Hon. Sir James Mitchell: The new clause refers only to alienated lands.

New clause put and passed.

New clause:

Mr. SAMPSON: I move—

That the following new clause be added:—"Section 196 of the principal Act is amended by the insertion of the following paragraph, to stand as (41a):—To require that where any land which adjoins or abuts upon any road or way within any prescribed area or townsite in any district council is overgrown with underwood or bushes the council may, from time to time, by writing under the hand of the president or secretary, order such land to be cleared."

The need of some such provision is obvious. There would be grave danger from fire where there is undergrowth as suggested in the amendment, while there might also be danger from snakes and other vermin that might be harboured there. A local authority should have power to order the land to be cleared in those circumstances.

The MINISTER FOR LANDS: I hope the Committee will not agree to the proposed new clause. Crops might be growing close to a roadway and they might be affected by the operations of the amendment.

Mr. Sampson: It would only apply in prescribed areas.

The MINISTER FOR LANDS: But a road board might prescribe the whole area.

Mr. Sampson: They could not do so without the approval of the Minister.

The MINISTER FOR LANDS: The Minister is not mentioned in the amendment at all. The proposal might work a hardship in many districts.

New clause put and negatived.

Title—agreed to.

Bill reported with amendments.

House adjourned 10.45 p.m.

Legislative Council,

Thursday, 14th October, 1926.

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

QUESTION—FEDERAL PENSIONS AND GRANTS.

Hon. Sir EDWARD WITTENOOM asked the Chief Secretary: What is the amount of money paid to Western Australia by the Federal Government per annum for the following, respectively: (a) Old age pensions; (b) invalid pensions; (c) maternity bonus; (d) pensions to returned soldiers; (e) pensions to soldiers' widows and dependants; (f) grants to disabled and mentally affected soldiers?

The CHIEF SECRETARY replied: The State Government have no information upon these matters. They consider it should be secured from Federal sources.

BILL—STAMP ACT AMENDMENT.

Read a third time and passed.

BILLS (2)—REPORT.

1, Inspection of Scaffolding Act Amendment.

2, Justices Act Amendment.

Reports of Committee adopted.

BILL—SUPPLY (No. 3)—£1,363,500.

Second Reading.

THE CHIEF SECRETARY (Hon. J. M. Drew—Central) [4.36] in moving the second reading said: This Bill asks for further Supply for two months. The last Supply asked for and granted was only for one month. It was then considered that the Estimates would reach this Chamber before the end of October. There now seems little

hope that they will. Although the Budget was submitted in another place on 30th September, urgent legislation has delayed the progress of the Estimates, and the one month's Supply granted is insufficient to meet the requirements of public administration. The Bill will enable us to carry on till the end of November. The amount asked for in each instance except one is exactly the same as was asked for in the first Supply Bill, which also covered two months' Supply. That exception is in regard to the General Loan Fund. In August £750,000 was asked for and granted for two months, whereas now we are asking for only £500,000, as we shall be able to carry on with that amount until the end of November. The Supply requested is £850,000 from Consolidated Revenue, £500,000 from moneys to credit of the General Loan Fund, £10,500 from moneys to credit of the Government Property Sales Fund, and £3,000 from moneys to credit of the Land Improvement Loan Fund. It is necessary to have this money in order to discharge the ordinary functions of government. The amounts sought represent two-twelfths of last year's expenditure, except that in respect of General Loan Fund, which is less. I move—

That the Bill be now read a second time.

Question put and passed.

In Committee, etc.

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

Standing Orders Suspension.

THE CHIEF SECRETARY (Hon. J. M. Drew—Central) [4.43]: I move—

That so much of the Standing Orders be suspended as will enable the Bill to be taken through its remaining stages at the present sitting.

Question put and passed.

Third Reading.

Read a third time and passed.

BILL—BROOME LOAN VALIDATION.

Second Reading

THE HONORARY MINISTER (Hon. J. W. Hickey—Central) [4.45] in moving the second reading said: This is a small Bill to validate the action of the Broome Road Board with regard to its electric lighting scheme. Unfortunately this local authority found itself in the position of having to justify an overdraft at the bank. It is necessary on account of the arrangement with the bank that a validating Act should be passed in order to put the matter right. This matter was brought under my notice at Broome some time ago. I wish to compliment the road board on its work. It is one of the most energetic local authorities in the State. Perhaps the best description of the position is afforded by the following communication from the Under Secretary for Works and Labour:—

In accordance with Section 284 of the Road Districts Act, the board gave notice of its intention in the "Gazette" and newspapers to borrow £10,000 for an electric lighting scheme, but after complying with that formality they neglected to "adopt the proposition." This should have been done and recorded in the minute book. They further neglected to make a special order for the borrowing of the money as is required by Section 287. But the most important informality lies in the fact that in the public notices it was stated that the period of the loan would be 30 years. The board now desires to borrow, and has in fact already borrowed from the Government £5,000, and from local people at Broome £2,000, for a period of 15 years. The Western Australian Bank has undertaken to lend the balance, viz., £3,000, for a term of 15 years, provided that this validating Bill is passed.

All that is necessary to comply with the very pertinent demands of the bank is for the House to pass this Bill. I move—

That the Bill be now read a second time.

