would be the last man to propose such a Bill as that. I support the second reading of the Bill, and I hope the Chief Secretary will see his way clear to withdraw the opposition he has indicated, or at least that he will be prepared, on behalf of the Government, to give an assurance that a sufficient sum such as that I have already indicated, will be provided for the King's Park Board to enable it to carry on work that is necessary.

HON. SIR WILLIAM LATHLAIN (Metropolitan-Suburban) [9.2]: I much regret that the Chief Secretary has given utterance to such an expression of opinion regarding the alienation of the portion of King's Park referred to in the Bill. I regret that his speech did not display the fairness that always characterises his attitude when presenting Bills to this House. To use a vulgarism, I think hon. members are all barking up the wrong tree.

Hon. E. H. Harris: Well, you bark up the right one!

Hon. Sir WILLIAM LATHLAIN: That is what I shall endeavour to do. I am a member of the King's Park Board and I claim that no body of men in Western Australia are more zealous in their desire to guard the interests of King's Park than the members of that board, who include the President, Mr. Lovekin, Mr. Nicholson and myself. Regarding the statement by the Chief Secretary that the Government have received offers for the leasing of land op-

posite the particular allotment covered by the Bill, I can quite imagine that that would be so. On the other hand, I would like to inform the Minister that the board have received numerous offers from persons desirous of leasing various parts of King's Park for the purpose of erecting bowser pumps and other purposes as well. We have religiously turned down every application.

Members: Hear, hear!

Hon. Sir WILLIAM LATHLAIN: Respecting the particular block of land to which the Bill applies, it may surprise hon. members to know that originally that block was not part and parcel of King's Park. The block, which is isolated, and has privately owned land on either side, has a frontage to Mount's Bay-road and was originally in the possession of the Lands Department. It was used for the purpose of constructing a tunnel for taking a water pipe underground instead of taking it up the steep cliff that exists there. That water pipe was for use in connection with the reservoir constructed in King's Park and it was found impossible to take the pipe line up the face of the cliff. Here is a letter dated the 16th May, 1905, from the then Under Secretary for Lands:—

I shall be glad to know if your board wishes to have Perth Town Lot L65 and the north-eastern moiety of No. 64, two blocks facing Mount's Bay-road and coloured red on the attached litho., included in King's Park. I would refer you to my letter of the 29th November last on the matter.

On each side of this particular block are private houses and this block was originally leased by the board to a Chinaman for market garden purposes. It comprises a swampy hole and will cost a lot of money to fill up. While it was not originally part of King's Park, it was handed over to the board because it was such a nuisance to the Lands Department.

Hon. A. Lovekin: They asked us to take it over.

Hon. Sir WILLIAM LATHLAIN: That is the position. Owing to the stagnant water that lodged there, the department requested the board to take the block over. We agreed to do so and it was later used for the purposes I have indicated. From the board's standpoint, there is no possible way of securing communication between the

main portion of the park and the block in question.

The Honorary Minister. You could make a nice garden there.

Hon. Sir WILLIAM LATHLAIN: It would cost a lot of money to fill it up.

Hon. A. Lovekin: There are armies of slugs and snails there.

Hon. Sir WILLIAM LATHLAIN: They even ate the Chinaman out of home, and he could not earn sufficient to pay 1s. 6d. a week for rent.

Hon. J. Nicholson: We were threatened with legal action on one occasion.

Hon. Sir WILLIAM LATHLAIN: Yes, and it has cost a fortune to provide kerosene to keep the mosquitoes down. We have had letters from the Health Department constantly asking us to take steps to remove the mosquito nuisance.

The Honorary Minister: How will the proprietor of the tennis court get on?

Hon. Sir WILLIAM LATHLAIN: He will have to look after himself; that is not our job. He may have a lot of money; the King's Park Board represent a mendicant body who have not got sufficient money to pay for filling up the block. We have sufficient difficulty with another isolated part of the Park where the fountains and other provisions are in constant state of disrepair owing to the depredations of ruthless vandals. The block covered by the Bill is one that we would find it equally difficult to control. The point I wish to emphasise is that there are no members of the community who will make more strenuous efforts to safeguard the interests of King's Park than the present members of the board. The block concerned has private premises on each side and has no means of egress to the park itself. There are no means of securing communication with it other than via Mounts Bay-road. I was rather surprised to hear the remarks of the Chief Secretary, particularly those in which he adversely commented on the management of the park. I do not think the Minister could had made those statements if he were really acquainted with the position. We do not desire any portion of the park to be alienated, nor do we desire to see people deprived of their rights and just privileges. I hope hon. members will take a reasonable view of the position and help the board to solve a very serious difficulty.

