

# Legislative Council,

Wednesday, 12th August, 1931.

	PAGE
South-East Province: Seat declared vacant ...	4372
Motions: Budget economies, withdrawn ...	4372
Production costs, withdrawn ...	4383
Bills: Abattoirs Act Amendment, 1R., 2R., Com. ...	4381
Fremantle (Skinner street) Disused Cemetery, Amendment, 1R., 2R., Com. report ...	4386
Pearling Act Amendment, 1R., 2R., Com. report ...	4387
Constitution Acts Amendment, Assembly's Message ...	4388
Trustees' Powers, Assembly's Message ...	4388
Mortgages' Rights Restriction, Assembly's Message ...	4388
Federal Aid Roads Agreement, 2R., Com. report ...	4388
Finance and Development Board Act Amendment, Com. report ...	4389
Hire-Purchase Agreements, Com. ...	4390
Resolution: State Forests, to revoke dedication ...	4383

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

## SOUTH-EAST PROVINCE.

*Seat Declared Vacant.*

**THE MINISTER FOR COUNTRY WATER SUPPLIES** (Hon. C. F. Baxter—East) [4.33]: I move—

That this House resolves that owing to the death of the Hon. Hector Stewart, late member for the South-East Province, the seat be declared vacant.

Question put and passed.

## MOTION—BUDGET ECONOMIES.

*Withdrawn.*

Debate resumed from the 22nd July on the following motion by Hon. Sir Edward Wittenoom:—

That in the opinion of this House steps should be taken to suggest to the Treasurer economies that may be made to assist in balancing the Budget for 1931-32.

**HON. SIR EDWARD WITTENOOM** (North—in reply) [4.35]: I rise with some diffidence to reply to the many criticisms that have been showered on my simple, harmless and well-meant motion. Surely it was a very harmless motion. It gave an opportunity for suggestions to come from other members as well as from me. I was induced to move it because the last two Treasurers, for many years past have been unable to confine their expenditure within the limits of their receipts; so I thought that perhaps some of us might be able to

offer suggestions that would be of assistance to the Treasurer in making up his Budget for the coming year. May I ask the Pres. to give my reply the same generous recognition that has been given to my critics, especially Professor Murdoch. I was under the impression the Government would have appreciated my efforts, and perhaps thanked me, even whilst not accepting my suggestions. Instead of that they were flatly refused by the Leader of the House in what Mr. Drew termed a crushing reply. Whilst I cannot help admiring the eloquence of the Leader, I feel he had very little sympathy for my suggestions; indeed there seemed to be a tone of resentment permeating his remarks at my temerity in bringing forward suggestions. He took exception to my remarks on education and descended to such piffle I was going to say, but I understand that is not a parliamentary expression—to such gallery stuff or claptrap as the following:—

Stagnation would prevail were those cherished rights wrenched from the children of basic-wage people and others unable to pay for higher education.

In what part of my speech did I suggest wrenching away from the children of basic-wage people those cherished rights? Not anywhere. In my opinion the artisans or basic-wage people enjoy the best incomes in Perth. Let me instance four of them. Take the lumpers at Fremantle: I understand many of them make £10 per week; allow that they make £1 per day, or £6 per week. Then take the shearers: Even at 30s. per 100 a good shearer can make £10 per week; allow him £1 a day, or £6 per week. Then take the engine-drivers, who are getting £1 a day, or £6 per week. Now take the navvies, who build railways out in the open: Would any one of those men live in the open if he did not get something extra for it? Those men probably earn £1 a day. Can anyone tell me that those men have not saved money, that any one of them would begrudge 15s. a week to send his boy to a high school? The Minister also had this to say—

If the cream of our children were denied the opportunity to possess themselves of the intellectual light and knowledge obtainable at State secondary schools there would be heartburnings in the homes of our not-well-circumstanced people.

Every provision is made for "the cream of our children" by very liberal bursaries. Any

clever boy or girl at the State high schools is open to win a bursary. On the information of the ex-Minister for Education, I have it that £12,000 per annum is provided for bursaries and scholarships, which I think is a very liberal provision. For there are not many clever boys and girls. They are just as scarce as are our clever men; you will not get many of either, and so I think £12,000 per annum is a liberal provision for the clever boys and girls that we have. It was apparent the Minister was afraid of my getting support from other members, and so he rushed in his objections as quickly as he could. I in no way discussed the ethics of education. What I really did say was that the Government being very hard up for money, and so many requiring it, the pupils or scholars of the high schools must have had a good education. All of them had good homes and had been well educated and clothed and fed. All I suggested was that since they were costing the State about £80,000 per annum, this money should be suspended for a period and go to help the starving farmers and their families. I added that if an alternative was wanted, there were five private high schools in Perth to which the children might go for 15s. per week. That is not a very great sum, especially if those clever boys and girls secured bursaries and scholarships. Everyone who has been criticising me, either in the House or outside, seems to think I am the only one who has suggested any reduction in the Education Vote. It has been said that all over the world education votes are increasing. Not long ago I saw in the cables that Germany intended to decrease her education vote in the same way as Western Australia, not because she wished to do it, but because she was obliged to do it. The other day I saw an article in a South Australian paper. Here is an excerpt—

A committee in South Australia has reported to Parliament that it is possible to make economies in the expenditure on education. It attacks the problem top and bottom and recommends the closing of 154 schools with an average attendance of less than ten, and remarks that if it should be decided that schools with an attendance of less than 12 should be closed, 94 others would disappear. It advises the amalgamation of high schools (of the whole 29 only 10 have a daily average of 100), and recommends that fees be charged at technical, high primary, and high schools, with certain provisions for meeting cases of special aptitude. The fees suggested are in no case more than one-half cost. The

difficulty in which South Australia finds itself is common to all the States. In most of them the cost of education is at last getting the cold eye. In New South Wales the Government have taken a proper course of preparing to cut out a curious anomaly to which the "Bulletin" has often called attention, the annual grant to Sydney Grammar School.

That is on a par with the silly grant to the University. I hope it will be cut out. The article continues—

The cost of government, including social services, has of late years grown prodigiously. In 1901 the net cost per scholar in average attendance at the State schools in Australia was £4 9s. 3d.; in 1928 it was no less than £14 15s. 11d. It is doubtful whether the secondary schools are justifying themselves. There seems to be much truth in the gibe that they are turning too many people best fitted by nature to be happy tradesmen and farmers into unhappy clerks and accountants and doctors—and perhaps professors. The system formerly employed in New South Wales, in the days before we damned the expense and went ahead, was very near the ideal. To the child above the average in either mental capacity or the capacity for work the high school was always open; to others the high school was available at a fee. Especially at a time like the present there is no obligation on the people to provide more than that.

Provision is made for scholarships in the amount that is put aside for that purpose. Here is another newspaper statement concerning New South Wales—

The Victorian Education Inquiry Board is expected to recommend some substantial savings in technical and high schools and in administration generally. Including percentage deductions on teachers' pay there will be probably a cut of £550,000 or a trifle more. The outlay in 1929-30 was approximately £3,000,000.

I was amused at the three millions. It put me in mind of the rule of three in arithmetic. It occurred to me that if £3,000,000 spent in New South Wales could produce Mr. Lang and all his satellites, what would £800,000 produce in Western Australia? Mr. Drew stated that I wanted to restrict education. I do not desire anything of the sort. I am in favour of education from the elementary stage, through the high schools to the University. What I do want to restrict is the payment by the taxpayer for education beyond the elementary stage. My theory always has been that the State should pay no further than the elementary stage, including technical schools and agricultural colleges, and that the rest should be left by means of bursaries to clever boys and girls

who may come out of any school or college, and that all others should pay a small fee for their secondary education. The policy of Governments for a long time has been to encourage secondary and high school education, and in consequence they have spent many thousands of pounds upon it. I believe the Modern School cost £50,000. It would therefore be impossible to do away with it at present, however much one might think it should be done away with. What I do want is to have this form of education suspended for the 3,200 well-to-do pupils, suspended for a short period just as the Financial Emergency Bill is for a short period. This is a time of emergency, and that form of education might well be suspended. When Mr. Drew criticised my remarks, I am sorry he thought it necessary to disparage the education system of the past, when he said he had to go back many years. He told us that in 1875 only the three R's were taught in Government schools, that a teacher was paid £35 a year, and that a black tracker received the same amount.

Hon. J. M. Drew: It was only a very small salary that was paid to teachers.

Hon. Sir EDWARD WITTENOOM: If that is the case we are paying a great deal too much to-day for what we get. I have known Mr. Drew since he was a boy. He has been a most respectable citizen. He has been editor of a newspaper, a member of Parliament, a Leader of the Legislative Council, and Minister for Education. If we can have all that done by a teacher at £35 a year, surely we are wasting money to-day in the higher salaries we are paying, and yet Mr. Drew says that the black tracker and the teacher received the same salary. I do not say that a black tracker taught the hon. member, but it shows how much we must be overpaying our teachers. Neither do I know what school Mr. Drew went to. I attended a Government school from 1864 to 1866, and was taught not only the three R's but history, geography and divinity. Mr. Drew does not usually make statements without some foundation. This is a subject about which I know a good deal. In 1875, with my brother, I was trying on the outskirts of civilisation to turn a wilderness into a good sheep station. We had 15,000 sheep which had to be shepherded. In those days the blacks were bad, and in consequence we had a hutkeeper for every place so that there would be two men for every

thousand or 1,200 sheep. Even then our sheep were constantly being stolen. At that time in the police force there were two splendid men who had evidently made a study of catching blackfellows. One of these was Joe Watson and the other was Sam Farmer. Those men would take a couple of black trackers with them. The trackers never received 6d. No coloured man was paid in those days. For years afterwards the efforts of all pastoralists were in the direction of preventing any money getting into the hands of aborigines. If a pastoralist gave a blackfellow £1, some white man would very soon have 15s. of it out of him. Where Mr. Drew got his information I do not know, but it is not applicable to the North.

