

liament. Each of the things I am asking for, I really think was intended by members when the original Bill was passed. One other provision, making for the smooth working of the Act, we are asking for. It is that when local authorities grant building permits, they shall send along notice to the chief inspector, so that he may be aware of the proposed buildings. A lot of the local authorities are doing that now, but we want to make it compulsory. It will save having inspectors running around looking for buildings, for they will know exactly where the buildings are going on.

Mr. Thomson: In the country, I understand, the architects' division attends to this inspection.

The MINISTER FOR WORKS: Yes, when the original Bill was introduced, a promise was made to the House that it would not involve a new department. In accordance with that, the architects' division are doing a great deal of the work; and only two inspectors have been appointed for the whole State. Expenses have been kept down to the minimum. I think the provisions of the Bill will commend themselves to the House. I move—

That the Bill be now read a second time.

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

BILL—TRUST FUNDS INVESTMENT ACT AMENDMENT.

Returned from the Council without amendment.

BILLS (2)—FIRST READING.

1, Shipping Ordinance Amendment.

2, Legitimation Act Amendment.

Received from the Council.

House adjourned at 10.18 p.m.

Legislative Council,

Tuesday, 14th September, 1926.

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

QUESTION—MINERS' PHTHISIS, COMPENSATION.

Hon. E. H. HARRIS asked the Chief Secretary: 1, How many men are precluded for tubercular reasons from further mining work under the Miners' Phthisis Act? 2, How many are receiving compensation from the State in the following categories—(a) Half wages through being single; (b) half wages through being widowers; (c) Half wages and other remuneration for dependants? 3, Is it a fact that some excluded men in receipt of State compensation, are also receiving the Commonwealth old age pension, and as a result are subject to an equivalent reduction from State compensation? 4, If so, how many? 5, Are those in receipt of old age pensions subject to restrictions as to the amount of property they may own, and moneys they may earn? If so, will the Government rectify this, and pay afflicted men full State compensation thus enabling them to cease drawing Commonwealth pensions without suffering financial loss? 6, What is the total amount of compensation paid by the State to excluded T.B. miners to—(a) 30th June, 1926; (b) 31st August, 1926? 7, What liability to the 31st August, 1926, has the State escaped by deducting the amount of Federal pension from compensation promised to afflicted men?

The CHIEF SECRETARY replied: 1, 119. 2, (a) 20, (b) 2, (c) 38. 3, Yes, but

if the State did not deduct an amount equivalent to the pension, the Commonwealth would stop the pension, in which case the men would not be any better off, and the State would lose the amount of the pension, which is a just obligation of the Commonwealth. The Commonwealth Government excluded payments under the Miners' Accident Relief Act of New South Wales from computation of income under the Invalid and Old Age Pensions Act, but refused similar treatment to Western Australia in connection with payments under the Miners' Phthisis Act. 4, Two. 5, There are no restrictions under the Miners' Phthisis Act as to the amount of property beneficiaries may own, and moneys they may earn. The Government are paying the full rates of compensation, but Old Age and Invalid Pensions are taken into account for the reasons mentioned in 3. 6, (a) £5,107 12s. 11d.; (b) £7,893 13s. 8d. 7, None, but it has prevented the Commonwealth escaping its just obligations to the extent of £171 19s. 7d.

QUESTION—PETROL TAX.

Hon. H. STEWART asked the Chief Secretary: Will he lay on the Table a return showing the amount of petrol tax collected by the Government at the end of each quarter?

The CHIEF SECRETARY replied: Yes. The return has been laid on the Table.

MOTION—INDUSTRIAL ARBITRATION ACT.

To disallow Regulation.

HON. E. H. HARRIS (North-East)
[4.35]: I move—

That regulation No. 128 under the Industrial Arbitration Act, 1912-25, relating to industrial boards and boards of reference, laid upon the Table on the 19th August, 1926, be and is hereby disallowed.

I am prompted to bring this motion forward in view of the discussion that occurred last session on the Industrial Arbitration Bill. This provided, *inter alia*, for the appointment of conciliation committees, and apprenticeship boards, and also for boards of reference under Section 87 of what is now the Act. It was provided that the boards might be appointed by the Arbitration Court, and might be dissolved by the Minister on the recommendation of the Court. I have no

objection to the regulation, so far as it goes, but wish to add something to it. I find that my only method is to move to disallow the regulation, and then suggest the desired addition to it with a view to this being embodied in it. I will quote the regulation that has been laid on the Table of the House regarding these reference boards. They are constituted of five members, one of whom shall be the chairman, while the others shall be appointed by the employers' and employees' representatives. These boards will deal with any matter submitted to them by the court. The regulation provides for the payment of fees. In the case of the chairman of a board the fee is 12s. an hour, but for the other members, it is 4s. an hour. There is a minimum fee of £1 10s. for the chairman, and of 10s. for each member of the board. They are entitled to a first-class fare if they are obliged to travel by railway, ship or coach, and this also includes sleeping berths, where necessary. When the distance they have to travel from their residence is not less than 20 miles, a special fee is paid for attendance upon the work of the court in accordance with the Public Service Regulations. The minimum fee in the case of the chairman is 22s. 6d. a day, and in the case of other members, 15s. a day.

Hon. J. Nicholson: Is it so much per day in addition to the fees?

Hon. E. H. HARRIS: No; Those are the fees for whoever may be appointed to the positions. It is provided by statute that regulations can be framed governing the position, and the regulation connected with this matter has been laid on the Table of the House. There should be some control over the amount that may be involved, or the time that may be spent by members of the board. During the debate on the Bill it was pointed out that in New South Wales different boards had been appointed by the court, and were paid so much per sitting. Many more sittings of the boards were held than were necessary, and in the end the court had to abandon some of them because there was no restriction over the time occupied in the work. In other words, the boards were taking more time than was necessary, in order to secure the fees. I find on inquiry that accounts may be submitted under the regulations, and it would appear that they must be submitted to the clerk of the court. He is only a civil servant, and does not delegate the work to the boards. If any excessive time

were occupied in carrying out the work, it would not come within the province of that official to say so, or to declare that they had taken too long to discharge the duties connected with the work allotted to them. I suggest that the following be added to the regulation—

Provided that the president of the Court of Arbitration shall first certify that the time occupied and charged for by the chairman and members of the said respective boards in the performance of their duties is fair and reasonable, and that the proceedings before them have not been unduly prolonged, and further that the fees and payments payable hereunder are correct.

I have moved to disallow the regulation, as that is the only way I can secure the amendment.

Hon. J. R. Brown: You want to make it more complicated.

Hon. E. H. HARRIS: I desire that the court shall be able to control the situation, and that the correctness of the accounts submitted may be certified to.

Hon. J. R. Brown: You have the rate per hour and the minimum rate. What more do you want?

