

Legislative Council,

Thursday, 10th December, 1936.

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

QUESTION—STATE GARDENS BOARD.

Appointment, Personnel, Finance.

Hon. W. J. MANN asked the Chief Secretary: 1, Was the State Gardens Board appointed under Section 3 of the Parks and Reserves Act, 1895? 2, If so, when, and who are the members? 3, Has an account of all moneys expended and received by the board, as provided in Section 12 of the Act, been furnished to the Treasurer? 4, If so, will the Minister lay on the Table such state-

ments for each of the last five financial years? 5, Does the Act empower the board to borrow money without a guarantee by the Government? 6, What financial arrangements by way of bank overdraft exist between the board and any bank? 7, Have the Government guaranteed such bank overdraft? If so, to what amount? 8, What is the estimated cost of Yanchep Inn for—(a) erection of building and conveniences; (b) furnishings and plant? 9, How were the building and furnishing of Yanchep Inn financed? 10, What amount has been expended for all purposes at Yanchep by the board up to the 30th November, 1936? 11, What other Government departments have been utilised for effecting improvements at Yanchep, and, if any, to what financial extent respectively? 12, In view of the success attending the board in the development of National Park and Yanchep, will the Government arrange for the board to undertake the further redevelopment, from a tourist viewpoint, of tourist activities in other parts of the State, particularly Yallingup, Margaret River Caves, and the South-West and Great Southern scenic districts? 13, What was the cost of printing and photography supplied by the Government Printing Office to the board—(a) for the year ended the 30th June, 1936; (b) for the period between the 1st July and the 30th November, 1936? 14, Has the cost of such services been paid to the Government Printing Office; if not, why not? 15, Has the cost of any printing and photography executed by the Government Printing Office for the board been debited on the books of the Government Printing Office to the Premier's Department; if so, for what reason?

The CHIEF SECRETARY replied: 1, Yes. 2, On December 15, 1920. Mr. L. E. Shapecott, Chairman, and Mr. C. G. Morris, member. 3, Yes. 4, Yes. 5, The State Gardens Board is primarily financed from its own earnings. Banks have had sufficient confidence to lend money to the State Gardens Board without any Government guarantee or special authority under the Parks and Reserves Act, 1895. Times of special stress also have been temporarily alleviated by personal assistance from the chairman of the Board, without interest or security. 6, A gentleman's agreement to overdraw to the extent of £500. 7, No. Banks have never sought, and would not accept a Government guarantee in a case of

this nature. In any case the banks are not unduly alarmed, as the debit against the overdraft is nil. 8, £12,000; (a) £10,000; (b) £2,000. 9, From the Board's revenue and by loan. 10, £25,740. 11, This is impossible to itemise, as the Government, permanent heads and professional officers, though they cannot provide financial assistance, are anxious to advance and popularise all tourist resorts. All moral support possible has been given and much private time devoted by Government experts towards furthering Yanchep's progress. 12, This is a matter of policy which has not yet arisen. 13, It would be difficult to supply the data as requested. Printing and photography are performed without discrimination for all State tourist resorts. In pursuance of this policy the Government Photographer has just completed a four weeks' publicity tour of the Margaret and Yallingup caves and areas. In addition to the services rendered by the Government Printing Office, much tourist publicity is supplied by the Board's publicity officer who is paid, not by the Government, but by the Board.

QUESTION—GRASSHOPPER MENACE.

Hon. H. V. PIESSE (for Hon. G. B. Wood) asked the Chief Secretary: In view of the general uncertainty and uneasiness among farmers of the eastern and north-eastern wheat areas regarding the increasing grasshopper menace, will the Government make an early announcement of their future policy to deal with the pest, particularly on abandoned Agricultural Bank holdings?

The CHIEF SECRETARY replied: Very earnest consideration is being given to this matter, but the Government are not yet in a position to make an announcement.

MOTION—MINES REGULATION ACT.

To Disallow Amendments to Regulation.

HON. C. H. WITTENOOM (South-East) [4.36]: I move—

That the amendments to paragraphs (c) and (e) of Regulation No. 4, made under the Mines Regulation Act, 1906, as published in the "Government Gazette" on the 4th December, 1936, and laid on the Table of the House on the 5th December, 1936, be and are hereby disallowed. I regret that the proposed amendments have been tabled in this House and in another place. Some years ago I had experience of the ventilation of mines, and to-day I made

it my business to gain up-to-date information of the practice, and I have been unable to satisfy myself that the miners are exposed to the harm suggested by the amendments. Apart from that, there is no question that if the amendments are allowed, much harm will be done to the mining industry of Western Australia, harm that will probably prove irreparable. I need hardly remind members that a huge primary industry is being revived and built up, that vast numbers of men are being employed, and that rich towns, not very large at present, are springing up. This is partly due to the fact that during the last few years the price of gold has increased. A few years ago the value of gold was in the vicinity of £4 2s. to £4 4s. an ounce. The improvement in the industry is chiefly due to the result of greater experience and increased knowledge enabling our mining experts and engineers to treat ore of very low grade. Let me refer to an old mine that has lately been taken over by a new company, the Big Bell mine. That mine is dealing with ore as low in grade as 3½ dwts. and is probably one of the lowest-grade mines in the world that is being operated as a deep mine. Only a few years have elapsed since ore of a value of eight to ten dwts. was practically ignored. Little attention was given to ore of that value unless it could be mined very cheaply and was a good free-milling ore. I do not wish to delve deeply into the subject matter of the amendments. Briefly, as some of the mines reach depth, some of the levels become damp—as a rule they do not become wet in this country—and the humidity increases, and it is alleged that if the difference between the reading of the wet bulb thermometer, which records the humidity, and the reading of the dry bulb thermometer, which records the ordinary temperature, does not exceed 3 degrees Fahrenheit, that portion of the mine is an unfit place for miners to work in, that is, when the wet bulb shows 76 degrees Fahrenheit or more.

Hon. A. Thomson: Would not ventilation improve that condition?

Hon. C. H. WITTENOOM: Yes. Mines are being improved constantly. The method adopted in Western Australia and in other parts of the world is to effect improvement by ventilation, but to alter the system in some of the mines, even in those most suitable to undergo alteration in respect to some small portion, would occupy something like six months. Altered methods of mining, im-

proved ventilation, and other artificial means could cause the difference between the two bulb readings to exceed 3 degrees Fahrenheit, but would certainly increase costs to such an extent as to be out of the question, because nearly all the mines are working on a low margin of profit. Usually, the trouble occurs in the deep levels. The major portion of a mine would not be affected, and it would be quite possible to work the unaffected parts of the mine. That, however, would be entirely uneconomic mining, and would increase costs. One does not need to possess much knowledge of the mining industry to know that there are very few mines in Western Australia that are paying good dividends, or, indeed, any dividends at all. They are able to show a small margin only by paying the very closest attention to costs. That is necessary in all mines where the grade of ore is low. For each mine an estimate is made of the probable output and the estimated output must be maintained. A mine has to continue to work to the full limit of its capacity, and if that falls, only one thing can occur—up go the costs, and that is the last burden any mine in Western Australia can bear. When a mine is working efficiently and well, efforts are always made to keep the ore at a certain average value. If a portion of the workings is closed down, and drying cannot be done there, the ore cannot be mixed in the same way and the values are not as consistent. In many cases large sums of money have been spent in opening up blocks of ore, in stoping, driving and so forth, and if some of these places have to be closed down, efficient running will be out of the question. Mines that are now employing large numbers of men will probably have to close down if this amendment is enforced. I could give the names of many mines upon which the amendment would have this effect, with resultant unemployment to large numbers of people. I will, however, refer to only one case, namely that of the Lake View and Star. That is one of our leading mines and employs a large number of men. If this amendment is insisted upon, the mine will have to close down. In nearly all the deep levels of this mine, with the exception of two, the variation of the two bulb readings is only two degrees Fahrenheit. This means that practically the most important part of the mine would have to be closed. When the Mines Regulation Act

Amendment Bill was under discussion the other evening, the Chief Secretary inferred that the only point to which I gave consideration was the economic aspect and the cost of working the mines. That is not the case. No one regrets more than I do that miners should suffer from disease contracted in the course of their employment. Very few men in authority would not be prepared to do what they can to minimise those risks for the employees. Knowledge and science are doing everything possible to improve the ventilation. Only yesterday I was talking to one of the most important mine managers in the State. He informed me that in levels or stopes where the temperature is 80 degrees Fahrenheit it is now more comfortable for the men than years ago when the temperature was 75 degrees Fahrenheit. That is due to the improved systems of ventilation and the improved knowledge of mining generally. Ventilation is the main thing in connection with the problems we have to deal with. From all the information I can obtain, I gather that the health of miners is not going to be improved if this amendment is allowed to stand. On the other hand it will mean the dismissal of many men all over the goldfields, with increased mining costs, and constitute a general setback to the industry. I have tried to find out what is the practice in other parts of Australia, and whether such a regulation as this is in vogue elsewhere in the Commonwealth. The only instance I can find is at Broken Hill. There are some reasons for such a regulation there. One reason is that the men are handling lead ore, and at a not very high temperature that ore gives off fumes. It is a very wealthy mine and a big producer. It gives the miners practically everything they ask for. Western Australian mines could not do that. On the other hand, the Broken Hill mine can well afford to do that.

The Chief Secretary: Did you try the Mines Department?

Hon. C. H. WITTENOOM: No.

Hon. J. J. Holmes: Did you hear of any gold mine in the Eastern States that is working under this regulation?

Hon. C. H. WITTENOOM: I cannot find a single instance, although I have approached many people who ought to know if that is so. I am going to make a brief reference to South Africa. The majority

of the employees on the mines in that country are natives. There are, however, numbers of white men who carry out very hard manual work. One imagines that in South Africa a white man does no manual work. There is, however, certain work he must do and which native labour is not allowed to touch. I refer to firing and dangerous work of that kind. I have made particular inquiries into this matter.

Hon. J. Cornell: The white man fires out after the boring has been done.

Hon. C. H. WITTENOOM: That is so. Whilst our deepest mines go down to about 3,500 feet, in South Africa they go down to about 8,000 feet. I inquired whether in South Africa the mine managers have the same humidity troubles that we experience. I learned that they do, and that they get readings from the two thermometers ranging between one and two degrees of each other. There is no regulation there to interfere. The managers and engineers are endeavouring to solve the problem for themselves. They know that the better mining conditions they have the better work will they get out of the employees. That is the case in Western Australia. The average mine manager is a reasonable person. He does not want to see the miner's health impaired or endangered. From the humanitarian point of view he does what he can to make employment in the mine as comfortable and healthy as the conditions will permit. Proof of this lies in the fact that very few miners who are used to underground work would, if they had the chance, transfer to work on the surface. I have ascertained that on some of the mines, especially the newer big mines, there is a waiting list, and crowds of men who are working on the surface are waiting to get down below. The conditions underground in this State cannot, therefore, be so bad. Apart from the humanitarian aspect of the situation, there is the economic aspect. In the big mines insurance is a tremendous factor, and costs huge sums of money each year. Naturally the management wish to do what they can to reduce that expenditure. The only way to do so is to make the mine as safe as possible by reducing risks of accident and the causes of ill health amongst the employees. Ventilation has improved beyond all knowledge compared with a few years ago. That problem is being overcome very rapidly. Strong currents of air are forced along the levels

and through the workings. I am informed that in the working places a wet bulb showing 80 degrees Fahrenheit indicates a temperature that is not enervating, provided there is plenty of air. Ventilation is the crux of the situation. Mining engineers are making every endeavour to induce into all the working places as much cool dry air as is possible. From all the information I have been able to gather it seems that this amendment is absolutely unnecessary. It will lead to the closing down of many mines and will do a great deal of damage amongst the investing public in London. If the mining industry cannot attract capital, it cannot be kept going. The name of Western Australia is not good in London just now, and people are inclined to send their capital elsewhere. If the Lake View and Star and other big mines were forced to close down it would be an appalling thing for this State.

Hon. J. Cornell: The Lake View and Star is not a poor mine.

Hon. C. H. WITTENOOM: I am aware of that. It employs a large number of men, but if it did close down, it would be a disaster to this State.

Hon. J. Cornell: It ought not to close down because of the wet and dry bulbs.

Hon. J. J. Holmes: This regulation cannot be made to apply to only one mine.

Hon. C. H. WITTENOOM: I gather that it will close down because of the wet and dry bulb regulations.

Hon. J. Cornell: Then it deserves to do so.

Hon. J. Nicholson: Would the enforcement of the regulations have the effect of throwing men out of employment?

Hon. C. H. WITTENOOM: Yes, as the result of mines being closed down.

Hon. J. Nicholson: You said the regulation would affect the lower levels.

Hon. C. H. WITTENOOM: If it becomes necessary to close down portions of the mines, costs will be increased and output decreased. On the present small margin of profit that is being made by most of the mines they could not possibly continue operations. That would mean that some of the mines would close down. Where the humidity was bad, it would inevitably lead to the closing of some of the deep levels, and to the employment of fewer men.

Hon. J. Nicholson: Then the regulation would affect employment.

Hon. C. H. WITTENOOM: Yes.

Hon. J. Cornell: They drive dead-end too far without connecting up with the level above. That is the trouble.

Hon. C. H. WITTENOOM: Mines are endeavouring to work on four dwt. ore. They can only do that by exercising every economy, consonant with giving consideration to the health of the miners.

The Chief Secretary: It does not seem as if too much consideration is given to that aspect.

Hon. C. H. WITTENOOM: It certainly does receive most careful consideration. This regulation is not going to lead to any improvement in the health of the miners, and I hope it will not be allowed to stand.

HON. J. CORNELL (South) [5.1]: I do not know whether the Minister intends to reply; but before the motion is put, I desire to say, on this all-important question of ventilation in our mines, that there is one stand we must take. If the experts, the men who are paid to know—not the mine managers and not the mine workers—say that in the interests of the men employed in the mines the proposed action should be taken, it is our duty to back them up, irrespective of consequences, irrespective of whether mines close or not. For the sake of argument, if a person is at death's door and a medical adviser is called in, one does not run counter to his advice. Presumably the Government have acted on the advice of their technical experts only. Otherwise the amendments to the regulation deserve to go out. If the amendments have not been promulgated by the technical advisers of the Mines Department in the interests of the mine workers, I am willing to vote for the motion. If the Government, on ex-parte information, have introduced the amendments, then we should not commit ourselves in that direction. I believe I have made my position absolutely clear. Mr. Wittenoom has mentioned South Africa. Some two years ago it was my privilege to go to Kalgoorlie to meet one of the most prominent mining men of Johannesburg. I happened to introduce him to one of our mining inspectors, and he asked, "Are you a Government inspector?" The reply was, "Yes." Thereupon the South African mining man said, "I am pleased to meet you here"—it was in a hotel, by the way—"but you are the last man we desire to see on a Johannesburg mine, because so far as the administration and en-

forcement of regulations for the prevention of accidents are concerned, Government inspectors are hard, and what they say has to go with us." That is as it should be here. Mr. Wittenoom has said that the South African mines do not provide wet and dry bulbs. I admit that, but the South African mining regulations provide something ours do not provide—that a definite number of cubic feet of air per man per minute shall pass through every working place. The number used to be 40; I understand it is 120 to-day. Our regulations provide that the air passing through working places shall be sufficient to deflect the flame of a candle. Thus there is a mighty difference between the South African regulation and ours as regards the volume of moving air.

Hon. H. Seddon: In our case it is 30 feet.

Hon. J. CORNELL: The position is entirely different. Wet and dry bulbs, I understand, do not count for much provided moving air is passing through every working place in sufficient quantity to break down the vitiated atmosphere. The objection on the Golden Mile is mainly to dead-ends. Even where the six-hour shift has to be worked on account of the vitiated atmosphere in dead-ends and the connection is not made through to the level above, there is only one way in and only one way out, and a blower or some other contrivance has to be installed to introduce air. We have to face up to the situation, as the South Africans have had to do and are doing. They faced up to it long ago, not because of the price of gold, which was the standard price, but because they discovered that it was profitable to do so. They discovered that the lay-out which was applicable and suitable to work a mine to 1,500 or 2,000 feet was utterly inadequate for the working of a mine at 3,000, 4,000 or 5,000 feet, simply because of lack of ventilation. One South African mine spent £80,000 to sink a ventilation shaft alone, so that the atmosphere might be rendered as congenial as possible to the men working and winning gold. And that is the position we must face here in Western Australia. With the price of gold doubled, our older mines are being resuscitated and rejuvenated. Whereas our mines 20 or 30 years ago worked only at 1,500 to 2,000 feet, they are now going down to 3,000 and 4,000 feet. The lay-out to-day is inadequate to meet those conditions. As regards the Lake View and Star, its record of turnover and profits proves unmistakably that the company is in a financial position to face up to

the altered circumstances. With other mines that is not so. I shall reserve judgment until such time as I am given to understand by the Minister that the amendments to the regulations have been recommended by the proper people—the Government mining engineers—in the interests of the working conditions of our mines. If that is so, I shall vote against the motion for disallowance.

THE CHIEF SECRETARY (Hon. W. H. Kitson—West) [5.11]: The subject of the motion is one of which I have very little personal knowledge; and I was hopeful that members representing goldmining constituencies would at least have added to the information already conveyed to the House by Mr. Wittenoom in his effort to justify the disallowance, and by Mr. Cornell, whose remarks in my opinion have been distinctly helpful. To endeavour to reply to Mr. Cornell first, I cannot tell the House who actually recommended the amendments to the regulation in the first instance, but I can tell the House that they are purely departmental amendments, which have been drawn up by the departmental experts. That is as far as I can go at the moment. Now I wish to deal with Mr. Wittenoom's remarks. The hon. member objects to a statement I made recently on a Bill, that apparently the only thing that counted in some of our mines was the question of economical working. I claim now what I claimed then. If we are to take any notice at all of the hon. member's remarks, the economical working of the mines is the only thing that counts in the minds of the people who have been advising him in this matter. I do not want to be unfair. I do not know whether the hon. member has had any recent experience of mining or not; but he tells us that in order to fortify himself, he has sought information to-day and yesterday. The hon. member has obtained a fair amount of information.

Hon. J. J. Holmes: Do you know that the hon. member is a mining engineer?

The CHIEF SECRETARY: I was not aware of that.

Hon. J. Cornell: He was one. I do not know whether he is one now.

The CHIEF SECRETARY: The fact stated does not alter the effect of my remarks at all.

Hon. J. J. Holmes: Except that the hon. member understands the subject.

The CHIEF SECRETARY: From the hon. member's remarks I should say he does understand the subject, especially from one aspect. For that reason I am surprised that he should be the one to move a motion of this kind. Undoubtedly he has every right to do so; but there are other members of the Chamber who, I would have anticipated, would move a motion dealing with amendments to regulations for the mining industry. If those amendments are considered to be inadvisable from the aspect of the industry as a whole—and by those words "the industry as a whole" I do not mean the mining companies, but the men who are employed in the mines as well as the mining companies—they should be disallowed. Now I will take the information submitted by Mr. Wittenoom this afternoon. In reply to a question from me, he said he had not been to the Mines Department in connection with this matter. If the hon. member is a mining engineer and has had experience of goldmining in this State or elsewhere, it seems to me that one of the first places he would have gone to would be the Mines Department, in order to obtain the department's point of view and the reasons for the amendments made in the regulation. The hon. member has been content to keep away from that department, and to go, apparently, to people who are interested in goldmining from one aspect only—that of making a low-grade proposition pay. The hon. member will, I think, agree that these remarks of mine are not unfair. He has said that he has regard for the health of the mine workers, and that the mine managers also have regard for the health of the men; but the hon. member knows just as well as I do that in many cases, while the men in charge of mining propositions are possibly of the most humanitarian turn of mind, they are not their own masters, but have to do as they are instructed to do if they desire to retain the positions they hold. And that applies in more than one case on the Golden Mile to-day. If necessary, I can prove that statement right up to the hilt.

Hon. J. J. Holmes: Would not a Government employee on a mine be similarly circumstanced?

The CHIEF SECRETARY: Of course, but he would be obliged to have some regard for the health of men working on the lower levels. I take it from the hon. member's remarks no regard should be paid to that.

On that score, we are to understand from the hon. member that we must have regard to the necessity for economical working at the very deep levels in order, as Mr. Wittenoom put it, that the mines might work to full capacity on the low-grade ore, and thus provide dividends for the shareholders. That is a laudable objective.

Hon. C. H. Wittenoom: And provide work for the miners.

The CHIEF SECRETARY: That is another phase. Unfortunately, many of these men have no option but to work in the gold mines. They have known no other occupation throughout their lives.

Member: And a rotten occupation too.

The CHIEF SECRETARY: I do not know if the expression is Parliamentary, but the occupation is certainly not an attractive one when the individual is called upon to work 3,000 feet below the surface. In many instances these men are to-day showing definite signs of the result of their years of labour in the mines. Unless they are prepared to go to the particular level required in accordance with instructions from the mine management, the men know that they have no chance of securing full employment. So it is that many men have to be content to work under conditions that are most distasteful in many instances, and which, from my own experience, I know to be such that very few men could tolerate them for any length of time. So much is that so that men have been regarded as having done a full day's work after a period of six hours. That was on account of the difference between the wet and dry bulb temperatures. I am not an expert in these matters and I do not know too much about what the difference between wet and dry bulbs means. From the little experience I have had, however, I do know that where there is such a difference in the temperature, the atmosphere, so say the least of it, can be very discomforting.

Hon. J. Cornell: It is.

The CHIEF SECRETARY: That is not my experience as a working miner. What it would be like to work in such an atmosphere, I can only guess. Personally I was glad enough to get out of the level. Another point mentioned by Mr. Wittenoom that, I think, is worthy of note with regard to this question, had reference to insurances. Mr. Wittenoom's statement was to the effect that insurance was another

matter that should be taken into consideration, because it was a tremendous burden on the big mines, in consequence of which it was necessary for the companies to take every precaution to see that their accident rate was low, and so forth. All that may be quite so. The mines may have to take every precaution against accident, but apparently there is no necessity, from the hon. member's point of view, to take all the necessary precautions regarding temperatures in the levels where the men have to work.

Hon. C. H. Wittenoom: On the contrary, I repeatedly said that the problem mining engineers had to deal with was the ventilation of the mines in order to get temperatures down.

The CHIEF SECRETARY: I was coming to that point. The hon. member went on to say that one of the great problems to-day was that relating to temperatures, particularly in the bottom levels. He remarked that much scientific research was taking place with a view to improving the position in those parts of the mines most likely to be affected by the regulation under discussion. I am given to understand, rightly or wrongly, by the so-called experts, that there is certainly difficulty in the way of achieving the desired result in some places. But, as they put it, nothing is impossible in that direction—so long as the mining companies are prepared to do their job. Mr. Cornell pointed out that the very mine Mr. Wittenoom referred to, namely, the Lake View and Star, was operated by one of the wealthiest companies in the State. To suggest to members that the regulation will mean the closing down of the Lake View and Star mine, is to place a very low estimate on their intelligence.

Hon. J. J. Holmes: If it is applied to the Lake View and Star, it will apply to other companies as well.

The CHIEF SECRETARY: Mr. Wittenoom also mentioned the Big Bell mine where they are working on ore of a value of 3¼ dwt. and expect to make it pay. He suggested that because of the fact that the company was working on ore of that description we should not provide a regulation such as that under discussion. I do not know very well the gentlemen who are responsible for the development of the Big Bell proposition, but, from what I know

of them and from my conversations with them, limited though they have been, I am satisfied that one of the first matters they will attend to will be that of ventilation. They realise that if they are to get the best out of the men and the maximum output they can cope with, the men must be satisfied that they are working under the best conditions possible.

Hon. J. J. Holmes: Do not the mining engineers realise that?

The CHIEF SECRETARY: They may, but I am afraid their hands are frequently tied. Does Mr. Holmes know that?

Hon. J. J. Holmes: No, I do not.

The CHIEF SECRETARY: Well, I do; and I can prove that statement very definitely.

Hon. J. Cornell: The trouble is that it will cost a lot of money properly to ventilate the bottom level.

The CHIEF SECRETARY: I understand that is the real difficulty. Without dealing at any greater length with Mr. Wittenoom's statements, I will refer to information that has been supplied to me by the department. The first amendment to Regulation 4 (General Rules) to which Mr. Wittenoom takes exception, is as follows:—

(a) Paragraph (c) of sub-rule (1) under the heading of "Ventilation of Mines" is amended by adding the following words at the end of the paragraph:—"Provided that, whenever the temperature reading of the wet bulb is 76 degrees Fahrenheit or over and the variation of the wet and dry bulb is not more than three degrees Fahrenheit, no work shall be carried on whilst a temperature is recorded within those limits except for the purpose of remedying the condition."