Hon. J. M. Drew: I have the information in black and white.

Hon. Sir EDWARD WITTENOOM: While the hon. member was talking about black trackers and the three R's, I interjected, "What has that to do with my suggestion?" He brought the House down with applause by his very apt reply, "I was endeavouring to show that the old spirit survived." I shall have to be a little egotistical once in a way, because I want to give him some idea what the old spirit was in regard to education. I have here portion of an article written by the "West Australian" on the 1st June, 1897. In 1894 I took over the portfolio of Minister for Education from the late Mr., afterwards Sir Henry Parker, who became our Chief Justice. He in turn had taken the department over from the central board. The central board of education was composed of clergymen of every denomination with the exception of the Roman Catholic. It was then I helped Sir John Forrest to emancipate Roman Catholic schools from the others by giving them a grant of, I think, £18,000 to make up for their buildings. The hon. member, therefore, has to thank me for something. The central board did not do very much in the way of education. The article to which I refer contains the following:—

Towards the close of Mr. Parker's reign, a genuine attempt to put education in this Colony on a proper footing was made. With the assistance of Mr. Walton, a new scheme of regulations was begun, which was preliminary to all the forms. It can, however, hardly be said that much was done under any Minister until Mr. Wittenoom took charge of the department. With that gentleman truly a new era began.

I do not want to be egotistical, but I wish to show what the old spirit was.

That education has made such strides within the last couple of years must be unhesitatingly attributed to the present Minister for Mines. When he handed over the portfolio to Mr. Lefroy, it is no excess of eulogy to say that the department, if we compare the dates when he received it and when he resigned it would not be recognised. It would be a tedious story to recapitulate all that was done during Mr. Wittenoom's administration. The new regulations, which had been left in an incomplete state, were made operative and with them a new period opened. The standard of teaching was raised, schools were multiplied throughout the Colony, fees were made lighter, and a spirit of enthusiasm was infused into the whole department, communicated in a large degree by the presence of a similar enthusiasm in the Minister. Mr. Wittenoom deserves the remembrance of everyone interested in State education.—

Perhaps Mr. Drew will remember that.

—and in bringing its standard in Western Australia nearer to the level it has attained through most of the sister provinces. If we cannot venture yet to challenge comparison with other Colonies, at least Mr. Wittenoom has given us a system of which we have no need to be ashamed. It is emphatically one of the departments against which few complaints have been made in the great rush which followed the finding of gold in Coolgardie as being unable to overtake the demands upon it.

So that the old spirit has survived! The Leader of the House said he did not agree that the Government should dishonour their promise to assist the University. How could he use the word "dishonour"? What about the dishonouring of inscribed stock? What about the dishonouring of interest, or the dishonouring in connection with situations that lots of people have had and were led to believe they would keep? The word "dishonour" cannot be used nowadays in connection with financial affairs. If the Leader of the House wishes to use that word in this case, it must be used in all cases. Why have the Federal Government dishonoured their promise to pay 6 per cent. on war loan bonds, and now ask us to accept 4 per cent., which, by the way, we are willing to do?

Hon. G. W. Miles: To find work for all.

Hon. Sir EDWARD WITTENOOM: I should like to hear from the Minister how he can justify the Government grant of £24,000 to a highly endowed free University, when hundreds of farmers are on the bread line

and numbers of unemployed are on the dole. His answer is that the Government cannot break an honourable understanding. And yet the Government are breaking honourable understandings in every other direction. What I said about high schools applies with equal force to the University. That institution has, I understand, 700 students within its walls. They are all well educated, otherwise they could not have reached the University. They are also well provided with food, homes and clothes, and yet the Government give £24,000 to this highly endowed University, and allow numbers of farmers' children and other people on the dole to suffer. Both Mr. Drew and Professor Murdoch stated that if the University did not receive this grant, it would have to close its doors. All I can say is that if that be so, it must be a very badly managed institution, and I am sure that the late Sir Winthrop Hackett would never have agreed that maintenance should be sacrificed to bricks and mortar. An application to the court would have brought about the necessary alteration of the Will. I shall now say a few words about Professor Murdoch. From his contribution it would seem that there was a good deal more in my remarks than the possible loss of his position. Professor Murdoch seemed entirely to have lost his temper and a good deal of his reason, and, like the Leader of the House, he resorted to platitudes and claptrap. He stated, amongst other things

I propose to give Sir Edward Wittenoom and those who share his notions a bit of my mind, such as it is.

I am very pleased he added the last four words, because if what followed is a specimen of a University Professor's mind I can only say that I shall advise anyone I can against becoming a University Professor. The Professor is a great stickler for free education. The other day I happened to be reading a work on free education, a work which by the way must be considered of some value in that four editions of it were published in 1926 and one in 1927. I intend to read a few lines from this work on the subject of free education and members will be interested to hear what the author has to say. I may add that what is there written does not apply to any particular part of the world, but to the world at large.

Hon. J. J. Holmes: Who is the author?

Hon. Sir EDWARD WITTENOOM: You will find out in a moment. The writer says—

Indiscriminate free education must work havoc with human affairs. It is everywhere bringing about discontent. Millions of the educated mediocre are turned out each year, demanding the good jobs and the genteel billets. But the good jobs remain few; they go, as a rule, to the really capable, and the millions, increasingly as the years pass by, take upon themselves the cast of bitterness and jealousy. Nor do they often stop at that. The modern State is honeycombed with enemies whom it has educated free of cost. Unable to assimilate true knowledge, yet determined upon self-expression, such men and women become labour agitators, ultra-socialists, communists, fomenters of every kind of strife, hating all that is superior, and secretly bent on pulling the whole structure down. The very teachers, themselves, who are poorly paid, and live by routine, are often found among the bitter and disillusioned; their influence upon the students can be imagined.

Free education is also saddling the State more and more with parasites; that is to say, with men and women who acquire enough cunning to despise manual labour, and who try to earn a living without hard work. Take note of the growing army of third-rate musicians, singers, painters, writers, actors, and cinema supers; tipsters, touts, and the flotsam of the raccourse; beauty specialists, herbalists, occultists, and quacks of a hundred varieties; the army of small, inefficient shopkeepers; and most of all the army of middlemen and commission agents (the astutest type of parasite) who batten on the genuine producers from beginning to end, and greatly increase the cost of living. It is clear that the free education of these many is a serious and costly mistake. At the best, they are inferior stuff; they have just learned enough to take the line of least resistance; they produce nothing; they fail to pull their weight in the boat; they cost the state a great and increasing sum, and are secretly hostile to the solid citizen.

The conclusion must be that free education is a two-edged sword. For the right people it is the highest boon we can give; for the wrong, who are in a majority, a waste of time and money. An illiterate peasant, producing food, or some useful material, is a better citizen, and probably a happier man, than a labour agitator, a theatrical super, a quack herbalist or the keeper of some trivial shop—any one of whom may be his half-educated brother or sister. If there must be free education, let us only give the grounding to one and all; let us reserve anything higher than that as a prize to be worked for, an honour, bestowed by the State on brains and character.

That is where our £12,000 for scholarships and bursaries is going. Whilst on the subject of Professor Murdoch and free education, I want it to be thoroughly understood

that I am not agitating for a free university. The University of this State is the product of a most generous endowment. It is what I call an *Imperium in imperio*, in other words a kingdom within its kingdom, having its own money and the right to govern itself as it thinks fit. What I do object to is that citizens' money should be contributed towards the maintenance of the University, especially in the present stressful times, and when we are dealing with so much emergency legislation which the Minister has told us we must vote for. Consequently, to hand over £24,000 to the University is not only wrong but criminal. I will now leave Professor Murdoch to his critics in the Press. Next I come to the Arbitration Court. I said in my opening remarks that the court should be dispensed with, because it was nothing else than an institution for increasing the wages of workers to the detriment of employers. Arbitration courts, not only the court in Western Australia, but others as well, have for several years past by their awards, raised the standard of living to such an extent that it has been found impossible to maintain it. I am one of those who believe that the standard of living should be as high as possible, but what is the good of the court making all sorts of awards that no one can carry out? If it is impossible to maintain the standard of living to the extent to which it has been raised by the court, the only result is unemployment. We have only to go around the city at the present time to find that such is the case.

Hon. J. Cornell: There is as much unemployment in countries where there is no arbitration as there is here.

Hon. Sir EDWARD WITTENOOM: Then there would be no serious harm in doing away with the court in this State. As I said, the awards of the court result in discontent and unemployment as well as bitterness of feeling between employer and worker. I am not giving that as entirely my own opinion. Probably some hon. members have heard of Mr. Bavin, ex-Premier of New South Wales and now Leader of the Opposition in that State. Only as recently as the 25th June, when addressing the National Association Convention, referring to the Arbitration Court, he said—

It has been the curse of Australian politics for 30 years and it has been the source of nine-tenths of the political trouble of Australia since the Commonwealth came into ex-

istence. It was adopted merely to meet the wishes of the late Mr. Justice Higgins, after it had been rejected time and time again. The section of the Constitution dealing with Arbitration has been the greatest blight from which Australia has suffered, and it has been the source of the greatest profit to lawyers.

Thus hon. members will see that mine are not the only views antagonistic to the Arbitration Court. The word "arbitration" should never be applied to the court because there is no arbitration about it at all. The court exists almost wholly for the purpose of increasing wages. I took the trouble to look up the dictionary to find out the meaning of the word "arbitration" and this is what I got—

The hearing of a case between parties in controversy by persons chosen by the parties. . . . It is usual for each party to choose one and these name a third who is called the umpire.