Hon. E. H. HARRIS: It is possible that a board, instead of sitting from 10 to 12, may sit from 11 till 12, adjourn for lunch, and sit again afterwards, thus occupying 3½ hours of time instead of only two. There should be some check over this, and it should not be the duty of the clerk of courts to impose that check. Under another regulation laid on the Table of the House, the apprenticeship boards are dealt with. Provision is made that an apprenticeship board, when performing duties that require travel, shall, in addition to prescribed fees, be reimbursed "of all fares and necessary expenses actually incurred." In the one case the board is paid a fee per hour, their fares, etc. In the other instance, relating to Industrial Boards and Boards of Reference, the members are reimbursed respecting their fees per hour, first class fares and expenses as provided by the Public Service regulations. If regulations are framed to deal with boards performing similar work but under different sections of the Act, some attempt should be made to secure conditions as nearly uniform as is practicable. I submit the motion to the House in the belief that the Leader of the House and hon. members generally will recognise the wisdom of safeguarding the position in the manner I have indicated.

On motion by the Chief Secretary, debate adjourned.

BILL—WYALCATCHEM RATES VALIDATION.

Read a third time and passed.

BILL—GOVERNMENT SAVINGS BANK ACT AMENDMENT.

Report of Committee adopted.

BILL—NAVIGATION ACT AMEND- MENT.

Second Reading.

Debate resumed from the 9th September.

HON. G. W. MILES (North) [4.49]: I do not intend to oppose the second reading of the Bill, but I wish to inform the Minister that I have not had time to go into it with the shipping people. The Minister told hon. members that the Bill had been introduced at the request of people residing in the North-West. I have not heard anything from them regarding the necessity for the measure and, as I interjected when the Minister was speaking, I believe it will apply harshly to the people residing along the northern coast. It may be necessary to have certificated men to drive launches and boats propelled other than by steam in the southern portions, but I would remind the Minister that in the North, auxiliary lighters are used. If it is necessary to employ a certificated man to drive the motor aboard those lighters once a week or so, it will increase the cost of lighterage and inflict a hardship on the people of the North. It will also apply to pearling boats having auxiliary engines. If the Bill becomes law it will mean that certificated men will have to be engaged to drive the motors on board the pearling luggers. I know the Government have no desire to increase the burden on the people living in the North, and I thank them for their action in amending the Workers' Compensation Act when it was found that the Act as it then stood would adversely affect the pearling industry. I hope the Government will delay the further consideration of the Bill to enable my colleagues to go into the question with the

shipping people, with a view to seeing how it will affect them. I am afraid that if this provision is agreed to and it is applied in the same way as legislation affecting carpenters, plumbers and painters is applied at times, it will adversely affect the people of the North.

On motion by Hon. C. F. Baxter, debate adjourned.

BILL—PLANT DISEASES ACT AMENDMENT.

Second Reading.

Debate resumed from 8th September.

HON. A. BURVILL (South-East) [4.53]: I support the second reading of the Bill, with the objects of which I am in agreement, particularly as it applies to the eradication of fruit fly, especially in the metropolitan area. More drastic action will require to be taken if the fruit-fly pest is to be eradicated. That action would have to be taken in connection with the small orchards more than with the commercial orchards. The fruit fly was introduced into the State in the same way as was the codlin moth. Drastic methods were adopted in dealing with the latter pest. There were two bad outbreaks, but the codlin moth has been practically stamped out. From what I can see in the markets, and from what I have heard, it is apparent that the fruit fly is increasing rapidly and if it is allowed to continue, the task confronting the inspectors and orchardists who desire to eradicate it, will be difficult indeed. The Bill will prove helpful to the Agricultural Department, but, in common with Mr. Stewart, I would like the Minister to tell the House whether the Plant Diseases Act can be amended to deal with other plants and their diseases as well. I refer particularly to seed potatoes. The interpretation clause in the Plant Diseases Act of 1914 sets out that "covering" includes any case, box, wrapper, packing or material of whatsoever description designed to contain or be used in the packing of anything. Then "disease" means any parasite, of whatsoever kind, and whether of vegetable or animal nature, which commonly attacks or is found on plants. "Fruit" means the product of any plant and includes the peel, skin, or shell of any such product, and also the seeds of any plant. Then again "in-

fecting" means infected with disease. The section also sets out that a "plant" includes any part of a plant, and extends to fruit. I am not clear whether the interpretation section will cover seed potatoes. The potato industry here is merely in its infancy and at present the mere money value secured from an acre under potatoes is greater than that secured from a corresponding area in any other State. At the same time the average crop per acre is greater in Western Australia than in any other State, with the exception of one. We are opening up our South-West, which is practically free from plant diseases. It is in the interests of the State that at this stage of the potato industry, action shall be taken to prevent the introduction or spread of diseases affecting potatoes. The industry is destined to become a large one and steps should be taken to safeguard the position to-day. Present-day regulations provide against infected plants and so on being imported into the State and that is accomplished by means of rigorous inspections. We can prevent seed and other potatoes from being brought in, but a difficulty arises in defining what is a seed potato. As we all know, potatoes are not seeds, but tubers. Once an edible potato sprouts it can be used as a seed potato. Then again, if an edible potato is affected by eel worm, a disease having the appearance of a scab on the potato, it is not necessarily unfit for eating purposes. The worms are so small that a microscope is required in order to see them. When the potatoes are boiled, the worms are destroyed, but once an affected potato is put in the ground, the disease becomes unpreventable. I do not know whether that position can be dealt with under this measure. Other precautions are taken to prevent diseases entering into the State, but once the tubers are within a potato-growing area, there are no regulations to enforce an inspection of seed potatoes. Of course a grower is able to secure a certificate should he desire to build up his trade by making a name for his seed potatoes. But that is not compulsory. The grower can go to the Agricultural Department and by paying at the rate of 4s. per ton, can get a certificate setting out that his potatoes are free from disease, true to variety, and properly graded. But here again there is no compulsion. The result is there is nothing to prevent diseases being spread through the potato-growing districts. Various areas are being brought into pro-

duction, especially in the group settlement districts. There, as you, Sir, are aware, the settlers know very little about potatoes, and in the interests of the State I ask the Leader of the House to ascertain whether the Bill can also include amendments to cover the diseases I have mentioned. If not, will the Minister tell us whether he will introduce a Bill for that purpose this session? In the other States there is legislation in this direction. I am afraid our Plant Diseases Act will not help us to the extent we desire. In the other States there is a topping Act and it provides that people who sell fruit or potatoes must grade them and in that way eliminate the inferior produce. That legislation applies in the case of potatoes, not only to seed but to eating varieties, which at any time may also be used for seed. At Bunbury the other day certain growers were disposing of inferior potatoes on account of the high prices ruling, and the Chamber of Commerce and the merchants asked the Minister to allow potatoes to be introduced from the Eastern States. One cannot blame the merchants for taking this step, but at the same time the producers of the first-class article would, in such a case, have an injustice done to them. It would be much better if there were a topping or a grading Act, in order to adequately protect the potato industry, and I urge the Chief Secretary to inquire whether something of the kind can be done to protect the industry. In Great Britain the legislation is being re-drafted with a view to improving transportation and marketing. I intend to support the second reading.

