

still to be seen in numbers. They are passing up the shore, going further north into the warm water, and probably many of them are passing over to the Queensland coast. There they can be taken without hindrance; certainly they are not likely to return to our waters. It is absolute folly for us to allow the dugong to be taken by somebody else without any profit to us. The hawk's bill turtle, of course, are there for all time, though they are taken in thousands by sharks, and also by alligators in the creeks. Mostly they are taken when young by the sharks. The proposed company would not only take the hawk's bill turtle and the dugong and the trepang, but also take the sharks. The company's operations would have a tendency to eradicate the sharks along that coast, thereby affording some protection to the hawk's bill turtle and the dugong. The Government have been asked to grant an exclusive license for 14 years, which term we consider too lengthy. However, we are prepared to consider a period of 8 or 9 years, in which the company should be able to get their money back. As regards the trepang, it is a sea slug which clings to the rocks at the bottom of the sea, and is of no use whatever to Europeans, but is worth as much as £300 per ton in the Eastern markets. I have given hon. members all the information I possess, and, I think, all the information that is necessary. As regards the dugong, we can have only one company operating, and that company will be closely watched. If in the opinion of the Fisheries Department the company indiscriminately destroy the products, we shall step in under the license and say, "You cannot do it any longer." The Government will be able to cancel the license at any time. It is of course possible that some other company might take up a strip of 75 miles further north; but it is very improbable, seeing that an expenditure of at least £30,000 would be needed. Not many companies would be found to spend £30,000 in order to compete with another company. If the Bill is passed we shall have no trouble in getting a considerable amount of British capital invested here, and, in addition, we shall have the advantage from year to year of the rental under the exclusive license. I trust the House will pass the second reading of the Bill.

Question put and passed.

Bill read a second time.

In Committee.

Mr. Stubbs in the Chair, the Colonial Secretary in charge of the Bill.

Clause 1—agreed to.

Clause 2—Amendment of Section 30:

Hon. W. C. ANGWIN: I find that this clause was inserted on the recommendation of Mr. Male, a former member for Kimber-

ley, merely for the purpose of distinguishing between the food turtle and the shell turtle.

Clause put and passed.

Cause 3—agreed to.

Title—agreed to.

Bill reported without amendment, and the report adopted.

House adjourned at 10.40 p.m.

Legislative Council.

Wednesday, 7th September, 1921.

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

QUESTION—WHEAT POOL, GOVERNMENT'S INTENTIONS.

Hon. J. DUFFELL asked the Minister for Education: 1, Is it the intention of the Government to establish a wheat marketing pool for the coming harvest? 2, If so, do the Government propose to take any financial responsibility in connection with such pool? 3, If the answer to the latter question is in the affirmative, will the Government undertake to obtain the sanction of Parliament before incurring such responsibility?

The MINISTER FOR EDUCATION replied: 1, Yes. 2, The only responsibility upon the Government will be in the event of the final realisations not equalling the initial advance on delivery, which is intended to be 3s. per bushel, and is considered a safe margin in view of quotations forward. 3, The sanction of Parliament is at present being sought.

LEAVE OF ABSENCE.

On motion by Hon. G. W. Miles, leave of absence for six consecutive sittings granted to Hon. J. J. Holmes on the ground of urgent private business.

MOTION—STATE FINANCES,
ECONOMY.

To reduce Parliamentary Allowances.

Hon. H. STEWART (South-East) [4.35]:
I move—

That the finances of the State demand the exercise of the most rigid economy in expenditure as well as efficient and enterprising administration, and in the opinion of this Council the Government should legislate for some reduction in the Parliamentary allowance to impress upon the citizens of the State the seriousness of the position and the necessity for their support and co-operation.

In moving this motion I propose briefly to review the seriousness of the financial position of the State and to give reasons why economy should be practised in the administration of the departments and why this House should give full consideration to the various business departments of the State as suggested in an indirect way by Mr. Holmes and Mr. Lynn. When speaking on the Address-in-reply, Mr. Lynn said that he hoped the question of finance would form an important section of the business of this Chamber during the present session. By that, I presume he inferred that different members should bring forward propositions dealing with the different business activities of the Government, and not for members to review a number of concerns at once, as has been attempted from time to time when we have dealt with the whole of the trading concerns in a few brief remarks. If hon. members took up individual avenues of Government business, they would be investigated more thoroughly and by this means the interest of members generally would be aroused and we would be able to see what is the real position in connection with the various concerns. From time to time I have given a considerable amount of attention to these matters and the unsatisfactory part of it all is that one's time is, to a great extent, wasted because, unless members concentrate upon one section of the business concerns and debate it thoroughly, we do not get the information we require until we have nearly reached the end of the session, when we deal with purely legislative matters. When one takes note of the quarterly "Statistical Abstract," from which it is gathered that since 1911-12 taxation has increased from £350,000 to £955,000, it shows that the people have been called upon to bear a largely increased measure of taxation. Reference to the same table, which appears on page 5 of the "Abstract," shows that of the revenue of the State, amounting in 1920-21 to £6,789,000, 44 per cent. of it comes from the railways,

tramways, and electric power station. In dealing with the cost of electricity and of the administration of the Electricity Department last night, Mr. Ewing carried out a valuable piece of work, notwithstanding what our views may be regarding the appointment of a Royal Commission as he suggested. Mr. Sanderson also accomplished a valuable piece of work in drawing the attention of members to the fact that only inscribed stock bears sinking fund charges, and that somewhere near ten million pounds is at present floating and not bearing sinking fund charges. That being so, and as the railway requirements form such a tremendous portion of the expenditure of this State, a comparison with previous years is of interest. I do not wish to compare last year's railway revenue with the revenue of the previous year, but rather with the revenue of 1912-13 or that of 1913-14. During a debate earlier in the session, when railway matters were being discussed by Mr. Ewing, I interjected that there was a surplus in 1913-14 and the Leader of the House said that he thought the surplus was in 1912-13. I find on looking into the matter that in 1912-13 there was a surplus, after paying interest and working expenses, of only £25,000, whereas in 1913, the year to which I referred, it was £128,000.