Question put and passed.

Bill read a second time.

In Committee.

Hon. J. Cornell in the Chair; the Honorary Minister in charge of the Bill.

Clause 1—agreed to.

Clause 2—Ratification of loan:

Hon. V. HAMERSLEY: Are the ratepayers of Broome fully seized of all the circumstances connected with the raising of this loan?

Hon. J. J. HOLMES: I understand that is so. The people in Broome are a live body. There has been no protest against this scheme; in fact we have been urged to facilitate the passing of the Bill. The measure is needed to rectify what is only a technicality.

Clause put and passed.

Title—agreed to.

Bill reported without amendment, and the report adopted.

BILL—STATE CHILDREN ACT AMENDMENT.

Second Reading.

THE CHIEF SECRETARY (Hon. J. M. Drew—Central) [4.50] in moving the second reading said: This Bill is rendered necessary owing to badly drafted legislation introduced some years ago by a private member, and sanctioned by both Houses of Parliament. The State Children Act, 1907, applied to illegitimate children if they became State children received into an institution, but not otherwise. Proceedings by the mother of an illegitimate child, not being a State child were, however, taken under the Bastardy Act, 1875. There were, therefore, two Acts dealing with the question, one which concerned itself about State children, and one which had been many years in existence, and which concerned itself about those who were not State children. By the amending Act, 1919, it was provided that the Children's Court should hear and determine all complaints and applications made under the Bastardy Act. In 1921 a private Bill was introduced in the Legislative Council to amend the State Children Act. By that Bill the Bastardy Act was repealed, and Part 5 of the principal Act relating to the maintenance of children by the relatives was amended by the deletion of the word "State" before the word "children"; so that the part of the Act relating to maintenance applied to all children, whether State children or not, legitimate or illegitimate. The Bill for the Act of 1921, as I have said, repealed the Bastardy Act, and it was advisable to add some words to Section 64 of the Act 1907-1919—the section stands as Section 74 in the reprint of the Act 1907-1921—expressly to confer on the court jurisdiction to adjudge the defendant to be the father of the illegitimate child. The omission of these words has led to trouble. Certain decisions by the Children's Court in cases in which the State Children's Department was not concerned, were appealed against on points which questioned the power of the State Children's Court to adjudicate. Mr. Justice Burnside, who heard the appeal, referred to the Full Court the following questions:—

1. Whether the Children's Court had jurisdiction to adjudge a man to be the reputed father of an illegitimate child.

2. Whether the State Children's Act, 1907-1921, conferred jurisdiction on the Children's Court to hear a complaint by the mother.

3. Whether there was any provision for making an order for payment to the mother.

4. If there was jurisdiction, was not evidence of ability to maintain, in the case of an illegitimate child, a condition precedent to making any order.

The following condensed report of the proceedings appeared in the "West Australian" on the 3rd September last:—

Although the appeals were dismissed, the Chief Justice remarked that it was very difficult indeed to construe the Act (State Children Act, 1907-21) so as to give all its sections a consistent meaning, but he had been able to come to the conclusion that the Legislature had shown an intention that the provisions of the Bastardy Act of 1875 should be re-enacted in the State Children Act. The Legislature obviously intended to put something in the place of the repealed Bastardy Act, and the Court had to say whether there were words to be found in the State Children Act which were sufficient to carry out that intention. In the Act as it now stood, two things were thrown together without any attempt having been made to keep them separate. It dealt with applications in which State Children were concerned. It also dealt with applications by women asking that a person be adjudged the father of an illegitimate child, in cases in which the State was in no way interested, and where the Department had no right to interfere. In view of the difficulty the Court had experienced in dealing with the cases brought before it, and the certainty that other points would arise in the future, he thought that it would be well for the Legislature to consider whether the Act could not be made more intelligible than it is at present.

The cases referred to were taken by the reputed fathers of illegitimate children against orders for maintenance of their offspring, made against them by the Children's Court. The necessity is obvious for legislation to remove all doubt in regard to the questions referred to the Full Court. The "West Australian" in commenting on the appeal cases deals with the matter very clearly. It said, shortly after the cases were heard:—

Some importance attaches to the recent decisions of the Full Court in dismissing certain appeals against judgments by the Children's Court in respect of cases having to do with the maintenance of illegitimate children. The ground of appeal was that the Bench which tried these cases had no jurisdiction, and, if the letter of the law had been observed, that contention must have held. It appears that when the Bastardy Act was repealed, and when the venue for determining whether the putative father of an illegitimate child was responsible for maintenance was changed to the Children's Court under the State Children's Act a vital clause conferring the necessary jurisdiction on the new tribunal was, owing to faulty draftsmanship, omitted. As, however, the intention of the Legislature, when it passed the State Children's Act, was plain, the Full Court, by a majority verdict, dismissed the appeal. Had

the verdict gone otherwise, an interesting question would have arisen as to the liability of the Crown to refund moneys, amounting by this time to a very considerable sum, which have been paid to the State Children's Department by way of maintenance under orders of the Court. The comments of the Judges certainly point to the urgency of an early amendment of the law, so that the intention of Parliament may be statutorily expressed. There is need, also, for amendment of the State Children's Act in other directions, and notably in the direction of substituting for the present composite Children's Courts in the metropolitan area a special stipendiary magistrate. It is not to derogate in any way from the credit of the honorary magistrates, whose services are now given to the Court, to say that the multiple rotary Bench is not, and cannot, in the nature of things, be, satisfactory. It is inherently fatal to judgments being marked by that consistency which should, in fairness to the parties, characterise them.