That is the first portion that Mr. Wittenoom seeks to disallow. I am advised that the amendment is necessary to acquire a maximum temperature of 76 degrees Fahrenheit, wet bulb when humid conditions prevail. A completely saturated atmosphere would result from a dry bulb reading of 76 degrees, and a wet bulb reading of 76 degrees Fahrenheit. I am also advised by the department that the regulation has been framed with a view to preventing men being worked in an atmosphere unhealthily saturated with moisture. I have also been supplied for the information of members, with details showing that when the dry bulb temperature is 77 degrees Fahrenheit, and the wet bulb recording is 76 degrees, the atmosphere discloses a 94 per cent. saturation. When the dry bulb shows 78 degrees and the wet bulb

76 degrees, the percentage saturation of the atmosphere is 89. When the dry bulb reading is 79 degrees, and the wet bulb reading 76 degrees, then the saturation is 85 per cent., and when the dry bulb shows 80 degrees and the wet bulb reading is 76 degrees, the saturation of the atmosphere reaches 80 per cent. Those of us who are observant with regard to the conditions obtaining in the city from time to time, will be able to understand what that means without having to go down a mine. We can realise what the conditions must be when the atmosphere is saturated even to the extent of 80 per cent.

Hon. J. Cornell: A good illustration would be a humid day here with the advent of the sea breeze. That is what is wanted in the mines.

The CHIEF SECRETARY: We come to the point as to whether it can be said to be impossible to achieve what is desired. The point was raised as to whether it was economically impossible to alter the conditions, so that the regulation would not apply. A third point was, if the second condition applies, or even the first condition, whether we should allow men to be compelled to work under such conditions. The Mines Department hold the negative view, and are of the opinion that under such conditions work should cease.

Hon. C. H. Wittenoom: The men are not compelled to work there.

The CHIEF SECRETARY: Listen to the hon. member!

Hon. C. H. Wittenoom: If you closed down the mines, the whole of the men would be compelled to get other work.

The CHIEF SECRETARY: I will not have the hon. member putting words into my mouth. I have not said I am going to close down the mines. The department have not said so, nor have the Government. Mr. Wittenoom said that if the regulations were to apply, the Lake View and Star would close down, and I say that his statement was an insult to the intelligence of every member of this Chamber. If the two conditions I mention prevail, namely, that in any one working place it is impossible to comply with the conditions laid down in the regulation, or, on the other hand, if it is possible, but not economical, to apply the regulation and men are compelled to work under such conditions, then we have every right to say that the regulation is perfectly

correct. I doubt if, in such circumstances, this House would be prepared to agree to the disallowance of the regulation. Dealing with the second part of the regulation, it is just as well for members to realise what it actually states. It reads—

(b) Paragraph (e) is amended by adding the following words after the words "record book" in the eighth line of that paragraph: "and when required by an inspector the manager shall record on a notice board or other conspicuous place at the mine the result of every test made under the provisions of this paragraph (e)."

Hon. J. Cornell: I understand there is no objection to that.

The PRESIDENT: Under Standing Order 114, the debate must be interrupted unless the Council otherwise order.

Hon. H. Seddon: I understood the Standing Orders were suspended.

The PRESIDENT: Not with respect to Standing Order 114.

[Resolved: That motions be continued.]

The CHIEF SECRETARY: If these regulations are disallowed, No. 4, paragraph (e) also will not operate. In view of the importance of these regulations, it is just as well that I should give the House the information supplied departmentally, in order that members should have a knowledge of the regulations we are dealing with. Under this regulation (No. 4, paragraph (e)) it is provided that the manager (when required by the inspector) shall, for the information of employees, post on the notice board the results of tests made in respect of ventilation in working faces. At present these results are entered in the mine record book, which is not always readily accessible. The new regulation will merely enable the men to know the exact ventilation conditions prevailing in the parts of the mine where they work. What hon. member could object to that particular regulation? If the regulations are disallowed, that one will go by the board too. Irrespective of whether we have a practical experience of gold mining in this State, I think that everyone understands that under modern mining practice, and on the biggest mines we have here—those that are paying the biggest dividends—they are getting down to between 3,000 and 4,000 feet below the surface. From a report which I read some months ago, I believe there is every possibility that when or before these particular levels have been worked out, we may go still further down. That being so, it is highly

desirable that we should have regard for conditions of this kind, even in the interests of the investors for whom Mr. Wittenoom has so much regard—those people overseas who, he says, will not invest in mining because of regulations of this kind, a statement which seems to me ridiculous. My experience over a long number of years—certainly not in the mining industry, but in the industrial world of this State—is that if one wants to make a success of a big undertaking and get the best return for the capital invested, one can only do it by getting the best out of those who are employed.

Hon. J. Nicholson: I think that is appreciated by the mines.

The CHIEF SECRETARY: Various methods are used to get the best out of employees, to keep them contented, and to prevent the stoppages of work about which hon. members had so much to say the other day. So long as mining companies and other employers are prepared to do that, they are not likely to strike much trouble, but if an employer is going to endeavour to compel men to work under the conditions I have described, most hon. members will understand it is not likely he will get the best out of his men. In view of the fact that Mr. Wittenoom has admitted that it is an engineering problem and can be overcome, and seeing that these regulations will not apply to mines as a whole, but only to those particular places where these temperatures prevail, and that that may be only a very minor part of the working face of the mine—

Hon. J. Cornell: Only the dead-end.

The CHIEF SECRETARY:—what the member describes as the dead end—I cannot see why Mr. Wittenoom is so keen to have these regulations disallowed. In view of the information supplied to me, and being fortified by a little personal experience, I trust that these regulations will not be disallowed, and therefore oppose the motion.

HON. H. SEDDON (North-East) [5.35]: I listened with keen interest to the remarks of the Chief Secretary. I was interested to know from just what particular source these regulations had emanated. One of the most remarkable features of his reply—which I take it was furnished by the technical officers of the department—is that while the importance was stressed of the temperature and the variation indicating the humidity, there was very little reference to the most important feature associated with providing

healthy working conditions, namely, the circulation of an adequate quantity of air.

The Chief Secretary: There was no necessity to deal with that under this motion.

Hon. H. SEDDON: There was every necessity, as I shall show. There are some extraordinary features associated with this regulation. It appeared in last Friday's "Government Gazette" and it was gazetted, apparently, without any communication with the people who, I think, should have known of the imposition of the regulation, that is to say, the people engaged in the industry. These companies were not aware of it until the "Government Gazette" was published. I know that for a fact. It seemed extraordinary that a regulation of this sort, which obviously the technical officers realised would seriously affect the operations of the mines, was not communicated to the persons who must necessarily be affected in their work by it. It is very peculiar that there was no attempt made to discuss the matter with them.

The Chief Secretary: On what authority do you make that statement?

Hon. H. SEDDON: The authority I have is that the amendments were not known to any of the mining companies until they were published in the "Government Gazette."

Hon. J. J. Holmes: They knew something was coming, but not what it was.

The Chief Secretary: I think the hon. member might have made that statement before, so that I could have had an opportunity of replying.

Hon. H. SEDDON: I took it that the Minister was making an official statement on behalf of the department. I gave him an opportunity, by a question I asked yesterday, to explain what steps had been taken in dealing with this regulation, and who had been consulted. The question I asked was—

In connection with the amendment of Regulation 4, paragraph (c), of the Mines Regulation Act, 1906, relating to the "Ventilation of Mines" contained on page 2001 of the "Government Gazette" issued on Friday, 4th December, 1936, reducing the wet bulb reading to 76 degrees Fahrenheit, with a 3-degree variation—

- (1) Have any steps been taken to inquire as to the effect of the enforcement of this regulation, having regard to the rock temperatures containing in the lower levels of the mines?

There was no reference in the reply of the Chief Secretary to the rock temperature in the lower levels, a very important factor indeed in increasing temperature of air circulated in mines.

The Chief Secretary: Had you spoken in this strain earlier, I would have given ample replies.

Hon. H. SEDDON: Perhaps the Honorary Minister will reply.

The Chief Secretary: He has no opportunity.

Hon. H. SEDDON: My question continued—

- (ii) If so, what inquiries were made, and what was the nature of the information received?

The Chief Secretary replied—

- (i) No, but the effect of the regulation is being carefully watched.

- (ii) Answered by No. (i).

It is quite evident that the regulation was imposed without any consultation having been made with the persons concerned, and it is to be tried out and the effect carefully watched. My information is that the results will be most serious. The regulation previously in force fixed the temperature for the wet bulb thermometer at 80 degrees Fahr. Prior to that regulation the wet bulb temperature was 76 degrees Fahr. It was raised to 80 as the result of expert advice tendered in this State by a man brought here especially to go into the whole question of ventilation in relation to the volume of air, temperature and humidity. A gentleman was selected to conduct a cross-examination as a representative of the union. As a result of the evidence, this regulation fixed the reading of the wet bulb thermometer at 80 degrees Fahr. The effect of the amendment will be definitely to stop work where the conditions laid down in the regulation prevail. I will read the regulation so that hon. members may appreciate it.

In any part of the underground workings of a mine which has not been closed off as disused the reading of the wet bulb thermometer shall not exceed 80 degrees Fahrenheit, provided that whenever the temperature reading of the wet bulb is 76 degrees Fahrenheit or over, and the variation of the wet and dry bulb is not more than three degrees Fahrenheit, no work shall be carried on whilst a temperature is recorded within those limits except for the purpose of remedying the conditions.

This regulation fixing the wet bulb temperature at 80 degrees was adopted in 1929 as a result of expert evidence. The Minister referred to the question of the reading of wet and dry bulbs. I would like to explain that to make it clear. The temperature is taken by an ordinary thermometer. It has been found that if a piece of muslin is wrapped around the bulb of the thermometer

and is kept wet, there is an immediate drop in the temperature, and that is directly proportionate to the evaporation caused by the air. Now, as the Minister has pointed out, when the difference between the wet and dry bulb is very narrow, the air has quite a large percentage of moisture in it. If a man is working in that atmosphere or in any other atmosphere, it is all right so long as the air has a cooling effect, for he is then being cooled down. The degree of cooling depends on the difference between the wet bulb and the dry bulb. If that man were working in a room where there was no circulation of air whatever, the only means by which the temperature of his body could be kept right would be perspiration. When we get these conditions for any time, the man necessarily has to cut down the output of energy, even against his will. It is a purely automatic physical result.

Hon. A. Thomson: Is such an atmosphere detrimental to the health of the worker?

Hon. H. SEDDON: Of course if you introduce circulation in the air you create a different set of conditions. The effect of that circulation is to improve the man's bodily condition by the cooling effect of the moving air.

Hon. J. Cornell: Like a sea breeze on a hot day.

Hon. H. SEDDON: Exactly. That factor has to be taken into account. The expert to whom I have referred said that it was not so much the temperature or even the humidity, as it was the quantity of air. This original regulation provides in Section D that there shall be a perceptible current of air sufficient to deflect the flame of a candle from the vertical, but the test shall not be made within 10 feet from the face of any drive or crosscut, or from the top of a rise or bottom of a shaft or winze, nor while rock drills are working so close to the testing point as to cause agitation of the air. So the question of the circulation of air has been dealt with by regulation. The whole policy of the mine managers has been and is to secure ample ventilation in the mines.

Hon. A. Thomson: But this regulation would not interfere with such a condition.

Hon. H. SEDDON: But it does. The Chief Secretary made a strong point of the fact that Mr. Wittenoom stressed the economic aspect and perhaps minimised the humanitarian aspect. As a matter of fact, the attitude of the companies towards venti-

lation is definitely humanitarian. They realise that it is essential to look after the health of the men, which depends largely on the ventilation in the mine.

Hon. J. Cornell: You really want to get the bad air out.

The Chief Secretary: Is that any reason why efforts should not be made to improve the working conditions?

Hon. H. SEDDON: The companies are doing that; they are spending thousands of pounds on ventilation. The regulations provide that when a man is working under bad conditions the company have to put in a sufficient supply of air. And they are doing that. To see that this work is done is a job, not only for the Government inspectors, but for the workmen's inspectors also. The companies are spending large sums of money and are working all the time on their ventilating plans. Let members compare the existing conditions in a mine with those of a few years ago and they will find that there is to-day a very great improvement.

Hon. J. Cornell: But they are relying too much on artificial ventilation.

Hon. G. W. Miles: If that is so, this regulation would not apply.

Hon. H. SEDDON: Mr. Cornell raises the question of natural conditions. Take the Gwalia Mine: The manager of that mine tried to comply with the recognised practice of making the shaft an intake shaft for the air. They got a big fan and carefully went through their workings, but in spite of their best efforts they could not divert the circulation of air.

Hon. J. Cornell: They had no uptake shaft, had they?

Hon. H. SEDDON: No, but they made special arrangements. The result was that they put in the biggest fan it was possible to obtain at that time and they have consequently provided a very fine ventilation, but they cannot reverse the air current. It has been implied that some of the mine managers are indifferent to the health of the men. But the mine managers are themselves practical miners. One can go to the managers on the Golden Mile and he will find that all have been through the mill.

Hon. E. M. Heenan interjected.

Hon. H. SEDDON: I am speaking of men like Thorn, Prior, Munro and others. All are in close association with the working men in the mine and are practical men.

The Chief Secretary: I am told that when working in those places a man is not managing the mine.

Hon. H. SEDDON: But that does not say that the manager is not making every effort to improve the conditions. The mining companies say that they cannot comply with the regulations laid down in regard to the three degrees variation, but that they try to get as close to it as they possibly can.

The Chief Secretary: They should be prepared to give it a trial.

Hon. H. SEDDON: They are doing that. I am surprised that the Minister does not know that from his technical officers. The Minister said that this regulation was drafted by the departmental experts. I should very much like to know whether it was drafted at the instigation of the Minister or whether it was drafted by those experts as a recommendation to the Minister. The departmental experts are aware of what is being done.

Hon. A. Thomson: Speak up please, we cannot hear you.

Hon. H. SEDDON: I will tell the House something about the Lake View and Star, one of the mines that have been mentioned. The Lake View installed a fan of 100,000 cubic feet per minute. Air is being drawn out of the mine by that fan. Then they have another fan with a capacity of 75,000 cubic feet. Yet despite those fans, and the control of the currents of air through the mine, the mine is not at present able to secure a variation within the limits laid down.

Hon. J. Cornell: Would another fan do it?

Hon. H. SEDDON: If the management thought so, I take it they would put in another. Here is some information I asked for and have received from the Lake View and Star. These are the readings in the lower levels of the mine:—

	Wet.	Dry.
1,800, new lode	79	81
1,800, No. 3 lode	76	79
1,900, stopes, after firing ..	77	78½
1,900, No. 3 lode	76	78
2,100, No. 3 lode	75	77
2,100, W. branch	70	72
2,200, No. 2 lode	70	72
2,400, No. 3 lode	76	78
2,500, No. 3 lode	78	80
2,500, No. 3 lode	79	81
2,500, No. 3 lode, Sec. 15 ..	79	81
2,700, No. 3 lode	79	81½
2,700, No. 3 lode	79	81
2,800, No. 3 lode	79	80
3,000	79	81
3,100, upcast winze	76	79
3,000, Ivanhoe shaft plat ..	78	79

On account of the high rock temperature and humidity, the variation in lower levels averages not more than 2 degrees despite the installation of a large ventilating fan.

So members will see that the various mines have tried to improve the conditions. Mr. Wittenoom spoke on the economic side. The economic side has this feature, that in view of the better working conditions that can be given to the men, the better the work the mine management will get from the men.

Hon. H. V. Piesse: Speak up; we cannot hear you at all.

Hon. H. SEDDON: So from the economic standpoint as well as any other standpoint, it is to the interest of the companies to do the best they can in this regard. And this is the objective to which they are working all the time. I have given the House the actual readings taken on the Lake View and Star where, despite the big fans, they cannot get any more than a two degree variation. In 1929, this matter was dealt with exhaustively in the Arbitration Court, and Professor Chapman, of the Sydney University, was called to give evidence. Professor Chapman has been engaged upon work of industrial hygiene in all parts of the world. He is a recognised authority on the subject, and has done much to improve the conditions in mines. His evidence showed that the governing factor was not so much the humidity as the supply of air in adequate quantities, the very point that Mr. Cornell stressed so emphatically.

Hon. J. Cornell: The conditions in South Africa are worse.

Hon. H. SEDDON: The conditions in South Africa are particularly severe. Whereas here the rock temperature is 86 degrees, in South Africa it is 92 degrees, and in certain parts of mines there, owing to the fact that water has to be used freely to allay the dust, the variation between the wet and dry bulbs is much less than three degrees. Professor Chapman in his evidence stated—

On the question as to whether the standard of 76 wet bulb is one that leads the way compared with other parts of the world, I say distinctly to the contrary. Any place in which attention is given to the accurate determination of working conditions would recognise that such a standard was inadequate and unsuitable. It does not determine what it attempts to do, for two reasons. It permits work in places where work should be forbidden. There are plenty of places where the temperature falls below 76 wet bulb where work should be forbidden (very often in coal mines), and further it prohibits work in

places not only in which persons can work easily, but in places where it is necessary to work pretty hard to keep warm.

The effect of the amendments to the regulation would be very serious. The whole policy of the mines has been and still is directed to securing an improvement in the working conditions. If the three degrees variation be insisted upon, quite a number of working places will have to be closed down in mines that are not able to comply with the amendments.

Hon. E. H. Angelo: The whole mine would not have to be closed down, but only certain working places?

Hon. H. SEDDON: Yes. Regarding the Lake View and Star Mine, the statement is definitely made that the amendments would have the effect of necessitating the closing down of all the working places below the 1,800-ft. level. Where a rock temperature of 86 prevails, the effect must be to heat up the atmosphere until a volume of air is driven into the workings to reduce the temperature. The whole objective of the management is to provide that adequate current of air, and that is why large fans have been installed on the Lake View and Star mine. I have quoted the thermometer readings on the Lake View and Star. Now I propose to read some letters expressing opinions on the amendments to the regulation. Mr. Prior, of Wiluna, says—

It will seriously interfere with our development work, especially at the 1,600ft. level.

Mr. Thorn says—

It will close down all our levels on the Lake View below the 1,800ft., and we shall be unable to open up work in the higher levels. It will reduce our tonnage, causing many men to lose their employment.

The Chief Secretary: There is nothing to prevent their closing those levels as a protest.

Hon. H. SEDDON: I am rather surprised to hear the Minister make that remark.

The Chief Secretary: I am telling you what I am thinking.

Hon. H. SEDDON: I do not think the Minister would have made the remark in other circumstances. The mining companies are doing their best, but the amendments will mean that where the conditions mentioned exist, there will be no option to ceasing work at certain levels. That is why the amendments are so serious. It will not be possible to find other working

places for the men displaced from the affected parts.

Hon. J. Cornell: The whole point is whether the wet bulb is a reliable guide to working conditions.

Hon. H. SEDDON: The remedy is to provide an adequate quantity of moving air, not to propose amendments to the regulation such as those now before us. Let me now read a telegram from Kalgoorlie—

In the event of the amendment to Subclause (c) of Regulation 4 general rules of Mines Regulation Act being enforced, the following mines would not be able to continue operations in the deeper levels:—Lake View and Star, Great Boulder, and operations would be considerably curtailed in the deeper levels of North Kalgoorlie, South Kalgoorlie, Gold Mines of Kalgoorlie, Boulder Perseverance. (Sgd.) Chamber of Mines.

Hon. J. Cornell: Those represent all of them.

Hon. H. SEDDON: I have a letter from Mr. Keep, consulting engineer to the Gold Exploration and Finance Co. of Australia, Ltd., and assisting consulting engineer to the Central Mining and Investment Corporation, Ltd. Let me mention for the information of members that the Central Mining and Investment Corporation, Ltd., is the biggest gold mining group in South Africa, or in the world. The letter reads—

In response to your inquiry, I have pleasure in informing you that the regulations governing the mining industry in the Union of South Africa do not in any place specify any particular temperatures or temperature differences between wet and dry bulb readings. In spite of this, the regulations framed in that country are recognised as being the most exacting in the world from the point of view of protecting the health of the employees.

Thus we have information in the shape of direct statements from two mine managers and from the Chamber of Mines, and such information should impress members. I have read the remarks of an expert in the person of Professor Chapman, who was called upon to give evidence and whose evidence resulted in the framing of the regulation. In the face of that information, I have no option but to support the motion. If the amendments were given effect to, they would lead to the closing down of working places in the lower levels, and I cannot agree that ill-considered amendments of the kind should be permitted, especially in view of the reply given by the Minister to my question, and in view of the information supplied by mining people. The regulation, as

amended, could have no other effect than the throwing out of work of a large number of men, and compelling the mines to close down certain working places.

On motion by the Honorary Minister, debate adjourned.

BILL—ROAD CLOSURE.

Second Reading.

THE HONORARY MINISTER (Hon. E. H. Gray—West) [6.12] in moving the second reading said: A Bill of this kind is brought down at the end of each session to confirm the closure of certain streets and rights-of-way in municipalities. The lithographs have been placed on the Table, and I hope that any member who so desires will check them with the Bill. Eight items are dealt with. The first relates to a surveyed road in the Carnarvon municipality, which is shown marked in blue on the lithograph. The road is considered unnecessary, and the council have agreed to its closure in order to allow the holder of the land through which it passes to consolidate his holding. On lithograph No. 2, certain surveyed roads are shown in red, which are within the boundaries of the City of Perth endowment area. There is now no necessity for those portions of roads, as other roads have been provided permitting ready access to the beach. Moreover, the unnecessary roads do not fit in with the scheme of subdivision and development adopted by the council. The Bill therefore provides that those roads shall be closed, and the land comprised therein granted to the City Council as part of the endowment. The third proposal is for the closure of Short street, Subiaco. No value is attached to the street as a public highway, but the council consider that its closure and inclusion in a re-subdivision of the adjoining lands (shown in tracing No. 3) will improve the neighbourhood and appreciate the value of properties in its immediate vicinity. Clause 4 merely provides for the closure of that street. Its disposal will then rest with the original owner of the subdivision. The Wagin Council wish to acquire a quarter-acre block (marked in green on lithograph No. 4) for drainage purposes. They have been offered those lands in exchange for a small portion of Union Street, comprising about one-fifth of that area. The portion referred to is a dead end, and, as the council do not in-

tend to extend the street in that direction on account of obstructing buildings, this portion is no longer required as a highway. The owners of other abutting lands are agreeable to the proposed closure. Clause 5 provides for the closure of that portion of the street, and the granting of the land in fee simple to the Wagin Council, freed from any trust, in order that it may complete the exchange.

Sitting suspended from 6.15 to 7.30 p.m.

THE HONORARY MINISTER: The fifth proposal in this measure is to close that portion of Venn Street, Collie, which cuts through the school site reserve. This part of Venn Street (shown in blue on lithograph No. 5) is not made, and is not required. The Collie Council has approved of its closure in order to consolidate the school reserve. On tracing No. 6 is shown a plan of certain lands acquired under the Public Works Act for a school site at Millen, Victoria Park. This site, however, is transversed by portion of Patricia Street, which it is now proposed to close for inclusion in the school reserve. Reference to the tracing will show that this portion of the street is no longer required, as other roads have been provided. The Municipality of Bunbury has acquired a large portion of Leschenault Location 26, south of Bunbury. The Council proposes to set apart a comparatively large area of this subdivision as "park lands," and to re-arrange the subdivision by making such alterations in the road system as the scheme requires. However, the original subdivision of this location provided roads and rights-of-way as shown in tracing No. 7. These are not public roads, and the land therein is included in the title held by the council. It is now proposed to close the roads which traverse the park lands, in order that the area may be consolidated. The final proposal embodied in this measure relates to another portion of the same land which the Council wishes to be set aside as a recreation reserve. At present, a public road, namely, portion of Acacia Street (shown in red on the tracing), traverses the area in question, and the land therein is vested in the Crown. In order that this land may be included in the adjoining recreation area, it is now proposed to close this portion of the road, and grant the land therein in fee simple to the Bunbury coun-

cil. The council has indemnified the Government against any claims or demands which might arise as a result of these closures, but, since the council has already made the necessary arrangements by providing alternative streets, as required, it is most unlikely that any such claims will be made. When the proposed alterations have been given parliamentary sanction, the council will be able to submit its plans for re-subdivision to the Titles Office for approval and registration. I move—

That the Bill be now read a second time.

HON. J. J. HOLMES (North) [7.35]: I raise no objection to this Bill, particularly as it appears that the local authorities have in each instance approved of the proposals. Provided the local authorities have been consulted and have agreed to these things being done, as a rule we have offered no objection to them in this Chamber. The only point that appeals to me is with reference to No. 8, the Bunbury proposal. It appears from the remarks of the Honorary Minister that someone's right to access to a road has been taken away, and that some other access will be given to that person. Whether that will meet the rights of the holder or holders of the property concerned is not for me to say. I suppose the matter has been considered by the local authority. Unless the owners have been consulted it would appear to be high-handed to take a man's street away from the front of the house and give him a street at the back. I hope that will not happen.