That is arbitration. It may be contended that that is the case with the existing court. The difference, however, is that the umpire is permanently appointed, and he has to decide on all matters in regard to most of which he has no knowledge. How can a lawyer who has had no practical experience of finance, commerce, or industrialism, umpire in such cases? It is generally recognised that very few lawyers are good business men, however clever they may be on the bench or at the bar. I contend that the existing court should be abolished and that the employers and employees should be allowed to settle their own difficulties by real arbitration. As an example of how incapable the president of the court is of deciding on commercial matters, we have his recent decision wherein he made the basic wage 12s. higher than that of the Eastern States, and in that way killed all competition by this State with the Eastern States. I heard an interjection behind me the other day to the effect that he was bound by statute to do that.

Hon. E. H. Harris: I said that he followed the statute which was an instruction from Parliament.

Hon. Sir EDWARD WITTENOOM: A judge should have some discretion, and if he feels that he is going to do harm, he should exercise that discretion and in the increase of the basic wage he could have overridden the conditions of the statute. If he had been a business man and had a knowledge of the harm he was likely to do by increasing the basic wage to such

an extent he would have taken a chance. I had a good deal to do with Labour men some years ago. I happened to be manager for Millars and later also when they became members of the combine. There were about 2,000 men employed, and as there was no arbitration court in existence, whenever a difficulty occurred a round-table conference was held and by compromising we always arrived at a settlement. There was only one strike, and it was while I was in England in 1907. The same conciliatory methods could be adopted now. People might say that the employer would get at the worker, but there would never be any fear of that while they have capable men looking after their interests. On looking through the correspondence in the Press I found that Mr. Barker was good enough to pay me a little attention. Of course he was not able to agree with me on the matter of the Arbitration Court. I can quite understand that. A man like Mr. Barker is opposed to the abolition of the Arbitration Court because he depends for his remuneration on fomenting trouble. To show how little power the court has and how absurd the whole business of arbitration has become, let me refer to the shearers' strike. Some years ago the award rate for shearing was 38s. per 100, and I believe it was Mr. Justice Powers who increased the rate to 40s. Did the employers then rush around and make a fuss about the increase? No. Naturally they resented it and did not want to pay it if they could help it, but they did not create strikes. What happened later? Last year when the rate was reduced to a little over 30s. per 100, there were strikes all over the place. What is the use of an Arbitration Court that cannot enforce its decisions, and puts people to all sorts of expense and trouble? Again I say the Arbitration Court is unnecessary. The Minister, in his remarks—I do not know whether they were original or not—accused me of being a Communist.

The Minister for Country Water Supplies: I did not.

Hon. Sir EDWARD WITTENOOM: I have a note of the Minister's remarks.

The Minister for Country Water Supplies: I said you were unwittingly fraternising with Communists.

Hon. Sir EDWARD WITTENOOM: Yes. He said—

Although it seems unthinkable, it is nevertheless true that, in making that suggestion

the hon. member is unwittingly fraternising with the Communists, who shrewdly recognise that the workers' charter—the Industrial Arbitration Act—is an insurmountable obstacle to the achievement of their objectives.

He certainly compared me with a Communist. All I can say is that I am not a Communist, and that the Minister knows I am not. If I were, it would be quite as excusable as belonging to a Government that budgeted for a credit balance and finished the financial year with a deficit of £1,500,000. That State trading concerns should be disposed of was one of the pledges of the present Government at the elections, but the Minister says he will not sell them unless he can get a good price for them. Most of them are run at a loss, and it will be impossible to obtain the capital value for them at any time. It does not appear to the Minister's business mind that, by saving a loss, one is making money. I certainly did see that he was doing something about the State Implement Works, but he did not do it comprehensively.

The Minister for Country Water Supplies: Yes, I did.

Hon. Sir EDWARD WITTENOOM: The Minister should have done away with them altogether, and allowed the Midland Junction works to carry out whatever Government work was necessary. The Minister is afraid to do that. I certainly did say that the only two trading concerns that were justifiable were the Shipping Service and the Wyndham Meat Works, but I said they should be taken out of the hands of the Government. Tenders should be called for a shipping service to the North-West, subject to schedules of freight both for goods and live stock, and passage money, and for bringing women and children down at reasonable rates during the summer months. In addition, the Government should pay a subsidy for the carriage of mails. That is my theory of the shipping service. The Wyndham Meat Works are necessary to keep the cattle stations going, and really represent a bonus to the cattle industry in that portion of the State.

Hon. Sir William Lathlain: They are an expensive bonus.

Hon. Sir EDWARD WITTENOOM: The Government should get rid of the works by handing them over free of all conditions to the station owners, and letting them get fin-

ancial assistance and manage the works themselves.

The Minister for Country Water Supplies: That offer has already been made.

Hon. Sir EDWARD WITTENOOM: I am very pleased to hear it. I still maintain that the Agent-General's office in London could be dispensed with without causing any inconvenience to the State. The Agent General now has nothing to do with floating loans; there is no purchasing of material to be done as we are carrying out no public works, and migration is at a standstill. What can the Agent General have to do, except dress the office windows with the products of this State? The Minister tried to disparage my occupancy of the office of Agent General.

The Minister for Country Water Supplies: Not at all.

Hon. Sir EDWARD WITTENOOM: He said something about afternoon teas.

The Minister for Country Water Supplies: You yourself said that.

Hon. G. W. Miles: It was a most uncalled-for speech.

Hon. Sir EDWARD WITTENOOM: The Minister only displayed his ignorance by overlooking the fact that, when I held the position, each State was what was rightly or wrongly called a sovereign State, and there was no Commonwealth High Commissioner. The State Agents General were practically ambassadors; now they are general agents instead of Agents General.

The Minister for Country Water Supplies: I was only accepting your own statement made when moving the motion.

Hon. Sir EDWARD WITTENOOM: I was not speaking of myself. I said that Mr. Angwin did not have much to do except to attend afternoon teas and entertainments, and the Minister said that was all I had to do.

Hon. G. W. Miles: The Minister's speech was very enigmatical.

Hon. Sir EDWARD WITTENOOM: As Agent General I had to negotiate loans, which then luckily could be obtained for 3 or 3½ per cent. interest, purchase railway carriages and rails, and complete the tenders for the water pipes for the Coolgardie scheme. Therefore I consider that the Minister was correct for once when he said that perhaps the duties of Agent General had altered considerably since I occupied the post. They have altered: nearly all of the

duties have disappeared. I am glad to find that my views are endorsed by another State. Tasmania has decided to do away with its Agent General and save so much money a year. Therefore I am not alone in making this proposal. Having said that, I wish to make it quite clear that I cast no reflection upon the present holder of the office. It is not his fault that there is no business to be done, and his personal reputation amongst business men in London is excellent. When the Minister spoke of the good work Mr. Angwin was doing, and the money he was saving, I should have liked him to tell us in what way that was being done, and why a competent under-secretary could not do the work at less cost. I wish to emphasise my remarks that no reduction should be made in the pay of the police. I am strongly of opinion that the police should be well paid, because they have very disagreeable duties to perform. They constantly have to carry out unpleasant duties in enforcing the laws passed by this Parliament, and therefore men of high character are required. Let me quote a few remarks apropos of what is required of a policeman—

A policeman must be a man able to pass a standard requiring conditions of exceptional physique and health, and his character must not be open to question. He must have received a good general education, at least equal to that required for admission to other branches of the public service, in order to carry out his duties properly. He is one who is expected to display alertness and intelligence in critical moments. He has important responsibilities resting upon him in maintaining the peace of the community, in the detection of crime and the pursuit of criminals. He frequently is obliged to act upon his own initiative, especially in country districts, and to rely upon his own native intelligence to meet emergencies. He must possess a large amount of tact, as his duties frequently bring him into contact in one way or another with the public. He is a member of a disciplined force, and as such has frequently to carry out duties that may be of an unpleasant nature without fear of or favour towards any person or section of the community. The standard of education is not ended with his registration as a probationary constable. He has after that to acquire a working knowledge of the provisions of the Police Act dealing with general offences and of other of the more important statutes bearing on the criminal law. If he desires promotion, he has to pass other prescribed examinations. When a candidate of the police force has shown himself possessed of the necessary qualifications of physical development, health, character and education, he must then be pre-

pared to submit himself to competition with others possessing the like or similar qualifications before being finally selected. This competition must necessarily be an open one, as the State has the right to expect the best from those offering their services for employment in public offices.

I do not think that anything more I could say would better show the class of men we require in the police force. In the circumstances I hope the Government will see their way to refrain from reducing the pay of the police, bearing in mind the troubles that might follow.

Hon. W. H. Kitson: I thought it was a common sacrifice you wanted.

Hon. Sir EDWARD WITTENOOM: But those men give exceptional service, and the hon. member knows it. The only other people who should not be subject to reductions are returned disabled soldiers. Those men went to the war willingly and offered their lives, and they came back maimed and disabled. They should be treated as liberally as possible. I am not speaking of the men who went to the war and returned whole and able to follow their ordinary avocations. Those who have been disabled, however, should not suffer any reduction. In making that statement I do not include dependants. Another matter I wish to refer to is the payment of pensions and the magnitude of the amount. I do not know whether this applies to the State Government so much as to the Federal Government, but when I mention that £1,250,000 a year comes to Western Australia in the form of pensions from the Federal Government, we can understand why the sales at the various stores in Perth are so successful.

Hon. W. J. Mann: That is £1,250,000 for the whole State?