By Clause 8 of this Bill words are inserted in Section 74 of the Act 1907-1921 expressly conferring on the court the jurisdiction of adjudging the defendant to be the father of the illegitimate child. Under the provisions of the principal Act, 1907, the court consisted of a special magistrate, but in his absence the jurisdiction might be exercised by two justices. By the amending Act, 1919, provision was made for the appointment of members male or female of the Children's Court. It was enacted that the court should not be compelled to exercise jurisdiction unless a special magistrate was present, or at least two members, that if the court was divided in opinion, the opinion of the special magistrate should prevail, but in the absence of a special magistrate, the opinion of the senior member should prevail, and that in all cases under the Bastardy Act the special magistrate should be one of the members of the court. By the private Amending Bill of 1921 the proviso that in cases under the Bastardy Act the special magistrate should be one of the members of the court, was repealed. The result of this repeal was that in the case of an illegitimate child the proceedings might be heard and determined by any two members of the court, and in the case of a disagreement the defendant might be adjudged to be the father on the opinion of the senior member present, subject, of course, to the right of appeal. The senior member—by reason of the fact that he was longer appointed—would thus have twice the power of the other members who might be much more intelligent than he or she. By Clause 4 of the Bill it is provided that in any case where the court is equally divided in opinion, the opinion of the special magistrate shall prevail; but if a special magistrate is not present the case must be re-heard and determined in the presence of a special magistrate. These are very important cases. A man's whole career might be darkened, and unjustly darkened, by a foolish decision. There are upwards of 64 Children's Courts, and it is impracticable to provide that a special magistrate shall be present in all proceedings of this nature. The case will be determined by the majority of the members of the court present—as in the case of offenders dealt with under the Justices Act, including indictable offences dealt with summarily—but if the court is divided in opinion the special magistrate must be present, and if necessary, the case will be adjourned. The Act is defective in another respect. Some further amendment becomes necessary in view of the court having jurisdiction to adjudicate on complaint of the mother of a child that is not a State child, and enabling the court to order payment to the mother, instead of the Department, and to enable the clerk of the court to enter caveats, issue warrants, etc., to enforce payments where the department is not concerned. These amendments, so far as necessary, are made retrospective. To this there can be no objection, as the cases have been adjudicated upon on their merits with the right of appeal, and existing orders should not be invalidated on technicalities. I move—

That the Bill be now read a second time.

Question put and passed.

Bill read a second time.

RESOLUTION—RAILWAY GAUGE UNIFICATION.

Message from the Assembly now considered requesting the concurrence of the Council in the following resolution:—

That in the opinion of this House the time has arrived when the Federal policy of extending the standard railway gauge should be consummated in Western Australia.

HON. G. POTTER (West) [5.7]: I move—

That the Council concur in the Assembly's resolution.

This subject cannot be divorced from what has been talked about for many years, namely the unification of railway gauges throughout the whole of Australia. The question has been discussed frequently, although not as often in

the Houses of Parliament as might have been desirable. It has been so much discussed in other channels by many important bodies in the social and commercial world, that I am quite sure hon. members are familiar with the various phases of the question and the difficulties that present themselves in bringing about the consummation of the uniform gauge which it is admitted is so desirable. Tracing back the history of the movement—after all it is a movement of progression—we find that the first tangible mention of it occurred in October, 1888, when the late Mr. Eddy, who was then Chief Commissioner of Railways in New South Wales, after a close study of the operation of the railways in other parts of the world, recommended to his fellow Commissioners and to the Governments of the day, the urgent necessity for the unification of the gauges throughout Australia. Had the paramount importance of the question been grasped at that time, the proposition would have been much simplified to-day. Instead, we find that big railway systems have grown up throughout the Commonwealth and that now the longer the unification is delayed, the greater will be the expense of bringing it about. When Mr. Eddy presented his report to Sir Henry Parkes, who was Leader of the Government in New South Wales at that time, he said:—

> The adoption of a universal gauge is absolutely necessary, looking at the future growth of the country and the annual increasing intercourse of the people and the exchange of goods throughout the Commonwealth.

There we have the real incubation of Australian commerce, dating back to 1888, and whilst Mr. Eddy was a good railway man he also had that gift of perception, that gift of looking into the future and seeing what the possibilities were. We, in a later generation, have seen that his prophecies, if they were prophecies, have been realised. It may be said, perhaps, that those remarks of his did not savour so much of the atmosphere of prophecy, but rather a keen perception as to what would follow in Australia in time to come. However, nothing really tangible was done until the Premier's conference met in 1920. For the information of hon. members, I shall quote from an authentic document just exactly what took place at that conference.

Hon. G. W. Miles: What about Lord Kitchener's report in 1910?