HON. W. J. MANN (South-West) [7.37]: The land referred to by Mr. Holmes has been waste land for many years. It is on the outskirts of the town. It has never been used. Originally a road passed through it, but more than a blacktracker would be required to find it. I do not know that there are any residents for some distance around this area, so that nobody is likely to be inconvenienced. The proposal of the local authority to establish park lands in the locality is a commendable one.

Question put and passed.

Bill read a second time.

In Committee.

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

Third Reading.

Bill read a third time, and *passed*.

BILL—RESERVES.

Second Reading.

THE CHIEF SECRETARY (Hon. W. H. Kitson—West) [7.40] in moving the second reading said: This is the usual Bill brought down each session for the purpose of dealing with adjustments and alterations to reserves and lands held under public trusts. Members may fully acquaint themselves with the proposals involved, by referring to the tracings and lithographs of the areas concerned, which I have caused to be laid on the Table of the House. The first proposal in this measure relates to Albany Lot 187. This lot is held in fee simple by the Municipality of Albany in trust for the purpose of a Mechanics' Institute site. The W.A. Fire Brigades Board has approached the council with a view to acquiring portion of the land for the erection of a new fire station. The council has agreed to the transfer at a nominal price—consisting only of the cost of survey and other incidentals. Clause 2 will enable the sale and transfer of the land to the Fire Brigades Board, freed and discharged from the trust I have mentioned. The second proposal refers to Fremantle lots 1089, 1090, and 1093, which have been purchased by the Fremantle Municipality for recreation purposes at Forrest and Holland streets. It is proposed by the council to surrender these lands to the Crown, in order that they may be declared a Class "A" Reserve and vested in the council for recreation purposes, together with five other adjoining vacant lots. I am informed that, under the Municipal Corporations Act, the council has power to sell, but no power to surrender without cost. Clause 3 will enable this course to be proceeded with. With regard to the third proposal, which relates to Lot 60, Mullewa agricultural area, I understand that this is a public hospital site held in fee simple by two trustees. A new hospital has been erected on this lot, and a hospital board has been duly constituted under the provisions of the Hospitals Act, 1927, for its control. It is desired to vest the land in the board, but, of course, in view of the existing trust, a surrender cannot be accepted without Parliamentary sanction. Clause 4 therefore provides that the land shall be revested in His Majesty, in

order that it may be set apart as a reserve for a hospital site, subject to the provisions of the Hospitals Act.

The racecourse reserve at Laverton, namely, reserve 7943 (Weld Location 2), is dealt with by Clause 5. This land is held in trust by three trustees for the Laverton and District Race Club. It appears, however, that interest in the turf has declined in that district. The Road Board has advised that the club has been defunct for several years, and that the trustees are either dead or untraceable. An aerodrome has been constructed by the Road Board on the area concerned, and this has been licensed by the Commonwealth. In accordance with the desire of the board, the Bill provides for the revesting of this land in the Crown in order that it may be reserved for an aerial landing ground and other purposes under the Land Act.

The fifth proposal relates to Torbay Junction Lot 10 (the Agricultural Hall site at Torbay Junction). This land is held under a 999 years' lease by three trustees, one of whom is dead and another has left the district. The third trustee wishes to be relieved of the trust (as he is now 80 years of age) provided the land is retained in perpetuity for the purpose, and vested in fresh trustees elected by the local residents. The Bill provides for the revestment of the land in the Crown in order that it may be again set aside and reserved for an Agricultural Hall site, and vested in, granted, or leased to new trustees approved by the Governor. The trustees, of course, would be recommended in accordance with the wishes of the local people. This course is preferable to a transfer of the existing lease, as it is now the practice not to grant the fee simple or 999 years' leases of reserves to any but a body incorporated under the Associations Incorporation Act, which provides for perpetual succession. If, at any time, an association is formed for the purpose of holding this hall, a lease or Crown grant could be issued under the Land Act. In the meantime, the trustees can hold it by vesting order issued under the Land Act, Section 33. Clause 7 embodies certain proposals in respect of Victoria Locations 220, 221, 222 and 223 at North Greenough. These lands are held by various denominations for their respective church purposes and have been used as burial grounds, and an adjoining area has been proclaimed a public cemetery. It is desired that the whole area shall be proclaimed a public cemetery and placed under the con-

trol of the Greenough Road Board under the provisions of the Cemeteries Act. The churches have agreed to surrender their lands. In the cases of the Church of England and Roman Catholic Churches, such surrender is subject to the condition that the areas at present held by them shall be set apart respectively for Church of England and Roman Catholic burials exclusively. This will be arranged with the cemetery board after the land has been revested in the Crown, and the board appointed. It is therefore provided that the lands in question shall be revested in the Crown to the intent that they shall be proclaimed a public cemetery under the Cemeteries Act, and placed under the control of trustees—in this case the road board—in accordance with the provisions of such Act. The seventh proposal embraces Southern Cross Lot 5, which was granted in fee simple to the mayor and councillors of the municipality of Southern Cross in trust for municipal purposes. The municipality has since been merged into the Yilgarn Road Board. The road board desires to transfer a portion of the lot to the W.A. Fire Brigades Board for a fire station site, but, in view of the trust, cannot do so. In order to carry out the proposal, Clause 8 reverts the whole of Lot 5 in His Majesty to the intent that it be regranted to the Yilgarn Road Board as an endowment, with the exception of the area required for a fire station. The latter will be granted to the W.A. Fire Brigades Board. Clause 9 refers to Reserves A 7804 and A 9299. The Commonwealth is desirous of acquiring by agreement with the State Government, portion of Class "A" Reserve 7804 at Swanbourne for defence purposes. As this is part of a Class "A" Reserve for park lands and recreation purposes, Parliamentary authority is required to enable the Government to dispose of this land to the Commonwealth. The Commonwealth also desires to acquire, for the same purpose, portion of the education endowment land adjoining, but as this is a Class "A" reserve also, Parliamentary authority is required to enable the Education Endowment Trustees to dispose of the land to the Commonwealth. I believe the actual position is that irrespective of whether we agree to this proposal or not, the Commonwealth has power under over-riding legislation, to take possession of the land,

as they have in another instance quite recently. Clause 9 therefore provides: (1) For the excision of the first mentioned area from Class "A" Reserve 7804 to enable it to be disposed of to the Commonwealth Government for defence purposes, and (2) for the excision of the other portion from Class "A" Reserve 9299 to enable the Education Endowment Trustees to sell it to the Commonwealth. Wonnerup Lots 43, 44, 45 and 46 are dealt with under Clause 10. These lots were granted in fee simple to the trustees of the Church of England, Wesleyan (Methodist), Congregational and Roman Catholic Churches, respectively, for cemetery purposes, but I am informed that the lands have never been used for burials and are not required for that purpose. The respective churches have, therefore, agreed to surrender these lots to the Crown in order that they may be disposed of. Clause 10 reverts them in the Crown, and provides that they may be disposed of under the Land Act. Proposals in respect of Reserve A11515 at York are set forth in Clause 11. The York Municipal Council is desirous of opening a road through the recreation ground at York. As other roads in this vicinity have been closed, it is considered necessary to provide this road, which connects a road on the north to another running southward to the railway station. As the proposed road forms part of the Class "A" reserve I have mentioned, Parliamentary sanction is required to enable the land to be excluded from the reserve and proclaimed a public road under the Municipal Corporations Act. The eleventh proposal refers to Reserve "A" 4991 at Bunbury. The Bunbury Council desire to extend Carey street westward to provide access to the Ocean Beach and drive. As this forms part of a Class "A" reserve for park lands, Parliamentary sanction is necessary before the road can be excluded from the reserve and proclaimed a public road. The council also desires that, in order to provide a road frontage for Lot 247, which has no road access at present, a triangular part be excised from the reserve in order that it may be granted to the owner of Lot 247, who has agreed to the proposal, in exchange for a similar part of Lot 247, which will be added to the reserve. At present the owner of Lot 247 has no road frontage, therefore the Council cannot charge rates on the lot. These proposals are supported by the Town Planning Board. The twelfth proposal dealt

with by this Bill relates to Reserve "A" 16713 on Rottnest Island. The Commonwealth are desirous of acquiring three areas at Rottnest for defence purposes, and the State Government agreed to their acquisition, subject to the necessary enabling Act being passed to provide for the excision of these areas from the Rottnest reserve, which is a Class "A" reserve for public recreation. The matter was deemed of sufficient urgency for the Commonwealth to anticipate the approval of the State Parliament, as the notice of acquisition of these areas for defence purposes, under the Commonwealth Land Acquisition Act, has already been published in the Commonwealth "Government Gazette" of the 23rd July last. The State Government advised the Commonwealth that there was no objection to the acquisition of these areas subject to Parliamentary approval. Since the acquisition, however, the Rottnest Board of Control has pointed out that part of the land containing the western portion of Bickley Swamp is required to be retained, and I have been informed that the Military Department has no objection to this portion being handed back to the State. The area in question is required to give access to what is known as Bickley Swamp, which is a source of water supply that may be valuable in the future, and if the Rottnest Board of Control have not the right of access, difficulties may arise. As chairman of the Rottnest Board of Control, I have been informed by the Commonwealth that the area in question is not now required as the plans have been altered, and there will be no objection to the area being handed back to the State. The question has been taken up with the Commonwealth Government, and there is every reason to believe that it will be handed back. The penultimate clause relates to Geraldton Sub-lot 1. This lot is held in fee simple by the Geraldton municipality for municipal purposes. The municipal council desires to transfer that portion of such lot on which the fire station and quarters are erected, but, as the land is held in trust, there is no power to do so. The purpose of the clause is to enable the council to transfer the said land to the W.A. Fire Brigades Board, freed and discharged from the said trust, without monetary consideration, except the payment by the Fire Brigades Board of the necessary fees and costs. The last proposal refers to Reserve "A" 1669. The Nedlands

Infant Health Clinic is desirous of erecting a building for an infant health centre on part of the reserve known as "Melvista Park" at Nedlands. The road board supports the proposal, but, as this is a Class "A" reserve for recreation purposes, it will be necessary to change the purpose of the required site, which has been placed in a position recommended by the Town Planning Board, and agreed to by the road board, being subject to a town planning scheme under the Act. The Bill, therefore, provides for the exclusion of the site from the existing reserve to the intent that it be set apart and reserved as a site for an infant health clinic. The matter of vesting it in the road board can then be dealt with under the Land Act. I move—

That the Bill be now read a second time.

Question put and passed.

Bill read a second time.

In Committee.

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

Third Reading.

Bill read a third time and *passed*.

BILL—DISTRESS FOR RENT ABOLITION.

First Reading.

Received from the Assembly and, on motion by Hon. E. M. Heenan, read a first time.

Second Reading.

HON. E. M. HEENAN (North-East) [7.59] in moving the second reading said: Hon. members have this short Bill before them, and it will not take many minutes to peruse it to gain a good idea of what it contains. As the short title indicates, its intention is to abolish distress for rent. Speaking generally, the process of distress has a very ancient origin. As between landlord and tenant in particular, this remedy has been known to common law almost from time immemorial. No doubt it derived its origin from ancient feudal laws that naturally favoured the owners of the soil. There have been comparatively few amendments to the law as it existed in feudal times. I may point out that the first Act on our statute-book dates back to 1838.

Originally a Bill was passed in the reign of King William III. and Mary, and that law, with certain modifications, was adopted by us in the year that I have just mentioned. Since then there have been two minor amendments. In 1898 there was one small amendment which had the effect of protecting goods belonging to lodgers. Prior to that amendment, if a person happened to be lodging in a house and the owner of that house got into arrear with his rent, the lodger's goods and chattels could be distrained, although they did not belong to the tenant. The lodger was in the unfortunate position that his goods were not protected from distress, and so in 1898 the Act was amended to give relief in that respect. The next amendment was in 1904, when certain articles were protected from distress, namely—typewriters, sewing machines and mangles. Those are the only two amendments made since the Act was first introduced in 1888. Consequently, members will agree with me that the time is not too soon to review the law as it stands.

Hon. J. Nicholson: Is this a review or a total abolition?

Hon. E. M. HEENAN: Abolition.

Hon. J. Nicholson: That is more than a review.

Hon. E. M. HEENAN: I am making these opening remarks to enlighten members regarding the position as it exists. The Bill proposes to abolish altogether distress for rent, the argument in favour of the proposal being that distress is a very drastic and cruel remedy. I understand that in the poorer suburbs of Perth especially, the remedy is applied very frequently, and with very severe and harsh results. The position is that if a tenant occupies a house and gets into arrear with his rent, the landlord, without applying to any court, can appoint a bailiff with authority to enter premises and take possession of furniture and any belongings that he finds therein. There are certain articles protected from distress—bedding, tools of trade to the value of £5, and, as I mentioned before, sewing machines, typewriters and mangles. This was probably all right in feudal times, when conditions were vastly different from what they are to-day. In those days, as we know from history, the landed classes were possessors of very drastic powers and rights, and the community in

general were little more than serfs. This ancient remedy that was given to them has come down through the ages and, with certain modifications, exists to-day as it existed hundreds of years ago. The unfair part about it is that the wife who is usually the one who has saved up and acquired furniture and other belongings that go to make up a home is the one to suffer. Through some unforeseen circumstance the husband loses his employment, either because of lack of work or through illness. But that has no bearing on the matter at all. Of course in a lot of instances landlords are decent, humanitarian people, but there are always black sheep in any fold and so there are landlords who show no consideration, and enter homes and take possession of practically all the belongings of the occupants. Those belongings can be removed and after being held for five days, if the correct amount of rent owing is not paid, they can be sold. As we all know, forced sales are never a success. Furniture which probably has been bought over a long period, and at the expense of many sacrifices, is practically given away when it enters the auction room in circumstances such as I have described. Although I cannot quote any cases that have actually come under my notice, I am informed on reliable authority that bailiffs who do this work are sometimes in collusion with an unscrupulous auctioneer and the goods are disposed of for less than half their real value. Any person can act as a bailiff. The position does not require any special qualification. A bailiff's character has not to be investigated, and his capacity in other respects does not come into calculation at all. Another injustice to which I might draw attention is that very often, especially in these days, wireless sets and furniture are bought on the hire-purchase system. Those articles are not protected from distress. A person who buys a wireless set on time payment takes it to his home and, while continuing to make payments, perhaps gets into arrear with his rent, and so falls into trouble with the landlord.

Hon. H. Seddon: Have you ever heard of people buying anything while they are in arrear with their rent?

Hon. E. M. HEENAN: I realise that there are people who, in these days, buy things that probably they cannot afford; but I am just giving an example of what happens. The landlord comes in with a dis-

tress warrant, and although the wireless set is not the property of the tenant, it can be seized. It is not privileged from distress.

Hon. J. Nicholson: Under the Bills of Sale Act he can only get a certain amount.

Hon. E. M. HEENAN: What happens in practice is that the firm who sold the wireless set, if they wish to protect their property, must pay the rent. Business people generally favour the abolition of distress for rent. This is another argument that can be used in favour of the Bill. A family live in a house which is provided by the owner of the property, and of course it is right that the owner should be paid rent; but will anyone assert the he is fulfilling a bigger obligation than, say, the baker who supplies the bread, or the butcher who supplies the meat, or the grocer?

Hon. J. Cornell: If a man sleeps in the park he is prosecuted, but if he sleeps at home he is not prosecuted.

Hon. E. M. HEENAN: I fail to see that the interjection has any bearing on the subject. It is generally conceded that the law should not place the landlord in any more favourable position than it places the butcher, the baker or the grocer. The landlord can always protect himself by investigating the credentials of the person to whom he wants to rent a house. Grocers, landlords, butchers and others make mistakes and incur bad debts. The law should not place the landlord in a more favourable position than any other creditors, especially the creditors I have mentioned. If a person runs up a bill with a grocer, he cannot enter the debtor's home and seize the chattels.

Hon. H. S. W. Parker: But he need not give the debtor any "to-morrow."

Hon. L. Craig: The grocer need not give credit.

Hon. E. M. HEENAN: The landlord need not let a person into his house.

Hon. L. Craig: Once in, the landlord might not be able to get him out.

Hon. E. M. HEENAN: I would like members to deal with the Bill on its merits. I hope they will consider Clause 6, which reads:—

After the coming into operation of this Act a landlord or lessor may, upon two days' notice in writing to the tenant, determine any weekly or monthly tenancy, where any rent due under such tenancy has remained unpaid for a period of seven days and notwithstanding any period specified in section one hundred of the Local Courts Act, 1904, may at the end of such notice bring proceedings in ejectment under such afore-

said Act, the provisions of which shall, subject to this Act, apply thereto *mutatis mutandis*.

Hon. J. J. Holmes: What happens in the two days? The furniture disappears.

Hon. V. Hamersley: Or the tenant does a moonlight flit.

Hon. E. M. HEENAN: That is a popular phrase. In any walk of life, dishonest persons are to be found, and all the laws in the world cannot afford protection against them. A person will run up a bill with a grocer and be unscrupulous enough to clear off to some other part of the country and endeavour to evade his obligation. I admit that some tenants act similarly regarding their rent. Still, we do not frame our legislation to meet rare cases. I hope other members will speak on the Bill, because this is a matter that has agitated the minds of serious thinkers for a long time. I understand that the late Attorney General was a great advocate for the abolition of distress for rent. In the legal profession and in business circles the preponderance of opinion favours such abolition, because distress for rent is regarded as a relic of ancient barbarous days, and it is a barbarous remedy that in these enlightened days should not be exercised. In fact, there is no more barbarous remedy. The usual case that arises affects a man, his wife and perhaps a few children living in poor circumstances. I believe that the rent is the first obligation they pay. In these days, when unemployment is rife and sickness occurs, people often cannot pay, and I do not know of any more barbarous remedy than for the landlord to issue a distress warrant. Anyone may be appointed a bailiff, and is entitled to enter and take possession of the goods and chattels in the home. As members know, the wife is the one who usually strives and struggles to get the chattels, and they are taken away and often sacrificed at the ensuing sale. That is no exaggeration of the position. The Common Law as it stands is quite adequate to meet the landlord's needs. If a person gets into debt with the butcher or baker and does not pay, the tradesman has the common law remedy, which is to issue a summons, obtain a judgment and force the person to pay. He can issue execution or bring the person before a magistrate on a judgment summons, and the magistrate orders the defendant to pay according to his means. If the common law remedy is adequate to meet the requirements of the butcher or baker,

it should be adequate for the landlord. In 1930, a Bill to abolish distress for rent was passed by the New South Wales Parliament, and is still in operation in that State.

Hon. G. Fraser: Notwithstanding that Mr. Stevens was in office at the time.

Hon. H. S. W. Parker: But two days' notice and ejection?

Hon. A. Thomson: What would ejection cost?

Hon. E. M. HEENAN: Not very much. The out-of-pocket expenses would be about 3s., and I think I am safe in saying it would not cost more than 10s. to get to the court.

Hon. A. Thomson: That would be much easier than the present system.

Hon. E. M. HEENAN: Under the common law process of ejection, a person could get to the court for about 10s. or 12s.

Hon. J. Nicholson: You mean fees?

Hon. E. M. HEENAN: Yes.

Hon. J. Nicholson: What about the man who renders the service?

Hon. E. M. HEENAN: If a person owes a week or a fortnight's rent—although I regret to express this view—the landlord does not require the services of a solicitor. Usually the tenant does not attend the court, or, if he attends, he merely offers some excuse.

Hon. J. Nicholson: In fact, it will bring a good addition to the incomes of the lawyers.

Hon. E. M. HEENAN: To summarise the facts, the law of distress to-day is practically the same as it was hundreds of years ago. Our own legislation with certain modifications dates back to the reign of William III and Mary. Since 1888 only two minor amendments have been made that did not entail any radical alteration. This is a relic of feudal times, and is a barbarous remedy which should not be tolerated in these enlightened days. My second point is that Clause 6 has been included to speed up the Common Law in favour of the landlord. If a person is seven days in arrears with his rent—

Hon. J. Nicholson: He must be a weekly or monthly tenant.

Hon. E. M. HEENAN: That is so.

Hon. J. Nicholson: Suppose you let premises for a year on condition that the rent was paid weekly or monthly, what would you do? This would not apply.

Hon. E. M. HEENAN: No.

Hon. G. Fraser: How many cases of that kind would occur?

Hon. J. Nicholson: Such cases are quite possible.

Hon. J. J. Holmes: The Bill deals only with weekly or monthly tenancies.

Hon. E. M. HEENAN: The average house is rented on a weekly or monthly tenancy.

Hon. J. Nicholson: A number are rented by the year.

Hon. E. M. HEENAN: Usually it is a weekly tenancy.

Hon. H. S. W. Parker: This is not class legislation.

Hon. J. Cornell: Workmen usually pay their rent.

Hon. J. J. Holmes: This would not apply to flats, which might come under a 12 months' lease.

Hon. G. Fraser: There is no objection to making it 12 months.

Hon. E. M. HEENAN: Clause 6 has been inserted to give the landlord a speedy remedy. He could get to the court in seven days. The court, on making an order of ejectment, states that the tenant must leave the house by a certain time and that the tenant owes so much rent. Thus an order of ejectment is given, plus judgment for the rent owing and costs, provided, of course, that the landlord does not take proceedings without justification.

Hon. V. Hamersley: Are you sure the landlord gets the rent and costs?

The PRESIDENT: Order! I must remind members that we are not in Committee.

Hon. E. M. HEENAN: Why should the law place landlords in a better position than any other creditor? Any other creditor simply issues a summons, gets a judgment, and then has all the resources of the Common Law to enforce that judgment. He has execution, he has the garnishee process, he has the judgment summons process. That is an entirely rational argument, because the butcher or the baker or the milkman fulfils just as much of social service as the landlord does. The experience of New South Wales evidently has been satisfactory, because although this law has been in force there for six years and different Governments from that which passed the Act have since been in power, no attempt has been made to alter the law. I hope hon. members will give the Bill their sympathetic consideration. I am quite in accord with the proposition that tenants should pay their rent, and that the law should not make it easy for them to

defeat their just obligations. I would not have sponsored the Bill had I thought that it would have any other effect. I assure hon. members that the measure will not in any way defeat the landlord from obtaining his rents. The landlord still has all the process of the Common Law at his disposal, and the Bill will give him speedy relief in the way of getting an unsatisfactory tenant out. I can assure hon. members that this is not a party measure or class legislation. A big body of responsible opinion favours it. I therefore commend the measure to the House, and hope hon. members will give it the consideration it deserves. I move—

That the Bill be now read a second time.

On motion by Hon. H. S. W. Parker, debate adjourned until a later stage of the sitting.

BILL—GERALDTON HEALTH AUTHORITY LOAN.

Assembly's Message.

Message from the Assembly received and read, notifying that it had agreed to the amendment made by the Council.

BILL—FINANCIAL EMERGENCY TAX (No. 3).

Second Reading.

Debate resumed from the previous day.

HON. G. W. MILES (North) [8.36]: I say at once that I am opposed to the increase of exemption under the Bill from £3 12s. to £3 15s. The Government cannot afford to lose the taxation involved. We have heard the Chief Secretary argue that there are all sorts of contingencies to be met. There is the £300,000 shortage in the Commonwealth grant. There is a severe drought, and the Government have to find money to assist the man on the land. Nevertheless this Bill proposes to let go some revenue, merely because that is the Government's policy.

Hon. G. Fraser: To assist the man on the low wage.

Hon. G. W. MILES: At this stage the Government are not in a position to assist anyone. Everybody should contribute towards emergency taxation. Moreover, the man on wages has all the assistance he needs at present. The man on the land

is not earning a wage. Unless he is kept on the land, there will be no work for the man on the basic wage. Two years ago I said that the Government were not in a position to let up on the cuts applied to members of Parliament and civil servants. Now they cannot afford to pander to a section of the voters. Who, after all, are the Government but the taxpayers of Western Australia? It is proposed to take the load off thousands of workers on the basic wage and to place it on the shoulders of others. Not only that, but the Government have exempted people on £8 to £10 per week.

The Chief Secretary: We have not exempted them.

Hon. G. W. MILES: But the Government have reduced the burden on those persons, and they are not in a position to do that. Hundreds of trade union secretaries will come within the category. There must have been a deputation from Beaufort-street asking that trade union secretaries be relieved from some taxation.

Hon. G. Fraser: There are not a hundred of them in the State.