THE CHIEF SECRETARY (Hon. J. M. Drew—Central—in reply) [5.4]: It is clear to my mind that the principal Act can be made to apply to potatoes. The definition of "plant" includes any part of a plant, and it extends to fruit. The potato is a plant and the product of the plant is the potato that we consume.

Hon. A. Burvill: So I was informed, but there is a difficulty in applying it to potatoes.

The CHIEF SECRETARY: Again, there is a provision for dealing with plants of every description that may be proclaimed. Section 5 of the original Act says—

The Governor may by proclamation prohibit either absolutely or except in accordance with regulations the bringing into any specified portion of the State from the rest of

the State generally, or from any specified portion thereof, of all or any of the things following, that is to say—(a) Any specified kind of plant, fruit or other thing which would in his opinion be likely to introduce any disease into the State or into the specified portion thereof, as the case may be; (b) All or any coverings or goods in or with which any plant, fruit, or thing of the kind specified has been contained or packed or come in contact; (c) Anything which is infected with any specified disease.

Regulations may be made to deal with the position.

Hon. A. Burvill: That does not provide for grading.

The CHIEF SECRETARY: No, I see no provision for grading.

Hon. A. Burvill: Grading of seed potatoes is very important.

The CHIEF SECRETARY: It seems to me that the whole question will have to be carefully considered and a drastic amendment of the original Act prepared. The Government have no intention of bringing down any legislation of the kind this session, but I will communicate with the Director of Agriculture regarding the matter.

Question put and passed.

Bill read a second time.

In Committee.

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

BILL—FEDERAL AID ROADS AGREEMENT.

Second Reading.

Debate resumed from the 8th September.

THE CHIEF SECRETARY (Hon. J. M. Drew—Central—in reply) [5.8]: I am pleased at the reception that has been accorded to the Bill. It appears to me to be only necessary to deal with a few points raised by the different speakers. Mr. Ewing pointed out that under the agreement the Federal Minister for Works will be supreme, whilst Mr. Dodd expressed the fear that he would be a dictator. There is no doubt that under the powers sought the Minister could give no end of trouble, but we have not the slightest anxiety on that score. For over two years now in connection with the Federal special grant the Government have been dealing with the Federal Minister for Works and the officers under his control, and the

relations have been of the most satisfactory character. Common sense has been exercised and there has been no attempt whatever at despotism. The parties have not always seen eye to eye, but they have never failed to find a way out of any difficulty that may have presented itself. With future Ministers we may not get on so well, but a tradition has been set up in the two departments concerned, which must have an influence for good. Mr. Ewing said that day labour was to be the order of the day. In paragraph (4) of Clause 9 of the agreement the very reverse is provided for. The execution of the work under the scheme must be by contract except in special circumstances, and special circumstances do arise which may make day work not only advisable but necessary, that is, if the particular job must be economically completed, such as, for instance, where there are long stretches of road requiring special plant which may not be possessed by an ordinary contractor or a road board. In such a case day work would be essential. I understand in parts of the South-West in particular, it is necessary, for reasons I have given, to build roads by day work. Mr. Stewart wished for a more comprehensive agreement, taking in roads which would not be eligible for construction under the Bill. That would mean a great deal more money for the State to find. The expenditure under this measure will be just as much as we shall be able to stand, that is if we have to continue to make provision for railway construction and other public works. Mr. Stewart asked for information with reference to the expenditure on roads and bridges since the 1st July, 1920. I am in a position to supply that information. The revenue and expenditure to which I shall refer consists almost entirely of subsidies paid to road boards. The figures are as follows:—

	£
1920-21—From loan funds ..	38,432
From revenue ..	33,838
From trust funds ..	14,768
Total ..	£87,039
1921-22—From loan funds ..	16,783
From revenue ..	29,364
From trust funds ..	17,985
Total ..	£64,134

	£
1922-23—From loan funds ..	94,395
From revenue ..	29,223
From trust funds ..	22,790
Total ..	£146,409
1923-24—From loan funds ..	124,205
From revenue ..	29,625
From trust funds ..	18,362
Total ..	£172,192
1924-25—From loan funds ..	179,732
From revenue ..	26,511
From trust funds ..	12,701
Total ..	£218,945
1925-26—From loan funds ..	222,474
From revenue ..	28,227
From trust funds ..	9,652
Total ..	£260,404
Totals—From loan funds ..	676,023
From revenue ..	176,841
From trust funds ..	96,260
From all sources ..	£949,125

These figures, of course, include Commonwealth and State grants.

Hon. H. Stewart: Have you the figures of the Federal grants?

The CHIEF SECRETARY: Yes. For 1922-23 the Federal grant was £11,000, for 1923-24 £35,000, for 1924-25 £140,702 6s. 9d., and for 1925-26 £88,075 12s. 4d.; or for the four years a total of £274,777 19s. 1d. From these figures it will be seen that the average annual expenditure from all sources was for the last six years £157,520, and for the last two years £239,674. Little of this expenditure will continue. Outside the new scheme the State Government will not provide much money for road work, apart perhaps from the annual subsidy to road boards.

Hon. V. Hamersley: Have you not ceased paying subsidies to road boards for some time?

The CHIEF SECRETARY: For 1925-26 the amount paid was £28,277 8s. 10d. I understand road boards are obliged to rate at not less than a certain figure to be eligible to draw subsidy.

Hon. H. Stewart: That is so. Perhaps Mr. Hamersley is thinking of subsidies to agricultural societies.

The CHIEF SECRETARY: If the Government were to continue at something like

the old rate of expenditure outside the Federal grant, the progress of other necessary public works would be seriously affected.

Question put and passed.

Bill read a second time.

In Committee.

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

Clauses 1, 2—agreed to.

Schedule:

Hon. V. HAMERSLEY: The State is to be put to great expense, finding its 15s. as against the Commonwealth's £1, and under Clause 11 of the agreement the Commonwealth Government are entitled to hold up any part of their payment until convinced that the work has been carried out to their satisfaction. The State Government would have to undertake the responsibility of completing the work to the satisfaction of the Commonwealth representative. Thus the State Government might have to expend 30s. for every pound provided by the Commonwealth. Certainly the Commonwealth representative would have reason to be dissatisfied with some of the road work which I have seen done here. Therefore I own to nervousness lest the clause prove a serious stumbling block. Any amount of work done on our roads by men with horse and dray and pick and shovel represents waste of time. It could be done efficiently, and at a quarter of the cost, with a plough or scoop and a road scraper. I fear that over this business there may be lavish waste of public funds. In the South-West road work was not permitted to be done by resident landowners who had the requisite plant.