Hon. Sir EDWARD WITTENOOM: Yes. I am one of those who believe that old and disabled people are entitled to assistance, but when we find that no less than one-eighteenth of the population of Australia are living on the taxpayers, it is high time an inquiry was made. That proportion does not include soldiers or their dependants. A statement of old age pensions as at the 20th March shows that 167,528 were in force. Maternity allowance claims granted for the nine months ended the 20th March numbered 95,491, compared with 96,297 for the corresponding period of last

year. Invalid pensions in force at the 20th March numbered 6,157. I have added those totals to pensioners and claimants and divided the number into 6,000,000, the population of Australia, and I find that one-eighteenth of the people are living on charity. In a country like Australia that is too high a proportion. I am agreeable to doing what we can for the aged and the disabled, but there is justification for inquiry when such a large proportion of our people are in receipt of Government assistance. No person in receipt of public charity should be permitted to vote at elections for Parliament, except returned soldiers. The reason for this is that persons in receipt of public charity often use their votes to obtain additional charity. As I said when moving the motion, I know of cases where two or three candidates went before the same lot of people, and each of them was prepared to put up pensions by half-a-crown per week. That sort of thing might go on interminably. I shall not say much about unemployment, except that to my mind it represents the most serious question confronting the Government and the public. Personally, I see no way out of it. Sir James Mitchell's idea is to borrow more money, and spend it on reproductive public works. Where he will find the reproductive works I do not know, and still less do I know where he will find the money. Therefore I hardly see what can be done. I am humble enough to say that my brains are not capable of discovering a solution of the difficulty. Whilst I am on the subject, I may refer to the fact that when Sir William Lathlain was speaking in connection with Mount's Bay-road, I interjected, "Unnecessary." In doing so I did not mean to be impertinently brief. I consider that Mount's Bay-road should be kept as a show place, a boulevard, in the same way as King's Park is. Mount's Bay-road should be ornamented at the lowest expense practicable with trees, and no commercial traffic should be allowed on it. Speed on it should be restricted, as in the park, to 12 miles an hour; and then there would be no danger of vehicles tumbling into the water. In my opinion, there should be no expenditure on it in cutting away the hill and so forth, as the former Lord Mayor of Perth has suggested. Mount's Bay-road is one of the most beautiful drives in the world, and should be kept as a show drive

and ornamented with trees and other things of that kind. One other suggestion I regard as useful, and as likely to bring in returns in the course of a few years. I refer to the establishment of a sewage farm. Now is a splendid opportunity to put an end to the spoiling of our river by taking all the effluent to a sewage farm, as is done in South Australia. In a few years the farm would pay for itself. All that loose country out towards Wanneroo would be the very district for it. That would be one of the best things the unemployed could be put at. In two or three years people would be renting the area, and fat stock would always be available there. Moreover, we should preserve our beautiful river from the awful smell that occasionally greets one. The widening of the Causeway I regard as an absolute necessity. Although there is no remunerative aspect about it, it is a work that should be done; otherwise there will be plenty of trouble and danger in that direction. One has only to go along the Causeway on a race day or a Sunday afternoon to realise that it is far too narrow for the traffic. I regret that during the whole course of this debate there has been no practical suggestion which has commended itself to the Government. I do not know whether the Leader of the House has been impressed with any of the suggestions made. One of the best I heard was that the banks should be requested not to advance another penny to the Government, so that there should not be an overdraft next year. I do not know whether that suggestion will find acceptance. The only other suggestion I have heard during the debate is that wages and salaries should be reduced. I am told that the reduction proposed will amount to about £800,000 a year. As the Minister will not accept suggestions of any kind on behalf of the Government, I am afraid the country will come out next year quite as badly as last year. I am pleased to see that the public have taken such a great interest in this discussion. When a controversy of this kind receives attention in the Press, it is often thought that the person in such a position as mine contributes, under a *nom de plume*, letters supporting his own cause, so as to make the public think that the public are doing it. I have known this to happen in England during what is called the silly season, when it was desired to start a controversy as, say, "Should wives work, etc.?" I wish to assure hon. members that

I have neither written nor inspired any communication that has appeared in the Press; nor have I asked anyone to write to the Press on the subject. Therefore I hope no one will think that any of the communications which have appeared in the Press originated in any way from me. I shall not refer to any other phase of my opening speech, such as the extension of the operation of the income tax—though I think this a very good thing—reducing the cost of “Hansard,” or dealing with the railways. I do desire, however, to thank you, Mr. President, for permitting me to make my remarks, and to thank hon. members for a patient hearing. I hardly expected that many would agree with me, but I put forward my suggestions in what I regard as the best interests of my native land in its present unfortunate position. I hope I have done so inoffensively. Now, Sir, I ask permission, by leave of the House, to withdraw the motion.

Motion by leave withdrawn.

### **BILL—ABATTOIRS ACT AMENDMENT.**

Received from the Assembly, and read a first time.

#### *Second Reading.*

**THE MINISTER FOR COUNTRY WATER SUPPLIES** (Hon. C. F. Baxter—East) [5.37] in moving the second reading said: There is no power in the Abattoirs Act of 1909 to invest the Government with authority to appoint men to do the knocking-down in public abattoirs. This amending Bill will provide for that desirability and enable the Government to engage the necessary labour. The measure will apply only to public abattoirs in the metropolitan area and Kalgoorlie. Under the slaughtermen's award the knocking-down of cattle in metropolitan abattoirs is the duty of a slaughterman's labourer. As there are approximately 30 butchers slaughtering at the Midland Junction and Fremantle abattoirs, no individual slaughterman's labourer is able to get sufficient daily practice to become expert in the use of the hammer in this particular line of business.

As the hammer, if wielded by an expert, is acknowledged throughout Australia and America as the speediest and most humane way to stun a beast, it is considered that the

Government should be invested with absolute control over the work in order to avoid any unnecessary cruelty, which must always exist whilst the work is being done by inexperienced men. At present, particularly in the case of smaller butchers, the practice that the knocker-down gets is not sufficient to enable him to become expert at the job; and there is likely to be a little unnecessary cruelty. I should add that only in isolated instances has there been any unnecessary cruelty. Periodically it has been claimed that much cruelty is practised at the abattoirs, but the Minister for Agriculture is quite satisfied that such statements are exaggerated.

There are two public abattoirs districts—Kalgoorlie and the metropolitan area. In the latter there are two abattoirs, one at Fremantle and one at Midland Junction. At Kalgoorlie and Fremantle the whole of the knocking-down is done by officials of the Department of Agriculture, who are experts and rarely miss a shot. Consequently there is no cruelty whatever. Almost all the animals slaughtered at Fremantle are knocked down with one blow, and the same applies at Kalgoorlie. At Midland Junction there has been objection to the Department of Agriculture doing the work, and it has been done by the employees of the individual butchers, with unsatisfactory results in some instances. The hammer is used for knocking-down in all abattoirs in Australia and America. In the United Kingdom, where the beasts are handled and consequently very quiet, a humane killer is used, but it is doubtful whether it would be effective here because most of our cattle coming from the stations in the North are very wild. They would object to a human being approaching them so closely as to make the humane killer effective. Nevertheless, the Royal Society for the Prevention of Cruelty to Animals are desirous that that method should be adopted, and have undertaken to secure a humane killer from England for the purpose, and the Minister for Agriculture has agreed that it should be tried at Midland Junction.

It would be wrong to perpetuate a system that permits any unnecessary or avoidable cruelty, and the Government could not be a party to its perpetuation. After investigating the matter the Government are satisfied that the hammer, in the hands of an expert, is effective, and that its use is

unaccompanied by unnecessary cruelty. Accordingly they submit the Bill as a genuine attempt to prevent unnecessary cruelty to animals slaughtered in public abattoirs. The Department of Agriculture will employ one of their own men, and there will be no extra charge to the butchers for his services. I move—

That the Bill be now read a second time.

Question put and passed.

Bill read a second time.

*In Committee.*

Hon. J. Cornell in the Chair; the Minister for Country Water Supplies in charge of the Bill.

Clause 1—agreed to.

Clause 2—New section; No person to knock down cattle unless appointed by the Minister:

Hon. V. HAMERSLEY: I do not know how long this Bill has been before the public, or whether notice of it has been given to those who do private killing. In the metropolitan area various private firms have their own slaughtermen. Probably this measure means a further addition to the cost of living.

Hon. E. H. Harris: In what way? The Minister has said it will not cost anything.

Hon. V. HAMERSLEY: That plea has often been heard. Here a particular person is to be given the exclusive right to do this thing. He may say some day, "This is a holiday, and I am not going to do any killing." An instance of that occurred recently in the case of a vessel, with the result that Western Australia lost the sale of 25,000 cases of fruit. Great inconvenience and loss may result from this Bill. I have not had an opportunity to discuss this matter with anyone interested in the trade, but I can see that some inconvenience may arise as a result of the appointment of a special expert to do the killing.

The MINISTER FOR COUNTRY WATER SUPPLIES: The Bill really gives power to do what is already carried out at Fremantle and Kalgoorlie. The trouble is that in these days knockers-down are employed by small butchers and they have not the experience necessary to make them proficient. At times cruelty may be inflicted as the result of misdirected blows. That would not apply at Fremantle or Kalgoorlie where

the men are expert, but at Midland Junction the position is not quite so satisfactory.

Hon. V. Hamersley: What about Wyndham?

The MINISTER FOR COUNTRY WATER SUPPLIES: The men employed on this work at Wyndham are probably the most expert in the State. They are killing all day.

Hon. H. J. YELLAND: The clause does not seem to be quite definite. Does it refer to cattle only?

The Minister for Country Water Supplies: Yes.

Hon. H. J. YELLAND: Why not state that specifically? It might apply to sheep.

Hon. G. Fraser: You don't knock-down sheep!

The Minister for Country Water Supplies: It applies to cattle only.

Hon. W. J. MANN: I have witnessed a lot of knocking-down of cattle. I saw some of the experts in Queensland knocking-down cattle at the rate of 750 bullocks a day. The man who is expert does not miss once in ten thousand blows, and he causes no cruelty whatever.

Hon. E. H. GRAY: I question the statement by the Minister regarding the humane killer and its use in knocking-down Kimberley cattle. So far from the cattle in Great Britain being so docile as he suggested, I have seen thousands landed in Liverpool that were just as wild as any cattle here. I have read some of the literature issued by the S.P.C.A. with reference to the humane killer, and I hope the day will come when it will be in general use here.

