

sent suffering, and help to put Australia as a whole on the road to prosperity. I support the motion.

On motion by Hon. H. J. Yelland, debate adjourned.

House adjourned at 5.20 p.m.

Legislative Assembly,

Thursday, 8th September, 1932.

	PAGE
Question: State Insurance, arsenic plant employees	501
Return: Railway coal supplies	501
Bills: Main Roads Act Amendment, 2R.	501
Factories and Shops Act Amendment, 2R.	505
Special License (Waroona, Irrigation District), 2R.	506
Dairy Cattle Improvement Act Amendment, 2R.	506
Fruit Cases Act Amendment, 2R.	507
East Perth Cemeteries, 2R.	508
Swan Land Revesting, 2R.	508
Industries Assistance Act Continuance, 2R.	509

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

QUESTION—MINING, WILUNA ARSENIC PLANT.

Mr. MARSHALL asked the Premier: 1, Have Leggo & Co., of Wiluna, endeavoured to secure cover at the State Insurance Office for their employees on the arsenic plant at Wiluna? 2, If so, why was cover not granted?

The PREMIER replied: The State Insurance Office was asked by Leggo & Company to quote a rate for the insurance of the workers employed on their Wiluna plant under the Workers' Compensation Act. The Government Actuary replied asking for particulars in regard to the company's experience. This information has not been supplied to date.

RETURN—RAILWAY COAL SUPPLIES.

On motion by Mr. Wilson, ordered: That a return be laid upon the Table of the House showing:—1. The weekly coal orders (tonnage) by the Railway Department to each

of the following mines (separately)—Proprietary, Co-operative, Cardiff, Stockton, and Griffen, and the supplies received from the above-mentioned mines (separately) from 1st January to 30th June, 1932. 2, The weekly tonnage rate (separately) of Newcastle coal and the price paid for each department as from 1st January, to 30th June, 1932. 3, The tonnage shipments (separately) of Newcastle coal and the price paid for each shipment (separately) in truck at Fremantle as from 1st January to 30th June, 1932.

BILL—MAIN ROADS ACT AMENDMENT.

Second Reading.

THE MINISTER FOR WORKS (Hon. J. Lindsay—Mt. Marshall) [4.37] in moving the second reading said: The introduction of this Bill has been made possible by the amendment of the Federal Aid Roads Agreement passed last year by this and the Federal Parliament. When the agreement was amended the restrictions placed on this State as to the expenditure of money on roads were removed. It has been possible since to use Federal aid roads money on the maintenance or construction of roads or anything else the Government agree to. Under the previous Act it was necessary for the State, to get the money, to maintain roads from the traffic fees. That necessity no longer exists. The Bill deals with the collection of traffic fees. Under the Main Roads Act passed in 1929, it was laid down that local governing bodies outside the metropolitan area should pay into a trust account a percentage of the traffic fees, ranging from 22½ to 10 per cent., and also that out of the metropolitan trust account 22½ per cent. of the traffic fees should be paid into the main roads trust account for the maintenance of country roads.

Hon. J. C. Willcock: Would they be cleared main roads?

The MINISTER FOR WORKS: Yes.

Hon. J. C. Willcock: Not any road?

The MINISTER FOR WORKS: No. The money could only be spent on main roads, as they were affected by the expenditure from the traffic fees.

Hon. J. C. Willcock: That will not be altered in the future?

The MINISTER FOR WORKS: No. It is laid down in the Main Roads Act that

any money provided by the Commissioner for roads under the Federal Aid Roads Act shall be used for the construction of developmental roads, but until a road is declared a developmental road it is not possible to provide any money for it under the Act. It has been found that in many parts of the State, where rivers and creeks exist, the financial means of the local governing bodies are insufficient to enable them to build bridges. We have accordingly stretched the Act, and done something the Act does not allow.

Hon. P. Collier: Very wrong.

The MINISTER FOR WORKS: I know that. There is the case of the Mandurah bridge. The Auditor General has been very severe in his criticism of the expenditure of that money, because the bridge had not been declared a developmental road. The local authority was unable to find sufficient money out of its own revenue to repair the bridge. Another thing I am asking the House to validate also relates to local governing authorities. In common with the Government, many local governing authorities are in a serious financial position. They cannot collect their revenue. Some have carried out their obligations under the Act, but many have not done so. We made grants to various local authorities, and from a legal point of view those grants should have been spent on the construction of developmental roads. Many of the local authorities did not want to construct developmental roads, but did want to maintain them, although they had not sufficient revenue with which to keep the roads in repair. The Commissioner for roads has given grants on condition that the local authorities put up a case to show how the money could best be spent. Generally speaking, these are the principles of the Bill. It is proposed that from the 1st July local governing bodies shall retain their own traffic fees. Any local authority which has not paid the traffic fees up to that time will still owe them.