Hon. E. H. Gray: Can you mention one road turned down by a Commonwealth engineer?

Hon. V. HAMERSLEY: This is a new measure, and the risk is in the future.

Hon. H. A. STEPHENSON: I see nothing wrong with the provision, which is only wise and businesslike. It merely provides that the last portion of the payment shall be made after the Commonwealth representative is satisfied that the work has been carried out in a proper manner. There will be plans and specifications to which the work will be done, and interim payments will be made as the work progresses. The Main Roads Board have not yet begun to func-

tion, but they are likely to give every satisfaction.

The CHIEF SECRETARY: I cannot add much to the reply given by Mr. Stephenson. This provision is in almost every agreement made with a road contractor. The State Public Works Department will put up their proposals and plans and specifications to the Commonwealth Public Works Department. When these are approved our Main Roads Board will be in a position to know exactly what is required, and they must carry out their contract with the Federal Government. If they fail to do so, it is only right that the Federal Government should refuse to pass the work. The Commonwealth engineer may, as the result of inspection, arrive at the conclusion that the State has not carried out its contract. Then we shall be obliged to carry out our contract before we receive the final payment.

Hon. W. T. Glasheen: Do the State Government submit proposals as to roads to be constructed?

The CHIEF SECRETARY: The proposals have to be submitted in detail. The Federal Government, of course, supply the greater proportion of the funds. Supervision will be provided. I do not say the Commonwealth engineer will visit every road under construction in Western Australia; probably in some instances he will accept the judgment of the Main Roads Board. However, it will be for the Commonwealth engineer to decide whether or not a contract has been satisfactorily performed.

Hon. V. Hamersley: But up to the present, I understand, no work has been carried out by contract. Has it not all been done by day labour?

The CHIEF SECRETARY: I cannot say, but I should be surprised if some of it has not been done by contract.

Hon. V. Hamersley: How has the cost of the day labour construction coincided with the estimate?

The CHIEF SECRETARY: I am not in a position to say. However, in my own district a road board took a contract from the State Government to construct a certain road. They put on men to carry out the construction by day labour, and made a profit of £300 out of the business.

Hon. V. Hamersley: They knew whom to employ.

Hon. J. E. DODD: The arguments in favour of the clause do not seem to carry very

much weight. If the Commonwealth were finding all the money I could understand Mr. Stephenson's point of view and that of the Chief Secretary; but actually there are two parties to the contract, the State finding 15s. and the Commonwealth the balance. Yet under the clause the Commonwealth is to be the sole arbiter as to whether or not the work is properly constructed. Generally where there are two parties, provision is made for an independent arbitrator in case of disagreement. In this instance the Commonwealth is to be the sole arbiter. Apparently everything is going on all right at present, but later we may get some intolerant officer as engineer, whereupon things will go all wrong. Although the agreement has passed the Federal Parliament—

The Chief Secretary: No, it has not.

Hon. J. E. DODD: Well, whether it has or not, no Bill of recent times has provoked so much hostility between the representatives of the respective parties as has this measure. However, it is of no use trying to amend the agreement now.

Hon. H. STEWART: Certainly in most disputes one can turn to an arbitrator. Still, the position is not so bad as is feared by Mr. Dodd, for the roads to be constructed from the Federal-State fund are to be built in accordance with specifications. So the only test will be as to whether the construction has been carried out in accordance with those specifications. It is on that test the Federal engineer will have to give his decision and, I presume, if the decision be not altogether satisfactory the State Minister will appeal to the Federal Minister.

Hon. J. EWING: Apparently everything is working smoothly under the present Federal Minister, but we have no guarantee as to the attitude of his successor. The policy of the present State Government being day labour, they will instruct their officers to carry out as much of the work as possible on that system. On the other hand, the Federal Government favour contract work. An estimate of the cost is calculated, and, provided the work is satisfactorily carried out within that estimate, all is well. But suppose that, as the result of day labour, the estimate be greatly exceeded: who is going to pay the piper? Of course, the State will have to pay, since the Federal Government are not in favour of day labour. If day labour is thus going to prove costly to the State, the contract system ought to be favoured.

The CHIEF SECRETARY: I do not think the position could be more clearly expressed than in Clause 4, which provides for the execution of the work by contract, except in certain specified circumstances, when it may be carried out in whole or in part by day labour.

Hon. J. Ewing: Suppose the cost of the work exceeds the estimate?

The CHIEF SECRETARY: Then someone will have to pay the piper.

Hon. J. NICHOLSON: I assume the Chief Secretary means the State will have to pay the piper.

The Chief Secretary: Both parties.

Hon. J. NICHOLSON: That is just the point. In certain instances there may be justification for carrying out the work by day labour. It will be for those in charge of the works to see that those works are properly constructed and that there is a fair and proper return for the money expended; because, if there is not that fair and proper return, the taxpayer will have to suffer the loss, and it will be the taxpayer in Western Australia. As Mr. Dodd has said, it is usual to have some form of arbitration in the event of a dispute arising. Here, however, we must bear in mind that the money is being advanced by the Commonwealth Government and that, therefore, they should know that it is being expended to their satisfaction.

Hon. W. T. Glasheen: The State is advancing 15s.

Hon. J. NICHOLSON: That is true, but then we have the control of the expenditure of that money.

Hon. J. Ewing: The Commonwealth favour contract work.

Hon. J. NICHOLSON: Yes, except in certain cases. I hope the Chief Secretary will make it clear to his colleagues that in the opinion of this House contract work should be adhered to wherever possible. That is only just to the taxpayer. I should like to know whether the Leader of the House has taken into account the effect of the proviso to Clause 2.

The CHAIRMAN: We have passed that; we are now dealing with the schedule.

Hon. E. H. GRAY: I am surprised that the discussion should have turned to the old question of contract versus day labour. I thought members were fully aware of the great things expected of the Main Roads Board, who are to obtain efficient machinery to carry out the work of road making econ-

omically. My experience as a member of a road board is that, all things being equal, day labour is better than contract, provided the supervision is efficient.

Hon. H. Stewart: You cannot always get efficient supervision.

Hon. E. H. GRAY: Take the work on the water front at Fremantle. The department have not been able to lay down a class of road comparable with that which can be laid by the company, because they have not the machinery and the plant. Therefore the job was let by contract. The contractors are employing the men who would have been employed by the department, but the contractors are doing the work more efficiently because they have the plant.

Hon. H. Stewart: And the supervision.

Hon. E. H. GRAY: All Fremantle men are hard workers; it does not matter who is supervising them.

Hon. H. Stewart: A pity all of them are not like the Fremantle men.