The MINISTER FOR COUNTRY WATER SUPPLIES: I have already informed members that the S.P.C.A. intend importing a humane killer and it will be tried out. If it is successful, it will be used. In the meantime, the hammer will be used.

Hon. V. HAMERSLEY: I quite understand the advisability of instituting some better method of killing if it is possible. On the other hand, if we are going to have an expert appointed by the Government to carry out the work, an employer may receive a sudden rush of orders and may want a few cattle killed. The special killer may not be available, and that may lead to inconvenience. Have the Government made any inquiries among those engaged in the butchering trade to ascertain what effect this proposal will have?

**THE MINISTER FOR COUNTRY WATER SUPPLIES:** The question of humane killing of cattle has been discussed for the last 12 or 14 years. It was raised when I was Minister for Agriculture some years ago.

**Hon. V. Hamersley:** That shows there must be some reason why this method was not adopted at an earlier stage.

**THE MINISTER FOR COUNTRY WATER SUPPLIES:** That is not the explanation at all. There were plenty of expert knockers-down at that time. I have already pointed out the present-day difficulty with the small butchers is that knockers-down have not the opportunity to become proficient. The fears expressed by Mr. Hamersley are groundless. There will be more than one man appointed.

**Hon. J. J. HOLMES:** I do not think the position is quite as the Minister has indicated. He says this will apply to cattle only. I have looked up the principal Act, and I find that Section 5, which Clause 3 will amend, deals with the appointment of officers. Will Clause 2 apply to cattle only? Pigs are sometimes knocked-down and bled afterwards, that being the most humane way by which those animals can be killed. The Minister mentioned that the Arbitration Act award provided special rates of pay for knockers-down, but I understand that, for the convenience of the trade, each butcher is his own knocker-down. Now, in these "affluent times," it is proposed that the Government shall appoint the knocker-down and no extra charge is to be made for his services.

**Hon. G. Fraser:** Surely the appointment will not be confined to one knocker-down.

**The Minister for Country Water Supplies:** There will be more than one.

**Hon. J. J. HOLMES:** Then that makes the position worse. Are we to have an army of expert knockers-down, which will mean more expense? In my opinion, the business is run fairly well now, and I do not think there is any justification for appointing special men at special wages, with no charge imposed for the services rendered.

**Hon. V. HAMERSLEY:** I ask the Minister to defer further consideration of the clause for a day so that we may make inquiries regarding the effect this will have on the trade.

Progress reported.

## RESOLUTION—STATE FORESTS.

### *To Revoke Dedication.*

A message from the Assembly having been received requesting concurrence of the Council in the following resolution, the message was now considered:—

That the proposal for the partial revocation of State Forests Nos. 4, 6, 14, 15, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 33, 34, 36, 37, 38, 39, 42, and 43, laid on the Table of the Legislative Assembly by command of His Excellency the Administrator, be carried out.

**THE MINISTER FOR COUNTRY WATER SUPPLIES** (Hon. C. F. Baxter—East) [5.57]: I move—

That the Council concur in the resolution forwarded by the Assembly.

The particulars regarding the partial revocation of the State forests mentioned were laid on the Table of the Legislative Council on the 9th August, 1931. This proposal provides for the excision from State forests of 50 blocks embracing a total area of about 9,100 acres. Under Section 21 of the Forests Act, 1918, a dedication of Crown lands as a State forest may only be revoked in whole or part in the following manner:—

(a) The Governor shall cause to be laid on the Table of each House of Parliament a proposal for such revocation.

(b) After such proposal has been laid before Parliament, the Governor, on a resolution being passed by both Houses that such proposal be carried out, shall, by Order in Council, revoke such dedications.

(c) On any such revocation the land shall become Crown land within the meaning of the Land Act, 1898.

The conservator has found that the areas referred to are unsuitable for forestry purposes, and he has recommended the release of them for agricultural and other purposes. All the areas have been inspected by the officers of the Forests Department, and in all instances it has been ascertained that the lands cannot be used by the department. In the circumstances it is considered that the areas should be thrown open for selection as it is in the interests of the State that the lands should be cultivated instead of being allowed to remain idle.

Some members may wish to identify the various areas, and to meet that possibility I propose to read certain descriptive par-

ticulars furnished me by the Conservator of Forests, as follows:—

Area No. 1:  $1\frac{1}{2}$  miles South-West of Collieburn. About 16 acres of cultivable land; applied for by an adjoining settler.

Area No. 2: 2 miles North-West of Collie. About 20 acres of non-jarrah country for which application has been made.

Area No. 3:  $2\frac{1}{2}$  miles North-West of Shotts. Area of 320 acres, being two surveyed locations comprising a proportion of flat land, the balance poor timber; applied for by a resident of the locality.

Area No. 4: 2 miles South-West of Cambridge Siding. About 186 acres carrying practically no jarrah timber.

Area No. 5: 6 miles North-West of Marrinup. About 250 acres of non-jarrah country, portions of which have been applied for.

Area No. 6: 1 mile East of Inglehope. A surveyed block of  $18\frac{1}{2}$  acres comprising swampy land of no value for Forestry purposes. Applied for by a resident of the locality.

Area No. 7: At Whittaker's Mill. About 90 acres between two tramway formations, which has been cut over for sawmilling. Portion applied for by a local resident.

Area No. 8: 7 miles North-West of Collie. About 63 acres of swamp land, applied for by resident of the locality.

Area No. 9:  $2\frac{1}{2}$  miles South-East of Greenbushes. About 30 acres adjoining private property, applied for by a local resident.

Area No. 10: 3 miles South of Greenbushes. About 175 acres of fair land, applied for by a settler in the vicinity.

Area No. 11: 6 miles South-West of Kirup. About 20 acres of non-jarrah country, applied for as an extension of an existing holding.

Area No. 12:  $2\frac{1}{2}$  miles South-West of Kirup. About 67 acres, of limited value for reforestation; applied for by the holder of the adjoining location.

Area No. 13: 3 miles East of Keysbrook. About 45 acres containing a creek. Applied for by the holder of the adjoining location.

Area No. 14: 3 miles South-East of Keysbrook. About 24 acres comprising a sandy flat, applied for by a resident of the locality.

Area No. 15: 1 mile North-West of Jarrahdale. About 15 acres of practically non-jarrah country, applied for by an adjoining settler.

Area No. 16:  $3\frac{1}{2}$  miles South-East of Muja. About 160 acres being chiefly sandy flats, balance poor jarrah country, applied for by a local resident.

Areas Nos. 17 and 18:  $3\frac{1}{2}$  miles North-West of Bowelling. About 174 and 56 acres respectively, comprising mainly open flats; applied for by the adjoining land holder.

Area No. 19:  $3\frac{1}{2}$  miles South-East of Buckingham's Siding. About 108 acres of cultivable land; applied for by a settler in the vicinity.

Area No. 20:  $2\frac{1}{2}$  miles South-East of Wellington Mills. About 43 acres of good soil; applied for by a resident of the locality.

Area No. 21:  $1\frac{1}{2}$  miles East of Noggerup. An area of 43 acres surrounded on three sides

by private property; applied for by the holder of adjoining locations.

Area No. 22: 2 miles East of Noggerup. About 145 acres of poorly timbered land; applied for by a local resident.

Area No. 23: 6 miles North-East of Boyanup. About 18 acres, being a corner of State Forest; applied for by the holder of adjoining locations.

Area No. 24:  $1\frac{1}{2}$  miles West of Donnybrook. About 25 acres, comprising a sandy flat and the balance poorly timbered; applied for by an adjoining settler.

Area No. 25:  $4\frac{1}{2}$  miles West of Argyle. About 208 acres, the bulk of the area being swampy land and on the edge of State Forest; applied for by a resident of the locality.

Area No. 26: 1 mile North-West of Argyle Siding. About 28 acres, comprising a section of good land, balance poor timber country; applied for by an adjoining land holder.

Area No. 27: 6 miles North of Nannup. About 520 acres, being an area on the edge of State Forest, comprising a large proportion of marri and blackboy, balance poor jarrah, and cut off from the remainder of State Forest by a surveyed road; application by a local resident.

Area No. 28: 6 miles South-West of Wilga. About 270 acres, comprising a portion of good land, balance poor jarrah; applied for by a resident of the locality.

Area No. 29: 4 miles North-East of Greenbushes. A small area of  $1\frac{1}{4}$  acres of non-jarrah country; applied for by the holder of the adjoining location.

Area No. 30: 6 miles South-East of Wilga. About 1,180 acres, being an area of poorly timbered land which should be sufficient for two holdings; application made by a resident of the locality.

Area No. 31: 3 miles South of Greenbushes. About 18 acres, carrying little timber and including a proportion of good land; applied for by an adjoining settler.

Area No. 32: 3 miles South of Greenbushes. About 90 acres, being an area of fair soil; applied for by a local resident.

Area No. 33:  $1\frac{1}{2}$  miles North-West of Hester. A small area of  $3\frac{1}{2}$  acres, comprising poor jarrah and scrub, and containing a creek; applied for by a settler in the vicinity.

Area No. 34: 9 miles North-East of Nannup. Area of 160 acres, being a surveyed block on which improvements have been effected.

Areas Nos. 35 and 36: 10 miles North-West of Manjimup. Two areas of 245 and 208 acres respectively, adjoining Group country, which it is proposed be made available for selection following reclassification of certain land in this district.

Area No. 37: 8 miles South-West of Jardee. About 32 acres, being an area of non-jarrah country along the 4-Mile Brook; applied for by holder of adjoining locations.

Area No. 38: 6 miles West of Manjimup. An area of about 36 acres, which is not good jarrah country; applied for as an extension of an existing holding.

Area No. 39: 6 miles West of Manjimup. About 5 acres of swampy land; applied for by an adjoining settler for the purpose of obtaining water.

Area No. 40: 7 miles North-West of Pemberton. About 58 acres of good soil, comprising a corner of State Forest; applied for by an adjoining land holder.