Hon. J. Duffell: Did that include sinking fund?

Hon. H. STEWART: No, it did not include sinking fund because that is not a charge referred to by the Commissioner of Railways in his report. Sinking fund on the railways can very well be left to posterity to bear. It has always been considered that the railway revenue should meet working expenses and maintenance as well as interest charges. The interest charges last year amounted to £716,000 as against £557,000 in 1913-14. When I was speaking upon railway matters recently Mr. Panton referred to the fact that wheat was being carried at a loss. I do not know what the position was exactly at that stage, and I said I intended to look into the matter. I find that Mr. Panton, quite unjustifiably, took as a rate for the cost of the carriage of wheat the average rate of all goods. When Mr. Panton quotes from a report, he should be careful of the facts he places before us, if he wants this House to accept his opinions. On the occasion I refer to his statements were accepted on their face value by certain hon. members.

Member: You speak for yourself.

Hon. A. H. Panton: At any rate you have not exploded my statements yet.

Hon. H. STEWART: When a member is comparing facts, his statements should be carefully considered and not be such as I complain of on this occasion. It is a somewhat difficult matter to deal with a comprehensive table covering a period of some years unless members have the table before them. Careful consideration of the figures going back to 1912-13 leads me to the opinion that the railways are not being

managed in the way they should be. If we compare the business done, the number of employees, the train mileage and the rates in vogue during the year 1913-14, which was the year before the war and before the drought, with those of last year, we find interesting facts. For instance in that year the train mileage run totalled 5,565,000, whereas the mileage for last year was 4,918,000, just about 500,000 or 600,000 less. This shows that there has not been any tremendous alteration in business. The total earnings in 1913-14 amounted to £2,257,000 and last year they were £2,720,000, or about £500,000 more. I do not propose to go into the whole of the details at this stage, but I want to use these figures as an illustration in the hope that if I bring the subject forward for fuller consideration, efforts will be made to ascertain whether we are not justified in concluding that there is something radically wrong with the administration of the railways.

Hon. J. CORNELL: Why not petition for a special session?

Hon. H. STEWART: Putting it rather baldly the "West Australian" of the 5th August, quoting from the report of the Commissioner for the quarter ended 30th June, 1921, shows that the increase in working costs over those of 1918-19 was £844,000. I have looked through the report of the Commissioner of Railways for 1920 in which he states that whereas before the award of December, 1919, he anticipated that the new rates would mean an increase of £250,000, they in effect resulted in an increase of £299,000. Taking the figures given by the Minister as coming from the Commissioner, the expenses during the June quarter just ended, after allowing for abnormal conditions and for the payment of an accumulated amount which had to be met, showed an excess of £69,000 over the corresponding quarter of the previous year. Multiplying that sum by four in order to get a rough average for the year it represents about £277,200. Two main excuses have been given for the position of the railways. One was the falling off in trade. I have a cutting from the report of the Government Statistician which shows that our exports were greater in 1920 than in the previous year. Unfortunately we have not yet got the figures for the year ended the 30th June, 1921, so that we do not know the latest figures relating to production and trade. The other excuse given for the position of the railways is the arbitration court awards. I have heard the Minister for Railways state that one of the greatest difficulties in connection with the railways was that there were so many different classes of business covered by the railways, and that under the arbitration court award in certain instances, unwarranted expense was thus caused. Roughly speaking there has been an extra cost in working of over £800,000; yet so far as I can see the extra cost from the arbitration court awards was

probably not more than about £270,000. It seems to me that there is a wide discrepancy here. I have already indicated the difficulty of getting economical working under arbitration Court awards. This seems to be to some extent the fault of the administration, and if the fault does exist, it is up to the Government to remedy it. I may mention a small matter to illustrate what is happening in many parts of the State. A pane of glass is broken at a station, say at Broomehill. A man goes there from Narrogin or Albany to inspect. A glazier is then sent up by train to take the measurements and he returns and sends up another man to put in the pane of glass. There are cases on record where a small job which should have been done locally under some ordinary and simple business arrangement has run into a cost of £10, £15 or £20, taking into account the loss of time in travelling. This is a typical example of what is going on in the railways. If this is due to the arbitration awards stipulating that each man shall do only his own work—that one man shall erect a gate and another shall be sent to paint it—then I contend that without doing harm to anyone engaged in industry, a common sense arrangement could be made to remedy this state of affairs. If members peruse the tabulated statements presented to the House for the years 1912 to 1917, and onwards, and review the position of the train mileage, the business and the work, they will find there is a leakage which requires some good administrator to deal with it. In connection with mines and other business it is always the man at the top who is responsible. I have known instances where the working costs of mines have been doubled because of the lack of grip, administrative ability and managerial control. From a perusal of these tables in general I am forced to the conclusion that it is necessary for those in control of the railways to get some new outlook and to bring managerial ability to bear so that the railways may be dealt with in a business-like way.

Member: Whom do you suggest is at fault?

Hon. H. STEWART: The head is always at fault. It does not matter how able a man might be in general capacity, if he cannot put his finger on the weakness, someone else has to take his job. I do not believe in the proposition of the Leader of the House that there should be three Commissioners, nor do I agree with him in blaming this House for the present position because we objected to the appointment of three Commissioners. Fancy three Commissioners for a business with a total turnover of only two millions, and one in which the work is so scattered! Soon after I was returned to Parliament, I tried to get returns bearing on the losses sustained by the railways which would have been valuable to those responsible for the administration of the railways and to members considering the position. Returns have been moved for in another place to show the relative remunerativeness of the metropolitan and country traffic,