Mr. Wansbrough: Quite right.

The MINISTER FOR WORKS: We have encountered serious difficulty in the metropolitan area. The Commissioner for Main Roads is in control of certain main roads in the metropolitan area. The Traffic Act provides only for taking money out of traffic fees to maintain these thoroughfares, and contains no provision for money for the construction of roads and bridges. In the past we have spent Federal aid roads money

in the metropolitan area, but I hope that will not be the case in the future. From the metropolitan area we are receiving about £24,000 a year. It is proposed under the Bill that this shall still be taken out of the metropolitan traffic trust account and paid to the main road trust account. That money will be used for the construction and reconstruction of roads and bridges in the metropolitan area.

Hon. J. C. Willcock: The Causeway to wit.

The MINISTER FOR WORKS: That is one. I should like to deal shortly with the history of the Main Roads Act which was passed in 1929. As Minister in control, I have had a great deal of opposition from the local governing bodies. Although the Act lays down that they shall, as they collect their traffic fees, pay a percentage of them into the trust funds, and each month shall remit that money to the main roads trust account, the great majority of road boards have resisted the payments.

Hon. J. C. Willcock: And municipalities, too.

The MINISTER FOR WORKS: Yes. Circular letters have been sent around and I have had to attend numerous conferences.

The Minister for Railways: There are exceptions.

The MINISTER FOR WORKS: I will deal with the exceptions later on. In 1929 the Act was passed after it had been referred to a select committee. The attitude adopted by the local governing bodies is remarkable when we consider that their association executive met the then Minister for Works, the present member for South Fremantle (Hon. A. McCallum) and agreed that 25 per cent. of their traffic fees should be collected. Notwithstanding that fact, when the Act was passed, it did not provide for anything like that percentage. In 1930, I, as Minister for Works, introduced an amending measure under which certain liabilities of the local bodies to the Traffic Trust were waived. That referred to the allocations for the years 1927-28 and 1928-29, and the amount involved was £32,000. I have laid the annual report of the Commissioner for Main Roads on the Table of the House to-day. It may be of interest to hon. members to know that last year, owing to the operations of the Federal Aid Roads Agreement, the amount spent on roads was £285,228, as compared with £558,510 for

the previous year. We have at present 2,835 miles of main declared roads, which it is the duty of the Commissioner for Main Roads to maintain in repair. Hon. members must realise it must cost a large amount of money to keep that huge mileage of road in order. The main contributions we received in the past and until the Main Roads Act was amended, were £384,000 from the Federal Government and £288,000 from the State Government. In addition, £26,000 was taken from general revenue, and on top of that there were the collections from traffic fees. Thus in the past we had approximately £750,000 a year to spend. In future we anticipate that the total amount available will be about £320,000. Having stated those facts, I desire to go a little further. It is not our intention in future, while the Federal Aid Roads Agreement is in existence—it will expire on the 31st December, 1936—to take any traffic fees. The day will come when money from the petrol tax will not be available, and funds will be required to maintain the main roads. Although I bitterly opposed it in the past, I say now, from experience, that no Government should be placed in the position we have found ourselves in, regarding the collection of traffic fees from local authorities, who have, in many instances, absolutely refused to carry out the provisions of the law. I desire to give hon. members an idea of how some road boards have acted. The number of local authorities that should have paid the whole of their traffic fees is 48: those that have paid their dues, with the exception of the fees for the year 1929-30, total 42. Letters from the Crown Law Department have been sent to each of the local authorities. Of these, seven have not replied to the communications, 15 have not submitted any proposal to the department, and five have refused to pay anything at all. One of the last-mentioned is the Narrogin Municipal Council. It naturally follows, seeing that the Government cannot prosecute the local governing bodies, that the latter have fallen down on their job. When the time does come for traffic fees to be collected to maintain country roads, I will not be one to fight to allow local governing authorities to retain their traffic fees. If they have to be taken, then the whole of the collections should be paid to the Government, and the Government should, in turn, refund what they consider a fair proportion.