Area No. 41: 6 miles South-West of Wilgarup. Area of 500 acres, being a surveyed location which has been considerably improved.

Area No. 42: 15 miles South-East of Jardee. About 130 acres, comprising a surveyed block which has been ringbarked, and an additional area giving access to the river; applied for by a resident of the locality.

Area No. 43: 12 miles South-East of Jardee. About 64 acres, the bulk of which is good land; applied for as an extension of the adjoining holding.

Area No. 44: 12 miles South-East of Manjimup. About 5 acres, being site on which a school has been erected by the Education Department in lieu of the area set aside for the purpose  $\frac{1}{2}$  mile to the North.

Area No. 45: 6 miles North-East of Pemberton. About 91 acres, containing a section of marri land, with odd karri, suitable for agriculture. Remainder of block for excision carries jarrah and a good loadage of karri, and will be reserved for the present.

Area No. 46: 9 miles South-East of Pemberton. About 26 acres, being portion of a Group block wrongly defined and on which considerable improvement work has been carried out.

Area No. 47:  $3\frac{1}{2}$  miles North-East of Nornalup. About 110 acres, containing a proportion of good swamp land, balance poor jarrah and a little karri.

Area No. 48: 8 miles North-West of Nornalup. About 2,830 acres to be excised from State Forest No. 43. Portion of this area will be rededicated with adjoining prime timber country following an arrangement between the Forests and Lands Departments to dedicate the best and most compact of the prime karri and tingle forests between the Deep and the Frankland Rivers, whilst the balance of this area, including smaller patches of karri forest, is being used for settlement under the scheme now operating.

Area No. 49: 2 miles South-West of Greenbushes. About 60 acres at the junction of two streams; applied for by a local resident.

Area No. 50: 19 miles East of Jardee. About 120 acres, including a spring; applied for by the holder of adjoining locations.

I move—

That the resolution be agreed to.

**HON. W. J. MANN** (South-West) [6.10]: I support the motion. The Government are to be congratulated on the action they have taken to make available these blocks of land for settlement in the South-West. It was one of the complaints of the people of the South-West against previous

Governments that it was very difficult to get agricultural country excised from reserves controlled by the Forests Department. This action on the part of the Government affords some justification of the many deputations and pleadings of various people to have such land made available. There are controlled by the Forests Department about 3,000,000 acres of land. Much of it is not forest country and never will be; the number of excisions from reserves in the various districts mentioned in the resolution is proof of that. Many hundreds of acres along brooks and rivers carrying marri, or red gum as it is known, have never grown jarrah and never will. Yet that land has been closed up for a number of years. I am sure the people of the South-West will receive with great satisfaction the present action of the Government.

**HON. H. SEDDON** (North-East) [6.12]

I do not wish to raise any objection to the motion, but I think the House should be reassured in regard to the maintaining of the reservation of forest country previously dedicated. This continual whittling away from that reservation of numerous areas might be justifiable from the standpoint of the agricultural settlers, but it indicates that the quota of land originally set aside for forest purposes is not being maintained.

**Hon. W. J. Mann**: It indicates that much of the land was wrongly set aside in the first place.

**Hon. H. SEDDON**: Can the Minister assure us that additional areas of forest country are being reserved in order to maintain the original quota? While we frequently have requests for the excision of various areas, we do not hear much of other areas being dedicated in place of those excised. I should like some information from the Minister on that point.

**THE MINISTER FOR COUNTRY AND WATER SUPPLIES** (Hon. C. F. Baxter)

(East—in reply) [6.13]: I cannot say that the total acreage reserved is being maintained, but I can say that the whole of the proposed excisions are lands totally unsuitable for timber or forestry purposes, yet eminently suitable for agriculture. They should never have been locked up. Consequently from the State's point of view it is a far better scheme to make use of them for agriculture.

Hon. H. Seddon: But how will you keep up the acreage set aside for forestry?

The MINISTER FOR COUNTRY WATER SUPPLIES: Good land when used for agricultural purposes will give a good return, but I do not think good agricultural land should be locked up for afforestation. This good land, the subject of the Assembly's resolution, when placed under agriculture will return in seven or eight years what it would take at least 50 years to get from it through afforestation. Moreover it must be remembered that we have people ready to take up these excised blocks, and so I think the resolution should be agreed to.

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

*Sitting suspended from 6.15 to 7.30 p.m.*

### **BILL—FREMANTLE (SKINNER-STREET) DISUSED CEMETERY, AMENDMENT.**

Received from the Assembly and read a first time.

*Second Reading.*

**THE MINISTER FOR COUNTRY WATER SUPPLIES** (Hon. C. F. Baxter—East) [7.35] in moving the second reading said: The Bill refers to certain lands now vested in the trustees of the Fremantle Cemetery, and the vesting of those lands in the city of Fremantle. It also amends the Fremantle (Skinner-street) Disused Cemetery Act of 1909. The Skinner-street Cemetery consists of certain lands, which prior to the passing of the Fremantle (Skinner-street) Disused Cemetery Act of 1909 were vested in certain religious bodies or persons, and by that Act were vested in the trustees of the Fremantle Cemetery. Since 1925 representations have been made to the Government that the remains of persons buried in the Skinner-street Cemetery should be removed to the new Cemetery in Carrington-street, so that eventually the Skinner-street ground could be converted into a recreation reserve. The people concerned in the representations pointed out that vaults, etc., were being destroyed, that fencing and gates were being broken down, that animals were straying on the land, and that the public had made a thoroughfare through the ground. Since that date a revised scale of fees for exhumation and removal has re-

sulted in many transfers of remains to the new cemetery, but a number of bodies still remain. Respecting these an application was made by the Cemetery Board to demolish the remaining graves, and remove the remains so that the land might be made a recreation reserve. The board were advised that legislation would be necessary, and later on this Bill with its legislative authority was prepared at the request of Mr. Sleeman, M.L.A. The Cemetery Board have agreed to hand over control to the council unconditionally. The council did not intend to spend any money on the removal of the remains but undertook to put the cemetery in a proper state of tidiness, and proposed that relatives should be asked to have the remains removed to the new cemetery. The Bill now submitted vests the Skinner-street disused cemetery in the council, and immediately empowers the council, if they think fit, to pay for the removal of remains and for the re-erection of headstones, etc., should the council be unable to come to any satisfactory arrangements with the representatives or known relatives of the deceased persons. If, in the future, a few graves remain, and the council are anxious to convert the land to recreation uses, they are empowered in the Bill to take the necessary action and use their funds for the purpose. It is not intended that the cemetery shall be used as a park until the Government are satisfied that all the bodies have been re-interred and that everything is in order. When that stage has been reached the land will be proclaimed a class "A" reserve for recreation, and its control will be in the hands of the Fremantle Council. The representatives of all the religious bodies concerned have signified their approval of the Bill. I move—

That the Bill be now read a second time.

**HON. SIR WILLIAM LATHLAIN** (Metropolitan-Suburban) [7.38]: I congratulate the Government upon the steps they are taking to close the Skinner-street cemetery. The same thing should have been done long ago in the case of the East Perth cemetery. This has been a source of annoyance to the people for a great many years. It is exactly in the same condition as the Leader of the House has described the cemetery at Fremantle. I visited Hobart some time ago. I saw a reserve there which had been created out of an old

cemetery. The plan has been adopted of building a wall around the cemetery, and all the headstones have been removed from the centre—I do not know that all the bodies have yet been removed—and placed against the wall. In this way those who have been buried in that ground and had headstones on their graves are being commemorated, and their memories preserved. I know that the question of the East Perth cemetery is under consideration, and it is to be hoped that before long some very definite and final arrangements will be made respecting it. At present the cemetery is a disgrace to everyone responsible. The position has arisen there because the cemetery was no one's business. A similar position cannot arise in the case of the Karrakatta cemetery. I am a member of the Karrakatta Cemetery Board, together with Mr. Franklin. An annual sum is paid to the board for the upkeep of the cemetery.

Hon. Sir Edward Wittenoom: The Church of England part of the East Perth cemetery is looked after.

Hon. Sir WILLIAM LATHLAIN: Yes. We are indebted to old Mr. Burt for the kindly interest he takes in the East Perth cemetery. Other portions of it are a standing disgrace to the denominations concerned. I support the second reading of the Bill.

HON. J. CORNELL (South) [7.41]: My object in rising is to draw attention to the marginal note to Clause 6 of this Bill. Three Bills have been before us this evening. Each contains the same terminal clause, but each clause has a different marginal note. The first of these was the Pearling Act Amendment Bill, the marginal note of the last clause being "Citation of principal Act as amended." The next was the Abattoirs Act Amendment Bill, the marginal note of the last clause being simply "Reprint." The marginal note to the final clause of the Bill now before us is "Short title on reprint." Perhaps the Minister will explain this peculiarity in respect to the different marginal notes.

The Minister for Country Water Supplies: It is beyond me.

Hon. J. CORNELL: I think in Mr. Bernard Parker's time he insisted upon the correct marginal notes being inserted in the Bills, and that such marginal notes should read "Citation of principal Act as amended."

The Minister for Country Water Supplies: I will bring the matter under the notice of the Parliamentary Draftsman.

Question put and passed.

Bill read a second time.

*In Committee.*

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

## BILL—PEARLING ACT AMENDMENT.

*First Reading.*

Received from the Assembly and read a first time.

*Second Reading.*

**THE MINISTER FOR COUNTRY WATER SUPPLIES** (Hon. C. F. Baxter—East) [7.32] in moving the second reading said: The Pearling Act provides that the fee for a ship license shall be £10, but discretion is given the responsible Minister to fix the fee for a hand-pump ship from time to time at such lower fee than £10 as he may think fit. This year all ships working in the North-West pearling industry are hand-pump ships, and the fee for them has been fixed for 1931 at £4. In addition to ships actually engaged in fishing there are others merely transporting stores and bringing back shell. They are known as "tenders" or "fleet schooners." As they come within the meaning of a "pearling ship" the Chief Inspector is compelled to charge the fees laid down in the schedule to the Act. At present the pearling industry is in a parlous state, and a request has been received from the owners of ships not actually engaged in fishing for a reduction in the fees for such vessels. The Government are favourably disposed to the request, but cannot do anything unless Parliament agree to the Minister fixing the fees for the vessel referred to from time to time as suggested in this measure. 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.