but they have not been made available. Now I find that the Commissioner in his latest report does not give the details with regard to district and isolated railways as he used to do. On page 15 of the report the Commissioner states that this practice has been abandoned as the returns can be given approximately if wanted. Yet if we ask for such returns, we are told that the cost of preparing them is not justified. Most mining companies in Australia, particularly the big ones and all the mining companies in the Transvaal segregate their costs in order to find out their incidence in relation to work, and thus they are able to determine how to effect economies. The question arises whether the many and voluminous returns attached to the Commissioner's annual report are of the best type to demonstrate how the working of the railways may be more effectively economised. The tramways of Perth are equally culpable. The reason we should be concerned in particular about the tramways is that they contribute nothing in the way of actual production to the country itself. They are what might be termed a convenience for the comfort of the people in the metropolitan area. In 1918 I directed the attention of the Minister to the fact that the number of persons employed in the tramways had increased in four years by 23 per cent., while the net profits after paying working expenses and interest had decreased by 77 per cent. I commented on that occasion that if the management continued on similar lines, the profit would disappear altogether. In 1919, instead of a profit, the Perth tramways showed a deficit of £4,900. In 1920 there was a profit of £10,000, but last year there was a deficit again of £9,334. Now it is proposed to extend the tramway system. Instead of extending the system which will do nothing to increase the traffic on the railways but probably will compete with them, the Government might acquire some of the land along the railway to Midland Junction or along other lines and put in sidings. Then they would provide cheap land for people to build on and would get traffic for the railways. Mr. Ewing in dealing with the electricity supply yesterday, referred to the agreement with the Perth City Council. Last year the Government lost £11,500 in supplying power to the Perth City Council at the price stipulated. On the figures published for the last four years, I have computed that the loss to the Government in this connection has been about £40,000. There is another point in the tables from which Mr. Ewing quoted yesterday. It is astonishing to find that the alternating current bulk supplies, apart from those furnished to the tramways and the Perth City Council, have been furnished to other customers at a loss. The total cost per unit produced in 1918 was 1.12d., and the selling price was .915d. There was a similar loss on this account during 1919; and in 1920 the total cost per unit was 1.89d., an infinitesimal profit per unit being made on the sales to the tramways and to the alternating current bulk customers.

Hon. R. J. LYNN: If the Government had not sold those bulk supplies, the general loss would have been greater.

Hon. H. STEWART: Yes, because of the overhead charges. For the last year the total cost per unit has been 1.08d., and the selling price for alternating current bulk was .991d. The position in connection with electricity supply is something like that of the Wyndham Meat Works: if the works are not run, there is a loss; and if they are run, there is a loss also. The matter is one we have to consider very seriously.

Hon. Sir Edward WITTENOOM: What do you suggest doing?

Hon. H. STEWART: My personal opinion is that the Government should be limited to the carrying on of such enterprises, apart from special utilities, as cannot well and efficiently be handled, firstly by private enterprise, and secondly by municipal enterprise. In the present condition of Western Australia, with so much territory to develop, and with our opportunities and capacity so limited, we should be very careful how we spend money in other directions. That is why I regard it as inadvisable to build a tramway extension just now.

Hon. J. DUFFELL: And yet you advocate that the State should find money to guarantee the farmer against loss on his wheat.

Hon. H. STEWART: I have never advocated anything of the kind. If the figures were examined, it would be seen that the revenue from our lands has been much greater than any expenditure on the development of agriculture and the fostering of farming in particular. We should carefully consider the various avenues of State expenditure, and endeavour to ascertain what is wrong and how to remedy it. I dare say my attitude of to-day will have the approval of Mr. Lynn, though not of many other members. Mr. Lynn has stressed the desirability of dealing with some of the matters to which I have referred. The report and balance sheet of the State Implement Works have been to me rather pleasing. No doubt if an hon. member tabled a motion on this subject, we should be able to get full and detailed information regarding the operations of the State Implement Works. According to the balance sheet, the accumulated loss on those works amounts to £2,995. The report states that last year's turnover was £124,000, of which £58,000 represented engineering, and £64,000 manufacture of agricultural machinery and spare parts. Before it is asserted that the loss on the works is to be blamed on the agricultural industry, we should be in a position to state how much of the loss has arisen from the engineering side and how much from the agricultural implement side. However, let me point out to those hon. members who criticise adversely any expenditure outside the congested areas, that here we have, at worst, an accumulated loss of about £3,000 on the State Implement

Works, while the trams have produced a loss of £9,000 in a single year.

Hon. R. J. LYNN: What became of the £120,000 of capital written off by the State Implement Works?

Hon. H. STEWART: These interjections are causing me to take a little longer than I had intended over this motion. If Mr. Lynn will read the report of the State Implement Works, he will learn that the Minister controlling them, who prides himself on being a business administrator, went over the works immediately after taking charge of them, viewed the assets, and arrived at the conclusion that the value was not there, that the assets did not represent the capital. Accordingly he wrote down the capital, as can be seen on reference to the suspense account. I have roughly indicated my belief that a general examination and review of the railway tables shows that the position of the Railway Department is such as to prove that there is something wrong with our railway administration. Steps should be taken to alter the position. One of the reasons given for the unsatisfactory position of railway finances is the falling off in trade. The latest figures available from the Government Statistician in this connection are those for 1919-20, and these are of special value because the railway position has been getting worse from year to year. I cannot deal with the year just expired, and therefore I think it fair to adduce the figures of the preceding two years. In 1918-19 our imports were £8,023,000, and in 1919-20 they were £12,368,000.

Hon. J. DUFFELL: Practically a 50 per cent. increase.

Hon. H. STEWART: Yes. For 1918-19 our exports were £10,022,000, and for 1919-20 they were £16,068,000—another large increase. And yet during the year 1919-20 the position of the railways was much worse than in the preceding year. The figures for the year ended on the 30th June last are, as I have said, not yet available; but I do not think there is any ground for supposing that the business of the Railway Department has not fallen off considerably more than would be justified by any decrease in trade.

Hon. E. H. HARRIS: The trouble is that railway freights are too high.