Hon. E. H. GRAY: The Main Roads Board will of necessity have to assemble modern plant, and it would be absurd for them to let out little contracts to men owning only a couple of horses and drays. Under the regime of the Main Roads Board the question of contract will fade away.

Hon. J. Ewing: That will apply only in certain instances.

Schedule, Title—agreed to.

Bill reported without amendment and the report adopted:

BILL—JETTIES.

Second Reading.

Debate resumed from the 7th September.

HON. J. NICHOLSON (Metropolitan) [5.52]: The first thing that struck me on perusing the Bill was that it is one of those measures that emphasise the delegation of powers, a tendency which is becoming more and more marked in our present day legislation. The Bill consists largely of clauses delegating to a board to be appointed the duty of carrying out the purposes of the measure by way of regulation. Clause 4 empowers the Governor to make regulations for the management, use, maintenance and preservation of all jetties, etc., and the whole of pages 2, 3, and 4 and part of page 5 of the Bill are devoted to a recital of the form that the regulations might take. The

only voice that Parliament will have will be when the regulations, after having been adopted, are laid on the Table of the House, and then we shall be able to say "yea" or "nay" only if we happen to notice any to which we take exception and move for its disallowance. In a journal recently I read a forcible reference to the tendency on the part of Parliaments to delegate their powers, and it was said that evil was resulting from it. If ever an instance could be cited to emphasise the delegation of powers, this surely is it. Instead of Parliament having an opportunity to consider measures and enact laws, we are making laws to give to some outside board or body the power that we ourselves should exercise and express in an Act of Parliament. We are asked to give a board power to enact by regulation what we should enact in a statute. That is quite wrong. The Government, instead of seeking to give power to a board to carry out the necessary work by means of regulation, should have defined in the Bill the powers to be conferred and should have restricted as much as possible the powers to be exercised under regulation.

Hon. H. Stewart: The Bill does not say anything about a board.

Hon. J. NICHOLSON: Some board or officer must be appointed to carry out the work.

Hon. H. A. Stephenson: The jetties are scattered all over the State and someone must be appointed to carry out the work.

Hon. J. NICHOLSON: That is so.

Hon. A. Burvill: There must be provision for some local authority.

Hon. J. NICHOLSON: On occasions it is necessary to pass regulations to permit of the carrying out of certain works, but it is wrong in principle that the main part of a measure should consist of power to create regulations. It is quite true that the regulations framed under the measure would be laid on the Table of the House, but that is not sufficient. Sometimes regulations escape our notice and become law before we actually realise that the time for raising objection has passed.

The Honorary Minister: They do not escape your notice very often.

Hon. J. NICHOLSON: The Honorary Minister pays me a compliment of which I am no more deserving than is any other member. There are one or two clauses to which I would direct attention in order to show how extensive are the powers to be

delegated, and I ask members whether they are prepared to concede such powers. Subclause 8 of Clause 4 gives power to make regulations "imposing on intending shippers of goods from any public jetty an obligation to furnish to an officer full and true accounts of the goods intended to be shipped." Every intending shipper would require to give the fullest account in connection with the goods. What a full and true account may mean I leave members to imagine.

Hon. J. Ewing: I suppose that is being done now.

Hon. J. NICHOLSON: No.

Hon. H. Stewart: It refers to the goods intended to be shipped.

Hon. J. NICHOLSON. Precisely. When the goods are shipped no doubt they would be included in the bill of lading in the ordinary way. In carrying that out a very exacting officer might make it exceedingly difficult for shippers, if he possessed such power. Subclause 10 reads—

Defining and limiting the liability of the Government in respect of goods landed, discharged, deposited, stored, carried, or left on or in any public jetty or any premises appurtenant thereto or used in connection therewith, or loaded or shipped by the department from any jetty or any such premises as aforesaid.

Subclause 11 says—

Exempting the Government from liability for or in respect of (a) damage to any such goods as aforesaid caused or contributed to by insufficient protection or packing; (b) damage to or loss of any such goods for which no receipt has been given by the department; (c) damage to or loss of any such goods discharged, landed, loaded, or handled in wet weather; (d) damage to or loss of any such goods in any case in which no claim in respect thereof has been made within the prescribed time.

The Government might prescribe a time which would be so brief that no man would be able to make a claim within it. Paragraph (e) says—

Damage to or loss of any such goods discharged, landed, loaded, or handled outside the hours prescribed as the working hours to be observed in common with any jetty.

I do not think I have ever seen a Government seeking so to exempt itself from all possible claims. The Government are public carriers. They carry out public functions and take on State trading and other activities. When they do take them on they leave the ordinary individual to bear the loss. They do not exempt the private

owner, who may undertake such work, but they take great care to exempt themselves from every manner of loss. Subsection 12 says—

Prescribing the times within which claims must be made against the Government or the department.

Subsection 13 is a most obnoxious and astounding clause. It reads—

Precluding any person from disputing as against the Government or the department that the particulars, weights, and measurement of any goods discharged, landed, or unloaded on any jetty are different from that stated in the relative manifest or other shipping document.

Hon. A. Burvill: That is sufficiently water-tight.

Hon. G. W. Miles: They are not common carriers.

Hon. J. NICHOLSON: No. They undertake the duties, but exempt themselves from all ordinary risks.

The Honorary Minister: I am almost sure you were responsible for a clause very much resembling this.

Hon. J. NICHOLSON: I cannot recall having shown such liberality towards the Government in a matter of this sort. When the Government assume a responsibility, it is their duty to undertake the ordinary risk that a private owner would undertake.

Hon. V. Hamersley: This is an encouragement to anyone to pilfer.

Hon. J. NICHOLSON: It is an inducement to them to do that which they should not do. It is not a thing to which we should subscribe. The Honorary Minister should consider whether this Bill should not be presented to us in some other form. In its present form it delegates all these powers to some person or body. If we pass the Bill we relieve ourselves from carrying out those duties which devolve upon us as members of Parliament. I oppose the second reading because of the drastic nature of the clauses to which I have referred, and because the Bill is composed largely of powers to make regulations.