Hon. G. W. MILES: In any case, there are altogether too many. I favour the increase of the tax to 1s. in the pound. If we continue to borrow as we have borrowed in the past, we must be prepared for additional taxation; but that taxation should be equitable, and every person should pay something towards the cost of social services. The social services received by people on the basic wage should be paid for by them, in part at any rate. I refer to such services as hospitals, police, and so forth. I do not know whether hon. members intend to try to amend the Bill. We can suggest to another place that taxation be reduced, but we cannot alter the exemption from £3 15s. to £3 12s. because we should be placing a burden on a section of the community. I do not know that the Bill is quite in order. I always understood that a Bill imposing a tax should contain nothing else. This Bill, however, amends the Taxation Assessment Act. Clause 2 reads—

For the purpose of the Financial Emergency Tax Assessment Act, 1932, and its amendments (hereinafter called the Assessment Act), financial emergency tax is imposed at the rates declared by this Act.

I do not think that clause conforms with the Title of the Bill. By passing the

clause, the Council will be giving away some of its rights. The clause has been inserted in this Bill to render it unnecessary for the Government to bring in an Assessment Bill.

The Chief Secretary: Have you not seen that clause in any other Bill?

Hon. G. W. MILES: Not in any other taxing Bill. I would like your ruling, Mr. President, whether the clause is in order.

The PRESIDENT: I presume that the hon. member implies that the Bill may be contrary to a section of the Constitution. The section which, I take it, the hon. member has in mind is Section 46, of which Subsection 7 reads—

Bills imposing taxation shall deal only with the imposition of taxation, and any provision therein dealing with any other matter shall be of no effect.

I may inform the hon. member that I have read the Bill very carefully in consideration of that particular part of the Constitution Act; and in my opinion the Bill is in order. I rule that the Bill is in order.

Hon. G. W. MILES: May I inquire whether you consider, Sir, that Clause 2 is in conformity with the Title of the Bill? There is nothing in the Title referring to the assessment Act.

The PRESIDENT: But I think there is no part of the Bill which does not deal with the imposition and the fixing of the rate of the tax. Perhaps the hon. member can point out a part of the Bill which does not deal with the imposition and the rate of the tax.

Hon. G. W. MILES, Personally, I do not think the clause is in conformity with the Title of the Bill. All we can do is to enter our protest against the Government's method of taxation.

The PRESIDENT: The hon. member can, if he so desires, object to my ruling; but otherwise he must accept it.

Hon. G. W. MILES: I did not mean anything disrespectful, Mr. President; and I accept your ruling. We can merely enter our protest against the Government's method of finance. Personally I consider that the Government are not getting in enough revenue this year, and are not economising as much as they should. Instead, they are spending money on works and undertakings in respect of which money could be saved to be used for other and urgent purposes. I do not wish to stress the tramway business, which has been dealt with by other members. That expenditure could be saved. However,

the Government continue to interfere, instead of letting private enterprise do as much as possible and thus save the Government from going cap-in-hand to the Loan Council to borrow further. We have the exhibition of the loan now being offered. The public are getting tired, and sooner or later they will not subscribe for Commonwealth loans. The Government could cut down the Loan Bills if they did not interfere so much with private enterprise. I will say no more, except again to enter my protest at the raising of the exemption and the reduction of the rate on salaries from £8 to £11. I think the increases on the higher incomes were necessary and that sooner or later we will have to be prepared to support the Government in raising further taxation to finance the country.

HON. E. H. ANGELO (North) [8.46]: The Chief Secretary must have gathered by the speech of the previous speaker and from several interjections made by hon. members during the debate that this House is not going to object very seriously to the increase of the higher rates from 9d. to 1s. Surely if the House is agreeable to raise the tax on the higher incomes by about 25 per cent., realising that the Government must have more money, the Government should meet us in the other direction, instead of increasing the exemptions. The House thinks that the exemptions should be kept at £3 12s. That is a matter of opinion, but if the Government would say that under the very serious financial position, notwithstanding what they told their electors, they would have to stick to the £3 12s. as the basis of exemption, in all probability the House would willingly agree to the extra taxation on the higher incomes, and moreover the Government would get more money than they are asking for under the Bill being considered.

THE CHIEF SECRETARY (Hon. W. H. Kitson—West—in reply) [8.47]: I do not propose to spend a long time in replying. Hon. members understand what is contained in the Bill. All I desire to say is that it represents the policy of the Government in regard to financial emergency taxation legislation. It has been said that we are pandering to a section. I do not call it pandering at all. It has been the policy of this Government for at least four years.

Hon. H. Tuckey: It is not the policy of the Premiers' Plan, is it?

The CHIEF SECRETARY: It has been the policy of the Government and has nothing to do with the Premiers' Plan.

Hon. G. W. Miles: You only scratched home a year ago with a majority of one.

The CHIEF SECRETARY: That does not matter. It has been the policy of this Government for four years and we are not likely to depart from it.

Hon. L. Craig: You have no right to reduce the rate on the salaries of those earning £8 to £11.

The CHIEF SECRETARY: When Mr. Angelo suggests that this House will agree to the increased taxation of 9d. to 1s.—

Hon. E. H. Angelo: I think the House will. I will.

The CHIEF SECRETARY:—if the Government are prepared to leave the exemption at £3 12s., even though it means additional revenue to the Government, I answer that we are not to be bribed in that way.

Hon. G. W. Miles: You represent the taxpayers of the country. Are you going to take it out of their hides?

The CHIEF SECRETARY: I want members to understand that the principle we stand for and which is embodied in this Bill, namely the exemption of the basic wage earner, is something we are going to adhere to. Therefore, it is necessary for the exemption to be raised from the £3 12s. level to £3 15s.

Hon. J. Nicholson: Three pounds fifteen shillings is above the basic wage.

The CHIEF SECRETARY: I never said it was not.

Hon. J. Nicholson: You said the exemption was fixed at the basic wage.

Member: The Government are making provision for a higher basic wage.

The CHIEF SECRETARY: We are fixing it at £3 15s. to cover the different basic wages obtaining in various districts. With regard to the reduction granted to certain persons who are earning between £7 and £9 a week, that has only been decided upon by the Government in a spirit of equity, with a desire to be fair. Hon. members must recollect that our attention was very forcibly drawn to the fact that we were dealing somewhat unfairly with that section of the community by the Leader of the National Party at the last elections. We took a little notice of that.

Hon. G. W. Miles: That may have been only political propaganda at election time.

The CHIEF SECRETARY: It may have been. What the hon. member suggested was that we had increased taxation on that section and reduced it on another section and that the increase was not in the same proportion.

Hon. L. Craig: This is not the year to make reductions, anyway. It is one of the worst years we have had.

The CHIEF SECRETARY: We accepted as a fact what the Leader of the National Party said, that it was an unfair imposition on that particular section of the community and we decided that at the first opportunity we would endeavour to rectify the position. We have done so. To do so it has been necessary to alter the steps by which the increased taxation shall be paid and, in addition, we have determined that those receiving the higher income shall pay a higher rate of tax. What I said in speaking to another Bill cannot be contradicted, and that is that this will bring our emergency and our income taxation together on a level with the average for the whole of the States of the Commonwealth, so that the argument used that we are taxing our people in Western Australia, or those on the higher incomes, higher than they are taxed elsewhere, falls to the ground.

Hon. L. Craig: My argument is that you cannot afford to give taxation away in this particular year.

The CHIEF SECRETARY: The Government have a reputation for sticking to their promises and this is one of the definite promises made and we will adhere to it.

Hon. E. H. Angelo: Members of this House have to try to make things equal. We have a policy as well as you.

The CHIEF SECRETARY: Members have the right to agree to the measure or to reject it. I am merely telling them what the position of the Government is and what our policy is.

Hon. H. Tuckey: Can you say when this particular form of tax is likely to cease? Why call it emergency taxation; why not call it income tax?

The CHIEF SECRETARY: Call it what you like, but I think the hon. member will agree that there is an emergency at the present time and a very serious one.

Hon. J. J. Holmes: If anything is done it will be done on the eve of a general election.

The CHIEF SECRETARY: That might be the hon. member's way of doing things, but it does not suit me to say that we will do that. However, I do not propose to delay the House any longer—we have had sufficient talk on this subject—except to add that, although we might have been criticised from the point of view of not accepting more revenue when it is possible to get it from this tax, we believe that the tax as provided for by this Bill will yield approximately the same revenue as the tax did last year.

Hon. G. W. Miles: It will yield more.

The CHIEF SECRETARY: The hon. member is an expert in these matters and, apparently, knows more than the Commissioner of Taxation, but the Commissioner of Taxation is the person upon whom we have to rely. The hon. member will remember that I read out the opinion of the Commissioner of Taxation on this matter.

Hon. L. Craig: You need more money.

The CHIEF SECRETARY: We may eventually have to bring a further taxation measure forward. At present we do not think there is any necessity to do that. I hope we will not take long to determine the attitude of the House on this measure. I may ask your indulgence, Mr. President, in saying that we are desirous of making progress as rapidly as possible. We feel that if we are prepared to get down to business in a genuine way, we may be able to conclude our business at this sitting. It may take a good few hours and be late before we finish, but there is every possibility of our doing so, and I hope members will help us.

Question put and passed.

Bill read a second time.

In Committee.

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

Clause 1—agreed to.

Clause 2—Imposition of tax:

Hon. J. NICHOLSON: I have risen to express the feeling which most hon. members have with regard to the assessment Bill. I do not see eye to eye with other hon. members in regard to the assessment Bill which was previously before the House. On the present occasion apparently it has been decided not to introduce an assessment Bill. With the exception of last year, it has been the custom always to have an assessment Bill

as a partner of the taxing Bill. I should like to place it on record that if this Bill should pass into law, it must not be taken as a precedent that this House agrees to the proposition that an assessment Bill is not a necessary accompaniment to a taxing Bill. I want to make that clear so that in future, I hope, the same course will not be adopted, but an assessment Bill will accompany a taxing Bill, so as to give the House opportunity to discuss more freely than is possible on a taxing Bill the provisions of an assessment Bill. In the Bill presented to us now there is an incorporation of clauses having reference to the Assessment Act of 1932 and its amendments, but it would have been better if an assessment Bill had come before us.

Hon. J. J. HOLMES: I do not think the point put up by the last speaker takes us far enough. He wants it to be understood that this procedure is not to be taken as establishing a precedent. Before we pass the third reading of this Bill we should have a Bill to amend the existing assessment Act. For many years it has been the privilege of this House that an assessment Bill shall come down with a taxing Bill. The reason for that is that we can amend the assessment Bill but can only request amendments in a taxing Bill. It is a privilege that the House ought not to give away. We are entitled to have another Bill to amend the assessment Act; then we should be giving away none of the privileges that our predecessors have left to us. Without the assessment Bill I do not think we should pass the third reading of this taxing Bill.

Hon. C. F. BAXTER: We can all take the view that something may happen very soon. The present position is not without its dangers. One does not know what is going to happen. Some of this legislation is of a vital nature and the Government may presently find themselves in a very awkward position. In view of that there is room for a safe compromise. If I move certain amendments standing in my name on the Notice Paper, and those amendments are agreed to, a state of affairs will be brought about that may last for a long time. In any case something of a critical nature may happen which will cause a great deal of inconvenience to the Government. The Chief Secretary might well make a promise that the Government will agree to bring in an assessment Bill together with the taxing Bill.

I trust the Minister will see his way clear thus to meet the position.

The CHAIRMAN: All this discussion is scarcely relevant to the clause but there are mitigating circumstances that, perhaps, should be cleared up now.

The CHIEF SECRETARY: There is no need for me to speak at any length on this point. There is no necessity to bring down an assessment Bill at all. We are now under the original assessment Act. That is the machinery Act, but it is the taxing Bill that matters. There is nothing to say that because the assessment Act provides an exemption of £3 12s., all people receiving £3 12s. or less shall not pay tax. It has been suggested that an assessment Bill should be brought down before this taxing Bill is passed. We are not likely to bring down an assessment Bill until this House has clearly indicated what it is going to do with the taxing Bill. The Government say they will not be dictated to by this House as to whether they are to bring down certain legislation. But once the House is prepared to pass the taxing Bill, then we shall bring in an assessment Bill to put the position in order. Other members have expressed their viewpoints. Mr. Angelo, for instance, said he was sure that the House would agree to the exemption of £3 12s., and that there would be no objection to taxing the higher rates of income. I thank Mr. Baxter for his words in regard to the necessity for endeavouring to complete the business of this session, and I hope members will assist us in that direction. Once the House has determined its attitude towards the taxing Bill the Government will bring down an amendment of the assessment Act.

Hon. E. H. Angelo: This session?

The CHIEF SECRETARY: In reply to Mr. Nicholson I say it is not always that an assessment Bill comes down with a taxing Bill. There was none last year.

Hon. J. Nicholson: That was owing to special circumstances.

The CHIEF SECRETARY: I do not wish to argue constitutional points at this stage, but it does not always follow that because a taxing Bill is introduced there shall also be introduced an assessment Bill.

Hon. J. J. HOLMES: The promise the Minister has made gets us over the hurdle, and will put the Council back where it ought to be.

Clause put and passed.

Clause 4 agreed to.

Schedule, Title—agreed to.

Bill reported without amendment and the report adopted.

Third Reading.

THE CHIEF SECRETARY (Hon. W. H. Kitson—West) [9.15]: I move—

That the Bill be now read a third time.

HON. J. CORNELL (South) [9.16]: Whilst the Bill was in Committee, I was precluded from expressing my views upon it. I join with Mr. Baxter, Mr. Holmes and other members in saying that, with the crisis that is confronting us, a crisis that is Empire-wide, it would not be wise to tinker any further with the financial proposals of the Government. The Chief Secretary has done the right thing to give an undertaking to the House that this session, or before the Bill is assented to, an amending assessment Bill will be brought down to deal with the amount of exemption.

The Chief Secretary: It is already printed.

Hon. J. CORNELL: I do not want to discuss the question whether it is necessary to bring down an amending assessment Bill when the figure in the taxing Bill proposes to start at a higher rate than the exemption set out in the assessment Bill. In my recollection, that has never happened before. If a taxing Bill can start at a higher point than the exemption portion of an assessment Bill can start, there is no necessity to waste any time on what the exemption shall be.

Hon. A. Thomson: You are quite right.

Hon. J. CORNELL: It ought to cut both ways. The Government who wish to start at the lower figure should start there, and the Government who wish to start at the higher figure should start there. Parliament as a whole should be given an opportunity in all assessment Bills to say what is a fair figure for the exemption.

The Chief Secretary: You have the same opportunity on a taxing Bill.

Hon. J. CORNELL: No. Were I in the Chair, I would not accept an amendment in the circumstances that the tax should start at £3 12s. instead of £3 15s. That would be an evasion of Section 46 of the Constitution. It would increase the burden upon a large proportion of the taxpayers such as would not be contemplated by the taxing measure. The other matter has been

adjusted amicably and, as usual, in the best spirit.

Question put and passed.

Bill read a third time, and *passed*.

**BILL—MORTGAGEES' RIGHTS
RESTRICTION ACT CONTINUANCE.**

Second Reading.

THE CHIEF SECRETARY (Hon. W. H. Kitson—West) [9.20]. in moving the second reading said: This is another continuance Bill it is considered necessary to bring down. Members are well acquainted with the provisions of the Act itself. It provides that a mortgagee shall not be permitted to enforce his remedy under a mortgage against the demand of his mortgagor, without first obtaining the leave of a judge of the Supreme Court. A similar provision applies to a vendor of land under a contract of sale. With regard to judgment creditors, it will be recalled that the Act prohibits such persons from seizing the property of a judgment debtor under a warrant of execution. Some suggestions have been made that this Act should not remain on the statute-book very much longer. I hope, however, in view of the circumstances we are experiencing this year, it will be agreed that this is one of the emergency measures that it is highly desirable we should continue for at least another 12 months. 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.

Third Reading.

Bill read a third time, and *passed*.

**BILL—NORTHAM MUNICIPAL
COUNCIL VALIDATION.**

Second Reading.

THE CHIEF SECRETARY (Hon. W. H. Kitson—West) [9.25] in moving the second reading said: This Bill seeks to validate certain expenditure incurred by the Northam Municipal Council. Some two years ago, the municipal council agreed to assist the Northam Road Board in the work of reconstructing a section of road running from the

Northam municipal boundary to the Northam cemetery. Under the agreement, the council promised to provide £600 by way of plant and labour. Because portion of this road is also part of the main road running from Northam to Boltart, the Commissioner of Main Roads also agreed to assist in the work of reconstruction. It transpires, however, that the council's action in incurring this expenditure was illegal, since it was devoted to work not solely confined within the boundaries of the municipality. Attention has been drawn to this breach by a recent report of the council's auditors. The council's action has, therefore, rendered the mayor and councillors individually and jointly liable for the full sum in question. In view of the preponderance of persons from the town area buried in the road board cemetery, it is felt that the ratepayers of the municipality were morally bound to assist in the reconstruction of the road leading to the cemetery. This sentiment has been universally expressed by the ratepayers themselves, who gave their approval to the expenditure. No objections have been raised to the proposed validation of the council's action, and I cannot imagine that there will be any opposition to the Bill in this Chamber. I move—

That the Bill be now read a second time.

HON. G. B. WOOD (East) [9.27]: It is desirable that this Bill should be passed. I endorse the remarks of the Chief Secretary. The municipal council spent this money in good faith thinking it was doing the right thing. A similar position has arisen at York recently, where money is required to be spent on the cemetery. Next session I should like to move an amendment to the Municipal Corporations Act to make it possible for municipal councils to spend money in these circumstances. I support the Bill.

HON. J. J. HOLMES (North) [9.29]: I am not offering any objection to the Bill, but would draw attention to the last clause which provides that no legal proceedings shall be taken against the municipal authority. This Bill is brought down by the Government. Another measure contained a similar clause, but another place objected to it. I refer to the Pearling Act Amendment Bill. The two things are inconsistent. One clause was not wanted in the Pearling Bill, but—

The **PRESIDENT**: The hon. member must not discuss a Bill not before the House. At the same time, I think he has achieved his object.

THE CHIEF SECRETARY (Hon. W. H. Kitson—West—in reply) [9.30]: I agree that the hon. member has achieved his object.

The **PRESIDENT**: I think the hon. member recognises that he has been highly disorderly.

The **CHIEF SECRETARY**: I hope I am not disorderly when I say the two cases are not synonymous.

Question put and passed.

Bill read a second time.

In Committee.

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

Third Reading.

Bill read a third time and passed.

BILL—FEDERAL AID ROADS (NEW AGREEMENT AUTHORISATION).

Second Reading.

THE CHIEF SECRETARY (Hon. W. H. Kitson—West) [9.33] in moving the second reading said: The Bill is necessary and really speaks for itself if members will read the Schedule, which comprises the agreement with the Federal Government. The Bill proposes to authorise the Premier to execute that agreement with the Prime Minister for the extension, with certain modifications, of the existing agreement for a further period of ten years as from the 1st July, 1937. The agreement will replace the one that has operated for the past ten years under which the State has received certain moneys from the Commonwealth with which to make and maintain roads throughout the country. As members are well aware, a conference was held a little while ago, as a result of which it is now desired to enter into a further agreement extending over another period of ten years. The new agreement will be of advantage to the State in that more money will be provided than previously, and from that point of view alone it will be welcomed by this Chamber. For the information of

members, I shall point out that the Bill is for a continuation of the existing agreement with these modifications:—

1. The contribution proposed to be made by the Commonwealth to the States will be on the basis of 3d. per gallon on imported spirits and 2d. per gallon on spirits distilled in the Commonwealth.

This represents an increase of $\frac{1}{2}$ d. per gallon on the former and $\frac{1}{2}$ d. per gallon on the latter, and it is estimated by these increases that about £120,000 extra will be payable to this State.

2. In respect of the amount accruing from $2\frac{1}{2}$ d. of the 3d. received from imported spirit, and from $1\frac{1}{2}$ d. of the 2d. received from excise spirit, this will be hypothecated entirely to the construction, reconstruction and maintenance of the roads. The balance, consisting of $\frac{1}{2}$ d. on imported spirits and $\frac{1}{2}$ d. on excise spirits, may, at the option of the State, be spent on roads, works or forestry.

Thus latitude is extended in the expenditure of the additional money to be made available.

3. The Commonwealth desire that the maintenance and repair of roads forming approaches to their properties within the State shall be undertaken by the State out of the moneys provided.

This was announced by the Prime Minister at a recent conference in Adelaide, and is provided for in Clause 5. The draft agreement, as received from the Commonwealth, provided for the reconstruction, in addition to maintenance, of such roads, but we have been successful in having that excised. I move—

That the Bill be now read a second time.

HON. A. THOMSON (South-East) [9.37]: I congratulate the Government upon having entered into this agreement for a further period of ten years. We have to thank the Bruce-Page Government for having introduced this legislation at the outset, and for having recognised that Western Australia was entitled to special consideration owing to its large area. The additional amount we shall receive under the new agreement will be of direct benefit to Western Australia. I take this opportunity to place on record my sincere appreciation of the excellent work that has been carried out by the engineering branch of the Main Roads Board. The authorities are continuing with bitumen surfacing as far as funds will permit, and the work undertaken is of a permanent nature. On this occasion we have

to thank the Federal Government for returning to the State a little more than we contribute. It is only fitting that the Main Roads Board engineers should know that members appreciate the excellent work they have carried out in dealing with what is a rather difficult task.

Question put and passed.

Bill read a second time.

In Committee.

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

Third Reading.

Bill read a third time and passed.

RESOLUTION—BETTING CONTROL BILL.

To Inquire by Joint Select Committee.

Debate resumed from the 2nd December on the following motion by Hon. G. Fraser (West):—

That in accordance with the request contained in Message No. 31 from the Legislative Assembly, a select committee of five members be appointed, by ballot, to consider the Betting Control Bill; the committee to have power to—(i) confer with the committee of the Legislative Assembly; (ii) call for persons, papers, and records; (iii) sit on days over which the House stands adjourned; and (iv) adjourn from place to place.

HON. G. FRASER (West—in reply) [9.42]: I shall not delay the House by any lengthy reply to the motion. I was surprised at the few points raised during the course of the debate. I anticipated that members would have discussed it extensively because it deals with the matter that has received much attention throughout Australia. In Queensland legislation has been introduced, and in South Australia an entirely different enactment has dealt with the same subject. That clearly indicates that opinion differs in the various States respecting this problem. Two points were raised in opposition to the motion. One was that the number of members on the joint select committee was too great. On examination, I have been unable to find any instance during the past ten years of the appointment of any joint select committee that comprised fewer than five members from each House.

Hon. L. B. Bolton: Then it is time we mended our ways.

Hon. G. FRASER: The motion merely proposes to follow the customary procedure, and it is rather peculiar that only at this late stage should any objection be raised. The joint select committee on secession comprised five members representing the Legislative Council and five the Legislative Assembly.

Hon. J. J. Holmes: That was an important matter.

Hon. G. FRASER: The joint select committee that dealt with electoral matters consisted of five members from each House, and that committee was converted into an honorary Royal Commission. We also had a select committee on the Bulk Handling Bill and that consisted of ten members, five being from this Chamber. How then can there be any force in the argument that ten is too many? I have gone back over a period of ten years and I have told the House what the procedure has been during that time. The fact was also mentioned that this Committee would probably be converted into an Honorary Royal Commission and we were warned against taking seats on it because we might then be considered to be occupying an office of profit.

Hon. A. Thomson: Would that not be so if the Commission adjourned from place to place?

Hon. G. FRASER: I do not think so. What I want to know is whether the point was raised genuinely or just as a subterfuge to defeat the motion. Not only Mr. Holmes referred to it, but Mr. Nicholson did so, and in bolstering up his point, Mr. Nicholson—

Hon. J. Nicholson: I did not bolster up any point.

Hon. G. FRASER: Perhaps I should have used the word "emphasise." Mr. Nicholson read certain statements made by the Chief Secretary in quoting rulings that were given 20 or 30 years ago. While he was reading them I asked him to again read them, but he did not take any notice of my request.

Hon. J. Nicholson: I did not hear you.

Hon. G. FRASER: The Chief Secretary last year quoted a ruling given by Mr. Sayer who ruled that not only could Sir Newton Moore—this referred to something that took place some years ago—not receive any payment for his services, but that if he accepted the office when other members of the Commission were to be paid, he would

be guilty of a violation of the Constitution. The Crown Law authorities also turned up a ruling given by Mr. Septimus Burt long before Mr. Sayer gave his ruling, and Mr. Burt's ruling confirmed that of Mr. Sayer.

Hon. J. Nicholson: Even though fees were not paid it was stated by Mr. Sayer or Mr. Burt that there was still a risk.

Hon. G. FRASER: That is so, but on a commission on which fees were paid to some members.

Hon. J. Nicholson: No, even though fees were not paid.

Hon. G. FRASER: But the ruling given was that if the member accepted a seat on a commission on which some members were paid, although he did not collect them, he would be committing a breach of the Constitution. This, however, is to be a purely honorary Royal Commission.