Hon. G. POTTER: I shall refer to that later. That has a specific bearing on the question, but it has not been looked upon with favour by certain sections of the community. The Premiers' conference in 1920 decided that a definite step should be taken, and six resolutions were passed as follows:—

1. The conference upholds the necessity and urgency of a uniform gauge to connect the State capitals, including the conversion of the Victorian railway system.
2. The conference affirms the principle of the allocation of costs.
3. The conference affirms the principle of the appointment of a Commission to work in co-operation with the Railway Commissioners in the various States.
4. Railway experts to meet and submit a report re cost, etc., before 19th June, 1920.
5. To be subject to the approval of the respective State Governments.
6. To be further discussed on the 19th June, 1920, on the interim report to be presented.

The railway experts met in May, 1920, and they were to report on the 19th June. Unfortunately very little time was given them in which to consider the question. It stands as a monument to the intelligence and the application of the members of the commission that they were able to present their report when they actually did. They said this—

> This conference is of the opinion that two experts from outside this country should be appointed, along with one Australian outside of the railway service of the Commonwealth and States, to consider and report upon the unification of the gauges, and the question as to what gauge it is desirable to adopt, and also the question of conversion.

To the report there was an addendum which questioned the wisdom of providing for a 4ft. 8½in. gauge or a 5ft. 3in. gauge. When that report was considered at the conference of Commonwealth and State Ministers in Melbourne in 1920, the resolutions I have read were formulated, the object being to put the matter on a plane that would take it out of parochial sphere and get for Australia that which the experience of the more closely populated countries of the world had found to be the most economical gauge to adopt.

Hon. J. Cornell: The standard gauge all the world over has been determined.

Hon. G. POTTER: It is determined now, but at that time it was not. I am merely tracing the history in order to show some of the difficulties that confronted those who were the pioneers of the movement for the unification of the railway system of Aus-

tralia. At a further conference of Premiers held in January, 1922, no definite decision was arrived at. That conference realised that the States and the Commonwealth were staggering under a tremendous load of debt and were faced with enormous deficits, and it was thought inadvisable to embark upon any unnecessary expenditure. The representatives of the States who attended that conference, I think, cannot be blamed for their indecision, because they were faced with the responsibility of inaugurating great development policies, and to no State did that apply more than to Western Australia. The States were managing to get along with their respective systems of varying gauges, and they thought it would be wise to leave well alone for the time being. While they did not arrive at any definite decision on the question of proceeding with the unification of gauges, they did not say it would be inimical or undesirable to adopt a uniform gauge. Several schemes were submitted by the Royal Commission appointed to consider the question of a uniform gauge. The experts, who were imported, dealt exhaustively with the question and estimated that it would cost no less than £57,200,000 to convert the whole of the then existing railway systems of Australia to the uniform gauge. That was a tremendous expenditure for a young country to contemplate, especially in view of its war debt and the heavy commitments by the war. Let me here say that I consider the manner in which Australia has faced the problem of its war debt is a model to many countries of the world. The Royal Commission submitted an alternative scheme, namely, to connect the capitals of the various States, a less ambitious scheme that seemed to be nearer to attainment by the present generation. The total cost of that scheme was £21,600,000.

Hon. J. Cornell: And the extent of its utility would be to make travelling more congenial to passengers.

Hon. G. POTTER: It might be interesting to reiterate the position obtaining at that time as the figures are proportionately the same as at present. It was estimated that the total expendiure necessary in Western Australia for the alteration of existing railways, the construction of the new lines that would be required and the adjustments to rolling stock would be £5,030,000. For Commonwealth territory it was a modest sum of £67,000; in South Australia £4,674,000, Victoria £8,324,000, New South Wales £1,657,000, and Queensland £1,848,000, making the total of £21,600,000. On those figures an equitable system was devised, because it was recognised that while the unification of gauges between the various capitals would be good for the States, it would be good also for the Commonwealth. It was here that the idea of giving special consideration to the larger and sparsely populated States had its birth. It was decided that while in Western Australia an expenditure of £5,030,000 would be required, the quota for which this State would be responsible was £1,078,103. The Commonwealth instead of finding the £67,000 to complete the alterations in its territory would be charged a sum of £4,320,000. South Australia, instead of finding its share of £4,674,000, would be charged £1,632,292. In Victoria the expenditure would be £8,324,000 and that State's quota would be £4,939,349. New South Wales, instead of finding £1,657,000, would provide a quota of £7,094,388. In Queensland, where the reconstruction would cost £1,848,000, the quota would be £2,535,868.

Hon. Sir William Lathlain: Why would that expenditure be necessary in New South Wales, which already had the 4ft. 8½in. gauge?

Hon. G. POTTER: I wish to build up my argument from the bottom instead of starting from the top. Western Australia at that time was treated, I shall not say in a generous spirit but in a spirit of equity and justice. When the minor scheme was made public it was said by people fearful lest the expenditure of £21,000,000 throughout the Commonwealth——

Hon. J. Cornell: In those figures was any allowance made for maintenance?