Hon. W. D. Johnson: That is a case of the Commonwealth and the State over again—take it and then refund some of it.

The MINISTER FOR WORKS: No.

Mr. Sampson: They may have to alter their rates.

The MINISTER FOR WORKS: I do not know that the Darling Range Road Board are striking very high rates. I can give particulars regarding the collection of traffic fees in the other States. Very few members know the facts, and I am certain that the local governing bodies are not aware of the position. Western Australia is the only State in the Commonwealth where the local governing bodies are allowed to collect traffic fees.

Hon. J. C. Willecock: And many of them contribute to revenue.

The MINISTER FOR WORKS: That is so. In Victoria, during 1930-31, the fees collected totalled £1,113,075. Not only did the Government retain the whole of those traffic fees, but they charged the local governing bodies wherever a main or trunk road was put through their territory, 6 per cent. to cover one-half of the interest and sinking fund charges, and a third of the cost of maintenance. In many instances, the revenue paid to the Main Roads Board represented a sum more than the total collections from local governing authorities in this State. In New South Wales the same conditions apply. The collections there from traffic fees amounted to £1,562,086, and the Government imposed a tax on the local authorities of ½d. in the pound on unimproved land in the County of Cumberland. They also charged the local governing bodies part of the cost of construction and interest and sinking fund on that outlay. In Queensland, the same conditions apply, and in South Australia the only difference is that, though the Government collect the traffic fees, they have the power to charge local authorities, in respect of roads put through their districts, up to £150 a mile on account of maintenance. The local governing authorities in this State have been treated extremely well by each succeeding Government. After saying so much, I may be asked, "Why do you wish to give back the traffic fees to the local governing bodies?"

Hon. J. C. Willecock: You are building up a lot of trouble for the future.

The MINISTER FOR WORKS: I know that, but conditions that exist to-day are such that they must be faced.

Hon. J. C. Willcock: Once you give them this money, you will have difficulty.

The MINISTER FOR WORKS: Yes, but as I have already pointed out, when we have to retain the traffic fees, we will have to take the lot. We cannot again be placed in the position we have found ourselves in during the past few years. In these times, the local governing authorities are having a terrific struggle to carry on. In many instances, they do not collect sufficient to cover the cost of maintenance. I, for one, consider that we have spent too much money in the past on the construction of main roads running parallel to the railways.

Members: Hear, hear!

The MINISTER FOR WORKS: However, that position exists and, in future, we shall have but £320,000 a year to spend on roads. That amount we anticipate will be made up as follows: The Commonwealth Government collect a petrol tax of over 7d. a gallon. There are certain duties imposed that bring the return to over 7d. Under the Federal Aid Roads Agreement, the Commonwealth pay back to Western Australia 2½d. per gallon. That is divided on the same basis as under the original scheme, namely, two-fifths on the basis of population, and three-fifths on the basis of area. In addition, there is an excise duty of 1½d. per gallon on petrol refined in Australia. That amount also goes into the fund, and it means that in Western Australia, if the existing arrangement continues, we shall have something like £320,000 a year. Last year we received £24,000 for traffic fees in the metropolitan area on the 22½ per cent. basis. The provisions of the Bill will, if hon. members agree, apply retrospectively to last year, and that will mean that we shall have approximately £48,000 available with which to carry out work in the metropolitan area this year. In future I hope that Federal aid roads funds will not be spent in the metropolitan area, but will be limited to roads in the country districts, as is the rule in the other States. Local governing bodies in the metropolitan area will have to look after their own work. Money available to the Commissioner of Main Roads will be used for the maintenance, construction and reconstruction of the

2,835 miles of main roads already declared. We will endeavour to assist local governing authorities who have to undertake work that is beyond their financial resources such, for instance, as the building of bridges. Any balance left will, I hope, not be available for the local governing bodies, placing them in the position of having money to spend while refraining from collecting rates. Such money will, I trust, be used for work in the back country and on roads in newly-developed areas. I trust that will be the future policy.

Hon. J. C. Willcock: Will you continue the policy of declaring main roads?

The MINISTER FOR WORKS: Yes, as far as possible. We have a system of patrols on the main roads, and 1,538 miles of road are now patrolled. Certain sections of declared roads have not been patrolled, but it is our duty to keep them in order.