Hon. J. Nicholson: But the commission will draw expenses and the risk will still be there.

Hon. G. FRASER: In view of the rulings that have been given and which I have read out, I asked the Minister for Justice to obtain for me a ruling from the Crown Law Department in connection with the matter. This is the reply that I received—

If a member of Parliament is appointed to a Royal Commission without any stipulation being made as to whether or not fees may be drawn by him, I think the ordinary construction is to be put on the appointment and he would be entitled to remuneration for his services, and it would be regarded as an office of profit. If however, it is an express term of the appointment that no fee is to be payable to the member for his services on the Commission, then it is quite obvious that the appointment is not an office of profit. In the first case the essential factor is that the member is entitled to and could draw a profit from his office notwithstanding that he may choose subsequently to disclaim any right to his fees, but this case is essentially different from the latter case I have quoted because the initial condition of the appointment is no payment, etc.

That is the ruling which the Minister for Justice was good enough to obtain for me from the Crown Law Department.

Hon. J. J. Holmes: On a point of order. As the select committee, if appointed, will not be able to sit while the House is in recess, and seeing that the House is now about to go into recess and the committee will never have an opportunity of carrying on its work, I should like to know if we will be in order in appointing the select committee.

The PRESIDENT: The appointment of the Committee would be in order because the House has no right to anticipate something that has not been done.

Hon. G. FRASER: I have dealt with the only two points that were raised and I do not propose to debate the subject any further. There is no doubt that the time is not far distant when something will have to be done in connection with the matter which the motion deals with, and so I hope the select committee will be appointed in order that the question may be investigated and the result of the investigation placed before members of this House for their guidance in the future.

Question put and negatived.

BILL—APPROPRIATION.

Second Reading.

Debate resumed from the previous day.

HON. H. V. PIESSE (South-East) [9.58]: There is no doubt that the Government are in a most unfortunate financial position since a state of emergency certainly still exists. When we turned down the Emergency Tax Assessment Bill a few days ago the Premier made a statement to the "West Australian" newspaper in which he insinuated that members of this House had practically taken their instructions from outside sources. We know the position of the Government and we also know our own. Speaking for myself, when I want information I endeavour to secure it from the best possible source. If I require information about finance I approach the Associated Banks. I have done this on several occasions since I have been a member of this House. I have inquired as to the effect of taxation and financial Bills that have been before us and the effect they would have upon the country generally. I claim that we should avail ourselves of every possible opportunity to gain information about measures submitted to the House. Last night Mr. Craig spoke on the Dairy Marketing Regulation Bill and showed that he could gain considerable information from the Sunny West factory.

Hon. J. Nicholson: Did not you speak on the Bill?

Hon. H. V. PIESSE: Yes, and I went to the Katanning and Narrogin factories for my information. I maintain that it is only

right to call upon people controlling the various industries in order to obtain accurate information. I was surprised at the remarks of the Chief Secretary about the Arbitration Bill. We were all endeavouring to assist him to get the business through the House.

Hon. J. J. Holmes: I suppose you are doing that now.

Hon. H. V. PIESSE: I intend to say only a few words on that point. I have always been a great believer in the Industrial Arbitration Act. I did not take the opportunity to speak on the Bill because—

The PRESIDENT: Surely the hon. member is not speaking on a Bill not now before the House! That is distinctly contrary to the rules of the House.

Hon. H. V. PIESSE: Then I should like to refer to some of the observations made by Mr. Miles. He is a great advocate of the North-West.

The PRESIDENT: There is a Standing Order that prohibits reference to a debate on a matter not before the House. I ask the hon. member to confine his remarks to the Appropriation Bill.

Hon. H. V. PIESSE: Well, I am shot there also. Mr. Miles, in referring to the Agricultural Bank said that we represented a large number of people who produced commodities and did nothing else except object to legislation brought before the House. When the Agricultural Bank measure was before us, one of the greatest objectors was the hon. member himself. He has lost sight of the fact that in the North-West are situated the Wyndham Meat Works. Although the operations of the Agricultural Bank have cost the State a lot of money in the interests of the primary producers, the Wyndham Meat Works have also cost the State a large amount of money. I agree that those works are essential to the development of the North and that the North is deserving of all possible encouragement. I believe that railway communication should be provided to connect the meat works with the outback stations and thus assist the cattle industry. If such transport were arranged, possibly the meat works would be profitable. Though the farmers in my province have received considerable financial help from the Agricultural Bank, I remind Mr. Miles that the report of the Wyndham Meat Works shows that the amount of accumulated interest due to the Treasury is £963,677. Yet Mr. Miles complains that we are continually groaning. Surely, with such a large amount

of interest debited against the meat works there is justification for a groan. Members representing the agricultural industry were also twitted last night about the Rural Relief Fund Act, as well as being reminded that we object to Section 51 of the Agricultural Bank Act. Mr. Miles stated that I had fought to have the Federal grant made available to the State passed on as a free grant to the farmers. Let me compare the number of electors represented by the various members in this House:—

West Province, represented by Messrs. Kitson, Gray, and Fraser—8,320 electors.

Metropolitan Province, represented by Messrs. Bolton, Franklin, and Nicholson—7,280 electors.

Metropolitan-Suburban Province, represented by Messrs. Clydesdale, Macfarlane, and Parker—28,860 electors.

Total for metropolitan area—44,460 electors.

South Province, represented by the President and Messrs. Cornell and Williams—4,098 electors.

North-East Province, represented by Messrs. Seddon, Elliott, and Heenan—4,078 electors.

Total for goldfields provinces—8,176 electors.

Members representing the farmers, who Mr. Miles said were continually groaning, represent no fewer than 31,817 electors. Now I come to North Province, represented by Messrs. Holmes, Miles and Angelo whose electors total 941.

Hon. J. J. Holmes: The North returns good men.

Hon. H. V. PIESSE: I admit that. While members of this House represent Western Australia as a whole, I cannot overlook the fact that each of the metropolitan members represents 5,000 electors, each of the goldfields members represent 1,000 electors, and each of the mixed farming areas represents 2,700 electors, whereas Mr. Miles represents 300 electors as his share of the 900.

Hon. L. Craig: But his vote counts for as much.

Hon. J. Cornell: It is bad arithmetic.

Hon. H. V. PIESSE: Mr. Miles represents 300 electors as his share and that is probably why there are not many groans from the North.

Hon. W. J. Mann: How many of the 300 electors live in the North?

Hon. H. V. PIESSE: I am told that 50 per cent. live in the capital city.

Hon. J. J. Holmes interjected.

Hon. H. V. PIESSE: If there was an opportunity to populate the North, the hon. member would receive the greatest support from the representatives of the primary producers in the south. You represent a very large area.

The PRESIDENT: Order! The hon. member must address the Chair.

Hon. H. V. PIESSE: Certainly. Representatives of the farming areas have many people to deal with from a road board point of view. There are 127 road boards in Western Australia and 76 of them are in the farming areas. That is all I need to say about Mr. Miles. I know there is no bigger-hearted man than he, though he has a weakness for launching criticisms against the farmers who are experiencing such a difficult time. The hon. member claims to be very worried about the financial position of the State. He quoted a cutting from a paper, and the quotation reminded me of a lecture given by Dean Inge when addressing a gathering of young people in St. Paul's Cathedral. He stated that worry could be described as interest paid on trouble before it fell due. When Mr. Miles in years to come considers his worries about the finances of the State, I think he will be able to say, "I have had many troubles but most of them have never happened." Outside this Chamber the hon. member is an optimist, but inside he is ever ready to destroy many of the suggestions put forward.

The Chief Secretary: You would not include him in the same category as Dean Inge, would you?

The PRESIDENT: The hon. member is going beyond the limits of the Appropriation Bill in discussing the personal attributes of a member of the House.

Hon. H. V. PIESSE: I was discussing the political position and also the financial position to which the hon. member has so often made reference. I support the second reading.

HON. A. THOMSON (South-East) [10.13]: There are two matters upon which I should like to touch. Some weeks ago I asked a question as to the amount of clearing done in the group settlement areas under the scheme by which the Government provided work for single men. After a considerable amount of delay, and after having had to repeat the question, I was informed yesterday that the complete clearing

amounted to 8,234 acres and that there had been reconditioned approximately 6,159 acres. I asked the average cost of the clearing and was informed that the average cost per acre could not be stated in view of the varied work and position shown in the answer to the first part of my question. At the date of my first asking the question, three or four weeks ago, the Government had spent £216,912. That works out at £15 per acre. Of the area cleared, 3,159 acres have been reconditioned. Though commendation has been expressed by the present Minister for Lands upon clearing done in other parts of the State by previous Governments, I am bound to say that the clearing of this land has cost a fair amount of money. As rightly pointed out by the Chief Secretary, the average cost per acre cannot be stated, in view of the varying conditions. But how will the Government arrive at the amount to be charged for land cleared at such cost? It is a reflection upon the Agricultural Department and the Agricultural Bank that they should have already spent £216,000 on this work and yet not be in a position to state the cost per acre. It shows that there is something wrong with their book-keeping methods.

The Chief Secretary: Ridiculous!

Hon. A. THOMSON: It is not ridiculous. If I asked the Chief Secretary what it costs per chain to lay water pipes from the Canning Dam, he would be able to return a fairly accurate answer. We are entitled to know the cost per acre of the clearing done. If the cost continues at the present rate, a quarter of a million sterling will be spent on that purpose and the cost per acre will not be ascertainable. It is not full clearing that is being done, but the cost is actually over £15 per acre for clearing and reconditioning. I realise the Government's difficulty in providing employment; but if that is the general method of expenditure, I urge the Chief Secretary to impress upon Cabinet that there must be better control over expenditure. One other point I wish to touch upon in view of a motion submitted by me with regard to vocational training of youth. I know it may be said that in connection with the scheme propounded, there have been more supervisors than applicants for tuition. The weakness of that scheme is that men of 20 and 21 years of age are expected to be able to undertake the work without experience or training. It is the Government's bounden duty to provide a certain sum of

money for sustenance while the young men are undergoing training. I may point out that 30s. per week is granted to men on sustenance work. Then surely it is not too much to ask, in view of the shortage of artisans and tradesmen to which every contractor will testify, that sustenance should be granted to these young men. The Minister has been invited by the Commonwealth to a conference to be held in the East for the purpose of preparing a scheme of vocational training for young men whom the depression has deprived of the opportunity to learn trades. Mr. Moore has said that it would be an excellent gesture if all sections of the community were represented at the conference which is to submit a proposal. I need scarcely say that I do not ask to be selected, but a conference to consider a matter of such great importance should be attended by a Minister. Then there are men who have taken a keen interest in providing young men with opportunities to learn trades. Some of those men might be prepared to go over to the conference. I cast no reflection upon any Minister. I urge on the Government that the inauguration of a better system of book-keeping for the cost of clearing in the South-West by single men is essential. I support the second reading of the Bill. Realising that the Government must have their Appropriation Bill, I offer no objection to its passage.

HON. L. CRAIG (South-West) [10.23]: I think it necessary to offer a few remarks in reply to Mr. Thomson. I do not say for a moment that the money spent on clearing in the South-West has been economically spent. I have also to express regret that it is necessary to employ single men on that work. Nevertheless, if single men have to be employed, I can think of no work that will do more ultimate good than the work upon which they are engaged in those wet areas. It is recognised that the heavy-rain-fall areas with a reasonably cool and moist summer are the areas where the large population of Western Australia will be carried eventually. I say this irrespective of the fact that I live in that area. That circumstance has nothing to do with what I say. In those well-watered areas our population will undoubtedly be carried.

The Chief Secretary: We are all agreed on that.

Hon. L. CRAIG: Another important point is that that same wet land is quite valueless until improved.

Hon. A. Thomson: I hope you do not think I condemn the idea of clearing the land. I condemn only the method of clearing adopted and the cost.

Hon. L. CRAIG: This land must be improved in order to make it of any value at all. We are finding from experience that the land is not of great value when first improved. Land that has had the sun shut off it for thousands of years, even after the timber has been ringbarked and the sunlight has got into the ground remains sour for some considerable time. Watching closely as I have done, I can state that the land in group settlement areas is only now becoming mellow and of good agricultural value. About a fortnight ago when attending the Margaret River show, I was struck with the entirely different outlook there is amongst the people on the spot, and also with the different look of the land itself. It has now been cleared for eight or nine years, and at last is becoming mellow and of agricultural value. Two group settlers approached me at the show. They expressed regret at the unfortunate happenings down there, and the bad advertisement that portion of the country had received through complaints by a section of the settlers. These two men said, "If only we could get the publicity that those who are dissatisfied with conditions here are getting, what a great thing it would be for our district." I agree with that. Each of the two men then showed me the authentic records of his dairy herd. They are the best I have ever seen in Western Australia. One man had 20 cows averaging over 350 lbs. of butter fat per cow, representing a net return of over £17 10s. per cow. The other man, with 14 cows, had the same average. These figures show what the country is capable of. If work has to be found for unemployed men, it is desirable that work should be found, first of all, in a district where a large population can be carried, and, secondly, on land that is not likely to be occupied immediately, so that when the area is required it will be in a more or less mellow condition and immediately suitable for agricultural purposes. In Bridgetown we are finding that land which has been ringbarked for seven or eight years, typical jarrah country, which under Government conditions would cost £20 per acre to clear, is being cleared level with the ground for £3 per acre.

Hon. A. Thomson: And this other land cost £15!

Hon. L. CRAIG: If that land is ringbarked and the suckers are kept down, and then if the area is just left for a period of years, the money spent on it will never be wasted—not one penny of it.

Hon. A. Thomson: I quite agree with you.

Hon. L. CRAIG: Virgin country under any conditions cannot improve without having time on its side. Ringbarking and the keeping down of suckers is all that is required. That land should be cleared for £5 per acre, and then it would be in sufficiently good order to be agriculturally valuable. I support the Bill.

HON. J. J. HOLMES (North) [10.29]: I desire to say only a few words on the Appropriation Bill, having said all I desire to say on the Loan Bill and on Supply Bills. I simply rise to point out to the Minister in charge of the Appropriation Bill that the custom is to hold over the third reading of that measure and make it the last Bill of the session. I anticipate that that course will be adopted on this occasion. We do not pass the third reading of the Appropriation Bill until all the business has been cleared.

The Chief Secretary: I think it is just about all cleared now. I do not think there will be any new legislation coming in.

Hon. J. J. HOLMES: There are three or four messages to come from another place.

The Chief Secretary: Yes. We want to get this Bill cleared out of the way before dealing with those messages, because there may be a conference.

Hon. J. J. HOLMES: If we pass the third reading of the Appropriation Bill, everything else can go by the board. The Ministry can say good-night and good-bye. That is the attitude we have always taken in the past. It has never been objected to by the Chief Secretary's predecessor that the Appropriation Bill should be the last Bill passed in the session.

Question put and passed.

Bill read a second time.

In Committee.

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

Third Reading.

THE CHIEF SECRETARY (Hon. W. H. Kitson—West) [10.33]: I move—

That the Bill be now read a third time.

I would like Mr. Holmes to understand that I am not deliberately doing something that has not been done by my predecessor. The hon. member will realise we wish to get all these Bills through the House as early as possible. There is very little more on the Notice Paper with the exception of those Bills concerning which there are differences of opinion between members of another place and ourselves. Consequently I think the hon. member will not object to the Bill going through all stages at this period. The hour is getting late, and we can never say how long a conference will take.

HON. J. J. HOLMES (North) [10.34]: In view of what the Minister has said I do not offer any further objection to the third reading. All I desired to point out was that it had been the custom to make this Bill the last of the session. But in view of the peculiar circumstances that have arisen I do not mind waiving my opposition.

HON. J. CORNELL (South) [10.35]: So far as my understanding goes there is only one objection to passing the third reading now.

The Chief Secretary: There can be no objection at any time.

Hon. J. CORNELL: Well, only one reason, then. The Appropriation Bill must be passed. There is only one reason for holding up the third reading, and that is that we shall probably have to deal with another amendment to the Financial Emergency Tax Assessment Bill. I am satisfied that the promised amendment will mature; that circumstances over which the Minister and Premier have no control will intervene.

The Chief Secretary: I have already told the hon. member that the Bill is being printed.

Question put and passed.

Bill read a third time, and *passed*.

BILL—DISTRESS FOR RENT ABOLITION.

Second Reading.

Debate resumed from an earlier stage of the sitting.

HON. H. S. W. PARKER (Metropolitan-Suburban) [10.38]: I do not desire to take up much time on the Bill, but I would point out that distress for rent is in fact obsolete. It is very seldom used. It is seldom used in the cases of destitute people in dwellings, but it is used in distraining shops and offices. I oppose the Bill because it does not give the landlord any adequate remedy in exchange. In New South Wales there is a speedy remedy. That suggested in Section 6 is tedious, slow and expensive. I would support a Bill drawn up on the lines of the New South Wales Act, but I think it would be dangerous to take away the landlord's right of distraint until he had another remedy of the speedy right to evict. The question of a grocer or butcher or baker is different. If they are not paid they stop serving, but a landlord by law has to leave a tenant in possession though he is not paying rent. The eviction provided by this Bill would take too long. If the New South Wales provisions regarding eviction in substitution for distress for rent were embodied in this Bill I would support it, but as it is I must oppose the Bill.

HON. H. TUCKEY (South-West) [10.40]: I oppose the Bill on similar grounds to those mentioned by Mr. Parker. I would like to see a clause inserted to give the landlord some protection. I know of one case where a tenant has not paid rent for three years, and the landlord has no chance of getting repossession of the property. It is necessary that some protection should be given to the landlord.

THE HONORARY MINISTER (Hon. E. H. Gray—West) [10.41]: I intend to support the Bill. As pointed out by the mover, the legislation is like an appendix in a human being's body.

Hon. L. Craig: Needs cutting out.

The **HONORARY MINISTER**: It is of no use. My experience has shown me that the legislation now on the statute-book is used only by cruel landlords, and they have to get the lowest possible human beings to act as bailiffs; men who will do all sorts of despi-

eable things. It is right that we should do away with that sort of thing.

HON. J. CORNELL (South) [10.42]: In the last part of the Bill there seems to be an anomaly.

Hon. H. S. W. Parker: It is out of order.

Hon. J. CORNELL: It may be. I think it will be out altogether. Under the Bill a man on a weekly tenancy has exactly the same consideration as the man on a longer tenancy. He may be evicted in two days if he does not pay rent for a week. The man on a monthly tenancy, however, may miss his rent for a week, but in the intervening three weeks he may be able to recover his position and pay the debt. But he is placed in the same category as the man on the lesser tenancy. We know that honest men meet with adversity, but there come periods of rehabilitation in which they try to meet their just debts; but I am satisfied, taking the part of the State which I represent, that there are landlords who take advantage of men who are up against it. It has happened that men on monthly tenancies who have met with temporary adversity have been put out in order that the landlords might get in someone else who will pay more. I have given the illustration in this House of how a man met a friend in Kalgoorlie and asked him where he was living and what rent he was paying. The man told him and about a week later the landlord informed the man that he would have to get out. The friend bought him out. The friend offered the landlord more rent than the man was paying. If he were given another week he might possibly find the money with which to pay the rent. As Mr. Nicholson has said, there is the question of a man on a six-monthly tenancy. My experience of landlords has been that if one is prepared to pull his weight in the contract, they are satisfied. The trouble the landlords are up against is that it seems to be a weakness in human nature not to pay if one can get out of paying.

HON. E. M. HEENAN (North-East—in reply) [10.46]: I will be brief in my remarks, because I am afraid it will only be adding to those remarks I made when moving the second reading. I am glad to gather from Mr. Parker that substantially he agrees with the principle of the Bill.

He says the time has arrived when distress for rent is obsolete. I think I can easily argue from that that it is time it was abolished altogether. However, I must join issue with the hon. member when he states that Clause 6 is tedious, slow and expensive. In the first place I would point out that under that provision the tenant who is owing a week's rent can be given two days' notice of the termination of his tenancy. I do not think anyone could agree with Mr. Parker that that clause is either tedious or slow, and I have previously pointed out that it is not expensive. If the tenant fails to leave the House after receiving two days' notice, the landlord can go to the court and issue a summons; he will get to the court inside a week, and for the expenditure of about 10s. he can secure an order of the court for ejection, and the costs, of course, will be added to the rent that the tenant has to pay. Mr. Tuckey says that he knows a case where for three years a tenant did not pay his rent. The answer to that, surely, is that the landlord was more to blame than the tenant. As regards Mr. Cornell's contention that there is no differentiation in the Bill between a weekly tenant and a monthly tenant, I say that is a protection that the framer of the Bill thought necessary from the landlord's point of view. Most people who rent houses are on a weekly tenancy, and I think I can honestly assert that the passing of the Bill will have the effect of making tenants more careful to pay their rent, because they will know they can be evicted at short notice, and will also make landlords more careful about letting tenants into their houses. However, the remedy is a very drastic and barbarous one, and I must say in fairness to the average landlord that my experience is that the remedy is very rarely enforced, although my instructions are that in certain suburbs of Perth it is a remedy that is adopted very frequently. I think the merits of the measure have been fully placed before the House. If members agree that distress is out of date and places the landlord in an unjustly unfavourable position as compared with other creditors, and works unfairly from the point of view of the merchant who lets a wireless set or a piano, they will support the second reading.

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

Ayes	14
Noes	11
	—
Majority for	3
	—

AYES.	
Hon. J. Cornell	Hon. E. M. Heenan
Hon. L. Craig	Hon. W. H. Kitson
Hon. J. M. Drew	Hon. W. J. Mann
Hon. C. G. Elliott	Hon. H. V. Piesse
Hon. J. T. Franklin	Hon. C. H. Wittenoom
Hon. G. Fraser	Hon. G. B. Wood
Hon. E. H. Gray	Hon. A. M. Clydesdale
	(Teller.)
NOES.	
Hon. E. H. Angelo	Hon. J. Nicholson
Hon. C. F. Baxter	Hon. H. S. W. Parker
Hon. L. B. Bolton	Hon. H. Seddon
Hon. V. Hamersley	Hon. A. Thomson
Hon. J. J. Holmes	Hon. H. Tuckey
Hon. G. W. Miles	(Teller.)

Question thus passed.

Bill read a second time.

In Committee.

Hon. J. Cornell in the Chair; the Hon. E. M. Heenan in charge of the Bill.

Clauses 1 to 5—agreed to.

Clause 6—Landlord may determine tenancy:

Hon. H. S. W. PARKER: I move an amendment—

That the words "notwithstanding any period specified in Section 100 of the Local Courts Act, 1904," be struck out.

Here is where a tenant has not paid his rent for a week. It will take a certain time for the landlord to get a summons, and it will be at least two days afterwards before the case is taken by the court. I am sure that some members did not read this clause or did not understand it. Distress for rent is used in the city almost exclusively in the case of tenants who occupy offices and shops, but do not pay their rent. In the case of poor people distress for rent is very rare. The practice is used as a threat for the sole purpose, in the case of dwellings, of enabling the landlord to regain possession of the dwellings, and in the case of shops and offices it is used for the purpose of enabling the landlord to get his rent from other tenants. Why should a good landlord be victimised because there happen to be a few bad landlords? Some landlords may be obliged to live on the rents of their premises, and should be able to take some steps to see that they do get an income from that source.

The HONORARY MINISTER: I do not see how the amendment would fit in. Section 100 of the Local Courts Act deals with many things. How can we have one set of conditions in one Act and another set in another, both bearing on the one subject?

Hon. H. S. W. PARKER: This amendment will not deal with the Local Courts Act.

Hon. E. M. HEENAN: I am opposed to the amendment. Proceedings of this sort have always been taken under the Local Courts Act, Section 100 of which is specially drafted to deal with such cases. This clause merely reduces the period set out in that section.

Hon. A. Thomson: What would the difference in cost be?

Hon. E. M. HEENAN: Very little, though I admit that proceedings under the Local Courts Act would be more expensive than under the Justices Act.

Hon. L. Craig: Which is the quicker method?

Hon. E. M. HEENAN: The Justices Act. I submit that proceedings before the local court are quick enough. An experienced magistrate would deal with each case, but the same experience might not be in evidence if the case came before justices.

Hon. G. FRASER: If the amendment is carried, two different periods will be referred to in different Acts. The clause, on the other hand, as printed provides for a definite period and should stand.

Hon. H. S. W. PARKER: This clause was added to the Bill in another place during the Committee stage. A great deal of confusion will undoubtedly arise from it, but the confusion will be lessened if my amendment is carried. I am sorry the clause has not been properly considered.

Amendment put and passed.

Hon. J. NICHOLSON: I had intended to move an amendment earlier in Clause 6 because I think hardship will be inflicted if the Bill is confined only to weekly or monthly tenancies.

The CHAIRMAN: The hon. member is too late.

Hon. J. NICHOLSON: Yes, but I shall move for the recommittal of the Bill.