Hon. G. POTTER: That was not considered. The Commission were not asked to deal with the question of the operation of the railways, because that was a varying quantity depending largely upon the political administration of the railways in the different States. No Royal Commission could possibly anticipate the future in that regard. The figures I have quoted represented the estimated cost of the actual engineering work that would be necessary. It dealt with the alteration of existing railways, the provision of new lines necessary to the scheme and adjustments of rolling stock. While the figure representing the rolling stock in any system, even in the tramway system, is large, rolling stock is

a diminishing asset. Anyone travelling over the Perth tramways must realise that. Having in view the capital expenditure on railways throughout the Commonwealth, one can realise that the figures quoted by the Royal Commission are not so very formidable. Fairly recent figures show that if the Royal Commission's report had been put into effect, the expenditure throughout the Commonwealth, spread over a period of eight years, would have amounted to £2,700,000 per annum. That amount is not so formidable as it might appear at first sight, because in the 10 years ended June, 1920, when figures were collated for the purposes of comparison, the capital expenditure on railways throughout the Commonwealth was £83,000,000, which amount spread over 10 years would represent an annual expendiditure of £8,300,000.

Hon. J. E. Dodd: That shows that the railway systems as a whole were a diminishing asset.

Hon. G. POTTER: Exactly. Consequently, in our computations we should not regard too pessimistically the cost of replacements. We should not give a false and fictitious value to the rolling stock that is serving us to-day. When we realise that it is costing £8,300,000 per annum throughout the Commonwealth, surely we should not be cast down when we find that, spread over a period of eight years, the alterations necessary to give a uniform gauge from Brisbane to Fremantle would be only £2,700,000 a year. Of course those figures have no relation whatever to the cost of operating and working the railways. Let us dwell for a moment on what would take place if, on this subject, Western Australia and the other less populated States bestirred themselves. There is an opportunity to get work performed within the boundaries of this State to a total value of £5,030,000 in return for a local expenditure of £1,078,103. It is obvious that the allied work accruing would be of great advantage to Western Australia. All that is necessary is that we should push on the time a little for getting the scheme in hand. In this way we would procure work for our unemployed, or alternatively prevent a depression of trade with consequent unemployment. Other outstanding benefits would follow. Sir William Lathlain by way of interjection has referred to the very definite report made by Lord Kitchener of Khartoum. When Lord Kitchener came here he was asked to lay down the basis of a system of defence, and the keystone of the arch of his report was "You must have a tactical and strategical railway line throughout Australia." We are indebted to the late Viscount Kitchener for the coming of the Trans-Australian railway at the time it did. That railway, if I may say so guardedly, was a bribe to Western Australia to enter the Federation. The payment, however, was long deferred. Only the stern reality of the needs of defence caused the Commonwealth to grant Western Australia part of her due for entering the Federation.

Hon. J. Cornell: But the hon. member knows that from a defence point of view the uniform gauge would not be of much advantage without the necessary rolling stock.

Hon. G. POTTER: The rolling stock is a mere bagatelle compared with the advantage of having a road to run on. From time to time our railways and tramways and other recognised means of transport have been held up, but we got through all right because we have roads to run on. If there are no roads to run on, one cannot get anywhere. Once we have a uniform gauge, it will be a simple matter to find the rolling stock for it. Not long ago the Midland Junction Railway Workshops, at a fortnight's notice, constructed a special truck to convey a special piece of machinery; and we know that in war time things can be done more expeditiously than in peace time. But it is not of war time I wish to speak; I have in mind the peaceful years that we hope to see in Australia. Lord Kitchener said the trans-Australian railway was necessary for the defence of the Commonwealth, but he never dreamed that the various gauges would obtain. The railway is necessary from a tactical and strategical aspect in war time, but it is much more necessary in peace time. Lord Kitchener, taking the view of his profession, visualised the transport of an army across that railway; but we should visualise the transport not only of a martial army but also of a commercial army, a commercial army travelling backwards and forwards. It is a good thing that we should have commercial men coming to Western Australia to study our conditions. From the Press we have learned that occasionally the prominent pioneers of commerce say slighting things of Western Australia on account of the lack of uniformity of our railway gauges. I need not read Press cuttings in proof of this. We know that

the representatives of great commercial interests elsewhere say nice polite things of us when they are being entertained here; and it is only human nature that they should speak thus. They may, however, be not only candid but even caustic when speaking to their directors and shareholders elsewhere. Some of us might be inclined to say that it would be well if such persons never visited Western Australia. That, however, would be a wrong conception of the methods by which this State will progress. Without a trade of large volume with other countries, we cannot hope to prosper. If the pioneers of the manufacturing and exporting countries of the world leave Western Australia with a wrong impression which could easily be corrected by the exercise of a little vision on our part, surely it behoves us to make the necessary effort and get along with the unification of gauges. It may be said that from the point of view of population Western Australia has a preponderating mileage of railways. Statistics show that our mileage of railways to population is high, but not that it is preponderating. Australia as a whole has per thousand of population 4.99 miles of railway; Canada has 4.57 miles; Argentina has 2.68; the United States of Amercia have 2.59. It will be seen that Canada closely approximates Australia in this respect, and strange to say Canadian conditions also approximate to those of Australia. In both countries there are to be found huge undeveloped areas. Accordingly there is no occasion for us to declaim that we have built too many miles of railway for our population. The same state of things obtains in another progressive country, Canada. There is, however, this difference. In Australia the railways, with exceptions equally rare and welcome, show deficits; but the Canadian railways are prosperous. Those railways are run by private enterprise. I do not wish to introduce the question of private enterprise into this matter, but it is necessary to do so in order to demonstrate that we need not be afraid of extending our railway systems. If railways can be made to pay in other countries, they should be made to pay in Australia.