Hon. H. STEWART: That is one of the reasons. The railway administration as a whole has come to realise that it is impracticable to impose higher rates, because the effect of such a proceeding is merely to restrict business still further. The whole financial position is full of difficulty. We are now subjected to three times the taxation that was imposed in 1911-12. Ever since I have been a member of this House I have expressed, and occasionally have stressed, what I believe to be the duty of every man in private life, namely, to make his revenue and expenditure balance,

and I have consistently maintained that the same duty is equally incumbent on the Government. During the past few years there have been various opportunities to effect economies of a few thousand pounds here and there, but the Governments in power have seemingly taken the view that it was "only £2,000" or "only £3,000"—something too paltry to save. The Government should take whatever steps they can to instil confidence into the people. The financial position is bad, and calls for careful administration and the strictest economy. Anything that can be done to reduce the cost of government ought to be done. One step in that direction has been the amalgamation of the State and Federal Taxation Departments. If the Government will take steps to reduce the number of members in this Chamber, or even the number of members of Parliament as a whole, they will have my support, as they would have had it for such a course any time during the past four years. I feel it incumbent upon myself, at any rate, to afford this Chamber an opportunity of expressing its opinion as to the desirableness of giving a lead to the community in economies, of bringing home to the citizens of the State the urgent need for the practice of every economy that will not interfere with efficiency, and the imperative necessity for securing enterprising and efficient but economical administration. If we are of that opinion, let us back it by declaring our readiness to submit to some reduction in our Parliamentary allowances.

Hon. J. CORNELL (South) [5.15]: Rounded up and subdued, Mr. Stewart's remarks come under two categories: he has indulged in a mass of verbiage and a welter of perplexing figures; and when all is said and done he has left the House just as enlightened as it was when he started. He referred to bad management in the railways, and to the loss on the railways. Every hon. member is well aware of the loss on the railways and moreover, of losses in other departments. But, being aware of those facts, most members who have dealt with them have endeavoured to put forward something constructive, and have pointed out that it was essential that helpful suggestions should be made for the assistance of these now in control. Indirectly, Mr. Stewart has charged either the Commissioner of Railways or the Minister, with incompetence. His remarks could be summed up in no other way. In a previous speech I pointed out that the Commissioner of Railways had been appointed for a definite period with the sanction of both Houses of Parliament. At the time of his appointment none but eulogistic references were made to him and to his enterprise, ability and energy. Now we are told by the hon. member—who did not question the Commissioner's qualifications at the time of his appointment—that the Commissioner is, to say the least of it, incompetent to fill his position.

Hon. H. Stewart: The hon. member's interpretation of my remarks is quite unjustified. I was talking of the general administrative position of the railways. I cast no reflection on anybody. I said that the head was responsible in a general way. I added my belief that the railway administration required some radical alteration, and I reminded the House that the Minister himself had already said this.

Hon. J. CORNELL: I will leave it at that. After half an hour's fulmination, and generalisation of the railway position, the hon. member has not made one helpful suggestion, other than that referring to the repairing of a pane of glass. I will support any hon. member who comes forward with tangible evidence of incompetence in any public servant or official, but I will always raise my voice against general charges not backed up by tangible evidence. The object the hon. member desires to achieve by his motion is to seat in the minds of the people a restoration of confidence. I have repeatedly said that even if hon. members possessed the oratory of Demosthenes and the logic of Aristotle, it would not have the slightest effect on members of another place who, after all, control the public purse. Therefore it is only a waste of time and energy on the part of those who attempt anything of the sort. What plainer hall-mark does the hon. member require than the mandate given by the electors in March last? The position was fully placed before the people during the elections, notwithstanding which the people restored the Premier to the position he had held on the expiration of the previous Parliament. Not only that, but the party with which Mr. Stewart is associated now control half the Government majority and hold an equal share in the government of the country. The people were content to return the Government, and until such time as the Government have been given a fair trial, we must not resist the mandate of the electors. The last point of the hon. member's speech which I will deal with may be said to contain the kernel of the motion.

Hon. A. H. Pantou: I looked for the kernel. Where is it?

Hon. J. CORNELL: It is a very small one. It will be found in this clause: "The Government should legislate for some reduction in the Parliamentary allowances to impress upon the citizens of the State the seriousness of the position and the necessity for their support and co-operation."

Hon. A. H. Pantou: That's the kernel, is it?

Hon. J. CORNELL: I expected that the hon. member who moved the motion would launch his battalions on this essential point. But he neglected to do that. He is content with the pious hope, the fervent wish that it should not be done, inasmuch as he has not even suggested to the Leader of the House to what extent we should make a beginning. The hon. member has not even suggested to the Minister that he should start with a reduc-

tion of £1 in members' allowances. Let us assume for the sake of argument that hon. members with one voice said to the Premier, "Repeal the last amendment of the Parliamentary Allowances Act and cut off the extra £100 per annum which was given to members of both Houses." What would it mean? It would mean in the aggregate a sum of about £7,000 per annum. The question of whether our salaries ought to be reduced or increased should be viewed from this aspect: not whether or not it is a living wage, but what is a reasonable amount to pay members of Parliament for the work they put in as members. There are two bases of reasoning from which this question can be approached, namely, should members be paid and, if they are to be paid, should they be paid a reasonable remuneration? Some of my electors have gone so far as to declare that members of Parliament should be paid, but that before being paid they should undergo an intelligence test and be paid according to the results.

Hon. A. Lovekin: Some of us would not be here.

Hon. J. CORNELL: I agree with that. However, there is that aspect to be considered. I think hon. members will agree that, speaking from the monetary point of view, there are members in both Houses who for intelligence and knowledge, stand head and shoulders above their fellows. That has been so from the beginning and will be so to the end. But they will not subscribe to the doctrine that members should be paid on an intelligence basis. So long as members are paid, they should be paid reasonable remuneration. There was a terrible uproar when the Premier brought down, and Parliament agreed to, the Bill to increase the allowances of members of both Houses. Those who supported it were assailed with the charge that they were responsible for the civil service strike, and assailed also in a direction which indicated that when the next election came around they would be members no longer.

The PRESIDENT: Order! It will be necessary for the House to order that the debate on motions should be continued, if hon. members so desire.

Resolved: That motions be continued.