Hon. J. C. Willcock: Certain roads have been gazetted, have they not?

The MINISTER FOR WORKS: Yes. The Act, if I remember aright, sets out that the commissioner shall take into consideration the amount of money in the fund before declaring further main roads. We shall continue to declare roads where required, and where possible. There has been a considerable falling off in the collection of traffic fees, and the percentage has been greater in the country than in the city. I am inclined to think that many of the local governing authorities did not press for their traffic fees as they should have done.

Mr. Wansbrough: You are quite right.

The MINISTER FOR WORKS: In the metropolitan area, for the year 1929-30, the traffic fees collected amounted to £142,540, and in 1930-31 to £124,214. In the country districts during 1929-30 the collections totalled £168,111, and in the year 1930-31 £95,536. Hon. members can see that there has been a considerable reduction in the amounts collected. The Bill is one that the House can agree to. It represents an effort to reduce the burdens on the people, particularly on those in the country areas. Local governing bodies will have their own traffic fees to spend, and I am inclined to think that some of them can make better use of those fees than the Main Roads Board.

Hon. J. C. Willcock: Not if they cannot profit by mistakes made in the past.

The MINISTER FOR WORKS: That is quite so. I think the Government should take over all main roads. Some of the local governing bodies have been expected to maintain their portions and we have paid them accordingly, but they have not maintained them properly. If hon. members have travelled over those roads since the patrol system was inaugurated, I think they will agree that the roads are now such that we can be proud of them. Certainly the position is far better under the patrol system than it was formerly. I move—

That the Bill be now read a second time.

On motion by Hon. J. C. Willcock, debate adjourned.

BILL—FACTORIES AND SHOPS ACT AMENDMENT.

Second Reading.

THE MINISTER FOR WORKS (Hon. J. Lindsay -Mt. Marshall) [5.0] in moving the second reading said: This is a very short Bill for a special purpose. At Waroona recently we have had established Nestle's milk factory. That factory has no industrial award or agreement under the provisions of the Industrial Arbitration Act, and consequently it comes under the Factories and Shops Act. In the schedule of the existing Act certain seasonal industries, such as jam factories, fellmongeries and others, are mentioned. But while we can make laws for human beings, we cannot make laws for cows, which require to be milked seven days in the week. That is one reason why this amending Bill is required. Under the Act there are certain limitations as to the number of hours to be worked on any one day, and the overtime in any one week. It is found in practice that in order to get the best results, each day's milk must be delivered to the factory and processed that day. It means that the factory, or a section of it, will have to work on Sundays. Then there are certain flush periods when milk is in abundance. In the spring, for instance, when the grass is green, there is a great deal more milk delivered than in the off season. It is for the purpose of allowing extra overtime to be worked during the flush season that the Bill is introduced. Section 39 of

the Act, which is to be amended, sets out that the ordinary working hours in a factory may be extended in given circumstances. But while it provides for the payment of overtime, it does not restrict the amount of overtime that may be worked by a man, whereas the hours of overtime for women and boys are restricted. It is proposed so to amend the section that women and boys may be employed on overtime work during the flush period on more than two days a week, on two consecutive days, and on holidays, but not more than two hours overtime in any day nor on more than 52 days in the year.

Hon. J. C. Willcock: Then you are not going to put the overtime on a weekly basis?

The MINISTER FOR WORKS: It is to be not more than two hours in any day, not on more than two days in any week, nor on more than 52 days in any year. Under the existing Act all these things have been provided for, and all we are doing is to bring these milk products within the Third Schedule, which includes freezing works, fellmongeries, jam factories, bacon factories, sausage factories, bakehouses, continuous process plants, and the like. Section 39 of the Act reads as follows:—

The provisions of Section 37 are hereby modified in the case of fruit canning factories, fruit drying factories, and jam factories to the extent that the limitations as to overtime contained in paragraphs (b), (c), and (e) of Subsection 1 thereof need not be observed during the period between the 1st day of January and the 1st day of April in any year.

The amendment in the Bill is from the first day of August to the first day of February in the succeeding year. So it puts milk factories in the same position as the other factories enumerated in that section.

Hon. J. C. Willcock: But the period you provide will be twice as long as that in the Act.