Hon. J. Cornell: Canada has 23,000 miles of national railway.

Hon. G. POTTER: The railway companies of Canada were granted concessions on the lines of the concession granted to the Midland Railway Company here. The Canadian railways, however, run from ocean to ocean, whilst the Midland Railway Company of Western Australia was denied access to a seaport. Canada extended its railways ahead of settlement, prepared farms for settlers, and advertised its wares in the markets of the world. The result was that Canada secured some of the finest people to be had in the world. Canadians speak in such glowing terms of Canada that one would almost feel inclined to go there if one did not know that Australia is even a better place to live in. Australians, however, do not seem to be imbued with the same progressive instinct as Canadians.

Hon. J. Cornell: The average wheat haul in Canada is 1,000 miles as against 200 in Western Australia.

Hon. G. POTTER: I am glad to have that information. If the Canadian railways can come out on the right side with such a haulage, it should be possible for us to do so with what I may term a paucity of haulage. In Western Australia particularly, the wheat lands are practically adjacent to the seaports. We should not despair because of our proportion of railway mileage to population when we see what has been done in other countries. Australia ought not to lag behind. We have it on the authority of the Prime Minister of Australia that this State is one of the most important States of the Commonwealth, and Mr. Bruce is above all things a Victorian.

Hon. A. J. H. Saw: Above all things an Australian.

Hon. G. W. Miles: Above all things an Empire man.

Hon. G. POTTER: At all events Mr. Bruce is a son of Victoria with the vision of an Australian. Undoubtedly he has stated that Western Australia is the coming State of the Commonwealth.

Hon. J. J. Holmes: Did he tell other people the same thing when he was in another State?

Hon. G. POTTER: No. Mr. Bruce has been taken to task in his own State of Victoria for his alleged neglect of Victorian interests, though that is an allegation which should never have been made. As Dr. Saw has said, Mr. Bruce is above all things an Australian: and our Prime Minister has the vision of a true Australian, which has caused him to proclaim Western Australia as the coming State of the Commonwealth. It is safe to say, then, that any resolution coming from the Parliament of Western Australia will receive due credence from the Prime Minister. I know there are many

difficulties in the way of unifying railway gauges, but other difficulties of much greater magnitude have been overcome. We should not let this question lie dormant. It will be a good thing if we keep the question alive.

Hon. G. W. Miles: Unification of gauges is going to cost a million extra for every year it is delayed.

Hon. G. POTTER: The quicker we get on with the job the less reason will there be for any allegation that we are regardless of the future of Western Australia. By adopting the Assembly's resolution, this House will affirm that Western Australians are not lotus eaters in the development of their own State.

HON. J. CORNELL (South) [5.45]: Before the motion is put, I desire to offer a few remarks. Anyone who has been privileged to travel in countries where a uniform railway gauge prevails, irrespective of race or language, will immediately recognise the suicidal policy that Australia initiated in the past, and is continuing at present, of having a multiplicity of railway gauges. There can be no two opinions, except in the minds of persons qualified for admission to the asylum at Claremont, on the question whether a uniform railway gauge is in the best interests of the nation, as against a multiplicity of gauges. A uniform gauge stands on its own to-day as the only practical method of railway running. Many phases present themselves regarding the unification of Australian railways. One question that arises is: Is it advisable to tackle the question piecemeal, as suggested by Mr. Potter, and as has been done in Queensland in conjunction with the Commonwealth Government, or to deal with the problem in the only possible tangible way by means of the unification of the whole of our railways and not merely the main trunk lines? Assuming that the railways were unified and that the 4ft. 8½in. gauge were laid down from Perth to Kalgoorlie, or even right through to Brisbane, what practical utility would that represent to the States of Australia, other than New South Wales? It certainly would make travelling a little more congenial and would do away with the irritating delays due to the break of gauge. The position is that the rolling stock used on the uniform gauge from Perth to Brisbane could only be used within the State of New South Wales at present, because that State already has the 4ft. 8½in. gauge. That aspect appeals to me. If the line were built from Kalgoorlie to Perth to-morrow—I am not a railway man, but I am speaking as a commonsense and worldly man—the present 3ft. 6in. line would have to remain as far as Merredin or, bearing in mind the development that has taken place, as far as Southern Cross. The rolling stock that would be used between Perth and Kalgoorlie could not be utilised in any other part of the State. Even if the 3ft. 6in. line were kept between Merredin and Kalgoorlie, there is still the northern railway system, and also that between Norseman and Esperance. A position would be created that would still necessitate the transfer of passengers from one train to another as at present, but produce going from Perth to the remote parts of the State, or coming from those centres to the metropolis, would have to be dealt with in a manner that is avoided under existing conditions.

Hon. G. W. Miles: You could have the 3ft. 6in. gauge as well as the 4ft. 8½in.! We shall have to make a start some day.

Hon. J. CORNELL: If Mr. Miles is prepared to have the 3ft. 6in. gauge alongside the 4ft. 8½in. gauge——

Hon. G. W. Miles: I would prefer to have the whole lot unified.