Clause, as amended, put and passed.

Title—agreed to.

Bill reported with amendments.

Recommittal.

On motion by Hon. J. Nicholson, Bill re-committed for the purpose of further considering Clause 6.

In Committee.

Hon. J. Cornell in the Chair; Hon. E. M. Heenan in charge of the Bill.

Clause 6—Landlord may determine tenancy.

Hon. J. NICHOLSON: The clause will confine the application of the Bill to weekly or monthly tenancies. Many offices and houses are let on yearly tenancies, and I do not think it was intended to exclude them. I move an amendment—

That in line 3 the words "weekly or monthly" be struck out.

Hon. E. M. HEENAN: The intention was to confine the Bill to weekly or monthly tenancies, but I shall not oppose the amendment.

Amendment put and passed.

Hon. J. NICHOLSON: I move an amendment—

That in line 3 after "tenancy" the words "or lease" be inserted.

The clause refers to a landlord or lessor being empowered to determine tenancies and, as there is a reference to lessors, we should include provision for leases.

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

Bill again reported with further amendments, and the report adopted.

Third Reading.

Bill read a third time, and returned to the Assembly with amendments.

MOTION—MINES REGULATION ACT.*To Disallow Amendments to Regulation—
Standing Order Suspension.*

Resumed from an earlier stage of the proceedings.

HON. J. CORNELL (South) [11.27]: I desire to move for the suspension of a Standing Order.

The PRESIDENT: As the Chief Secretary is in charge of the business of the House, I take it he has no objection to what Mr. Cornell is about to do.

The Chief Secretary: No.

Hon. J. CORNELL: Earlier in the sitting, there was a debate on a motion for the disallowance of certain regulations under the Mines Regulation Act. When the Honorary Minister moved the adjournment of the debate till to-morrow, he did so in the ordinary

way. Circumstances have moved rapidly since then and I understand that there will be no sitting to-morrow. The parties interested conferred with you, Mr. President, and the Minister in order to arrive at a decision on the matter at this sitting. With that object in view, I move—

That so much of Standing Order 121 be suspended as to rescind a resolution passed at this sitting of the House earlier in the debate on the motion to disallow certain regulations under the Mines Regulation Act, 1906, now on the Table of the House, until the next sitting of the House, and that the debate be continued forthwith.

The PRESIDENT: An absolute majority is required before such a motion can be carried.

Motion put.

The PRESIDENT: There being no dissentient voice, and more than an absolute majority of members present, I declare the motion carried in the affirmative.

Motion thus passed.

Personal Explanation.

The CHIEF SECRETARY: I wish to make a personal explanation. When I was approached regarding this matter, I stated I had no objection to the motion being placed before members because, when the adjournment was moved, it was understood there would be another sitting. Since then other developments have taken place and we are hopeful that the session will end with this sitting. I pointed out to the hon. member who approached me that I was prepared to give this House an assurance on behalf of the Government that until the House had had an opportunity of dealing with the regulations, the Government would see that they were not arbitrarily enforced. I wish the House to know that, because it may have some effect on the way in which members will record their vote. I have not had an opportunity to go into the whys and wherefores of the matter, and so I must leave it at that. I do, however, repeat my assurance that the Government will see to it that the department do not unduly enforce the regulations.

Debate Resumed.

HON. H. SEDDON (North-East) [11.32]: I find myself in the position that I am quite prepared to accept the assurance of the Minister, which in the circumstances will be quite satisfactory. I understand that legal

difficulties have arisen in connection with this regulation which may render it undesirable, but I wish it to be understood that I am prepared to accept the Minister's assurance.

HON. J. J. HOLMES (North) [11.33]: I also am prepared to accept the Minister's assurance but it appears to me that we will lose our only chance of dealing with the regulation. Unless it is objected to now it will become permanent, and thus we shall lose our right to object to it. I accept the assurance given that the Government will not arbitrarily enforce the regulations, but the difficulty is that Governments come and Governments go, and we might have a Minister in power who would want to enforce the regulations, in which case the Minister's assurance would not be worth anything. While I accept the Minister's assurance I can only repeat that it does not bind his successors.

HON. C. H. WITTENOOM (South-East—in reply) [11.35]: Owing to the lateness of the hour I do not propose to say anything beyond expressing the hope that members will support the disallowance of the regulation.

Question put and passed.

BILL—ABORIGINES ACT AMENDMENT.

* Returned from the Assembly with amendments.

BILL—DAIRY PRODUCTS MARKETING REGULATION AMENDMENT.

Assembly's Message.

Message from the Assembly received and read notifying that it had agreed to the amendment made by the Council.

BILL—PURCHASERS' PROTECTION ACT AMENDMENT.

Assembly's Message.

Message from the Assembly received and read notifying that it had agreed to the amendments made by the Council.

BILL—LOTTERIES (CONTROL) ACT AMENDMENT.

Assembly's Message.

Message from the Assembly disagreeing with the amendment made by the Council, now considered.

In Committee.

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

Clause 2—Insert, after the words "to month" in line 16, the words "and such report shall be published immediately in the 'Government Gazette'":

The CHAIRMAN: The Assembly's reason for disagreeing to the amendment is as follows:—

In view of the provision made for Government audit, and the presenting of same to Parliament, this is considered sufficient publicity.

The HONORARY MINISTER: I move—
That the amendment be not insisted on.

Hon. H. S. W. PARKER: I was responsible for the amendment, but I do not propose to argue the matter. Personally I cannot understand why the Government should have opposed the publication of the reports of the Government Auditor.

Question put and passed; the Council's amendment not insisted on.

Resolution reported, the report adopted and a message accordingly returned to the Assembly.

*Sitting suspended from 11.15 p.m. to
12.21 a.m.*

BILL—TRADE DESCRIPTIONS AND FALSE ADVERTISEMENTS.

Assembly's Message.

Message from the Assembly disagreeing to six amendments made by the Council and agreeing to two amendments subject to further amendment now considered.

In Committee.

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

No. 9. Clause 8, Subclause 4 (a), (i), page 6:—Delete the words "an inspector," in line 37, and substitute the words "the Minister."

The CHAIRMAN: The Assembly's reason for disagreeing to the amendment is that the

administrative duties should be the responsibility of the inspectors appointed under the Act.

The HONORARY MINISTER: I move—
That the amendment be not insisted on.

Under the Factories and Shops Act the inspectors discharge the administrative duties and it would probably be difficult for the Minister to undertake this work.

Hon. W. J. MANN: We should insist on the amendment. I have discussed the matter with a number of leading members of the Press and they are particularly desirous that in view of the serious consequences involved, someone with greater authority than an inspector should issue the orders. An inspector might be mistaken in his conception of a case; we should consider the possibility of error. While I have nothing derogatory to say of inspectors generally, they are usually versed in one particular calling only. An advertisement might cover one of a thousand things, and to expect an inspector to be an authority on all of them would be unfair. The newspapers contend that it will not inconvenience the Minister if, where action is desired to be taken, the inspector reports to the Minister and the Minister gives the case additional consideration. In that way the risk of error would be largely obviated. The newspapers are anxious that someone in authority, for preference the Minister, should be the person to issue a warning. If later it was found that the issuing of warnings became irksome to the Minister, an alteration could be made. However, it is not anticipated that there will be many of these warnings.

The HONORARY MINISTER: The inspector must necessarily be an experienced and qualified man. The Minister must take advice from his experts, in this case the inspectors. The amendment would cause much delay, thereby largely nullifying the measure.

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

Ayes	9
Noes	13

Majority against ..	4
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AYES.

Hon. J. M. Drew
Hon. J. T. Franklin
Hon. G. Fraser
Hon. E. H. Gray
Hon. E. M. Heenan

Hon. W. H. Kitson
Hon. H. S. W. Parker
Hon. A. Thomson
Hon. L. B. Bolton
(Teller.)

NOES.

Hon. C. F. Baxter	Hon. J. Nicholson
Hon. L. Craig	Hon. H. Seddon
Hon. C. C. Elliott	Hon. H. Tuckey
Hon. V. Hamersley	Hon. C. H. Wittenoom
Hon. J. J. Holmes	Hon. G. B. Wood
Hon. W. J. Mann	Hon. H. V. Piesse
Hon. G. W. Miles	(Teller.)

Question thus negatived; the Council's amendment insisted on.

No. 11. Clause 8 Subclause 4 (b) (i), page 7:—Insert after the word "Section," in line 15, the words "such warning to be in writing signed by the Minister and delivered at the place of business of the printer."

The HONORARY MINISTER: I move—

That the amendment made by the Assembly on the Council's amendment be agreed to.

Hon. W. J. MANN: I am glad that the Minister in another place has recognised the necessity for a written warning. The acceptance of the clause is contingent upon the acceptance of a further amendment made by this Chamber. I asked for 12 hours' notice in the case of daily newspapers and 24 hours' in the case of others. I have been chided since for not asking for longer notice in the case of papers other than daily. The matter seriously affects such journals as the "Westralian Worker," the "Primary Producer," "Sunday Times," "Mirror," and all but the very smallest papers in country districts. Such papers print a portion of their issue a day, and sometimes two days, before the date of publication. That procedure is essential. Most of the papers will not receive advertisements on the day of publication, because they cannot then handle them. The large advertisements have to be cleared off on Friday in the case of a newspaper published on Sunday, so as to leave the staff free to deal with last-minute news, telegrams and so forth. Suppose an advertisement was received by such a paper on Thursday, and set up and printed in many thousands of copies. Next thing a warning is received that the advertisement contains something false. In those circumstances the newspaper would have to cast aside the whole of that portion of the issue, and probably have to set up afresh an entire page and make up the issue again. Twenty-four hours' notice would mean that a paper published on Sunday would have to receive notice before midnight on Friday. Newspapers will do everything possible to help the Government in the suppression of misleading advertisements. The Minister in another place has not accepted the periods of

12 and 24 hours; but if the technical difficulties in the newspaper sphere were explained to him, doubtless he would agree to the hours mentioned in this Chamber's amendment. I assure hon. members that the newspapers are greatly alarmed.

Hon. J. M. DREW: I have pleasure in supporting Mr. Mann in the stand he has taken. This amendment would cause serious inconvenience and loss to the great majority of newspapers. Take small country newspapers, of which there are scores, published once a week. The front and back pages have to be printed a day, or perhaps a couple of days, before the issue of the paper. In the case of a paper published twice a week in a larger town, the front and back pages have to be printed a day before. In the case of a paper published three times a week, the pages have to be printed the first thing in the morning; otherwise it would be impossible to issue the paper. If an inspector came in within eight hours of publication of the paper and gave the direction that a false advertisement had been appearing, the whole issue would be sacrificed. In the interests of newspaper proprietors of Western Australia, I hope the Council will insist on its amendment.

The CHAIRMAN: I remind hon. members that if they want to adhere to their amendment, they will vote the motion down. The question is that the amendment made by the Assembly be agreed to.

Question put and negatived; the Assembly's amendment on the Council's amendment not agreed to.

No. 11. Clause 8: Subclause (4) (b) (i), page 7:—Insert after the word "section" in line 15, the words:—"such warning to be in writing signed by the Minister and delivered at the place of business of the printer."

The HONORARY MINISTER: I move—
That the amendment be not insisted on.

Hon. W. J. MANN: For the same reason I gave previously, I hope the Committee will insist upon the amendment.

Question put and negatived; the Council's amendment insisted on.

No. 12. Clause 8: Subclause (4) (b) (ii), page 7:—Insert after the word "possession," in line 18, the words:—

"or in the case of any catalogue, book, or publication in which such advertisements are purely incidental such printer has

amended the false advertisement to the satisfaction of an inspector so that the advertisement no longer offends against this Act."

The HONORARY MINISTER: I move—

That the amendment made by the Assembly on the Council's amendment be agreed to.

Question put and passed; the amendment on the Council's amendment agreed to.

No. 15. Clause 14:—Delete the word "off" in line 11 and substitute the words "not exceeding."

The HONORARY MINISTER: I move—

That the amendment be not insisted on.

Question put and passed; the Council's amendment not insisted on.

No. 17. Clause 15:—Delete Subclause 2:

The HONORARY MINISTER: I move—

That the amendment be not insisted on.

Amendment put and passed; the Council's amendment not insisted on.

No. 19. New Clause:—Add a new clause after Clause 23, to stand as Clause 24, as follows:—

24. This Act shall continue in force until the thirty-first day of December, 1938, and no longer.

The HONORARY MINISTER: I move—

That the amendment be not insisted on.

Hon. H. SEDDON: I hope the Committee will insist on this amendment.

Question put and negatived; the Council's amendment insisted on.

No. 20. Schedule:—Add the following items to the Schedule:—

"Clothing and materials for clothing made wholly or partially of wool."

The HONORARY MINISTER: I move—

That the amendment be not insisted on.

Hon. J. J. HOLMES: This Bill was introduced in another place, and according to the published report of what the Minister said, it originated from the woolgrowers of this country. The Minister said, "I think members of the Primary Producers' Conference a few weeks ago apart from the Pastoralists' Association also passed a resolution urging that legislation of this nature be introduced at the earliest possible moment." He added that a great amount of misrepresentation had been going on in recent years in regard to alleged woollen goods being

offered to the buying public. The Government when introducing this Bill had this particular amendment inserted. It was taken out in another place, for what reason I do not know, but I heard indirectly that the Government had not the numbers present at the time. This originally was essentially a wool Bill. It was to protect the public from being sold shoddy for pure wool. We should insist upon the amendment in view of the fact that the words were in the Bill when it was originally brought down.

The CHIEF SECRETARY: I am inclined to agree with the hon. member, but I think the objection in another place was to the word "partially." If the hon. member were to move to delete "partially" and insert "mainly," probably that would meet the case.

Hon. H. V. PIESSE: This, as Mr. Holmes has said, is the most important provision in the whole of the Bill, at all events from the woolgrowers' point of view. A few days ago I went into a big warehouse that imports woollen goods. The manager of that warehouse pointed out to me that where even a small quantity of silk or cotton was used in a suit length that was mainly of wool, under this provision they could not sell that unless the trade description was placed on it. If we were to agree to the Chief Secretary's suggestion I think we should get over the difficulty. I move an amendment—

That "partially" be struck out and "mainly" inserted in lieu.

Hon. L. CRAIG: I am afraid we do not know much about this subject. I understand that scarcely any first-class garment to-day is made wholly of wool. Anyhow, what does "mainly" mean? Does it mean 51 per cent.?

The Honorary Minister: It means more than "partially."

Hon. L. CRAIG: There are some high-class materials that carry a mixture of wool and cotton, and which are known by trade names. I understand that the demand for those goods is equal to several times the supply. It is not a question of finding buyers for them, but of securing the necessary quantity of the stuff. I believe that definite inquiries should be made before we take this proposed action.

Hon. J. J. HOLMES: The wool people have agreed to tax themselves in order that

the value of wool may be realised and advertised. The Pastoralists' Association ran a wool week in Perth. What happened? They thought that some of the retail traders would be putting jokes over the public about pure woollen goods, and so they took precautions and got prices from the retail shops. In one of the first-class houses in Perth a lady got a pattern and a price. When the wool week came on she went round the shops again and found that the article of which she had got a pattern was marked "pure wool, price 18s." On her previous visit the article had been described to her as a mixture of wool and cotton. I am not going to compromise on this amendment.

Hon. H. V. PIESSE: We have in the Schedule, blankets, bedding and flannel. Under the regulations any other goods can be added to the Schedule. The general manager of that big warehouse I visited was wearing a suit, the material of which carried small marks of silk. He said, "We could not put this material I am wearing on the market if you pass that amendment." Yet that material was 99 per cent. wool.

The CHAIRMAN: I understand that the Honorary Minister desires a modification of the motion before the Committee.

The Honorary Minister: I suggest that.

The CHAIRMAN: The original amendment made by the Council was to add the following items to the Schedule:—Clothing and material and clothing made wholly or partially of wool. The Assembly has objected to the word "partially." I suggest that we pass the following:—

The Council insists on its original amendment with the following modifications:—Clothing and materials for clothing made wholly or mainly of wool.

Hon. H. V. PIESSE: Very well, I will agree to that and will alter my amendment accordingly.

Amendment put and passed; the Council's alternative amendment, agreed to.

Resolutions reported and the report adopted.

A committee consisting of the Hon. W. J. Mann, Hon. H. V. Piesse and the Honorary Minister drew up reasons for not agreeing to certain of the amendments.

Reasons adopted and a message accordingly returned to the Assembly.

BILL—FINANCIAL EMERGENCY TAX ASSESSMENT ACT AMENDMENT.

Received from the Assembly and read a first time.

Second Reading.

THE CHIEF SECRETARY (Hon. W. H. Kitson—West) [1.28] in moving the second reading said: This is the Bill which I assured the House would be brought forward before the sitting concluded. It is an amendment to the Financial Emergency Tax Assessment Act, 1932-1934, and is in accordance with the Financial Emergency Tax Bill which this House agreed to some hours ago. There is no necessity for me to do more than point out that the exemption provided in this Bill is for £3 15s. as against £3 12s. in the existing Act. The third clause also amends Section 9 of the Act, but that is really a consequential amendment. I move—

That the Bill be now read a second time.

Question put and passed.

Bill read a second time.

In Committee.

Hon. G. Fraser in the Chair; the Chief Secretary in charge of the Bill.

Clause 1—agreed to.

Clause 2—Amendment of Section 4 of the principal Act:

Hon. J. NICHOLSON: There is one small matter to which I desire to draw attention. At the end of subparagraph (i) there is a reference to income being "less than" £195 per annum but in subparagraph (ii) there is a reference to the limitation respecting salary or wages "less than" £3 15s. per week. I was wondering whether the words "shall not exceed" should appear instead of "not less than."

The CHIEF SECRETARY: I am advised that the wording of the subparagraph is quite correct.

Hon. J. Nicholson: Very well.

Clause put and passed.

Clauses 3, 4—agreed to.

Title—agreed to.

Bill reported without amendment and the report adopted.

Third Reading.

Bill read a third time and *passed*.

BILL—DISTRESS FOR RENT ABOLITION.

Assembly's Message.

Message from the Assembly notifying that it had agreed to Amendments Nos. 2, 3 and 4 made by the Council, and had agreed to

Amendment No. 1 subject to a further amendment, now considered.

In Committee.

Hon. J. Cornell in the Chair; Hon. E. M. Heenan in charge of the Bill.

No. 1. Clause 6.—Delete the words "weekly or monthly" in line 3.

Assembly's amendment to Council's amendment No. 1.—At the beginning of the amendment before the word "Delete" insert the words "Insert after the word 'tenant' in line 3 the words 'or lessee' and."

Hon. E. M. HEENAN: I move—

That the amendment on the Council's amendment be agreed to.

The Assembly's amendment is really complementary to that which was moved by Mr. Nicholson and to which the Assembly agreed.

Question put and passed; the Assembly's amendment on the Council's amendment agreed to.

Resolution reported, the report adopted and a message accordingly returned to the Assembly.

BILL—PETROLEUM.

Assembly's Message.

Message from the Assembly notifying that it had agreed to Amendments Nos. 1 to 6 and 10 to 23 inclusive and had disagreed to amendments Nos. 7, 8, 9, 24, 25, 26, 27 and 28, for the reasons set forth in the Schedule annexed, now considered.

In Committee.

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

No. 7. Clause 16: Subclause 2:—Delete the word "four," in line 14, and substitute the word "eight."

The CHAIRMAN: The reason given by the Assembly for disagreeing to the amendment is as follows:—

The amendment provides that the reward lease to be granted to the second licensee to discover payable petroleum in the same oil province shall be increased from four square miles to eight square miles.

In view of the large area provided for the first discoverer of oil in the State, and also the first discoverer of oil in any oil province, it is considered that four square miles is ample for the second discoverer. It must be borne in mind that this area is granted after oil has been discovered in the State.

The CHIEF SECRETARY: I move—
That the amendment be not insisted on.

Hon. H. SEDDON: I do not intend to ask the House to insist on the amendments. I am given to understand that it is not intended to agree to any of those which the Council made, and, in the circumstances, the best thing we can do is to accept that position. I wish to make my attitude clear. The amendments I moved were with the idea of endeavouring to establish scientific control of petroleum occurrences in Western Australia. The conditions laid down in the Bill will perpetuate all the evils associated with petroleum development in other countries. However, that is a matter for the Government to determine. I have done my duty in bringing the position under their notice and I shall not ask the House to insist on the amendments.

Question put and passed; the Council's amendment not insisted on.

No. 8. Clause 16:—Insert a new Subclause 3 as follows:—“(3) The licensee mentioned in Subsection (1) and in Subsection (2) of this section shall have the preferential right to apply for and obtain four ordinary petroleum leases under Division 3 of this Part of this Act.”

Assembly's reason for disagreeing to the amendment: The discoverers of oil referred to in Subsections (1) and (2) of Section 16 are granted large areas which are free of rent for a period not exceeding five years, and on which a very small royalty is collected. By giving them a preferential right to obtain four ordinary petroleum leases, their reward is being further increased. It is already provided under the Act that a person can hold up to five petroleum leases in any one oil field, and it is therefore competent for the holder of a reward lease to apply for ordinary leases. To agree to the amendment would grant them another 1,280 acres.

No. 9. Clause 46, Subclause 2: Delete the words “one hundred and sixty acres” in lines 22 and 23 and substitute the words “three hundred and twenty acres.”

Assembly's reason for disagreeing to the amendment: It is considered that the area provided originally under the Act, of 160 acres for each oil lease, is ample. A person can hold five oil leases within the one oil field, or a total of 800 acres.

No. 24. The Schedule: Part I, paragraph (a):—Delete the words “For the first five years of the term of the lease” in first line and substitute the words “For the first two years of the term of the lease no royalty shall be charged, and for the next three years the royalty shall be.”

Assembly's reason for disagreeing to the amendment: The amendment provides that, not only shall the holders of reward leases have large areas free of rent, but they shall not pay any royalty for two years. A considerable amount of oil might be produced within the two years from which the Government would get nothing. The royalty provided originally was quite low enough. Papua provides for a royalty of 10 per cent. at well-head, in addition to a rental of 1s. 8d. per acre per annum, and the lodgment of a bond of £10,000. We provide for a royalty for the first five years of 5 per cent., rent at the rate of 6d. per acre, and no bonds as far as leases are concerned.

No. 25. The Schedule: Part II:—Delete all words after the word “scale” in second line down to and including “15 per cent.” in eleventh line and substitute the words:—

“For the first two years a royalty not exceeding five per cent.;

For the remainder of the term of the lease a royalty not exceeding ten per cent.; such percentage to be determined by the Minister.”

No. 26. Delete paragraph (1) of the proviso.

No. 27. Paragraph (3) of the proviso:—Delete the words “the royalties prescribed in this Part shall be the respective percentages therein set forth” in the first and second lines and substitute the words “such royalty shall be a percentage.”

No. 28. New paragraph:—Add a paragraph at the end of Part II, as follows:—

“Such royalty shall be payable at such times, and subject as aforesaid, in such manner as prescribed by regulations under this Act.”

Assembly's reason for disagreeing to the amendments:—Nos. 25 to 28: It is considered that the royalties provided originally are reasonable. They are on a sliding scale, and it must be borne in mind that oil will have already been discovered in the State before these leases are taken up. Our lease rents and other conditions are most reasonable.

On motions by the Chief Secretary, the foregoing amendments were not insisted on.

Resolutions reported, the report adopted and a message accordingly returned to the Assembly.

BILL—PEARLING CREWS ACCIDENT ASSURANCE FUND.

Assembly's Further Message.

Message from the Assembly notifying that it continued to disagree with two amendments made by the Council, now considered.

In Committee.

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

The CHAIRMAN: On page 100 of the minutes members will find the message sent to this Chamber by another place giving reasons for having disagreed to the amendments made by the Council to the Bill. The Council decided to insist on those amendments, and a message was returned to the Assembly. For the first time in my recollection an unusual course has been adopted, that is to say, a message was returned by the Assembly to the Council intimating that the Assembly continued to disagree, but no further reasons were given for the continued disagreement. Our Standing Orders provide that when the Council amends a Bill and returns it to the Assembly, and the Assembly disagrees with the Council's amendments, a message comes back to the Council, and the Council can either insist on its amendments or ask for a conference, or move that the Bill be laid aside. In this instance the Council returned the Bill and insisted on its amendments. Then the Assembly returned the Bill with a message intimating that it continued to disagree with the amendments made by the Council, but the usual practice of asking for a conference was not followed. The Assembly returned the Bill, with the bare statement that it continued to disagree with the amendments. The Council can now either return the Bill to the Assembly with an intimation that it continues to insist on the amendments, or it can ask the Assembly to agree to a conference. Should the Assembly decline, then the Bill will be lost.

The CHIEF SECRETARY: I move—

That the Council no longer insists on its amendment.