The MINISTER FOR WORKS: From the 1st day of August in each year to the 1st day of February in the next following year. The idea has to do with the flush period of the year. It is considered that to allow the industry to run successfully it must be given the same privileges as are already given to the other industries mentioned in the Third Schedule. It may be that the one period is only three months while the other is six months, but the point is that in a jam factory you are not receiving fruit for six months in the year, whereas in a milk factory milk is being received for 12 months in

the year, and for five or six months is being received in considerably greater quantity than during the remainder of the year. Provision is made for the payment of overtime, and so quite naturally the company will not work overtime if it be possible to avoid it. It is a very short Bill and I am sure the House will agree to it. I move—

That the Bill be now read a second time.

On motion by Mr. Millington, debate adjourned.

BILL—SPECIAL LICENSE (WAROONA IRRIGATION DISTRICT).

Second Reading.

THE MINISTER FOR WORKS (Hon. J. Lindsay—Mt. Marshall) [5.8] in moving the second reading said: This also is a Bill dealing with Nestle's condensed milk factory. The company came over here early in 1932 and entered into negotiations with the Government for the erection of a factory at Waroona. A milk factory requires a very large quantity of water, mostly for cooling purposes. The milk has to be heated to a very high temperature, and then has to be cooled down. Owing to the need for a large quantity of water, the company decided to build their factory alongside the Drakesbrook main irrigation drain in the Waroona district. The Government have entered into an agreement with the company to furnish water in certain conditions under the Rights in Water and Irrigation Act. That Act gives no right to supply water for any but irrigation purposes, except that the Minister has a right to provide a temporary license to take water for other purposes, but only for 10 years. The company believe that the 10 years period is not sufficient, and they ask for the amendment contained in this Bill, which will give them the right to take water for 99 years. Although they require a very large quantity of water, 90 per cent. of that which they take will be put back into the drain, and under the agreement we have the right to test that water to see that it is not polluted, that it is still fit for irrigation purposes. The Bill is to ratify the agreement entered into by the Government with the company. Under the agreement the Government have the right at any time to prevent the company from taking the water if the company are polluting it. Again, the company have no claim on the

Government to provide water if the Government have no water to provide. On the other hand, the company will have the right to take the water that is available, and will pay a nominal fee for the use of it, provided they put back 90 per cent. of what they take.

Hon. J. C. Willecock: But 99 years is a long time for an agreement.

THE MINISTER FOR WORKS: It does seem a long time, but after all there is the drain running past the factory, and all that happens is that the company take some of the water, use it in the factory without polluting it, and return 90 per cent. of it to the drain. Since the company have expended so large a sum in their factory I think they are entitled to this concession. Without the Bill the only title they can have is for 10 years. The building of the factory is a very fine thing for the district. It will employ a good deal of labour and will stop the importation of condensed milk, while eventually it is hoped we shall be exporting condensed milk to other parts of the world.

Mr. Marshall: Suppose in a dry season you have no water for the company?

THE MINISTER FOR WORKS: The company can get only the water that is available. We believe that the establishment of this new industry will do a great deal, not only for the local district, but also for the State. I move—

That the Bill be now read a second time.

On motion by Hon. J. Cunningham, debate adjourned.

BILL—DAIRY CATTLE IMPROVEMENT ACT AMENDMENT.

Second Reading.

THE MINISTER FOR AGRICULTURE (Hon. P. D. Ferguson—Irwin-Moore) [5.13] in moving the second reading said: The existing Act provides that all bulls shall be registered annually. The object of the Bill is to provide that those people who have pure-bred bulls shall not be put to the trouble and expense of annual registration of their animals, but that a life registration shall be sufficient, and that the certificate of registration shall follow the bull from owner to owner in the event of the animal being sold.

Hon. J. C. Willecock: Is provision made for re-registration of the owner?

The MINISTER FOR AGRICULTURE: No, there is no necessity for any re-registration of a pure-bred bull. The certificate will go with the animal, irrespective of whether he is from time to time owned by half a dozen different people. It is the bull, not the owner, that is to be registered.

Hon. J. C. Willcock: But there may be some ringing-in.

The MINISTER FOR AGRICULTURE: There will be no such trouble under this measure.

Hon. J. C. Willcock: If everyone were honest, as the Minister for Railways said the other night, it would be all right.