**BILLS (3)—ASSEMBLY'S MESSAGES.**

Messages from the Assembly received and read notifying that it had agreed to the Council's amendments to the following Bills:

- 1, Constitution Acts Amendment.
- 2, Trustees' Powers.
- 3, Mortgagees' Rights Restriction.

**BILL—FEDERAL AID ROADS AGREEMENT.***Second Reading.*

**THE MINISTER FOR COUNTRY WATER SUPPLIES** (Hon. C. F. Baxter—East) [7.48] in moving the second reading said: The Bill before the House seeks to ratify an agreement executed by the Prime Minister and the Premier of this State. The purpose of the Agreement is to amend the original Federal Aid Roads Agreement ratified by this Parliament in 1926. At the meeting of the Federal Aid Roads Board held at Canberra in December, 1929, it was suggested that an amendment of the original Act was desirable, and at a further meeting in the February following it was decided to introduce legislation to give effect to that suggestion, because at that time the inability of the States to contribute their 15s. was becoming more and more apparent. The Agreement embodied in the Bill before the House is the second that has been drafted since the meetings mentioned, but I need only deal with that which it is now proposed to ratify. First of all, however, let me present a few particulars in regard to the Agreement under which the State has been operating during the past five years. The Agreement gave the State £384,000 per annum of Commonwealth money and that amount was supplemented by the State contribution of £288,000 per annum, making a total of £672,000 available for expenditure annually. For the five years the aggregate Commonwealth contribution would, therefore, be £1,920,000 but the Commonwealth's actual contributions up to the end of June amounted to £1,812,542, of which £30,565 has been re-

tained by the Commonwealth for sinking fund purposes. Therefore the State still has to collect £107,458, of which £21,148 will be returned as sinking fund; and commitments have been entered into by the State for the whole of the amount to come. The State has contributed during the same period, £704,933 from loan funds, and £90,277 from revenue, making a total of £795,210 against £1,440,000, or a difference of £644,790 which it should have contributed on the 15s. to the £1 basis, if the full terms of the Agreement had been adhered to. The State was unable to find the amount referred to owing to the financial stringency and the inability to provide loan funds. The amount of sinking fund to be yearly contributed by the State amounts to a fixed sum of £21,148. I say fixed sum because under the amending agreement the State will not be required to make any further contributions of loan or revenue moneys.

At the Conference at Canberra in December, 1929, it was decided that in order to relieve unemployment an advance of £1,000,000 should be made to the States out of the accumulated funds in the Federal Aid Roads Trust Account. Of that amount Western Australia's share was £192,000, and it was understood that that amount of £192,000 was to be additional money to the normal yearly contribution of £384,000 in order that unemployment might be further relieved, beyond what was possible under the normal expenditure conditions. Subsequent developments disclosed that the £192,000 was not provided as additional money but that the 10-year term of the original agreement was to be extended to 10½ years to make the necessary provision. That is provided for in the amending agreement, but I should like members clearly to understand that the Commonwealth quota of £384,000 per annum was not increased by the £192,000, which was supposed to be a grant for unemployment.

The principal provisions of the amending agreement to be ratified are—

1. The amending agreement shall take effect from the 1st July, 1931.
2. The contribution by the Commonwealth to the States shall be that amount which is collected by the Commonwealth by a tax of 2½d. per gallon on motor spirits imported, and 1½d. per gallon on motor spirits under excise tariff.

The revenue from those sources for 1930-31 has been estimated by the Prime Minister at £1,580,000, and on that basis Western Australia would receive £303,360. It is highly probable, however, that receipts will be materially decreased this year and, from the State's viewpoint, it is one of the unsatisfactory features of the arrangement come to, that it will not be known from year to year, what exact amount will be coming to the State.

3. The contribution to the States will be made on the same basis as embodied in the original agreement, namely, three-fifths population and two-fifths area.

4. Payments to the States will be made monthly out of moneys for the time being in the Trust Account.

5. Sinking fund contributions at the rate of 3 per centum per annum will be made during the next  $5\frac{1}{2}$  years, and thereafter the rate shall be  $2\frac{1}{2}$  per cent., and that rate shall be continued until the debt is redeemed.

6. Notwithstanding the provisions of the original agreement, the State is relieved of any liability to contribute any further moneys than have up to the present time been contributed.

7. Any moneys standing to the credit of the Trust Account at the commencement of the agreement shall be paid out to the States as formerly.

8. Moneys paid to the State will be expended on construction, reconstruction or maintenance of roads; it is to be noted in that respect that maintenance of roads is now provided for, which was not the case under the original agreement.

9. All other conditions of the original agreement are repealed.

Under this amended agreement it is estimated that the State will have available for expenditure only some £303,360 per annum, as against £672,000 per annum at the commencement of the scheme. The reduction in the amount available for expenditure will mean a tremendous curtailment of the number of men that can be absorbed on road works. It also means that the policy of road construction and development, of the past, must be comprehensively reviewed.

In the past there has been available to each of the local authorities throughout the State an average amount of £2,000, and

now it will no longer be possible to provide that amount.

It is apparent that with the restricted finances available under the proposed agreement the State will be compelled to confine its activities to—

1. The upkeep of existing facilities;
2. The provision and replacement of bridges and other crossings over waterways as necessity demands, seeing that they are such essential attributes to the safe maintenance of traffic; and
3. Pioneering or developmental roads which are necessary essentials to settlement

In future, owing to the uncertain amount that will be yielded by the  $2\frac{1}{2}$ d. tax, it will be impossible to fix a programme with any certainty of achievement, and that is an inconvenience that cannot be avoided in the changed conditions through which Australia is passing. 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.

## **BILL—FINANCE AND DEVELOPMENT BOARD ACT AMENDMENT.**

*In Committee.*

Hon. J. Cornell in the Chair; the Minister for Country Water Supplies in charge of the Bill.

Clause 1 to 11—agreed to.

Clause 12—New sections:

Hon. H. SEDDON: Under the proposed new Section 25B, the board will be empowered to convert loans. How far does the power extend? Does it mean that the board will be able to convert existing stocks and other loans from time to time and make it a perpetual capital-raising concern?

The MINISTER FOR COUNTRY WATER SUPPLIES: The object is to enable the board to convert the present loan if necessary.

Hon. H. Seddon: What is the amount?

The MINISTER FOR COUNTRY WATER SUPPLIES: An amount of £600,000.

Clause put and passed.

Clauses 13 to 17, Title—agreed to.

Bill reported without amendment, and the report adopted.

### **BILL—HIRE-PURCHASE AGREEMENTS.**

#### *Recommendation.*

Resumed from the 30th July. Hon. J. Cornell in the Chair; the Minister for Country Water Supplies in charge of the Bill.

New Clause 7:

[The Minister for Country Water Supplies had moved "That all the words after the numeral '7' be struck out, and the following inserted in lieu:—'Any hire-purchase agreement exempt from registration under the provisions of Section 54 of the Bills of Sale Act, 1899, shall, notwithstanding the fact that it is unregistered, be deemed subject to the provisions of Section 29 of that Act.'"]

Hon. H. SEDDON: The object of the select committee was to protect chattels from distress for rent. I understand that the amendment moved by the Minister will place a hire-purchase agreement in practically the same position as a bill of sale, although it is unregistered. I do not oppose the amendment, although it appears to me that the landlord of premises might be placed at a disadvantage.

Hon. J. NICHOLSON: I appreciate the object of the Minister, which is to save the necessity for registering on the part of those people who are exempted under the Bills of Sale Act at the present time. The effect, however, would be to place them in a somewhat invidious position as compared with people who register a bill of sale. Section 29 of the Bills of Sale Act provides that a person holding a registered bill of sale shall be protected against claims for rent by the landlord up to a certain amount. The desirability of registration is recognised. Many vendors under hire-purchase agreements exercise the precaution of registering, although exempt from the necessity so to do under the Bills of Sale Act. Probably they have found

it to their advantage to register, because registration gives notification to the landlord and to anyone likely to give credit to the individual. If registration were insisted on, no one would be misled, and the protection afforded by Section 29 of the Bills of Sale Act would extend to a registered document, whereas at present it does not extend to an unregistered document. Registration is important, and I would like the Minister to approve of the select committee's recommendation, which would make for the benefit of everybody. When a man is trading on a supposed credit, the public should be made aware of the position through the bills of sale register. At present, registration is not necessary in many instances, and therefore people get credit to which they are not entitled. That is a false credit, and creditors are misled. This is detrimental to the trading community.

Hon. Sir CHARLES NATHAN: I support the amendment, primarily on the ground that Section 54 of the Bills of Sale Act makes specific provision for hire-purchase agreements. If there is to be any amendment of that provision, it should be made in the Bills of Sale Act, and not in this Bill. The provision has worked comparatively satisfactorily. Most persons make inquiries in that respect before granting credit.

The MINISTER FOR COUNTRY WATER SUPPLIES: The difference between Mr. Nicholson and myself is that he desires to force registration of all agreements, and that I desire to avoid it. All the persons affected should not be compelled to go to the expense of registration.

Amendment put and passed.

Postponed Clause 5—Proceedings on vendor repossessing chattel:

The CHAIRMAN: The position as regards this postponed clause is that on the 30th July Mr. Seddon moved an amendment to strike out all the words of the clause after the numeral "5" and to insert, in lieu, a lengthy new clause.