**HON. A. J. H. SAW** (Metropolitan-Suburban) [9.9]: I support the second reading of the Bill. In the first place, it has been shown that the particular piece of land it is desired to lease, is merely waste land and I do not suppose there is one out of every thousand of the people who go round Mount's Bay-road, who realises that the land forms a part of King's Park. So far as the purpose for which the park itself was established is concerned, that block of land is not fulfilling any function. Inasmuch as there is no intention to alienate it for all time, but merely to grant a lease for 25 years. I can see no reason whatever why the board should not be allowed this privilege. Furthermore, I suppose there are very few people in Perth who make use of King's Park and enjoy its beauties more than I do. There are very few days in each week when I do not take a walk or drive through the park. That has been my practice for many years past. It is a great pity that more use is not made of King's Park. At present there is only a small percentage of the people of this State who enjoy its beauties. On the general question of what use is to be made of the park, I am not at all in agreement with the speakers who have preceded me. To my mind there are many people, perhaps a great majority of the people, who regard King's Park in much the same way as the Dalai Lama of Thibet regards Lhasa—as a place so sacred that no foreigner should be allowed to enter it, and it should not be devoted to any general purposes. I think a great mistake is being made regarding the management of the park and the use to which it is to be put. It was originally intended, and hoped, that the park would be retained in a state of nature, so that it should be there for all time as an object lesson to the people of succeeding ages of what the Western Australian bush was. I regret to say that I regard that idea as impossible of achievement. As far as I can see we shall not be able to keep the park in a state of nature.

**Hon. J. Cornell**: Just as impossible as it was in the Garden of Eden.

**Hon. A. J. H. SAW**: Yes, and I understand some people were turned out of the garden for very good reasons! So far as I can see, King's Park will not remain in that state of pristine beauty it was in when it was set aside for public purposes. That will be so owing to numerous bush fires and to other causes, probably due, I think, to

the cultivation of other trees and the introduction of various garden pests. It will be impossible for the park to remain in the state it would have been in had it been isolated many hundreds of miles away from the capital city. We have only to go through King's Park to see the large number of trees that are dying. I maintain there are very few sound trees of any size left in King's Park. What the explanation is I do not know; it may be due to pests or borers.

**Hon. Sir William Lathlain**: Mostly bush fires.

**Hon. A. J. H. SAW**: The fact remains that we cannot expect to keep the park in a state of nature. My experience goes back over some 50 years and I maintain that the park to-day is nothing like what it was when I was a boy. The beauty of the trees and so forth do not compare with what I saw in my boyhood days. I do not believe that the park can possibly continue in its present state. As time goes on, we will find that various portions will have to be cleared and replanted with trees not indigenous to Western Australia or with trees indigenous to Australia. I do not believe the natural growth will continue or that the park will remain the beauty spot it is at present. I know many people regard me as a vandal, but I would like to see the whole of the portion of the park along King's Park-road and Thomas-street devoted to the recreation of the people.

**Hon. A. Lovekin**: Hear, hear!

**Hon. A. J. H. SAW**: Provided the clubs would agree to beautify their portions of the park, I would allow them to be established there. I would not allow them to erect any buildings apart from those necessary for club purposes. To show the bona fides, I would require them to cultivate the land and beautify it. Under those conditions, if people were prepared to undertake those duties, I would allow tennis, cricket, bowling, football and other clubs to take up portions of the park provided they were willing to beautify the areas they controlled. That would be better rather than that those portions should remain as at present, sandy wastes over which very few people ever tread. Many people regard me as a vandal, but I have formed the opinion I hold as a result of first observation. I would not permit that portion of the park to be alienated for the erection of buildings or any purpose other than

sport, and I would certainly insist that anybody acquiring a lease of the land should improve it, and that it should be open to any person of repute to join the club provided they paid the subscription necessary for the maintenance of the club. The clubs should not be permitted to become close preserves. I can understand that the tennis clubs and bowling clubs can only accommodate a certain number of people, and that when there is no room for others there must be a waiting list. But provided a person is reputable, there is no reason why he should not be permitted to join any of the clubs. I hope that that will be the only use to which the park will be devoted. The rest of the park can be allowed to remain as far as possible in a state of nature. It is not in a state of nature to-day, nor do I think it can be kept entirely in a state of nature, because it is necessary to thin out the trees and burn the undergrowth so as to prevent fires going through. That, however, will not interfere with the growth of flowers. I believe a great deal can be done by thinning out trees and planting and so ensuring the life of the park for many years to come.