The MINISTER FOR AGRICULTURE: Members who have watched the results since the measure was placed on the statute-book in 1922 realise the benefit it has been to the dairying industry. The member for Mount Hawthorn (Mr. Millington) has taken a keen interest in it and he knows what a wonderful effect it has had on the industry. The Act which provides for compulsory registration, was put into operation in 1923, and in 1924 there were registered 177 bulls, and 27 per cent. of the bulls were pure bred. In 1931, seven years later, there were 2,000 bulls registered, of which 52 per cent. were pure bred. One of the main objects of the measure was to encourage the use of pure bred bulls and to discourage the use of low-grade or mongrel bulls. Owing to the activities of the officers of the Department of Agriculture in that period of seven years, no fewer than 1,200 scrub bulls have been eliminated. As an indication that the dairymen of the State are anxious for this amendment to be made, I may say it has been requested by practically every conference representative of the dairying industry held during recent years. In 1924-25 we had 60,882 dairy cows and the production amounted to 13,363,000 gallons of milk. The production per cow was 219 gallons of milk or 106 lbs. butter fat. To show the effect of eliminating the scrub bulls and using a greater percentage of pure bred bulls, the number of cows in 1930-31 was 85,717, the milk produced 24,329,000 gallons, the production per cow 283 gallons, and the production of butter fat per cow 136 lbs. That gives an idea of the benefit derived from the Act during the few years it has been in operation. I feel that there can be no objec-

tion to the measure in any shape or form. I move—

That the Bill be now read a second time.

On motion by Mr. Millington, debate adjourned.

BILL—FRUIT CASES ACT AMENDMENT.

Second Reading.

THE MINISTER FOR AGRICULTURE (Hon. P. D. Ferguson—Irwin - Moore) [5.18] in moving the second reading said: Section 8 of the Fruit Cases Act, 1919, prohibits the transport by rail of second-hand fruit cases. That prohibition was brought about in the interests of the fruit-growing industry to prevent the spread of disease or pests from one district to other districts per medium of second-hand fruit cases. It was a potent danger and fruitgrowers in the clean districts were anxious to keep their districts clean. A vast change has come over the fruit-growing industry since 1919. On the eastern goldfields there is a considerable demand for grapes for wine making. Owing to the need for having to use new cases for consigning grapes to the goldfields, the cost is too great. Grape growers, particularly those in the Swan district, have asked permission to forward grapes to the goldfields for wine-making purposes in second-hand cases. There is no risk to the grape-growing industry from fruit fly, which is the main pest we have to guard against. The amendment proposes that where grapes are consigned by rail to the owner of a registered factory east of No. 1 rabbit-proof fence, the consignor shall be allowed to use second-hand cases. Anyone east of No. 1 rabbit-proof fence who cares to register with the Department of Agriculture as a factory will be entitled to have sent to his address, per medium of the railways, grapes packed in second-hand cases. This should increase the demand for grapes of the wine-making type produced in the grape-growing districts. Lest any member may think that the fruit-growing industry generally might be menaced as a result of this concession, I may point out that it is very unlikely that the second-hand cases would be returned from the goldfields to the fruit-growing districts. The cost of returning them would be so

great that it is unlikely they would be sent back for refilling. I move—

That the Bill be now read a second time.

On motion by Mr. Millington, debate adjourned.

BILL—EAST PERTH CEMETERIES.

Second Reading.

THE MINISTER FOR LANDS (Hon. C. G. Latham—York) [5.22] in moving the second reading said: The East Perth cemetery is well known to members as the resting place of many of the pioneers of the State. Portions of the cemetery have fallen into a very bad state of disrepair. It is true that churches hold the title deeds of most of the land, but the churches are experiencing great difficulty to get sufficient money to maintain their buildings and their clergy. I suggest that is the reason for the cemetery being allowed to get into such a bad state. After several conferences between representatives of the various churches mentioned in the schedule and the Government, it has been agreed to re-vest in His Majesty the whole of the land except one block, which is to be retained by the Congregational Church. The Congregational Union propose to build a church on the site; consequently that block is excluded from the area. The intention is to vest the land in the State Gardens Board, but it will not be used for any purpose other than that for which it was reserved. The area will be cleaned up, the fences repaired, the tombstones straightened and the vaults put into fair condition. That seems to be the best we can do with the cemetery. It was suggested that the area be converted into a park, that the vaults be closed and that the tombstones and monuments be erected around the cemetery. I consider that would be objectionable and would not meet with the approval of the House. Members will agree that the resting place of the pioneers should at least be cared for by the present generation. The schedule sets out the reference numbers of the blocks and the purpose for which the grant was made. It might be asked why an ordinary transfer was not given by the religious bodies. To do that would have involved a good deal of cost inasmuch as two of the lots were set aside for certain burials and not one of the

persons mentioned is living. It would have been necessary to trace the executors. The course we propose is the simplest way to deal with the reserve and I hope members will approve of it. The land will still be retained as a cemetery, not for future burials, but for the preservation of the graves already there. I move—

That the Bill be now read a second time.