Hon. J. J. HOLMES: I intend to ask the House to insist upon the two amendments, and I call the attention of members to the fact that this Bill, since its return to this House on the 5th November, has been at the bottom of the Notice Paper. The reason the Assembly gave for disagreeing to our amendments was that the board should have the widest choice in connection with insurance. Our amendment gave the board the widest choice.

Hon. L. Craig: Wider than the board had before.

Hon. J. J. HOLMES: The original Bill, as it came to us, provided for insurance with the State office, and our amendment enabled the board to insure with any company. Lloyd's will insure anything, anywhere and at any time. So we have given exactly what the Assembly wants. It was said here that the local insurance companies had refused to quote. I do not blame the Minister because he gets his information from another place. I took the precaution to inquire whether the insurance companies had been asked to quote, and was informed that they had not been asked. The Minister in charge of the Bill in another place repeated the statement. When I saw that I got into touch with the chairman and secretary of the Underwriters' Association—two men whom I had not met before—and asked whether it was a fact that they had been approached and had refused to quote. The position appeared to be that the chairman of the Underwriters' Association was asked to meet the Minister in conference, but the chairman is bound to secrecy as to what happened. The Minister does not appear to have been bound. The mystery surrounding the Bill is difficult to understand. The fact remains that the chairman and secretary said they had not been asked to quote. To say that they had refused to quote when they had not been asked is eluding the issue. I suppose we should deal with the two amendments separately.

The CHAIRMAN: Take them both together.

Hon. J. J. HOLMES: No. 2 amendment can go. We have been trying to protect the board from personal liability to any creditor, and another place says the amendment is not necessary. It passed a Bill for bush nursing containing a similar clause, and I noticed that the Dairy Products Marketing Regulation Bill also con-

tained a similar clause. Yet for the pearling industry it does not matter.

Hon. J. Nicholson: It should be insisted on.

Hon. G. W. Miles: We should insist on both amendments.

Hon. J. J. HOLMES: I am only speaking for myself. I do not think there is any hope of saving the Bill. Members can see that it has been kept back till the last day of the session.

The CHAIRMAN: As the Assembly continues to disagree with both amendments I will take it that the Minister moves that the two amendments be no longer insisted on. The alternative is for a member to move that the Council continues to insist and asks for a conference.

The CHIEF SECRETARY: I move—

That the amendments be no longer insisted on. I cannot say more than I have said previously. I have been definitely advised that the Underwriters' Association were approached and declined to undertake the risk. Therefore it became necessary to seek other means of insurance, and as the State Insurance Office was the only office that would take the risk, provision was inserted to include the State Insurance Office.

Hon. G. W. Miles: We would be stultifying ourselves if we included the State Insurance Office.

The CHIEF SECRETARY: The Government have been advised that the amendment is unnecessary because the board will be a body corporate. I recognise that there is a difference of opinion between Mr. Nicholson and the Crown Law authorities on that point, but I must support the contention that there is no necessity for amendment No. 2.

Hon. J. J. HOLMES: I think we should return the Bill and continue to insist on the amendments.

The CHAIRMAN: And not ask for a conference?

Hon. J. J. HOLMES: No, because the Minister in charge of the Bill has stated through the Press that he will not have a conference.

Hon. G. Fraser: That is unofficial.

Hon. J. J. HOLMES: Send the Bill back and let another place ask for a conference or drop the measure. The responsibility for dropping the Bill would then rest with another place, not with us.

Hon. H. V. PIESSE: I should like to know who advised the Minister that the Underwriters' Association would not quote.

The Chief Secretary: The Minister in charge of the Bill.

Hon. E. H. ANGELO: I am anxious that the Bill should become law because it is desired by the pearlers of Broome. To help to get finality, I am prepared not to insist on amendment No. 2.

Hon. J. Nicholson: That would not overcome the main difficulty.

Hon. E. H. ANGELO: There is a difference of opinion between the Government's advisers and Mr. Nicholson as to the need for the second amendment and therefore I would agree not to insist on it. Still I cannot agree to amendment No. 1. It makes the provision so wide that the board could insure with the Underwriters, Lloyds or the State Insurance Office.

Hon. G. W. Miles: Even with their illegal State Insurance Office?

Hon. E. H. ANGELO: I object to including the State Insurance Office in the Bill because we would be stultifying ourselves after having thrown out the Bill to legalise the State Insurance Office.

Hon. H. S. W. PARKER: Some extraordinary arguments have been advanced. If, as the Minister said, the State Insurance Office, which does not exist officially, is the only office that will quote, why refer to any other insurer? What could be wider than the choice we have given the Government? I am reminded of the man who was afraid to hit the father and so he took it out of the child. Another place is endeavouring to sacrifice the pearlers for some reason which I cannot fathom.

Hon. G. W. MILES: I hope members will continue to insist on the amendment. The dispute has arisen through a bit of pig-headedness on the part of the Minister in another place. We have given the widest possible choice; the board might insure wherever they like. The Minister is trying to force our hands, and if we continue to insist on the amendments, we will put the Bill back into the Assembly and throw on him the responsibility of dropping it.

Hon. E. H. ANGELO: I wish the amendments to be put separately.

Hon. L. Craig: No.

Hon. E. H. ANGELO: I would agree to No. 2, but I certainly cannot agree to No. 1.

The CHAIRMAN: The issue seems to be, who is going to ask for a conference?

The CHIEF SECRETARY: I would not have spoken again but for the assertion about pigheadedness.

Hon. G. W. Miles: Your friend's statement in the Press shows it.

The CHIEF SECRETARY: I might draw a comparison between the so-called pig-headedness of the Minister in another place and the attitude of members here.

Hon. G. W. Miles: We will not stultify ourselves for the Minister or for the Government.

The CHIEF SECRETARY: Members have been advised that the State Insurance Office is the only one that will undertake the risk.

Hon. J. J. Holmes: Our amendment would not prevent that.

The CHIEF SECRETARY: Although that is so, members have said, "That's all right; you can insure with the State Accident Insurance Office if you like but for goodness' sake don't mention the name of that office!" Is not that an example of pig-headedness? The Bill is not a Government Bill at all. I am supporting my colleague in another place though it is not in any way his Bill, contrary to what has been alleged.

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

Ayes	..	..	..	..	8
Noes	..	..	..	..	15

Majority against 7

AYES.

Hon. J. M. Drew	Hon. E. H. Gray
Hon. C. G. Elliott	Hon. E. M. Heenan
Hon. J. T. Franklin	Hon. W. H. Kitson
Hon. G. Fraser	Hon. A. M. Clydesdale

(Teller.)

NOES.

Hon. E. H. Angelo	Hon. H. S. W. Parker
Hon. C. F. Baxter	Hon. H. V. Piesse
Hon. L. B. Bolton	Hon. H. Seddon
Hon. L. Craig	Hon. A. Thomson
Hon. V. Hamersley	Hon. C. H. Wittenoom
Hon. W. J. Mann	Hon. G. B. Wood
Hon. G. W. Miles	Hon. J. J. Holmes
Hon. J. Nicholson	

(Teller.)

Question thus negatived; the Council's amendments again insisted on.

Resolutions reported, the report adopted, and a message accordingly returned to the Assembly.

BILL—ABORIGINES ACT AMENDMENT.

Assembly's Amendments.

Schedule of 35 amendments made by the Assembly, now considered.

In Committee.

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

No. 1. Clause 2:—Delete the words "over twenty-one years of age" in line 23, page 2.

The CHIEF SECRETARY: I move—

That the amendment be not agreed to.

Hon. J. J. HOLMES: Are we supposed to memorise all these amendments? We have nothing either printed or written before us.

The CHAIRMAN: Hon. members have to take the Bill as it left this Chamber and went to another place. We are in a position of some hardship, the same position as members of the Assembly are more frequently in. The position is reversed in this instance. It is not often that a Bill originates here, as this measure did. Hon. members of the Council will now be able to appreciate what this Chamber occasionally inflicts on hon. members of the Assembly. I shall leave the Chair for ten minutes.

Sitting suspended from 2.25 to 3.40 a.m.

The CHIEF SECRETARY: The clause is vital to the Bill. If we agree to the Assembly's amendment it will mean that all quadroons and those of less than quarter-blood will be exempted from the provisions of the legislation. It will mean that the child of a half-caste mother will not be brought within its scope, and many of these people in the Great Southern will have all the privileges of the white race.

Hon. L. Craig: And their mothers will not.

The CHIEF SECRETARY: That is so, and these people will have the right of entry to public houses, and so forth.

Question put and passed; the Assembly's amendment not agreed to.

No. 2. Clause 2. Delete the words "unless that person expressly applies to be brought under this Act and the Minister consents" in lines 29, 30 and 31, page 2.

The CHIEF SECRETARY: This amendment is really consequential upon amendment No. 1. I move—

That the amendment be not agreed to.

Question put and passed; the Assembly's amendment not agreed to.

No. 3. Clause 5. Add the following proviso at the end of line 39, page 3: "Provided that any quadroon, so long as he is under

the age of 16 years, whose parents (or parent if only one surviving or known) are or is ordered or have or has applied (and obtained the consent of the Minister) to be classed as natives or a native shall be classed as a native."

The CHIEF SECRETARY: The same applies to this amendment. I move—

That the amendment be not agreed to.

Question put and passed; the Assembly's amendment not agreed to.

No. 4. Clause 5. Delete Subclause 2, page 4.

The CHIEF SECRETARY: This amendment is in the same category. I move—

That the amendment be not agreed to.

Question put and passed; the Assembly's amendment not agreed to.

No. 5. Clause 6. In paragraph (b), line 12, delete the words "if and when required by the commissioner."

The CHIEF SECRETARY: If we accept this amendment, it will mean that any inspector will have the right to enter any institution and inspect it of his own volition, notwithstanding that it may be controlled or managed by his superior officer. That should not appeal to members. I move—

That the amendment be not agreed to.

Question put and passed; the Assembly's amendment not agreed to.

No. 6. Clause 6. Add "periodically" to the end of the clause.

The CHIEF SECRETARY: This is an amendment that we can agree to, although the word is really redundant. I move—

That the amendment be agreed to.

Question put and passed; the Assembly's amendment agreed to.

No. 7. Clause 11. Delete paragraph (c) of the Clause, lines 20, 21, 22 and 23 of page 5.

The CHIEF SECRETARY: The deletion suggested by the Assembly is rather important, and I hope the Committee will not agree to it. Section 15 deals with persons who assist the escape of an aboriginal from an institution, and if the Assembly's amendment be agreed to it will exclude natives. I stress the importance of retaining the provision. It is necessary to be in a position to deal with those who wilfully assist natives to effect escape from such control. I move—

That the amendment be not agreed to.

Question put and passed; the Assembly's amendment not agreed to.

No. 8. Clause 12. Delete the words "use such force as may be necessary to" in lines 6 and 7 of page 6.

The CHIEF SECRETARY: This is a particularly important amendment, and the clause is vital to the Bill. If we agree to it, it will mean that medical officers appointed to inspect natives in the North, where leprosy and venereal diseases are prevalent, will not have the power that is essential to enable the examinations to be carried out.

Hon. L. Craig: And the Legislative Assembly want to remove that power?

The CHIEF SECRETARY: Yes. It may be argued that we have authority under the Health Act, and that natives may be required to report. If we had to rely upon that provision, the position in the North would be impossible.

Hon. J. J. Holmes: The natives would go bush.

The CHIEF SECRETARY: Of course they would. I move—

That the amendment be not agreed to.

Question put and passed; the Assembly's amendment not agreed to.

No. 9. Clause 13. In line 23, delete the word "twenty-one" and insert the word "sixteen."

The CHIEF SECRETARY: The effect of the amendment would be to reduce the guardianship age from 21 to 16 years. I think the period between 16 and 21 years of age, in many instances, is the most important, and during that time we should have control of the natives. I move—

That the amendment be not agreed to.

Question put and passed; the Assembly's amendment not agreed to.

No. 10. Clause 13.—Delete paragraph (c), lines 30 to 36 inclusive.

The CHIEF SECRETARY: We had a long discussion on this matter and agreed to the principle. It is most necessary from the point of view of the commissioner in looking after the interests of the natives employed in various parts of the State. I move—

That the amendment be not agreed to.

Question put and passed; the Assembly's amendment not agreed to.

No. 11. Clause 14.—After the word "amended," in line 37, insert a new para-

graph (a) as follows:—“(a) By adding after the word ‘protector,’ wherever it occurs in the section, the words ‘or inspector and (b)’”

No. 12. Clause 14.—After the word “proviso,” in line 38, insert the words “and paragraph.”

No. 13. Clause 14.—After the word “the,” at the end of line 40, insert the words “refusal to grant, or buy a.”

On motions by the Chief Secretary, the foregoing amendments were agreed to.

No. 14. Clause 14.—At the end of the clause, page 7, insert a new paragraph as follows:—“For the purposes of this proviso an application for a permit shall be deemed to have been refused unless it is granted within three months after the time when application is made for the permit to commissioner.”

The CHIEF SECRETARY: Where a person applies for a permit and the commissioner does not come to a decision within three months, the applicant shall have the right to assume that it has been refused and may appeal to a magistrate. I move—

That the amendment be agreed to.

Question put and passed; the Assembly's amendment agreed to.

No. 15. Clause 16.—In line 13, after the word “protector” insert the words “or inspector.”

On motion by the Chief Secretary, the foregoing amendment was agreed to.

No. 16.—Clause 16. In line 18, delete the word “twenty-one” and insert the word “sixteen.”

The CHIEF SECRETARY: This amendment comes within the category of one already disagreed to. I move—

That the amendment be not agreed to.

Question put and passed; the Assembly's amendment not agreed to.

No. 17.—Clause 17. In line 31, delete the word “twenty-one,” and insert the word “sixteen.”

On motion by the Chief Secretary, the foregoing amendment was consequentially not agreed to.

No. 18.—Clause 31, line 14. After the word “balance,” insert the words “between the widow or husband of the deceased and/or the next-of-kin, if the same or some of them can be ascertained according to the laws of the State, in accordance with and in the

manner prescribed for the administration of the estates of persons dying intestate by the Administration Act, 1903, and if such widow, husband, and/or next-of-kin cannot be ascertained.”

The CHIEF SECRETARY: Where a native dies and leaves property the same position will obtain as applies to a white man. We have determined to give the commissioner certain rights to deal with property on account of the difficulty of dealing with it under the ordinary law. For a considerable time the Curator of Intestate Estates has approved of the Chief Protector acting in this way, and we are asking that the procedure be legalised to facilitate matters for all concerned. The Assembly's amendment would put us back into the position we occupy today. I move—

That the amendment be not agreed to.

Question put and passed; the Assembly's amendment not agreed to.

No. 19.—Clause 21. In line 24, after the word “entitled,” insert the words “under the regulations.”

On motion by the Chief Secretary the foregoing amendment was agreed to.

No. 20.—Clause 21, line 37, delete the word “indigent.”

The CHIEF SECRETARY: This is a serious amendment and should not be accepted. The clause provides for a fund for certain purposes and the indigent native is the one for whom we desire to cater. Under the amendment we would not be permitted to cater for him, but the benefits would be restricted to natives who are the responsibility of other people.

Hon. L. Craig: The amendment would leave it open to any native, including an indigent native.

The CHIEF SECRETARY: As a matter of fact, it will nullify the object of the clause.

Hon. L. Craig: Who is to decide whether a native is indigent?

The CHIEF SECRETARY: In this case it would rest with the Commissioner, or possibly with the owners of the station. I move—

That the amendment be not agreed to.

Question put and passed; the Assembly's amendment not agreed to.

No. 21.—Clause 21: After the word “accident” in line 5 of paragraph (b) of pro-

posed new Section 33B insert the words "in the course of employment under any such permit."

The CHIEF SECRETARY: I cannot agree to this amendment either, because the fund is designed to cover the indigent native who falls ill or who suffers an accident. It has nothing to do with employment. The fund is designed to meet the expense that will have to be incurred in the supplying of medical attention. I move—

That the amendment be not agreed to.

Question put and passed; the Assembly's amendment not agreed to.

No. 22.—Clause 21: Delete sub-paragraph (ii) of Sub-section (3) of proposed new Section 33B.

The CHIEF SECRETARY: This is a very serious amendment. In effect this would mean that in cases the clause deals with, a sick man could be left on the doorstep of the protector and those responsible would think no more about it.

Hon. G. B. Wood: We spent a lot of time over this clause.

The CHIEF SECRETARY: Yes, we did. I move—

That the amendment be not agreed to.

Question put and passed; the Assembly's amendment not agreed to.

No. 23. Clause 22, line 4 of paragraph (b): Delete the words "and for the past maintenance of the child."

The CHIEF SECRETARY: I do not propose to raise any strong objection to this amendment. On many occasions is the department called upon to take the responsibility for the maintenance of children, and I do not see why the department should not be able to recoup itself. I move—

That the amendment be not agreed to.

Question put and passed; the Assembly's amendment not agreed to.

No. 24. Clause 25: Delete paragraph (d) of Subclause (2).

The CHIEF SECRETARY: This is dealing with the right of the Commissioner to object to a marriage between natives, so long as he objects in writing on the prescribed form. We had a long discussion on this point. One feature that I stressed was the fact that all kinds of mixed marriages take place from time to time. It

may be desirable that the Chief Protector should object to a marriage being celebrated between a full-blood native and a half-caste woman.

Hon. L. Craig: Does that mean objecting to a tribal marriage?

The CHIEF SECRETARY: No, to a Christian marriage. If there should be any tribal objection to the marriage the Chief Protector has the right to object also. However, that is a different point altogether. There are many reasons that might cause the Chief Protector to raise objections to any marriage. I move—

That the amendment be not agreed to.

Question put and passed; the Assembly's amendment not agreed to.

No. 25. Add the following proviso to Subclause 2: "Provided that any native who is aggrieved on account of any objection by the Commissioner under this section may appeal to a magistrate."

The CHIEF SECRETARY: Not many occasions arise when an appeal will be made. If one is made, it will cost the department some expenditure. I have, however, no strong objection to the amendment. I move—

That the amendment be agreed to.

Question put and passed; the Assembly's amendment agreed to.

No. 26. Clause 26, line 13: Delete the words "less than £25 nor."

The CHIEF SECRETARY: This amendment means that the Assembly wishes to cut out the minimum fine of £25. That will leave the position such that the fine may be only 10s. and costs. It is time a penalty was imposed that could be looked upon as a deterrent. I move—

That the amendment be not agreed to.

Question put and passed; the Assembly's amendment not agreed to.

No. 27. Clause 26, line 1, page 13: Delete the words "shall be re-numbered as Subsection 3" and insert the words "is hereby deleted" in lieu:

The CHIEF SECRETARY: This is a very important amendment from the point of view of the white population. If it is agreed to, it will mean that any policeman may take action against any individual who has or has attempted to have sexual intercourse with a native. If there was a difference of opinion between two persons, one might take action against the other

out of spite. The safeguard against that is the provision that such action shall not be taken without the permission of the Commissioner. I move—

That the amendment be not agreed to.

Question put and passed; the Assembly's amendment not agreed to.

No. 28. Clause 28, line 14—Delete the word "enter":

The CHIEF SECRETARY: I can foresee a danger if this amendment is agreed to. A native may enter upon licensed premises without being seen, in which case probably no action would be taken against the licensee. On the other hand, if the word is taken out, an aboriginal may think he has a perfect right to go upon licensed premises. It is important that the word should be left in the clause. I move—

That the amendment be not agreed to.

Hon. L. CRAIG: This is a case of an offence by the licensee who may be unaware that a native has entered upon his premises. That should not be regarded as an offence and render the licensee open to a prosecution.

The CHIEF SECRETARY: I believe this provision is taken word for word from the Licensing Act. We should at all events object to the amendment.

Question put and passed; the Assembly's amendment not agreed to.

No. 29. Clause 30, lines 11 and 12—Delete the words "except with the consent of a protector who is not a police officer":

The CHIEF SECRETARY: This deals with native trials. A lot of trouble may be saved if such matters are left to the discretion of the Commissioner. I do not know what the position is from the legal aspect. The words might save much trouble and expense.

Question put and passed; the Assembly's amendment not agreed to.

No. 30. Clause 31.—In line 35 delete the word "may" and insert "shall."

The CHIEF SECRETARY: This amendment, if not ridiculous, is impracticable. There may be no head man of a tribe, or the authorities may not know where he is, or he may be three or four hundred miles away. Surely the court is the best judge whether the head man should be called in to assist in a particular case. Apparently the desire is that there shall be a head man

present at each trial. Then, if a head man could not be found to assist, the trial could not proceed. I move—

That the amendment be not agreed to.

Question put and passed; the Assembly's amendment not agreed to.

No. 31. Clause 31.—In line 18, after the word "appeal" add the following proviso: "Provided that the wife of an accused native shall not be a compellable witness."

The CHIEF SECRETARY: This appears a desirable amendment. I move—

That the amendment be agreed to.

Question put and passed; the Assembly's amendment agreed to.

No. 32. Clause 31.—At the end of the clause, add the following proviso: "Provided further that no such permission shall be granted north of the eighteenth parallel of South latitude."

The CHIEF SECRETARY: If North-West members approve of the amendment, I shall raise no objection to it. The Assembly evidently wishes to provide that the permission shall not apply to country north of the 18th parallel of South latitude. I understand the objection is that natives are highly careless with poison, and that there have been two or three accidents, with the result that men have been seriously inconvenienced through the actions of natives. Under the amendment if one wanted a native to poison a few dingoes or foxes, one would not be able to let him do it. The amendment seems too drastic. I move—

That the amendment be not agreed to.

Question put and passed; the Assembly's amendment not agreed to.

No. 33. Clause 34.—In line 5 after the word "account" insert the words "of the refusal by the Minister to grant such certificate, or."

No. 34. Clause 34.—In line 7 after the word "resides" insert the words "The magistrate may make such order regarding the issue or revocation of the certificate as in his opinion the justice of the case requires, and such order shall be given effect by the Minister."

On motions by the Chief Secretary, the foregoing amendments were agreed to.

No. 35.—New clause. Insert a new clause, to stand as Clause 28, as follows:—"28. A new section is inserted after Section 44 of the principal Act, as follows:—44A. A

native child shall not, without the written consent of the Minister, attend a Government elementary school within the meaning of the Education Act, 1928, in any district or locality where there is a native institution which is accessible and available within a distance of five miles to such child for the purpose of such schooling or education."

The CHIEF SECRETARY: I would like to inquire, Mr. Chairman, if the new clause is within the scope of the Bill.

The CHAIRMAN: I should say not. It is more a matter for the Education Act.

The CHIEF SECRETARY: I raise that question in order to get your opinion on the point. If the amendment be agreed to, we shall be faced with an extraordinarily serious position. It will mean that in any district where there is a native institution, irrespective of what it may be, every native child will have to go to that institution, provided he can be taught there and facilities for that purpose are available.

Hon. J. Nicholson: It does not even say that.

The CHIEF SECRETARY: That is true. This amendment would be all right if we considered the position at Gnowangerup because there is a mission there, and I have no doubt the native people would have no objection to their children attending that particular school. In other districts, however, there are schools or missions belonging to certain denominations. As they are the only ones in the respective districts, the native children will be compelled to attend them and will not be allowed to go to any other school. Many coloured people are living respectable lives, especially in the Great Southern, and no objection is raised to their children attending the ordinary schools at present.

Hon. L. Craig: There is a good deal of objection on the part of white people.

The CHIEF SECRETARY: There is objection in some places, but not in others.

Hon. G. B. Wood: I have not heard of any place where objection has not been raised.

The CHIEF SECRETARY: There are quite a number of such places. Will the hon. member say that it is right to force native children to attend a school 50 or 60 miles away from their homes?

Hon. L. Craig: But this applies only within five miles of the child's home.

The CHIEF SECRETARY: On perusing the Assembly's amendment, copies of which are not available to members, I find that Mr. Craig's statement is correct. I point out that native children are attending 27 State schools at present, and if the amendment should be agreed to and those native children forced to attend institutions for aborigines, it will be most unfair.

Hon. J. J. Holmes: The first point to consider is whether the new clause is within the scope of the Bill.

The CHIEF SECRETARY: That is so, and I thought the Chairman would have ruled it out of order.

The CHAIRMAN: The Chairman has no power to rule out an amendment made by the Legislative Assembly. If we had dealt with this amendment in Committee, I would have ruled it out of order as not coming within the scope of the Bill, and being an amendment more properly to be moved in connection with the Education Act.

The CHIEF SECRETARY: I move—

That the amendment be not agreed to.

Hon. H. V. PIESSE: The provision that the native children can attend schools if the Minister gives his written consent provides sufficient protection.

The CHIEF SECRETARY: The amendment was proposed mainly, I believe, to deal with the position at Gnowangerup, but if it be agreed to, it will apply to the whole State. At Broome, native children would be compelled to go to the convent.