Hon. J. CORNELL: That is my point; I do not want the problem tackled piecemeal. If Mr. Miles is prepared to run the two sets of lines side by side, that position, in my opinion, will be ludicrous in the extreme.

Hon. G. W. Miles: We shall have to do that at the start.

Hon. J. CORNELL: It would be infinitely better, and would indicate larger vision, if Western Australia, small State as it is, and Australia, small even as it is, were to tackle the problem in the only way that should be possible, namely, from a national standpoint, and not in a piecemeal way. If that were done, the whole of the railway system of Australia would be of the one uniform gauge. Of course, that undertaking would cast the financial burden on the people occupying Australia to-day and, as Mr. Potter pointed out, it would cost probably £84,000,000. If the project were started to-morrow, I can safely say it would cost £100,000,000. It would mean pulling up all our railways and reconstructing them at a cost at least equal to the expense incurred in putting down our present system.

Hon. A. Burvill: With no further consequent progress in the back country.

Hon. J. CORNELL: That is the view I take on the question of the unification of railways. The question of defence was raised by Mr. Potter and anyone who has taken even a passing interest in wars, and particularly in wars of aggression, must realise that a railway system, particularly in a country such as ours, must play an important part in any possible hostilities. This is particularly so in Western Australia where we are far from the great centres of population. If we have not the command of the seas in these far-distant parts of the British Dominions, we must use the land for transport purposes, and for the moving of large bodies of troops for the purpose of driving off an invader. It is generally agreed, so far as my reading of war strategy and transportation leads me to understand, that it is easier to construct the road than to build the rolling stock that would be absolutely necessary to remove troops at peak loads. The unification of the railway gauge from the Eastern States to Perth would not take us very far if Western Australia were invaded, unless and until the necessary rolling stock were available to transfer troops at peak loads from the Eastern States to Western Australia. As hon. members are probably aware, if troops were merely to dribble in from the other States, it would be almost better if they did not come here at all. Of course, there is this to be said in its favour, that in the hour of our dire necessity the whole of the rolling stock could be used in entraining troops from the East to the West. Whether that would be sufficient, together with the rolling stock that would be built as a result of the unification of the gauges, is another thing. Mr. Potter mentioned the Canadian railways. There are some 40,000 odd miles of railways in Canada of which more than 24,000 miles are nationally owned. The difference between the Canadian Government railways, which is the greatest railway system in the world, and the Australian railways is that in Canada the nationally owned railways represent a Dominion concern, whereas in Australia the Government railways represent State concerns. A further difference is that the Canadian Parliament has vested the sole responsibility for the management and control of the national railway system in Sir William Thornton, who is above Parliament, in that the Legislature has no say whatever regarding management matters. Political interference does not enter into the management of the railway system of Canada as it does into railway management in Australia.

Hon. J. R. Brown: That will not help to get us anywhere. Why waste time discussing that?

Hon. J. CORNELL: The hon. member does a little of that occasionally, although, I admit, he has not wasted much time recently.

The PRESIDENT: Order, order!

Hon. J. CORNELL: The Australian railway system is built around the seaboard, whereas the Canadian railway system is built across country. The difference between the Canadian railway system and ours is that practically all the good land is in the centre of Canada and, for that matter, of the United States of America as well, whereas here all the bad land is in the centre of Australia.

Hon. H. Seddon: Not bad land; it is merely a matter of rainfall.

Hon. V. Hamersley: The land is all right.

Hon. J. CORNELL: Perhaps I should say that the worst land from the standpoint of productivity is in the centre of Australia. That makes all the difference in tackling the problem of our railways. I do not desire to delay the House much longer except to draw attention to another phase. We have to recognise that in Western Australia, as has been pointed out by the Minister for Lands and other big public men, we are practically at the end of our tether regarding land available for developmental purposes within easy access of existing railways. The result is we have either to cry a halt of alter the present methods where our developmental railways are concerned. While there is little or no land within easy reach of our existing railway systems, there are vast areas of land extending from Newdegate eastwards that are equal to some of the best agricultural land that has been settled in other parts. Owing to the stinginess of nature regarding the provision of water and to the lack of transport facilities, it is not possible nor is it economical, to open up that country unless we build railways ahead of development. Are we going to advocate the conversion of an existing railway and allow our present land policy to stand still?

Hon. G. W. Miles: Can we not do both together?

Hon. J. CORNELL: This State is a very big State with a very small population, and there is a limit to what the present

generation can be asked to pay. Therefore, I should prefer to see the State continue its development, building railways ahead of settlement, as against advocating the spending of a couple of million pounds upon the conversion of an existing railway line merely with a view to improving the travelling conditions. Of course the railways of Australia ought to be unified. But this State is only on the threshold of its development, and a pause will have to be made unless we reverse our past policy of building railways after development and proceed to build before development. If in the United States it be found good to build railways ahead of settlement, it is an equally good thing in Australia. Without opposing the motion, I trust the House will give to the developmental needs of the State equal consideration with that given to the conversion of an existing railway line.

On motion by Hon. G. W. Miles, debate adjourned.

BILL—PUBLIC EDUCATION ACTS AMENDMENT.

Second Reading.