On motion by Mr. Kennelly, debate adjourned.

BILL—SWAN LAND REVESTING.

Second Reading.

THE MINISTER FOR LANDS (Hon. C. G. Latham—York) [5.28] in moving the second reading said: It is proposed as far as possible to clean up certain pieces of land, and this Bill deals with one of them. Although a title has been issued, the owners are unknown. It is difficult to trace the title. The Bill deals with a small piece of land situated on the coast in the Wanneroo road district and is known as Swan Location E1. It is a very old title.

Hon. W. D. Johnson: Is it not located in the Swan road district?

THE MINISTER FOR LANDS: I think it is in the Wanneroo road district, though it is in the Swan land district. I shall lay the plan on the Table so that members may see exactly what is proposed. A very narrow strip of land was selected by Richard Edwards as far back as 1846. Richard Edwards surrendered this land to the Crown. What actually happened, so far as the records show, was that this land was exchanged for some other land, near Gingin. That, at any rate, is what the records show. The surrender, having been completed, was handed to the officials of those very early days. Unfortunately there was at that time no such system of recording transfers as exists to-day, and the surrender itself has been lost. In 1884 the heir-at-law of the said Richard Edwards made application to bring certain portions of the land under the Transfer of Land Act, but did not include in that application the whole of the land. He left out a small piece shown in green on the plan which I propose to lay on the Table. The piece omitted is the land which the Bill proposes to deal with. The facts, being as I have stated, indicate that it was known to the heir-at-

law that at the death of Richard Edwards the land in question did not then form part of the estate. The land referred to in the Bill, therefore, is the portion which was surrendered in exchange for the land at Gingen. Since the date of such decease, neither his executors nor his heir-at-law have claimed or exercised any proprietary interest in the said land, which for many years has been shown in the records and on the plans of the Lands and Surveys Department as a common. It is unfortunate that at the time the land was declared a common, steps were not taken then to re-vest it in the Crown. The executors of Richard Edwards are, of course, not now available to execute a fresh surrender to the Crown. Consequently the only way in which the land can be re-vested in the Crown so as to perfect the Crown's title is by an Act of Parliament. The only persons who can possibly be affected by such an Act of Parliament would be the heirs-at-law of Richard Edwards, deceased; and inasmuch as they have never claimed to have any proprietary interest in the land but, on the contrary, in 1884 impliedly acknowledged that they had no such proprietary interest, it seems reasonably certain that such heirs-at-law, if any still exist, would not be likely to instigate any opposition to the legislation which I am now submitting. The Bill provides that the Act shall come into operation on a date to be fixed by proclamation, not earlier than three months after the date on which it may be assented to by His Excellency the Lieut.-Governor. So that, if at any time an owner does appear and prove his claim, he can be given the land. However, the departmental officers are perfectly satisfied that the rightful owner of the land is the Crown. The only trouble, as I have indicated, is that the Crown cannot show the surrender which was effected by the then owner of the land, and cannot find any trace of the title. According to the departmental records, the files relating to this matter were lost between 1846 and 1860. The boundaries of the land dealt with in the Bill have been recently defined by survey, with due regard to the interests of adjoining holders, who therefore will not be affected. The area is about 418 acres; it was slightly extended by the recent re-survey. The object of the measure is to re-vest this land in the Crown, freed and discharged from any claim or demand of any person whomso-

ever, and thereby to legally complete the surrender to the Crown executed by Richard Edwards in 1846. There is no doubt in the minds of the departmental officers that Richard Edwards did execute a transfer; but, notwithstanding, we cannot find any trace of that transfer. Since 1846 no use has been made of the land by anyone else.

Hon. J. C. Willcock: What is the value of the land?

The MINISTER FOR LANDS: A valuation has not been made.

Hon. J. C. Willcock: The value is the thing which should count.

Hon. P. Collier: Is the land valuable to-day?