**HON. H. J. YELLAND (East) [9.18]:**

As a country member, I feel that an expression of opinion on my part will be acceptable to Mr. Lovekin. The question of the alienation of reserves throughout the whole of the State is one on which there is a great variety of opinion. Some contend that the retention of reserves is an economic waste. That may be so in the back blocks, but one cannot say the same of a reserve such as King's Park. When this matter was brought up by Mr. Lovekin I was of the opinion that it should be opposed. However, I took the trouble to visit the particular area it is intended to lease, to compare it with what is surrounding it and the use it is to the park authorities. I am inclined to think that it will be in the best interests of the city and the King's Park Board if the permission sought by the board is granted. The objection raised by the Chief Secretary is that it is an encroachment upon public reserves. It seems to me that he has spoken without a very close knowledge of what it is intended to alienate; but it is not a matter of alienation, it is a matter of leasing. The Minister's objection might be upheld if the particular block of land happened to be available to all. But it is not. Up to the

present time it has been leased not to any of our own people but to Chinamen and these Chinamen have been endeavouring to make a living from it. The intention now is to convert the land from a nuisance into a benefit, to convert an eyesore into a place of beauty and when we find that the King's Park Board are endeavouring to do something for the purpose of beautifying the surroundings it is our duty to support them. I do not know whether Mr. Lovekin would like to have a vote taken on the Bill to-night. I would suggest that before members cast their votes, they should take the opportunity to look at the place for themselves. I am satisfied that at the present time the land is useless to the people of Perth and useless to the King's Park Board. As there is a person who is prepared to convert it into a place of beauty, and at the same time provide the board with some revenue, we shall be doing the right thing in permitting the board to lease it. As has been pointed out by Sir William Lathlain, the land on either side of the block in question is privately owned, and this is a mere strip of land wedged in between the others. At its rear there is a precipitous cliff which, to the King's Park Board, is utterly useless. I cannot understand why the Government should oppose the removal of a nuisance in this locality. It is my intention to support the second reading of the Bill.

**HON. J. CORNELL (South) [9.23]:**

I agree with much that Dr. Saw has said with reference to King's Park and also with the consensus of opinion in respect of that reserve. I agree also that the time has come when a different policy should be promulgated in regard to the park, and that it should be a place of recreation for pedestrians and motorists, and also a place for the enjoyment of young people, a place where they can participate in games or whatever form of pleasure they desire to indulge in. Dr. Saw has stated that he cannot understand why the natural timber is decaying, and that it is not what it used to be when he was a boy. My experience as an Australian is that there is one human being and one class of timber that cannot stand contact with civilisation—the human being is the Australian aboriginal and the timber the Australian native tree. I agree with Dr. Saw also that much will have to be done in King's Park in the future.

Hon. Sir William Lathlain: We planted 6,000 trees and all were burnt.

Hon. J. CORNELL: If anyone goes to Sydney and there sees the park lands, he must be struck by the antiquated ideas we adopt towards our King's Park, the deplorable absence of necessary conveniences in our park, places where people can get suitable refreshments.

Hon. A. J. H. Saw: There is a refreshment room in Kings Park and it was recently burgled.

Hon. J. CORNELL: In the Treasury Gardens, Melbourne, there is a fine kiosk where refreshments can be obtained. I have yet to learn that the people who utilise our park are responsible for any acts of vandalism there. I understand that the proposal now before the House is to get rid of a nuisance, an excrecence in fact, and with that object in view it is desired to lease the land that has been described to us to some person who will beautify it. For that reason I intend to support he Bill. The question of alienation is not involved. The park authorities have the right to renew a lease and reappraise it, just as the Government have a similar right in regard to leasehold homes. I hope the Bill will pass this House and that a common sense view will be taken of it by Parliament as a whole.

HON. H. A. STEPHENSON (Metropolitan-Suburban) [9.27]: It is my intention to support the Bill, and I must say that I am very much surprised to have heard the remarks of the Chief Secretary. I cannot understand his action. I can only come to the conclusion that he has not viewed the locality of the block that it is proposed to lease.

Hon. G. W. Miles: It was transferred from the Lands Department.

Hon. H. A. STEPHENSON: The Chief Secretary must have forgotten all about it. It is one of the greatest eyesores within a mile of the Town Hall, and it has been an eyesore for many years. The land is of no benefit whatever to the Park and is never likely to be of any use. To be made of any use, some thousands of pounds will have to be spent on it. As has been pointed out, it was not originally a portion of King's Park, but the Government of the day were very glad to get rid of it and so transferred it to the King's Park Board. It is less than two acres in extent and there is a

house on either side of it. The board are to be commended on having entered into an arrangement with some person to beautify the spot and to endeavour to make it useful. At the present time the place is an eyesore. It is also a breeding place for mosquitos and the attempt to eradicate them has cost a great deal of money. I am utterly unable to understand the action of any Government in opposing such a measure as this. The passing of the Bill will be the means of beautifying the city, and that is an extremely desirable object. I have much pleasure in supporting the second reading.

On motion by Hon. H. Seddon, debate adjourned.

*House adjourned at 9.32 p.m.*

## Legislative Assembly.

*Tuesday, 11th September, 1928.*

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

### QUESTION—CANNING STOCK ROUTE.

Mr. MARSHALL asked the Minister for Water Supplies: 1, Is it a fact that the Government propose to recondition the Canning stock route for the purpose of travelling stock from the Kimberleys? 2, If so, what is the estimated cost of reconditioning the route? 3, What is the estimated cost of maintenance to keep the route open for the purpose of travelling stock? 4, What is the estimated number of cattle likely to