Hon. J. CORNELL: An election has taken place. I venture to say that if the candidates are analysed it will be found that as many who did not believe in the increase of salary lost their seats as there are those who won their seats and did believe in it. I am perfectly satisfied that the public felt that it was a legitimate increase warranted by the circumstances. I believe Mr. Stewart, in common with other members, has every desire to see this country prosper and is fully imbued with the desire to bring about a change. Without in any way desiring to be personal in the matter I think he will have to put up a better case this time than he did on the previous occasion.

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

BILLS (2)—FIRST READING.

- 1, Adoption of Children Act Amendment.
- 2, Fisheries Act Amendment.

Received from the Assembly and read a first time.

BILL—STATE CHILDREN ACT AMENDMENT.

Second reading.

Debate resumed from the previous day.

The MINISTER FOR EDUCATION (Hon. H. P. Colebatch—East) [5.33]: I intend to support the second reading of this Bill, and generally speaking approve of its provisions. I ask Mr. Lovekin if he would be good enough to defer the consideration of the measure in Committee for a day or two, because there are one or two points into which I should like to have an opportunity of looking. Speaking as the representative of the Government in this Chamber I should like to echo the sentiments which have fallen from certain members in regard to the work which has been performed by the Children's Court. I have no doubt that institution has thoroughly justified its existence. It is doing good work. I also feel I should be lacking in my duty if I did not say the Government fully appreciate the fact that much of the good work that is being done by the Court is due to the broad sympathy and sound common sense, as well as the practical generosity of the hon. member who is in charge of the Bill. He has, I am certain, by the exercise of these characteristics, alleviated the sufferings of a great many unfortunate people. There are one or two points in the Bill to which I should like to direct the attention of members, so that they may think over them before reaching the committee stage. One provision it is intended to make is to give to all members of the Children's Court the right at any time to enter any institution to which children are committed. It must be borne in mind that many of these institutions are carried on voluntarily by different religious organisations at their own expense. So far as I know they have never raised any particular objection to inspection, but whether they would think it was altogether a fair thing that any one of the 60 members of the Children's Court should be at liberty to visit these institutions is a question about which I am doubtful.

Hon. A. Lovekin: There are 15 members.

The MINISTER FOR EDUCATION: There are 15 in Perth, 6 in Fremantle, and 40 in different parts of the country.

Hon. J. Nicholson: Unless the institutions were limited purely to the districts in which the Court was particularly adjudicating.

The MINISTER FOR EDUCATION: I do not see how that could be done. The Children's Court in the country might be committing a child to an institution in Perth. At present the special magistrate of the Court,

and any justices authorised by the Minister, can visit these institutions, and the Minister has suggested that two women justices and two men should be given power to visit any of the institutions at any time they like. Whether it is wise to extend that power to visit institutions to the whole of the 60 members of the Children's Court in the State is a point to which I should like members to give some consideration. I have no particularly strong feeling in the matter, but I believe that certain institutions which are being conducted voluntarily do object to any indiscriminate right being given to members of the Children's Court to visit them. They do not object to certain people being nominated by the Court and approved by the Minister, and in that way given the right to visit. It was provided in the 1919 Act that in a case under the Bastardy Act a special magistrate must preside. A rather anomalous position has arisen because in the Police Court any two justices of the peace may conduct these cases. When the Act was passed there was no anomaly because a number of the members of the Children's Court were not justices of the peace. A number of ladies had been appointed as members of the Children's Court. I do not know that there was any particular anomaly in saying that these members of the Children's Court who were not justices of the peace should not have and exercise all the powers that justices of the peace could exercise. Now, however, an anomaly has been created because these members of the Children's Court have been made justices of the peace. It is rather strange to say that what two justices of the peace can do in the Police Court two justices of the peace cannot do in the Children's Court. That is the reason why it was done, and that is the position this Bill seeks now to alleviate. The Bill seeks to set up the position that any of the members of the Children's Court who are justices of the peace—

Hon. Sir Edward Wittenoom: Did you say any two justices of the peace can do this under the Bill?

The MINISTER FOR EDUCATION: They can do so without the Bill at all, if they are sitting in the Police Court.

Hon. Sir Edward Wittenoom: I know that.

The MINISTER FOR EDUCATION: Under this Bill, if it is passed, any two members of the Children's Court can deal with these cases. I would show the reason why they were not given the power to deal with them in the past, and the anomalous position was created by their being made justices of the peace, by saying that two justices outside the Police Court may deal with these cases but two women in the Children's Court may not do so.

Hon. Sir Edward Wittenoom: Why did not the Government bring in the Bill?

The MINISTER FOR EDUCATION: The Government are not bound to bring it in. The necessity for the Bill was realised chiefly by those who have to actually carry out the work. There are matters contained in the Bill of

which the Government do not approve. The Bill also provides to repeal the Bastardy laws. I do not see any particular harm in it from that point of view. In order, however, to make that effective it is proposed in the Bill to strike out the word "State" before the word "children" in two or three sections of the State Children Act. That is necessary in order that all children may be brought under it. This point arises which is worth consideration. Under the Bastardy laws action can only be taken against the alleged father of a child within a certain period, namely 12 months. Under the State Children Act such action may be taken at any time. If this Bill is passed in its present form it will mean that action can be taken against the alleged father of a child at any time.

Hon. A. Lovekin: And quite right too.

The MINISTER FOR EDUCATION: I do not say whether that is right or wrong. The hon. member says it is right; it may be so. I am sure there is not one of us here but desires that the father of an illegitimate child shall not escape his responsibilities for the maintenance of such child. It is one of the cardinal principles of our laws that no man who is accused of anything shall be debarred a satisfactory opportunity to defend himself. I think it is chiefly for that reason that not only in regard to this matter but in regard to a great many other matters the period has been set down within which the accused must be brought to trial.

Hon. A. Lovekin: If he absconds for 12 months he is free.