The MINISTER FOR LANDS: It is, and it is not.

Hon. P. Collier: Is it used as a commonage?

The MINISTER FOR LANDS: Yes; and there is a proposal to re-vest it in the local governing body for a commonage, but not to transfer it to that body. There is a piece of the land which is close to the railway, and which may be valuable in days to come. I move—

That the Bill be now read a second time.

On motion by Mr. Millington, debate adjourned.

BILL—INDUSTRIES ASSISTANCE ACT CONTINUANCE.

Second Reading.

THE PREMIER (Hon. Sir James Mitchell—Northam) [5.37] in moving the second reading said: This is the usual Bill for continuance of the Industries Assistance Act. It is hardly necessary to tell the House, because the House has often been told, that not to continue the Act would affect the Agricultural Bank's securities. The Act operates up to the 30th June of next year, but it is necessary in each session to pass a continuance Bill. No new accounts, of course, were taken during the past year; and new advances totalled £11,223, which compares with £106,550 for the previous year. Really, no new business has been done; the business which has been done under the Act is practically being wound up. However, it is necessary to maintain the securities; and the continuance of the Act as asked for in this Bill is the same as has been granted over

a number of years. I do not know that I need say more about the Bill, except that—

Hon. J. C. Willcock: It is a hardy annual.

The PREMIER: Yes. Parliament is not likely to meet next year before the 30th June, so that we ask for the continuance at this stage. I move—

That the Bill be now read a second time.

On motion by Hon. P. Collier, debate adjourned.

House adjourned at 5.40 p.m.

Legislative Council,

Tuesday, 13th September, 1932.

	PAGE
Questions: Railways engines and coal	510
Leave of absence	510
Personal explanation: Hon. J. M. Drew and Railway Advisory Board's report	510
Motion: Mines Regulation Act, to disallow regulations	511
Address-in-reply, eighth day	521

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

QUESTION—RAILWAYS, ENGINES AND COAL.

Damage, Freights, Supplies, etc.

Hon. V. HAMERSLEY asked the Chief Secretary: 1, Has the Commissioner of Railways received any reports from loco. engine-drivers regarding damage caused to the tubes and/or fire bars of locomotives? If so, will the Minister lay on the Table of the House a copy of such reports? 2, Is it the intention of the Commissioner to discontinue the use of coals causing such damage to engines? 3, As the price of coal has been reduced by the Commissioner of Railways at Collie in comparison with the reduction in wages, has the freight on coal over the railways been similarly reduced? If not, why not? 4, From which mines in New South Wales did the Railway Department receive the latest large consignment of coal? 5, What was the price paid in New

South Wales by the Commissioner of Railways? 6, What were the freight and other charges paid per ton? 7, What was the cost f.o.r., Fremantle? 8, Will the Chief Secretary lay on the Table of the House a report showing the results of the monthly analytical tests taken by the railways of the coal used from each of the mines supplying coal at Collie since December, 1931; also the tests of Newcastle coal supplied to the department during the same period?

The CHIEF SECRETARY replied: 1, No. 2, Answered by No. 1. 3, The question of freight on coal will be gone into when the actual reduction in price is known. 4, "Maitland Main," "Bellbird," and "Cessnock." 5, 6 and 7, The coal was bought f.o.r., Fremantle, at a cost of 31s. 10d. per ton. 8, The whole of this information is not available.

LEAVE OF ABSENCE.

On motion by Hon. Sir Charles Nathan, leave of absence for six consecutive sittings granted to Hon. A. Clydesdale (Metropolitan-Suburban) on the ground of ill-health.

PERSONAL EXPLANATION.

Hon. J. M. Drew and Railway Advisory Board's Report.

Hon. J. M. DREW: I wish to make a personal explanation. In my speech on the Address-in-reply, when referring to the Advisory Board's report on the question of a railway from Yuna to the Balla-Dartmoor district, I stated that the report had appeared in the Press and that the only information I had gleaned about it was from that source, although a member of another place had been notified. I made that statement because in the newspaper paragraph, the member referred to was credited with having been supplied with the information. The member in question has since given me an explanation of the position. It appears he had asked questions in another place as to whether the report of the Advisory Board had been received and whether the Government would make it available. The reply was "Yes" to both questions. When I spoke on the Address-in-reply, I had no knowledge that the papers had been made available by that means, and the member has informed me that he himself was not