THE CHIEF SECRETARY (Hon. J. M. Drew—Central) [6.3] in moving the second reading said: The objects of the Bill are to enable the Education Department to keep a closer check upon children who do not attend school regularly and who may be evading the compulsory clauses of the Act; secondly, to bring the compulsory clauses into line with modern conditions, and in the third place to establish a board of appeal for teachers who are fined, disrated, or dismissed. The principal Act states that the parent of a child who neglects to attend school is to be summoned in the name of the Minister before a court of summary jurisdiction. Some magistrates have held that every complaint must be issued with the Minister's name upon it, and that the ordinary form is insufficient. Members will think it strange that a Minister should have to satisfy a court in writing that he has ordered the prosecution of a parent for not sending his child regularly to school. But I have had to do that. It is ridiculous that a Minister should be brought into the business at all: it is a matter with which even the Director of Education should not be worried: it should be left to the officers of the department, who are appointed to enforce the provisions of the Act relating to the subject.

Hon. J. Cornell: That provision is 27 years old.

The CHIEF SECRETARY: Yes, and in those days, probably, the Minister had plenty of time to spare. If the Bill be passed, prosecution can legally take place on the complaint of a compulsory officer or of an inspector or of any person authorised in that behalf by the Minister. It is sometimes difficult to trace children who have left a school. Every elementary school, whether public or private, has to send in a monthly return of children between six and 14 years of age who have left the school during the month. In order that they may be traced, it is desirable also to have the names of those children of compulsory age who have been admitted to any school during the month. It is desirable to have these returns from secondary as well as from primary schools. Only children below the compulsory limit of 14 years are to be included. There are many such children attending secondary schools, and so we want power to compel those in control of those schools to send in returns such as are furnished by the primary schools that are not Government schools. The compulsory clauses dealing with the attendance of children for whom means of conveyance are provided were drafted when horse-drawn vans were the usual vehicles. Hence the present Act states that a parent of children from six to nine years of age will not be required to send his children to school by such means if the distance to the school is more than six miles or, in the case of children of from nine to 14 years of age, eight miles. The introduction of motor vans has made it possible to deal with much wider areas. It is therefore proposed to compel parents to send their children to a Government or efficient school if satisfactory means of conveyance is provided by the Minister. Children under nine years of age cannot be compelled to walk more than one mile to the conveyance, nor children over nine years to walk more than two miles. We enter into contracts with the owners of motor vans to convey children long distances to school. We do so on the requisition of the parents. But if the distance from school is over six miles or eight miles, as the case may be according to the age of the children, we have no power to force them to take advantage of the conveyance provided. The same clause. Clause 5, provides that where a driving allowance

is given to a parent this shall be considered to be the provision by the Minister of a satisfactory means of conveyance. A parent who accepts a driving allowance is thus brought under the compulsory clause and is bound to send his children to school every day, unless there is a reasonable excuse for the non-attendance. Clause 6 gives the teachers an appeal board on which they shall have representation. This refers to case in which teachers for alleged misconduct or breach of the regulations are fined any amount in excess of 15s.; transferred at their own expense—which is a severe penalty; reduced to a lower grade—which is an annual financial loss to the teachers extending perhaps over many years; or reduced from any position to a position carrying a lower salary; or dismissed. The Minister is now called upon to decide what the punishment shall be for disciplinary offences, and his decision may seriously affect the future welfare of the teacher, who has no right of appeal. It is seldom necessary for me to exercise the power I possess in this respect. But I believe in the principle of an appeal board in cases in which men have permanent positions under an Act of Parliament. The Public Service have an appeal board; so have the police, the warders of the Fremantle prison, and the railway officers and employees. In each case the men have representation on the board, a consideration that has resulted in a more contented service than we should otherwise have. The constitution of the board is to be, a police or resident magistrate as chairman, a representative of the Director of Education to be appointed by him, and a representative of the teachers, or his deputy for the time being on the Public Service Appeal Board. The Bill is the result of conferences I have had with the teachers, who are prepared to accept the measure. I move—

That the Bill be now read a second time.

On motion by Hon. G. Potter, debate adjourned.

House adjourned at 6.11 p.m.

Legislative Assembly,

Thursday, 14th October, 1926.

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

QUESTION—TRAMWAYS, PERTH.

Mr. MANN asked the Minister for Railways: 1, Has he read in yesterday's "West Australian" the evidence of Motorman James MacIntosh Fraser, given in the Arbitration Court on Tuesday, "that seldom a day passed without a tram being concerned in a collision: that the brakes were not always effective; in fact, very few brakes on bogey cars were up-to-date"? 2, Will he have the statement inquired into, and if the position is as stated, will he take immediate steps to remedy it in order to protect the public from the danger of serious accident?

The MINISTER FOR RAILWAYS replied: 1, Yes. 2, The statement as published was obviously incorrect and was subsequently corrected in the court.

QUESTION—I.A.B. SETTLERS, CROP INSURANCE.

Mr. LATHAM asked the Minister for Lands: What are the names of the underwriters with whom re-insurances—fire and hail risks—upon assisted settlers' crops have been effected?

The MINISTER FOR LANDS replied: It is not customary for information of this description to be disclosed.

BILLS (2)—FIRST READING.

1, Industries Assistance Act Continuance. Introduced by the Minister for Lands.

2, Royal Agricultural Society. Introduced by the Minister for Agriculture.