HON. H. STEWART (South-East) [6.7]: I am largely in accord with Mr. Nicholson. A good deal is being done in the way of legislation by regulation which is hampering development and the operations of people engaged in development. So far as we can see, jetties are being managed under the present system in a satisfactory manner. As our seaports ex-

pand, rather than that they should be under inefficient administration, it is better that they should be given local administration. The Fremantle and Bunbury harbours seem to be functioning very well. We in the South-East Province were gratified to learn from the Honorary Minister that steps would be taken promptly to authorise the creation of a harbour board for Albany. I presume one will also be provided for Geraldton. In the Bill the Fremantle Harbour Trust Commissioners and the Bunbury Harbour Board receive recognition, but there is no mention of the Albany Harbour Board. If the second reading of the Bill is carried—this is doubtful—I hope the Honorary Minister will include in it recognition of any other harbour board that may be established in the State. An amendment coming from him would carry more weight than if it came from a private member. It appears that our industrialists are well organised in those services where large numbers are engaged. That organisation suits them very well, but does not suit the person who is paddling his own canoe in the country and is developing the State. Clause 5, paragraph (c), in the Bill says that the regulations made do not apply to jetties forming part of any Government railway, or under the control of the Commissioner of Railways. This is another safeguard for the Commissioner. He can drive trams through private properties, set fire to crops, and the owners have no redress. He can set fire to goods that are being carried in open trucks and the owners have no redress. He can lose stock that is being taken to market, he can run through paddocks and kill sheep, but because the amount involved is not great enough there is no redress for the owner. These are some of the things which occur through giving protection to a Government department. If it were a private company, the owner would be able to obtain redress. A private company, however, would not have the resources of the State behind it to enable it to defeat the claims of individuals. There is a regulation by which sheep skins can be delivered on only one day in the week, at such important places as Narrogin, Wagin, or Katanning, because this suits the convenience of the department. Up to a couple of years ago sheepskins could be received on any day. Now the individual must go to the station at the exact time when it suits the convenience of the Commissioner of Railways.

Hon. E. H. Harris: That is one of the drawbacks of a monopoly.

Hon. H. STEWART: Clause 5, paragraph (b), says—

Regulations made under this Act may be declared to be applicable and shall then apply to jetties under the control of any local authority, but subject to any by-law made pursuant to the Municipal Corporations Act, 1906, or the Road Districts Act, 1919, and for the time being in operation.

This makes provision by which these regulations will bring a municipal jetty or baths under the operations of the Act. Paragraph (e) says that the regulations shall not apply to any jetty or work under the control of the Fremantle Harbour Trust Commissioners or the Bunbury Harbour Board. Clause 9 says—

The Governor may make such regulations as he may judge necessary to secure due provision of buoys and the preservation and proper management, use and maintenance of buoys, etc. . . . provided that this section shall not apply to buoys under the control of the Fremantle Harbour Trust Commissioners or the Bunbury Harbour Board.

I have already suggested that the Honorary Minister should in Clause 9 make provision for the Albany Harbour Board, or any other that may be established. I prefer to have a body that we can visualise to one that at the moment seems intangible. As this Bill is framed, we appear to have no one to whom we can address our remarks on questions of this sort, other than some body which at present has no legislative nomenclature.

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

Sitting suspended from 6.15 to 7.30 p.m.

BILL—FORESTS ACT AMENDMENT.

Second Reading.

THE CHIEF SECRETARY (Hon. J. M. Drew—Central) [7.30] in moving the second reading said: The object of the Bill is to continue for another year the operation of the measure passed in 1924. That Act, as amended in this House, made provision for 10 per cent. of the net revenue from sandalwood, or £5,000, which ever should be the greater, being credited to a special account at the Treasury and applied to the re-growth of sandalwood. When a Bill such as this is

submitted for consideration here, hon. members naturally like to hear something in regard to what has been done by the Conservator of Forests in connection with the timber industry generally, and with the sandalwood industry in particular. First let me deal with sandalwood. For the year ended 30th June, 1926, the gross revenue was £52,018, or £493 less than the amount received during the preceding year. The cost of collections had to be deducted and this reduced the amount to £46,451. As at the 1st July last there was a credit of £5,184 in the sandalwood trust fund created by the amendment to the measure of 1924. Money has been spent in the allocation of country suitable for reservation. Some fencing has been done and there has also been some artificial sowing. Nearly 300,000 acres have been provisionally selected in the Eastern goldfields districts. That area is considered to comprise prime sandalwood country. The value of the growing immature sandalwood already on those areas and the proximity to the railway line are such as warrant expenditure in fencing against excessive grazing and the reservation of the whole area. Nearly 1,000 acres have been sown on selected sites. I am pleased to be able to state that the results of the sowing in 1925 are regarded as very satisfactory, notwithstanding the dry summer that followed. The Conservator of Forests informs me in writing that it is not proposed to carry out artificial sowing on a large scale, notwithstanding these results, until it is shown to be economically and silviculturally safe by experiments extending over a period of a further two or three years. With regard to the timber industry generally, on the 30th June, 1924, the balance to the credit of the reforestation fund operated upon by the Conservator of Forests was £71,545. On the 30th June, 1925, it was £82,377, and on the 30th June, 1926, it was £101,177.

Hon. J. Ewing: It is increasing.

The CHIEF SECRETARY: Yes.

Hon. G. W. Miles: What amount was spent each year?

The CHIEF SECRETARY: I can give the hon. member all the information he requires. The figures supplied to me by the Conservator of Forests indicate that the timber industry is in a very prosperous condition, and in fact, has appreciably expanded almost each year. The gross collections last year amounted to £227,061, whereas for the

previous year the collections had amounted to £182,761, showing an increase last year of £44,297. That indicates the progress of the timber industry generally. The Conservator of Forests has supplied me with a summary that sets out briefly the progress made in the various branches of forestry work during the past year. For the information of hon. members I will read the report—

Five working plans, covering an area of 49,300 acres, and the first revision of working plan No. 3 dealing with 59,000 acres in the Colliie district, have received the approval of the Governor-in-Council. Control of exploitation by tree marking on the group selection system in lieu of minimum girth restriction has been carried out at 21 centres in the jarrah bush. 25,686 acres have been tree marked for sawmilling, and 6,233 acres of heavily cut over bush have been tree marked for hewing. This is a considerable advance in the application of "forestry practice" in that the whole of the mature merchantable timber is removed at one cut, and it enables provision to be made for the treatment of areas so worked for regeneration. Local hewing permits to operate on working circles in country cut over for sawmilling were issued to 98 sleeper cutters, thus giving practical evidence of the department's belief in the value of hewers in cleaning up the bush prior to the closing of areas for regeneration. 4,095 acres have been silviculturally treated for the natural regeneration of jarrah on the group selection system. 624 acres of jarrah forest have been treated under the clear felling system, and a satisfactory crop of seedlings and coppice secured. Top disposal operations have been carried out over 27,974 acres of jarrah bush, thus protecting innumerable sound piles and poles from excessive damage by fires following falling operations. 1,029 acres of tuart forest have been treated under the group selection system with the object of securing natural regeneration. 1,405 acres of karri forest have been treated for regeneration under the clear felling system, with the preservation of limited areas of pole growth. Topographical survey work has been carried out over 297,650 acres, involving 2,781 miles of compass traverse. The plans prepared as a result of this work provide a sound basis for the control of future operations on systematic lines, impossible in unmapped country. Fire control measures have been maintained in all centres where work is in progress, and no plantations or country treated for regeneration have been damaged by uncontrolled fires. Approximately 700,000 pines have been planted out on 737 acres. This is the largest area planted in any one year, and it is hoped next year to further increase the year's planting to 1,000 acres. The necessary nurseries have already been established and seed sown. Research work on problems of commercial importance has resulted in the application for two patents with the object of protecting results obtained for the general use of all persons interested in the timber industry within the State. One patent deals with an improved

system for the preservative treatment of timbers, and the second deals with the type of kiln which has been designed for the more effective and economic seasoning of jarrah flooring. 50,000 trees have been distributed at cost price to public bodies and land holders for planting in country districts. For the better protection and more effective working of various areas, 10 houses were erected, and two additional houses purchased. An area of 770 acres in the vicinity of Kalgoorlie was sown with sandalwood nuts, being part of a fenced area of 1,870 acres. 176 acres of mallet country in the vicinity of Cuballing were partly cleared and sown with mallet seed. Experimental sowings of golden wattle were carried out in the same locality, and steps taken for the protection from fire of existing areas of mallet regrowth.