The CHAIRMAN: If my memory serves me right, there is no such disqualification in the Education Act, but if the Assembly's amendment be agreed to, a disqualification will be provided.

Hon. H. V. PIESSE: This matter is in the hands of the Minister and he can control the situation. That should be sufficient protection.

The CHIEF SECRETARY: I am not opposing the amendment for the sake of opposing it. What position shall we be in in all those places far distant from Perth in the North if the amendment is carried? It will mean that every child must go to the native institution within a distance of five miles for education, unless the Minister gives him permission to attend the State school.

Hon. L. Craig: How many schools are there of the nature of the Gnowangerup School?

The CHIEF SECRETARY: Quite a number. There are others at Mt. Margaret, Derby, Broome, Beagle Bay, Port Hedland and so on.

Hon. G. W. Miles: It would mean that you would be giving exemption certificates for perhaps 100 children.

The CHIEF SECRETARY: I am to give 100 exemption tickets to children to attend schools which would come under the jurisdiction of another Minister. I disagree with the amendment.

Hon. C. H. WITTENOOM: I have to stick to my reputation of fighting for the district I represent. I can assure hon. members that the school at Gnowangerup has done very good work. The point is why should not these children go to the school that is provided there?

Question put and passed; the Assembly's amendment not agreed to.

Resolutions reported and the report adopted.

A Committee consisting of the Chief Secretary, Hon. E. H. Angelo and Hon. L. Craig drew up reasons for disagreeing to 24 of the Assembly's amendments.

Reasons adopted, and a message accordingly returned to the Assembly.

BILL—TRADE DESCRIPTIONS AND FALSE ADVERTISEMENTS.

Assembly's Further Message.

Message from the Assembly received and read notifying that it continued to disagree to the Council's amendments Nos. 9, 11, and 19, declined to agree to the Council's further amendment to No. 20, and insisted on its further amendment to No. 10.

In Committee.

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

The CHAIRMAN: The message is merely a repetition of the previous one.

No. 9. Clause 8, Subclause 4 (a) (i), page 6:—Delete the words "an inspector," in line 37, and substitute the words "the Minister."

No. 11. Clause 8, Subclause 4, (b) (i), page 7:—Insert after the word "section" in line 15, the words "such warning to be in writing signed by the Minister and delivered at the place of business of the printer."

No. 19. New Clause.—Add a new clause after Clause 23, to stand as Clause 24, as

follows:—This Act shall continue in force until the thirty-first day of December, 1938, and no longer.

No. 20. Schedule:—Add the following items to the Schedule:—"Clothing and materials for clothing made wholly or partially of wool."

No. 10. Delete the words "the Minister" in lines 3 and 4 and insert in lieu thereof the words "an inspector." Delete the words "twelve hours before the date of publication" in lines 5 and 6 and insert in lieu thereof the words "eight hours before the usual time of publication." Delete the word "twenty-four" in the last two lines and insert in lieu thereof the word "sixteen."

On motions by the Honorary Minister, the foregoing amendments were again insisted on.

Resolutions reported, the report adopted, and a message accordingly returned to the Assembly.

BILL—PEARLING CREWS ACCIDENT ASSURANCE FUND.

Assembly's Request for Conference.

Message from the Assembly received and read requesting a conference on the amendments insisted on by the Council, and notifying that at such conference the Assembly would be represented by three managers.

THE CHIEF SECRETARY (Hon. W. H. Kitson—West) [7.20]: I move—

That the Assembly's request for a conference be agreed to; that the managers for the Council be Hon. G. W. Miles, Hon. H. S. W. Parker, and the mover, and that the conference meet forthwith in the President's room.

Question put and passed.

Sitting suspended from 7.21 a.m. to 8.25 a.m.

BILL—TRADE DESCRIPTIONS AND FALSE ADVERTISEMENTS.

Assembly's Request for Conference.

Message from the Assembly received and read requesting a conference on the amendments insisted upon by the Council and notifying that at such conference the Assembly would be represented by three managers.

THE HONORARY MINISTER (Hon. E. H. Gray—West) [8.26]: I move—

That the Assembly's request for a conference be agreed to; that the conference take place forthwith in the Chief Secretary's room and that the managers for the Council be Hon. W. J. Mann, H. V. Piesse and the mover.

Question put and passed.

BILL—ABORIGINES ACT AMENDMENT.

Assembly's Message.

Message from the Assembly received and read notifying that it insisted on all its amendments.

In Committee.

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

The CHIEF SECRETARY: I move—

That the Council continue to disagree to the amendments made by the Assembly and disagreed to by the Council.

Question put and passed.

Resolution reported, and the report adopted.

Council's Request for Conference.

THE CHIEF SECRETARY (Hon. W. H. Kitson—West) [8.33]: I move—

That the Assembly be requested to grant a conference on their insisted-upon amendments, and that the managers for the Council be Hon. L. Craig, Hon. E. H. Angelo and the mover.

Question put and passed, and a message accordingly transmitted to the Assembly.

*Sitting suspended from 8.35 a.m.
to 4.20 p.m.*

BILL—TRADE DESCRIPTIONS AND FALSE ADVERTISEMENTS.

Conference Managers' Report.

THE HONORARY MINISTER (Hon. E. H. Gray—West) [4.20]: I desire to report that the Managers met in conference and arrived at the following agreement:—

Clause 2.—Insert a new definition as follows:—"Chief Inspector" means the Chief Inspector of Factories appointed under the Factories and Shops Act, 1920.

Clause 8.—Add after the word "Minister" as suggested in the amendment the words "or the Chief Inspector," in line 42 of page 6.

Consequential amendments as above to be placed in lines 4, 20, and 25 of page 7.

In line 39, page 7, after the word "warned" add the words "in writing by the Minister or the Chief Inspector."

Clause 8.—Page 7, line 9, after the word "before" add the words "the date of."

Clause 24 of the Bill has been deleted thus making the Act permanent.

Schedule.—Add the following items to the Schedule "Clothing and materials for clothing made wholly or mainly of wool."

Report adopted, and a message accordingly returned to the Assembly.

BILL—PEARLING CREWS ACCIDENT ASSURANCE FUND.

Conference Managers' Report.

THE CHIEF SECRETARY (Hon. W. H. Kitson—West) [4.25]: I desire to report that the managers representing this House and another place met in conference and failed to arrive at an agreement.

Report adopted and a message accordingly returned to the Assembly.

BILL—ABORIGINES ACT AMENDMENT.

Conference Managers' Report.

The CHIEF SECRETARY: I desire to report that the managers representing this House and the managers of another place met in conference and arrived at the following agreement:—

No. 1.—Clause 2: The following was agreed to:—

Insert a further sub-paragraph after the words "who is" at the end of paragraph (b) of the definition of "Native" in Clause 2 of the Bill:—

- (i.) A quadroon under twenty-one years of age who neither associates with nor lives substantially after the manner of the class of persons mentioned in paragraph (a) in this definition unless such quadroon is ordered by a magistrate to be classed as a native under this Act.

No. 2.—Clause 2: The following was agreed to:—

Strike out sub-paragraph (ii) of paragraph (b) of the definition in Clause 2 of the Bill and substitute the following:—

- (ii) "A person of less than quadroon blood who was born prior to the

31st day of December, 1936, unless such person expressly applies to be brought under this Act the Minister consents"

No. 3.—Clause 5: The following amendment was agreed to, namely that the proposed new proviso inserted by the Legislative Assembly to subsection I. of proposed new section 3A be not insisted on.

No. 4.—Clause 5: The managers disagreed to the amendment striking out subsection 2 of proposed new Section 3A but agreed on the following amendment:—

After the word "person" insert the words "who was born prior to the 31st day of December, 1936, and who is"

No. 5.—Clause 6: The managers agreed to the amendment.

No. 7.—Clause 11: The managers agreed that the amendment be not insisted on.

No. 8.—Clause 12: The managers resolved that the amendment be not agreed to but that the following amendment be agreed to: In paragraph (b) of proposed new section 15A (Clause 12) strike out the words "use such force as may be necessary to" and substitute the words "use such means as may be necessary to."

No. 9.—Clause 13: The managers disagreed to the insertion of the word "sixteen" for the word "twenty-one" in line 23 and agreed that the word "twenty-one" stand as printed.

No. 10.—Clause 13: The managers disagreed with the Assembly's amendment striking out paragraph (c) of the Clause and agreed to the paragraph (c) as printed. The managers agreed to the insertion of a further paragraph at the end of Clause 13 as follows:—(d) By adding a further subsection as follows:—(3) every agreement or permit and agreement shall be in accordance with the prescribed form.

No. 16.—Clause 16: The managers disagreed to the amendment and agreed that the proviso should stand as printed.

No. 17.—Clause 17: The managers disagreed to the amendment and agreed that the proviso stand as printed.

No. 18.—Clause 21: The managers agreed to the amendments to sub-section (2) of proposed new section 33A.

No. 20.—Clause 21: The managers disagreed with the amendments proposed and agreed to the following amendments:—In paragraph (a) of sub-section (I) of pro-

posed new section 33B strike out the words "who is not otherwise insured and kept insured to the satisfaction of the Commissioner against sickness or accident."

No. 21.—In paragraph (b) of the same sub-section strike out the word "indigent."

No. 22.—Clause 21. The managers disagreed with the amendment and agreed on the following amendment:—In sub-section (3) of proposed new section 33B, page 10, line 4, strike out all words after the word "possible" and add the following:—(a) provide free transport for the native and send him to the nearest and most accessible hospital, or (b) at the option of a protector provide free transport for the native to the protector and thence provide free transport for the native to the nearest and most accessible hospital.

No. 23.—Clause 22: The managers disagreed with the amendment and agreed to the following amendment:—In paragraph (b) of the clause insert after the word "child" in line 35 the words "not exceeding six months in the case of the child."

No. 24.—Clause 25: The managers disagreed with the amendments of the Assembly striking out paragraph (d) of subsection (2) of proposed new section 42, and agreed that the paragraph should stand as printed, and to the insertion of a proviso at the end of sub-section (2) as follows:—Provided that any native who is aggrieved on account of any objection by the Commissioner under this section may appeal to a magistrate in the magisterial district in which he resides. Such appeal shall be in accordance with the regulations, which may prescribe the time for appealing and the procedure to be followed.

No. 26.—Clause 26: The managers agreed to the Assembly's amendments of the proposed new sub-section (1) of Section 43 and further agreed to the insertion of a further sub-section after the new sub-section (2) proposed to section 43:—(3) All offences under this section shall be tried and determined by a resident magistrate.

The managers disagreed with the Assembly's amendment striking out sub-section (2) of Section 43 of the principal Act.

No. 28.—Clause 28: The managers agreed to the Assembly's amendment.

No. 29.—Clause 30: The managers agreed to the Assembly's amendment.

No. 30.—Clause 31: The managers disagreed with the Assembly's amendment, but agreed to the following amendment:—

In paragraph (c) of sub-section (2) of proposed new Section 59 (D) strike out the word "may" and substitute the following "shall if practicable."

No. 35.—Proposed new clause 44 (A): The managers disagreed with the Assembly's amendment.

Report adopted and a message accordingly returned to the Council.

BILL—ABORIGINES ACT AMENDMENT.

Assembly's Further Message.

Message from the Assembly received and read notifying that it had agreed to the Conference Managers' report.

BILL—TRADE DESCRIPTIONS AND FALSE ADVERTISEMENTS.

Assembly's Further Message.

Message from the Assembly received and read notifying that it had agreed to the Conference Managers' report.

ASSENT TO BILLS.

His Excellency the Lieut.-Governor entered the Chamber at 4.50 p.m., and commanded the attendance of members of the Legislative Assembly, who accordingly arrived with their Speaker.

Mr. Speaker presented the Appropriation Bill, to which His Excellency assented.

His Excellency also gave assent to the following Bills, in addition to Bills previously assented to:—

Forests Act Amendment Continuance.
Financial Emergency Act Continuance.
Guildford Cemeteries.
Western Australian Bush Nursing Trust.
Dividend Duties Act Amendment.
Boat Licensing Act Amendment.
Industries Assistance Act Continuance.
Loan, £3,212,000.
Federal Aid Roads Agreement.
Pensioners (Rates Exemption) Act Amendment.
Road Closure.
Reserves.

Financial Emergency Tax.
Mortgagees' Rights Restriction Act Continuance.
Northam Municipal Council Validation.
Federal Aid Roads (New Agreement Authorisation).
Lotteries (Control) Act Amendment.
Petroleum.
Financial Emergency Tax Assessment Act Amendment.
Distress for Rent Abolition.
Geraldton Health Authority Loan.
Dairy Products Marketing Regulation Amendment.
Purchasers' Protection Act Amendment.
Trade Descriptions and False Advertisements.
Aborigines Act Amendment.

His Excellency thereupon withdrew from the Chamber.

ABDICATION OF KING EDWARD VIII.

Message from the Secretary of State for the Dominions.

THE CHIEF SECRETARY (Hon. W. H. Kitson—West) [5.2]: I beg to announce that I have received a message from the Secretary of State for the Dominions regarding the abdication of His Majesty the King, which message I shall lay on the Table of the House; but before doing so I request you, Mr. President, to read it to the House.

THE PRESIDENT: The following cable message has been received by His Excellency the Lieutenant-Governor, Sir James Mitchell, under date the 10th December, 1936, from the Secretary of State for the Colonies:—

After long and anxious consideration I have determined to renounce the Throne to which I succeeded on the death of my father, and I am now communicating this, my final and irrevocable decision. Realising as I do the gravity of this step, I can only hope I shall have the understanding of my people in the decision I have taken and the reasons which have led me to take it.

I will not enter now into my private feelings, but I would say that it should be remembered that the burden which constantly rests upon the shoulders of a sovereign is so heavy that it can only be borne in circumstances different from those in which I now find myself.

I conceive that I am not overlooking the duties of a sovereign that rest upon me, but place in the forefront the public interest when I declare that I am conscious that I can no longer discharge this heavy task with efficiency or satisfaction to myself. I have accordingly

this morning executed an instrument of abdication in the terms following:—

I, Edward VIII., of Great Britain, Ireland and British Dominions Beyond the Seas, King-Emperor of India, do hereby declare my irrevocable determination to renounce the Throne for myself and for my descendants, and I desire that effect be given to this instrument of abdication immediately whereto I have hereunder set my hand, this Tenth day of December, Nineteen Hundred and Thirty-six, in the presence of witnesses who are subscribed. Signed, Edward R.I.

My execution of this instrument has been witnessed by my brothers, Their Royal Highnesses the Duke of York, the Duke of Gloucester and the Duke of Kent.

I deeply appreciate the spirit which has actuated the appeals made to me to take a different decision, and I have, before reaching my final determination, fully pondered over them, but my mind is made up.

Moreover, further delay cannot but be most injurious to the peoples whom I have tried to serve as Prince of Wales and as King, and whose future happiness and prosperity are the constant wish of my heart.

I take leave of them in the confident hope that the course which I have thought it right to follow is that which is best for the stability of the Throne and the Empire, and the happiness of my peoples. I am deeply sensible of the consideration which they have always extended to me both before and after my accession to the Throne, and which I know they will extend in full measure to my successor.

I am most anxious that there should be no delay of any kind in giving effect to the instrument which I have executed, and that all necessary steps should be taken immediately to secure that my lawful successor, my brother, His Royal Highness the Duke of York, should ascend the Throne.—Edward R.I.

ADJOURNMENT—CLOSE OF SESSION.

Complimentary Remarks.

THE CHIEF SECRETARY (Hon. W. H. Kitson—West) [5.8]: I move—

That the House at its rising adjourn to a date to be fixed by the President.

This will be the last occasion on which we shall meet this session, and it is now my privilege to convey to you, Mr. President, on behalf of myself and members of this Chamber, our appreciation of the courtesy and consideration you have extended to us in the discharge of the duties of your honoured office. We realise how much we are indebted to you for the maintenance of that tradition of harmony that invariably characterises the conduct of this Chamber, and it is the sincere desire of every member that you may long be spared to preside over

the deliberations of this House. We are also indebted to the Chairman of Committees and to his deputies, and I would express the thanks of hon. members and of myself to them for their courtesy and the willing manner in which they have conducted the Committee work. I should also like to express our appreciation of the efficiency of the Clerk of Parliaments and the Usher of the Black Rod. I wish, on behalf of members, to thank the Chief "Hansard" Reporter and his staff for the very accurate and helpful manner in which they have performed their task, and I would gratefully remark on the ready assistance and courtesy extended to us by the other officers and staff down to the messenger boys. Finally, I would like to express my very deep appreciation of the courtesy and consideration that hon. members have accorded me during my first session as Leader of the House. Particularly would I remark on the last two or three weeks which have been exceedingly strenuous, but which have been made much easier by the very willing way in which members have met my desires. My predecessor and old chief, Mr. Drew, set a very high standard in exercising the very arduous duties that the leader of the House is called upon to perform. It has been my constant endeavour to live up to that standard, and in attempting to attain that end, I have been fortified by the sympathetic support extended to me by members of the House during the period of my leadership. To one and all I extend my best wishes for health and prosperity during the ensuing year.

HON. C. F. BAXTER (East) [5.12]: I wish to reciprocate the remarks of the Chief Secretary. This session and particularly the last 24 hours have been noticeable for the very even tenor that has marked the transaction of the business of the House. Every member has applied himself to the task and that task has been to mould legislation in such a manner as to be beneficial to the whole of the people of the State. To you, Mr. President, we owe much. As usual you have displayed great patience, which I personally appreciate, probably not having deserved it all. I have to thank you also for the very able assistance and advice you have always so readily given. This has been characteristic of you during your Presidency over many years, which I hope will be continued for many sessions to come. We are very

fortunate in having so able and so kindly-disposed a President to rule over us. I wish to congratulate the Chief Secretary heartily on the very able manner in which he has carried out his duties during the session. He has referred to the lead that Mr. Drew has given, and with his remarks I fully agree. Mr. Drew has been a remarkable leader and all who follow him and even members of the Chamber may take pattern from him. The Chief Secretary has ably followed Mr. Drew's lead, and has not only done credit to himself but has gained the respect of every member for the kindly manner in which he has discharged his all too arduous duties. To the Acting Clerk of Parliaments I wish to extend my thanks for the very many privileges he has conferred upon me. His advice has been exceedingly valuable, and he has proved most diligent and thorough in discharging his duties. He is following in the footsteps of a man who must be very difficult to follow, that very able, generous and kindly old gentleman, Mr. Grant, whom we all miss so much. I congratulate Mr. Leake on so ably following in Mr. Grant's footsteps. Mr. Sparks, as Acting Usher of the Black Rod, has excelled himself in that position, and we appreciate the fact that he has bent himself to the task with no small success. As I have been able to say during the long term of years I have been a member of this House, so I am able to say once more the same old words of congratulation to the "Hansard" staff. To me their work is still a puzzle from the standpoint that when I receive the proofs of my speeches there are so few corrections to make. I think they must be super men to follow me as they do, and very often I feel that they have done more justice to my speeches than I myself have done. I appreciate the many kindnesses I have received from that quarter. Perhaps I should apologise to our old friend, the Chairman of Committees, for not having addressed my remarks to him earlier. To him our heartfelt thanks are due to the manner of his work, and I personally thank him for his great courtesy to me. It seems like a waste of words to speak of that, because he has always proved so thorough in that position. I hope that Mr. Cornell may long be spared to grace the position. If for any reason he left it, we should feel the loss keenly. The temporary Chairmen of Committees have done exceedingly well while occupying the Chair, and if the services of one of them

were necessary to fill the higher position, we need have no fear for the result. Other officers as usual have been attentive and courteous, and at all times have been willing to go out of their way to attend on members and make things as pleasant as possible for us in the discharge of our duties. I hope that the New Year will be a bright one for every member, that each will enjoy good health and that all will meet again in bright spirits and in the best of health to start another session. To you, Mr. President, to the Chief Secretary and officers of the House, I offer the best wishes for a happy Christmas and a prosperous New Year.

HON. J. CORNELL (South) [5.18]: Once again it is my privilege to return thanks for the kindly recognition of my work in the capacity of Chairman of Committees. This session there have been some changes from the general run of business in this House. May I personally thank you, Mr. President, both as a friend and a colleague for the valuable assistance you have rendered me as Chairman of Committees. I wish also to thank my deputies for their help. As temporary Chairmen of Committees they have been weighed in the balance, but not found wanting; they have made good. The most pleasing feature of this session has been the promotion of Mr. Kitson to the leadership of the House. He has demonstrated that a good sergeant-major can make an excellent, considerate and competent company commander, capable of showing all that regard to members for which we look from the Leader of the House. Mr. Kitson has more than realised the expectations of members, and has pulled more than his full weight in the capacity of Leader. May I say the same of his sergeant-major, the Honorary Minister, who with his limited experience in his new office has certainly made good. He, too, possesses the characteristics of a commander. I regret that Mr. Grant is no longer with us in the flesh though he is still with us in the spirit. The most congenial part of my work as Chairman was when I sat between our two humourists, Mr. Grant, as Clerk of Parliaments, and Mr. Leake as his Assistant. Although I have lost my right-hand supporter of old, my left-hand supporter has become my right-hand support. What can be said of the Chief Secretary making good can also be said of Mr.

Leake. No man is more proud of the manner in which Mr. Leake has discharged his duties as Clerk of the House and of Parliament than that amiable and estimable gentleman whose place he has taken. I thank all the officers and employees of the House for their loyal service. In my long association with Parliament I have received nothing but consideration and good service from the officers generally and every employee of Parliament. In that I include the members of the "Hansard" staff. From them we do not want justice; we want mercy, and I think they give us that on every occasion. The help given to members, particularly towards the end of the session, by the officers of the Crown Law Department, is appreciated by us all. They are a necessary adjunct to this institution. There is one remark I appreciate particularly from Mr. Baxter, namely that I might have a long life. I hope I shall live up to that expectation.

HON. V. HAMERSLEY (East) [5.24]:

As an old member of the House I join in the expressions of goodwill towards you, Mr. President, for the coming year. We thank you for the energy with which you have thrown yourself into the work of this House, for the kindness you have displayed to us all, and for your guidance throughout the session. I feel that we owe you a great deal for these and other considerations. Towards you there is a feeling of goodwill throughout the Chamber, and this has been evidenced all through the session. From the Chief Secretary we have received the greatest courtesy, as well as from the Honorary Minister. To both Ministers we convey our warmest expressions of goodwill. These good wishes are also extended to the Chairmen of Committees. We recognise that a heavy burden has been placed upon those three gentlemen during the session. To all members of the House I tender my thanks for many kindnesses and courtesies. I also desire to welcome to the House the several new members. They are all workers, and I congratulate them on their election. The House has certainly gained by their entry into the debates of this Chamber. I wish to express the deep concern we felt during the statement you read to us a little while ago, Mr. President. A few short months since, we all swore allegiance to our new King, but within the last half-hour we have received a message which I feel has caused

grief to us all. I sincerely hope that in His Majesty's successor we shall find one who will be as able and as much loved as his father was before him. We all looked forward to Edward VIII's reign and to his being the greatest King the British Commonwealth had ever known. I know I am expressing the regret of every member in the unfortunate circumstances that have arisen, which circumstances have caused our King to take the course he has done. I thank members of the "Hansard" staff, the Clerk and Usher of the Black Rod, and all associated with the carrying out of the work of this Chamber. I wish you, Sir, Ministers, and all members a happy Christmas and a prosperous New Year.

THE PRESIDENT [5.29]: I appreciate greatly the many kind and generous remarks that have been made concerning myself. I am sure the remarks about the officers of the House, the staff generally and "Hansard" are very much appreciated. Knowing them as I do, the eulogistic references to the officers were I think, thoroughly deserved. I can earnestly say that whatever portion of the kindly words that have been said about me I may be worthy of, is due entirely to the assistance of others in this Chamber. It is due to the unfailing courtesy and kindness of members, to their consideration towards me, to their desire to assist me and never to hinder. It is also due especially to the Chief Secretary and the Honorary Minister, as well as to the wonderful help I have received from the Chairman of Committees, Mr. Cornell, and his Deputy Chairmen, Mr. Nicholson, Mr. Hamersley and Mr. Fraser. It is due also to a great extent to the officers at the Table of the House. Those officers are worthy of congratulation inasmuch as it is the first session in which they have carried out their present duties, and, at any rate during the last couple of days, those duties have been particularly difficult and onerous and have been associated with problems that were not easy to solve. I heartily endorse the congratulatory remarks that have been made concerning the two Ministers in this House, and wish them the compliments of the season. I reciprocate all the good wishes that have been expressed for the coming year, and my hopes for them and for Western Australia are that the New Year will bring a prosperous time for all.

Question put and passed.

House adjourned at 5.32 (Friday) p.m.