The MINISTER FOR EDUCATION: There are offences under which in a case like that action can be taken. At present in the case of a State child, even with this amending Bill, action could be taken at any time. It really would be possible to evade the provisions. The mother might be in such circumstances that she is willing to maintain the child for four or five years, and would not bother about taking any proceedings against the father. During the interval, however, her circumstances might alter and she might desire to make the father maintain the child. Under the Bastardy laws she would be out of court, but if she is not able to maintain the child it can be brought before the Children's Court and declared a State child. The child would then be entrusted to the mother by the Court, and she would be paid a certain amount for its maintenance. It would become a State child then, and a case would be brought against the father.

Hon. A. Lovekin: The very reason for this clause.

The MINISTER FOR EDUCATION: I have no strong feelings in the matter. There is some cause for what the hon. member proposes to do, but it is only right that the House should know exactly what is intended.

Hon. J. Nicholson: There is also the view that many a woman will not move within the year.

The MINISTER FOR EDUCATION: That is so, but let us know what we are doing. It is also proposed to amend Section 7 of the State Children Act Amendment Act, 1919. Section 7 I think is printed on page 10 of the compilation and is as follows:—

Where the offence charged against a child does not amount to an indictable offence, or where the alleged offence consists of the breach or non-observance of some by-law, rule, or regulation promulgated by virtue of a statute, no summons shall be issued or served upon such child unless a notice has been first posted to or served upon such child at its usual place of residence and such child has failed to appear in response to such notice.

That is an entirely proper provision, the intention being that a child shall not be summoned if it can be avoided. It is desired to exhaust every method before doing so. It is now proposed that the principle shall also apply to the prosecution of parents for offences under the Education Act, that is in the case of parents who neglect to send their children to school. Speaking off hand and without much opportunity of looking into the matter, I do not approve of it. The Education Department never prosecute parents for not sending a child to school until ample notice has been given and everything has been done to try to get them to send the child to school. I do not see why a parent, having neglected to obey the notices sent, should not be proceeded against by way of summons. I do not like the idea of breaking down any of the powers of the Education Department in this respect when, after repeated notices, the parents continue their neglect. I also direct the attention of the hon. member in charge of the Bill to Clause 9 which proposes to amend Section 46. If the principle is sound of increasing the age of the child from 18 to 21 the principle should also be followed in Section 47.

Hon. A. Lovekin: I have a note of that, and intend to do it.

The MINISTER FOR EDUCATION: It would be better if the words "factories and shops and warehouses" were left out. It is a mistake to have these things overlapping. The Factories and Shops Act deals sufficiently with that matter. It is necessary that inspectors of the State Children Department should go into, say, places of public amusement where children may be employed in contravention of the Act, but I doubt the wisdom of sending them into shops and factories, places which are controlled by inspectors under the Factories and Shops Act.

Hon. A. Lovekin: It is only intended to apply to boys on probation.

The MINISTER FOR EDUCATION: So far as the remaining portion of the Bill is

concerned, I have no particular objection to it. I support the second reading.

Hon. Sir EDWARD WITTENOOM (North) [5.50]: Unfortunately, I was absent yesterday when Mr. Lovekin moved the second reading of the Bill, and therefore did not have the opportunity of hearing the hon. member's arguments. I have, however, carefully read the report in this morning's newspaper, and it seems to me that we are introducing Bills of a legal nature, and amending Statutes already passed. We want to use the utmost care in this respect. I have no idea where Mr. Lovekin had the Bill drafted, nor do I know his grounds for bringing it forward. There is no doubt whatever about this familiarity with the work because of his association with the Children's Court, but we shall have to trust to our friend, Mr. Nicholson, to see that the legal phraseology in the measure is correct. The Bill has not come from another place and neither has it had the approval of an Attorney General, for we have no Attorney General at the present time. In these circumstances, we should use the greatest care to see that the Bill is correctly drawn. I know nothing about the methods adopted in conducting the work at the Children's Court, and therefore shall not say anything in that regard, but on reading the reports in the newspapers from time to time, I have felt that undue leniency is shown towards many criminally inclined children. I remember the case of a lad of 16 or 17 years of age who was convicted for the third time, and the only punishment he received was that he was sent to an industrial school. My belief is that young people should get a far more impressive punishment than that given to them at the present time; a good caning or a good birching would be much better.

Hon. A. Lovekin: We have no power under the Act to do that.

Hon. Sir EDWARD WITTENOOM: Then, here is the opportunity. I am quite sure that a good deal of juvenile thieving and other criminal acts on the part of children would be checked if a good birching were administered.

Hon. A. Lovekin: You can correct them by better means than flogging.

Hon. Sir EDWARD WITTENOOM: While I do not know what those means are, I hope they will be included in the Bill. I know from experience how impressive a good flogging is. Many people will say that because you give a boy a thrashing you will ruin that boy for life, but it is necessary to make examples of some. Even in biblical history one had to die for everybody as an example. Here, if we do not make examples, these juveniles will have nothing to fear. It is like permitting them to go under the First Offenders Act. I commend Mr. Lovekin for what he has done in connection with the child movement of the State, but I trust he will add to the amendments which are already on the Notice Paper by providing effective

means to prevent many of these youngsters carrying on in the way they are doing.

Hon. A. LOVEKIN (Metropolitan—in reply) [5.53]: I appreciate the remarks which have fallen from hon. members and the support of the Leader of the House. In order to get rid of the Bastardy Act, it is necessary to repeal the word "State" in one of the sections of the State Children Act, but where we remove that word we leave merely "child" and then that will include a State child. The object of the amendment is to deal with absconding male parents. Whilst we may be trying to make these children State children, the man has gone, and the State is compelled to foot the bill for the maintenance of the child. Another matter that the Minister referred to was that the Bastardy Act provided that no proceedings could be taken after 12 months. That is one of the reasons why the provision in the State Children Act has been left as it is. There is no reason whatever why a man if he runs away should become exempt from doing what he should do, namely, pay for the maintenance of his children. It was only to-day that my attention was drawn by the Clerk of the Court to a case where a man has been away for four years, and the mother of his child has been supported by the State. The man has now returned to Perth. Under the Bastardy Act nothing can be done to that man, but if we allow the provision to remain as it is in the Bill before us, the man can be dealt with.