When the Forests Act was before the House in 1924, I gave hon. members an assurance that the necessity for further dedication of State forests would not be overlooked by the Government. As will be realised, the process of dedication is slow. The respective views of the Conservator of Forests and of the Surveyor General have to be reconciled. On the one hand, precautions have to be taken lest valuable timber areas may be obliterated. On the other hand, the other extreme may be reached when land not likely to yield timber profitably, but excellent for agricultural purposes, may be held up from cultivation. It may be possible to hold up from cultivation such land owing to the action of the Forests Department. Divergent opinions will inevitably arise during investigations into the merits of this question, causing delay in coming to a wise conclusion. But the Government have made some progress—I think considerable progress—in this work. In 1925 the area dedicated reached 134,296 acres. However, last year a great advance was made and abundant proof was given of the earnestness of the Government in the matter, because the area dedicated was increased by 782,257, or a total of 916,553 acres. It is needless for me to go into details of the scheme of expenditure and the improvements that are proposed regarding the State forests for 1926-27. That scheme has already been placed before members of both Houses of Parliament. I may say, however, that the expenditure of £95,670 is contemplated as against £71,780 last year. It is intended, therefore, to increase the expenditure on reforestation this year by £23,890 in excess of the expenditure last year. Of course one could scatter money right and left on reforestation utterly regardless of results, but the Conservator of Forests ap-

pears to be pursuing the more effective policy of proceeding along well considered and systematic lines calculated to give every assurance of success. I move—

That the Bill be now read a second time.

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

BILL—KALGOORLIE AND BOULDER RACING CLUBS ACT AMENDMENT.

Second Reading

Debate resumed from the 8th September.

HON. E. H. HARRIS (North-East)

[7.45]: The object of this measure is to amend the Act of 1904 which was introduced as a private Bill. Two select committees were appointed to take evidence in connection with the Bill, the first by the Assembly. I have carefully perused the debates that took place at the time, and find that apparently members in this Chamber were not satisfied with the Bill as it was originally presented, and the House appointed a select committee to take further evidence. It was pointed out that the club paid no dividends to its members and that no person connected with the club would derive any advantage from it. The desire now is to invest in the club the right to raise money. That is sought by amending Section 26 of the Act of 1904. The decline of the gold mining industry is reflected in the club as well as in every other form of sport and amusement on the goldfields. When the Act was originally framed, power was given to the club to borrow money to the extent of £10,000, secured by the land and buildings on the club's property. The money was to be used for the purpose of effecting permanent improvements, for the erection, maintenance and repairs to buildings, and for the provision of change that might be needed in connection with the conduct of the totalisator. Considerable discussion arose on the subject of the suggested borrowing powers, and it was set out that the club were not to get the fee simple of the land, that it was to be a public park, and that the public were to have access to it. The Bill is so framed as to get around or over Section 86, the proviso of which reads—

Provided that except for providing money charge for conducting the operation and working of the club's totalisator, no money shall be borrowed under this section without the concurrence of three-fourths of the mem-

bers for the time being of the club present and voting at a properly constituted meeting of the members of such club and in no case without the consent in writing of the Governor for the time being of the said State acting with the advice of the Executive Council.

There it was clearly set out that money could not be borrowed except with the concurrence of three-fourths of the members of the club. I admit that at the present time the club may find it difficult to get that number, but that was the safeguard it was thought wise to embody in the Act. By amending the Act, that section will still stand, but the club will be able to borrow for the purpose of providing stakes or prize money, or for other purposes incidental thereto. I submit that the proper procedure for the club to adopt would have been to hold a meeting at which three-fourths of the members present would record a vote to authorise the club to secure an alteration to the Act. The Bill was introduced by the Premier as a private measure, and when asked whether it would put the Kalgoorlie Race Club on the same footing as the Boulder Club, I was surprised to find that his reply was, "I cannot say." The Act as originally passed covered both the Kalgoorlie and Boulder Racing Clubs, and naturally any amendment affects not only one club but the other also. My information is that there has not been a meeting had to authorise the amendment being made. The Kalgoorlie Club will be affected, and as a matter of common courtesy that club should have been consulted. If the Commonwealth Government were introducing a Bill to amend the borrowing powers of Western Australia and the other States, and the Commonwealth consulted some of the other States and did not consult Western Australia, the Premier would be the first to raise a storm and to inquire why we were not consulted. The same thing would apply if we were dealing with two industrial unions. As the Act covers two organisations, and does not apply to other race clubs in Western Australia, the Kalgoorlie Club should have been consulted before the measure was brought forward.

Hon. E. H. Gray: Is the Kalgoorlie Club against the proposal?

Hon. E. H. HARRIS: I will tell the hon. member presently. Whilst I am anxious to assist the clubs, I wish to make it clear to members what the position really is. The Boulder Club cannot borrow money to pro-

vide stakes unless the amendment be passed, and whilst they have very fine buildings erected on their course, they are in the position that the members of the club have to advance the money in order to conduct a race meeting, as the club has not a credit balance at the bank, and they have no security to offer for any loan they may wish to raise. If the Bill be not passed, the club will not be able to borrow money and it will have to go into liquidation, and I presume its assets will be divided amongst the members. It is in order that they may raise money on the buildings, so as to provide stakes for future race meetings, that they wish the Bill to be passed. I communicated with the Kalgoorlie race club, and to-day received a reply which states that at the last meeting, which I understand has been held since the Bill was introduced, the committee decided that the proposed amendment was desirable, and that they raised no objection to its being passed.

Hon. E. H. Gray: Then it's quite all right.

Hon. E. H. HARRIS: It is my intention, therefore, to support the Bill, but I take this opportunity to point out that whilst the club were authorised originally to borrow on the security of the buildings, if the Bill be passed, they will be able to borrow for the purpose of providing prize money. Of course, if they get themselves into difficulties, that will be their own affair. I shall support the second reading of the Bill.