Hon. J. Nicholson: Is that particular child a State child?

Hon. A. LOVEKIN: The child has never been on the State.

The Minister for Education: This will make it a State child.

Hon. A. LOVEKIN: No. The case was brought under my notice to-day. The Minister also referred to Section 7 of the amending Act of 1919, and he drew a distinction between the case of children and the case of adults. That section provides that where a child has to be brought before the court instead of a summons being served, a notice may be posted. I am glad to be able to say that in every case where such a notice has been sent, the children have attended accompanied by their parents. There has never been the need to issue a summons. Members of the court desire to apply that procedure to parents against whom action is to be taken under the Education Act. Of course it is often the child that is the truant, though under the Education Act the parent is responsible. Scores of people come before the Children's Court from time to time wanting food, people who are dependent solely upon the State. It is harsh that summonses should be served and that these people should be compelled to pay unnecessary costs. Even if it be in the case of a wilful offender, why heap up costs? There should not be any desire on the part of the State, even though it is in an unfor-

fortunate financial position, to make a few shillings out of the serving of a summons.

Hon. G. W. Miles: Do the parents take heed of the notices?

Hon. A. LOVEKIN: We can only go by experience. In all cases where notices have been sent by post, the parents and the children have attended the court without fail. It is also my belief that poor people against whom proceedings may be taken under the Education Act will attend if they receive these notices. The next point to which I desire to draw attention is the clause in which the Minister suggests the striking out of the words "shops and factories." I do not know that these words are necessary but they cannot do any harm in the section, as it is only the probation officer—he is the officer who looks after boys who are on probation—who will make use of this part of the measure. It is, perhaps, right that the probation officer should be able to go to the shops and factories in order to see the boys who are employed there. The officer does not desire to see whether they are working the proper hours, or whether the belting on the machinery is right, or to investigate such like matters, but he wants to see what the boys are doing and how they are getting on in the particular shops and factories where they are employed. We have a very good man in the present probation officer, Mr. A. H. Bulley.

Hon. J. A. Greig: How many probation officers have you employed?

Hon. A. LOVEKIN: Only one. This officer goes round the billiard saloons and various other places at night, and he is doing excellent work, so much so that two reformatory institutions have been closed and since February last we have been able to reduce the number of boys on probation from 93 to 52. This result is due to the good work this officer is doing. I am sorry to say, however, that although he has been in the service for 14 years, he is still a temporary officer receiving a salary of 15s. a day. In doing work such as this officer carries out, it must necessarily cost him something in order to discharge his duties properly, and I am convinced that steps should be taken to have a permanent probation officer attached to the court. These are the only points that the Minister referred to respecting which I wish to comment. I would say to Sir Edward Wittenoom, who believes in the doctrine laid by Solomon of sparing the rod and spoiling the child, that like Queen Anne, Solomon is dead and that the methods that might have applied in those days are not suitable to-day.

Hon. Sir Edward Wittenoom: Do not make any mistake about that.

Hon. A. LOVEKIN: Had the hon. member been here last night he would have heard the different methods which have been adopted by those administering the Children's Court. I am certain that better results have been obtained through those methods than all the flogging in the world could achieve.

Hon. Sir Edward Wittenoom: Why are offences amongst the youngsters so numerous?

Hon. A. LOVEKIN: I am glad to say that the offences are diminishing. There are more cases in the Children's Court this year compared with last year, but the bulk, in fact nearly all the increases are due to neglected children and not to criminal offences. We hardly get one criminal offence a week at the present time and I have no doubt that crime is really diminishing among the children.

Hon. Sir Edward Wittenoom: That is good news.

Question put and passed.

Bill read a second time.

In Committee.

Hon. J. Ewing in the Chair; Hon. A. Lovekin in charge of the Bill.

Clause 1—agreed to.

Clause 2—No execution or detention in default of payment of fine.

Progress reported.

BILL—COURTS OF SESSION.

In Committee.

Hon. J. Ewing in the Chair; the Minister for Education in charge of the Bill.

Clauses 1 to 5—agreed to.

Clause 6—Courts of Session:

Hon. Sir EDWARD WITTENOOM: I was not here yesterday and I would be glad if the Minister would explain to me briefly what is the real object of making the change indicated in this new clause.

THE MINISTER FOR EDUCATION: The real object, as I explained yesterday, is that the courts of session at the present time are governed by an old ordinance dated 1845, which was passed for the purpose of providing for courts of session at Albany and other remote places. In many respects this old ordinance is altogether inadequate now. It does not permit of the constitution of proper courts of session in different parts of the State where they are required. This Bill is to overcome that difficulty.

Hon. Sir Edward Wittenoom: I take it from your explanation that if you were to establish a court at Marble Bar, it would not be necessary to go to Roebourne to have a case tried. The case would be dealt with at Marble Bar.

THE MINISTER FOR EDUCATION: The court of session would be established for the magisterial district, with the resident magistrate as chairman. The courts of session would be for the whole district and not for one particular place such as Marble Bar. I do not know what the magisterial districts are in that part of the country and whether it includes Port Hedland.

Hon. G. W. MILES: There are magisterial districts at Marble Bar and Port Hedland.

In the past we have had no court held in those parts, and people had to go to Roebourne in order to have cases dealt with. This has resulted in the ends of justice being defeated because people could not afford to journey 300 or 400 miles to prosecute people, and, therefore, action has not been taken in such cases. Sir Edward Wittenoom raised the point to ascertain whether a court could be held at those centres, thus avoiding the necessity for litigants going to Roebourne. That point has come before different Governments during the past 10 years, and if the difficulty can be overcome by this measure, that is what we require.

The Minister for Education: This would give the Governor-in-Council power to make the particular divisions referred to, sessions divisions. Of course whether that would be done or not would all depend upon practical considerations.

Clause put and passed.

Clauses 7 to 34—agreed to.

Clause 35—Amendment of Section 9 of the Circuit Courts Act, 1897:

Hon. J. CORNELL: I doubt the wisdom of embodying an amendment to another Act in this Bill. If such amendments are to be made, they should be made by means of the introduction of a Bill for that purpose.

Clause put and passed.

Clauses 36, 37—agreed to.

Clause 38—Contempt of Court:

Hon. Sir EDWARD WITTENOOM: Can the Minister tell me whether it is the law of the country now that juries may bring in verdicts by majorities, or whether verdicts must be unanimous?

The Minister for Education: In criminal cases the verdicts must be unanimous, and in civil cases they must be unanimous too, unless the parties concerned agree to accept a majority verdict.

Clause put and passed.

Schedules 1 and 2—agreed to.

Title—agreed to.

Bill reported without amendment and the report adopted.

Sitting suspended from 6.15 to 7.30 p.m.

BILL—RECIPROCAL ENFORCEMENT OF JUDGMENTS.

In Committee.

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

BILL—LOCAL COURTS ACT AMENDMENT.

In Committee.

Hon. J. Ewing in the Chair; the Minister for Education in charge of the Bill.

Clause 1—agreed to.

Clause 2—Amendment of Section 29:

Hon. Sir EDWARD WITTENOOM: I would like an explanation of this clause. Nearly all the latitude given by the proposed proviso is embodied in the existing Act, and the amendment therefore appears to be redundant.

The MINISTER FOR EDUCATION: The whole question lies in the words of the Act permitting the judgment creditor to be represented by any clerk or servant or such other person "by special leave." Without the special leave, the plaintiff must appear personally or be represented by counsel. As a matter of practice one magistrate is very loth to give special leave. When a case reaches the stage that the creditor has to show that the debtor has means and therefore should be committed to prison for persistent refusal to pay, the case is pretty desperate. The creditor has little chance of recovering anything, and it is considered unfair to put him to the expense of employing a solicitor to appear for him. A clerk or some other person should be sufficient to represent him.

Hon. Sir Edward Wittenoom: What does the solicitor say to that?

The MINISTER FOR EDUCATION: I think Mr. Nicholson considers it a reasonable proposal. At the present time the magistrate may exercise discretion and allow some other person to appear. We propose that the judgment creditor may be represented by his clerk or servant without special leave being necessary.

Hon. Sir Edward Wittenoom: The Act is permissive and the amendment compulsory?

The MINISTER FOR EDUCATION: That is so.

Clause put and passed.

Clauses 3 to 5 and Title—agreed to.

Bill reported without amendment and the report adopted.

BILL—EVIDENCE ACT AMENDMENT.

Second Reading.

Order of the Day read for the resumption from the previous day of the adjourned debate on the second reading.

Question put and passed.

Bill read a second time.

In Committee, etc.

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

BILL—OFFICIAL TRUSTEE.

Second Reading.

Order of the Day read for the resumption from the previous day of the adjourned debate on the second reading.

On motion by Hon. J. Nicholson debate further adjourned.

BILL—FREMANTLE MUNICIPAL TRAMWAYS AND ELECTRIC LIGHTING ACT AMENDMENT.

Second Reading.

Hon. R. J. LYNN (West) [7.48] in moving the second reading said: This is a very short and simple measure required by the Fremantle Tramways Trust in order to facilitate their operations. Doubtless many hon. members are aware that that trust was specially created by an Act of Parliament. The Fremantle tramway system, although owned by the two municipalities of Fremantle and East Fremantle, is controlled and managed by a trust consisting of two representatives of each municipality, and the Mayor of Fremantle ex officio. I had the privilege of being one of the first members of that trust, and for 15 years I have held a seat on it. During the period of its existence, the trust has paid interest to the amount of £97,000, and has created a depreciation and reserve fund, in actual cash, of £57,000. Some of this cash, I should explain, has been utilised in connection with a new sub-station, equipped with transformers, which was rendered necessary by the taking of power supply from the Perth power house. No loan was floated for that purpose, the whole of the cost being met out of the reserve fund. In addition, the trust have a sinking fund of £45,000 in the State Treasury and in the Commonwealth Bank. Thus the Fremantle tramway system, against a total flotation of £150,000, to-day has £102,000 in hand. I mention these facts merely to show what a very successful undertaking the system has proved. When the principal Act was passed, no provision was made for the trust to obtain an overdraft. The result has been that although the bank with which the trust transact their business is quite willing to grant them an overdraft for special purposes, they unfortunately cannot avail themselves of the bank's willingness, because legally they have no right to incur such a liability. The two municipalities concerned, and in fact all parties concerned, approve of power being granted to the trust to borrow on overdraft to the extent of not more than £5,000. During the last few months the necessity for such accommodation made itself specially felt, because a consignment of lighting material arrived unexpectedly and the trust had to borrow a sum of £2,500 from a municipality in order to pay the duty. All surplus moneys at the end of the financial year, over and above the provision for interest, sinking fund, and depreciation, are handed over to the municipalities

concerned. Up to date there has been distributed in this way a total of £7,672. That amount represents surplus moneys over and above all the various provisions rendered necessary by the Act. The Bill merely asks that the trust should have this little stand-by in the form of an overdraft, and not be inconvenienced in a way that a commercial undertaking ought not to be. That is the effect of Clause 2. I move—

That the Bill be now read a second time.

Question put and passed.

Bill read a second time.

In Committee, etc.

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

ADJOURNMENT.

The MINISTER FOR EDUCATION (Hon. H. P. Colebatch—East) [7.53]: In order to meet the convenience of hon. members as far as possible, it may be advisable that I should intimate now that in view of the condition of our business paper, and the improbability of obtaining any important measures from the Legislative Assembly during the next three or four days, it is unnecessary that we should meet next week. Of course it will be necessary for us to meet tomorrow in order to deal further with various Bills. I merely throw out the intimation that in view of the condition of our Notice Paper it is not my intention to ask hon. members to meet next week.

Hon. Sir Edward Wittenoom: A fortnight's adjournment would be better. There is the show the week after next.

The MINISTER FOR EDUCATION: I will talk that over with the hon. member later. I move—

That the House do now adjourn.

Question put and passed.

House adjourned at 7.55 p.m.