In Committee.

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

BILL—HERDSMAN'S LAKE DRAINAGE ACT REPEAL.

Second Reading.

Debate resumed from the 8th September.

THE CHIEF SECRETARY (Hon. J. M. Drew—Central—in reply) [7.57]: For the information of members I may say at the outset that Osborne Park, Njookenbooroo, and Jackadder are subject to the Land Drainage Act passed last year. No matter what the fate of the Bill we are now considering may be, the Act will still apply to those areas. If the Bill be passed, the settlers in the localities I have mentioned will

not be called upon to bear a share of the cost of the drainage of Herdsman's Lake, a cost which amounts to something like £105,000. The object of the drainage of Herdsman's Lake was to render it fit for cultivation, and the only return the Government seek for its outlay is from the sales of the land. I hope I make myself sufficiently clear. But it is not proposed to allow the settlers of Osborne Park, Njookenbooroo and Jackadder to escape their financial responsibility. The fact that these areas have materially benefited by the construction of the main drains in Herdsman's Lake is quite unchallengeable. Owing to the rise of the lake before the drainage operations were carried out, the Osborne Park, Njookenbooroo and Jackadder lands were more or less water-logged, and in some cases cultivation had ceased, as I think will be admitted by Mr. Burvill. It is claimed that these lands have been improved by the construction of the main drains. All that the Government intend to do is to provide machinery whereby the whole of the settlers within the area served by the drains shall pay a rate sufficient merely to maintain the drains.

Hon. A. Burvill: That is quite fair.

The CHIEF SECRETARY: We do not want the settlers to bear any part of the cost of construction, but we do not want them to bear their share of the cost of upkeep.

Hon. A. Burvill: Perfectly fair.

The CHIEF SECRETARY: According to the figures supplied to me, it is not going to be a staggering charge. Mr. Munt, the Under Secretary for Public Works, writing to me on the 9th September, states—

It is difficult to say precisely how much per annum maintenance will be, but it should not exceed, say, £300.

Mr. Burvill in the course of his speech made a very fair admission. Referring to the outside settlers, he said that now Herdsman's Lake was drained they had undoubtedly benefited. The hon. member fears, however, that the outside settlers may be compelled to contribute towards the cost of the main drains. I think I have said enough to relieve him of any anxiety on that score. Probably it will be necessary to put in subsidiary drains at Herdsman's Lake. In that case the settlers benefited would have to be taxed for the subsidiary drains. After examining the district I fail to see how the subsidiary drains would benefit the settlers of Osborne Park, Njookenbooroo, and Jackadder. If that proves to

be so, they will not be called on to pay any rates. Moreover, the Land Drainage Act contains provision for differential rates. Section 89 reads—

Rates need not be uniform throughout the district, but the board may, by resolution, with the consent of the Minister, grade the various lands in the district according to the respective benefits which it appears to the board that such lands will derive from existing works during the period for which the rate is imposed, or works to be executed during that period, and may, with the consent aforesaid, fix the rates for each grade at such figure, within the limits mentioned in Section 88, as shall appear just.

Then under Section 72 there is provision for absolute exemption from rating—

Land declared by the Minister exempt from rating for any year on the ground that it by its situation, configuration or other physical causes is excluded from deriving any direct or indirect benefit from any works existing or proposed to be constructed in the district. Further, the section provides for an appeal by any dissatisfied person who has been rated—

Any person who has been rated in respect of land which he considers ought to have been exempted under Subsection 1 may, on an appeal to the board or local court under the provisions hereinafter contained, raise as a ground of appeal that the land should have been exempted under Subsection 1 of this section, and the board or court may make such order thereon as shall be just.

It has been stated that some of the settlers north of Herdsman's Lake hold a written agreement giving them the right for all time to carry their drainage into Herdsman's Lake. The Public Works Department inform me that there is no endorsement to that effect on the title held by the Government. However, that point does not arise here. The Herdsman's Lake main drain is already connected with the main drain from those properties, and the water is now carried away from them even more effectively than was the case before. So that whether the settlers in question have an agreement or not, or whether it is a legal or an illegal agreement, does not enter into the question at all. To sum up: The position is that the Government seek to raise from all those who are benefited by the Herdsman's Lake drains sufficient money every year to cover the cost of maintenance, estimated by the Under Secretary for Public Works at not more than £300 a year. It may be necessary to construct subsidiary drains, but these, I am assured, will not be costly. Moreover, only those settlers who benefit from such

drains will be taxed for their construction, and even then only to the extent of the benefit conferred, and no more. Settlers who do not enjoy any advantage from them will be exempt. Lastly, there is always an appeal to the local court under the principal Act. I hope the second reading will be carried.

Question put and passed.

Bill read a second time.

In Committee.

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

BILL—VERMIN ACT AMENDMENT.

In Committee.

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

BILL—SOLDIER LAND SETTLEMENT.

Second Reading.

Order read for the resumption of the debate on the second reading from the 9th September.

Question put and passed.

Bill read a second time.

In Committee.

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

Clauses 1, 2—agreed to.

Schedule:

The CHIEF SECRETARY: I move an amendment—

That, in order to correct an error, the figures £4,635,202 6s. 1d. be inserted in lieu of the present total in column 6 of the financial statement at the end of the schedule.

In trying to balance the figures, I discovered a typographical error of £100,000.

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

Title—agreed to.

Bill reported with an amendment.

House adjourned at 8.15 p.m.

Legislative Assembly,

Tuesday, 14th September, 1926.

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

QUESTION—PETROL TAX.

Mr. THOMSON (without notice) asked the Minister for Works: Were the figures supplied by the Minister in reply to my question of the 8th inst. regarding the amount of petrol tax collected for the June quarter correct, seeing that the same amount was previously quoted as collected for the March quarter?

The MINISTER FOR WORKS replied: According to later advice received from the Taxation Department, the amount collected for the June quarter was £24,244 10s. 11d. The amount previously quoted, £23,058 17s. 4d., was actually collected during the June quarter, but represented tax due for the March quarter. The tax collected for the six months ended 30th June, 1926, totalled £47,303 8s. 3d.

BILL—TRAFFIC ACT AMENDMENT.

In Committee.

Resumed from the 9th September; Mr. Lutey in the Chair, the Minister for Works in charge of the Bill.

Clause 4—Amendment of Section 6:

The CHAIRMAN: The member for Swan (Mr. Sampson) has moved an amendment, "That after 'reward,' line 7, there be inserted 'unless special permission in writing is obtained from the local authority for some particular occasion.'"

The MINISTER FOR WORKS: I am prepared to accept an amendment which has been drawn up by the Crown Law Department and which reads, "Except with the permission in writing of the local authority on some special occasion to be stated."

Mr. SAMPSON: I am quite ready to accept the Minister's suggestion, which will