Hon. H. SEDDON: This clause has given a good deal of trouble. The lengthy substitute for the clause has been before hon. members. My view is that we should attain a better result by reverting to the original proposal of the select committee. Accordingly I ask leave to withdraw the amendment.

Amendment, by leave, withdrawn.

Hon. H. SEDDON: Clause 5 now stands in the Bill with the amendments previously adopted by the Chamber. I now move the amendment on the Notice Paper—

That the following proviso be added to Subclause 5:—"Provided that if after the vendor has taken possession of the chattel it shall have been sold by public auction— (a) at a place agreed on by the vendor and purchaser, or in default of agreement at the place where the hire-purchase agreement was entered into by the purchaser; and (b) subject to reasonable conditions of sale which permitted both vendor and purchaser to bid; and (c) at a reasonable time and after adequate advertisement and due notice to the purchaser, then the price for which the chattel was so sold, after deducting the expenses occasioned by the sale, shall, for the purposes of this section, be conclusively deemed to be the value of the chattel at the time when and the place where such sale was effected."

In support of the amendment I propose to read certain remarks by the Parliamentary Draftsman—

Under this proviso, it is intended that "except by request or at the instance of a purchaser" a vendor may at any time after the repossession of a chattel adopt two courses, namely, sell the chattel, with or without the consent of the purchaser, or elect to go before a magistrate, when, in case of sale by public auction, and proviso conditions are complied with, the net proceeds realised are to be accepted by the magistrate as the actual value of the chattel. In either case the right of a purchaser to go before a magistrate on any point, and the right of a magistrate to assess or adjust, other than the net value realised by a proper sale of a chattel by public auction, is not taken away.

The amendment really provides an opportunity to ascertain the value of a chattel under the conditions laid down in the proviso.

Hon. G. A. KEMPTON: In my opinion, a public auction would not give the true value of a machine. Recently I received a letter from a man who was applying for sustenance, and it was necessary for me to write to him for further information. He thereupon wrote stating that if he did not get sustenance, it would be necessary for him to sell his machinery so that he could live until next harvest. A week previously, he added, there had been a machinery sale in his town, and the machinery was not sold, but given away. I am afraid that will happen under this clause. My preference is for the plan of going before a magistrate, who could consult an expert before deter-

mining the value of the machinery. I do not like the clause at all.

Hon. J. M. DREW: I support Mr. Kempton, being satisfied from observation and experience that if these machines are re-possessed and sold by public auction, they will be absolutely sacrificed, especially if, as will probably occur, several machines are re-possessed together. Under the clause as proposed to be amended, firstly the purchaser will be credited with the value of the chattel as determined by public auction; secondly he would be debited with instalments overdue and unpaid; thirdly he would be debited with 90 per cent. of instalments not yet due. Say the machine was purchased for £200, and two instalments of £50 each had been paid, and that there was one instalment of £50 not yet due. If sold by public auction, the machine would probably not reach more than £20. If it were sold for £20, the profit and loss account would show on the credit side the value of the chattel when repossessed, £20, as determined by public auction. On the debit side the account would show rent overdue and unpaid, £50, and 90 per cent. of £50 not yet due, equal to £45; a total of £95. Deducting the value of the chattel taken over, £20, from the £95, would leave a debit of £75. The purchaser has lost his £200 machine, and after paying £100 on it he has to find £75 besides. Under the clause, as proposed to be amended, he would not be any better off than he is now. A Bill I introduced many years ago provided that in case of default the vendor could repossess the machine, and the purchaser would forfeit all payments made. Then the result of such a case as I have just described would be that the purchaser would lose the £100 he had paid, but that no further claim could be made upon him unless the machinery had been damaged apart from reasonable wear and tear.

Hon. SIR CHARLES NATHAN: One aspect of the Bill appears to me extremely dangerous. All the clauses of the measure are designed to protect people from unscrupulous persons seeking to take advantage of agreements already in force. If the proposal were that in the event of seizure the article should be put up for public auction, there would immediately be an element of grave danger, because unscrupulous persons could do what Mr. Drew has suggested, with the result that an unfair price might be

assessed as the value of the machine. However, I also see grave objections to the method of a magistrate assessing the value, because the question is whether the magistrate is to assess the value of the machine at its marketable value, or in accordance with the capacity of the machine for doing specific work—two entirely different things. In the event of there being any substantial movement under the provisions of the Bill, I can foresee that values may be placed upon machines far in excess of their real worth, which is what could be obtained for them. The amendment meets both objections, but I can readily understand that there are great possibilities of unfairness and misuse. Unfortunately there is not one of us who cannot point to the possibility of grave abuses that can arise under all this class of legislation. I have viewed the issues involved from the general standpoint of the greatest good for the greatest number. The agricultural machinery merchants and others cannot afford at the moment to repossess a lot of machines, any more than people can buy stock that is unsaleable. The last thing the merchants will desire to do is to repossess. On the other hand, if we are to legislate in a manner manifestly unfair, we will force a position fraught with considerable danger to the farmers. If the clause be agreed to without some amendment, the machinery merchants will not repossess machines, because immediately they do so, they will place themselves in the position of having values assessed that will be far beyond the true marketable value of the machines. On the other hand, when a farmer defaulted proceedings would be taken against him for the default already made. Judgment having been secured the farmer will either be put through the bankruptcy court, or his machinery will be seized and auctioned—the very thing we are endeavouring to avoid. In the meantime, the farmer will be forced to become bankrupt or to call a meeting of his creditors. I think the Committee would be well advised to accept the amendment, with the proviso.

Hon. J. M. DREW: If the position is such as Sir Charles Nathan suggests, then the Bill is useless, and may just as well be discharged. We have the Farmers' Debts Adjustment Act.

Hon. Sir Charles Nathan: Then that is what you will force the farmers to.

Hon. J. M. DREW: Those who wished to approach the Bankruptcy Court, would not be able to reach the farmers under that measure, although they might reach a certain stage.

Hon. H. SEDDON: If proceedings were taken by a merchant against a farmer, the former would not waste time with the Farmers' Debts Adjustment Act, but would put the man in the Bankruptcy Court straight away.

Hon. Sir CHARLES NATHAN: Mr. Drew has touched on a point I did not desire to discuss. Mr. Drew knows quite well that if the Farmers' Debts Adjustment Act were tested in court it would be held to be ultra vires, and the Federal Bankruptcy law would control the proceedings.

Hon. J. M. DREW: Not up to a certain point.

Hon. Sir CHARLES NATHAN: It is a question of what constitutes an act of bankruptcy. It is an admission by a person of his inability to pay. It is not desirable to discuss that aspect; many people are aware of it. So long as there are means by which the parties can meet and effect an arrangement, it is unlikely that merchants will take the extreme course I have suggested. We want to prevent people from resorting to such extreme limits. We do not want them to exercise powers we know they can use. If we compromise, we may avoid that position: but if we penalise one section as against another, we are merely inviting them to avail themselves of the course I have indicated.

Hon. J. M. DREW: Sir Charles Nathan's remarks do not impress me or influence me at all. I shall say no more on the question, but shall content myself with casting my vote.

Hon. F. W. ALLSOP: I have had a lot of experience in buying mining plants during the past 20 years. With auction sales, it is possible for buyers to put their heads together and agree not to bid beyond a certain price. If public tenders were called, better prices would be secured than at auction. It is more likely that good prices will be obtained for second-hand machinery by holding it than by disposing of it at a forced sale. I have held machinery for five or ten years, and have finally got for it three or four times as much as I anticipated receiving. If the value of a machine is to be the auction price, it will practically mean giving the plant away. I was rather im-

pressed by Mr. Drew's suggestion, but the amount given at the outset for the purchase of a machine would have to be a reasonable amount.

**Hon. G. A. KEMPTON:** I desire to secure a clause that will be absolutely fair to both vendor and purchaser. The auction clause would not be fair in the interests of the purchaser, and I think the clause in the Bill, under which the magistrate, with the assistance of an expert, would assess the value, would be as fair for the vendor as for the purchaser. I am desirous of a clause being framed that will be absolutely fair, because of letters such as the following, which I received a few days ago—

I am a widow, and thinking to benefit myself I mortgaged my house and property to the value of £120 with which I paid a deposit on a truck, valued at £260, paying £105 deposit, with six quarterly promissory notes of £32 15s. 10d. each, which was interest and insurance for the first 12 months included. Not being able to meet the sixth and last promissory note, my truck was repossessed by the vendors. Since the truck has been repossessed, I have had issued against me a judgment summons to the value of £22 for spare parts put into the truck during my possession. The original bill for these parts was £19 16s., the balance being interest and court fees. The truck was relicensed, costing £11, a month before repossession. Through losing the truck, I now have no means of living and am in danger of losing my house.

**Hon. J. J. Holmes:** You cannot legislate for people who run themselves into a mess like that.

**Hon. G. A. KEMPTON:** This individual bought the truck in good faith, and if it is auctioned, she will get practically nothing for it. I realise the difficulties equally with Sir Charles Nathan regarding the determination of the value of a machine, but I do not think the proper way of arriving at it is by means of disposal at public auction.

**Hon. Sir WILLIAM LATHLAIN:** I do not profess to know a great deal about hire-purchase agreements, but I can see that whichever way it goes, there will be difficulty regarding the assessing of fair prices. What would be a fair price in normal circumstances would not be fair to the merchant, should he require to repossess a machine, because he might have a number of machines on hand, and he would be overstocked. The amendment suggested by the select committee is preferable.

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

Ayes	..	..	..	13
Noes	..	..	..	7

Majority for .. 6

#### AYES.

Hon. F. W. Allsop	Hon. J. M. Macfarlane
Hon. C. F. Baxter	Hon. W. J. Mann
Hon. J. T. Franklyn	Hon. Sir C. Nathan
Hon. E. H. Gray	Hon. J. Nicholson
Hon. E. H. Harris	Hon. H. Seddon
Hon. J. J. Holmes	Hon. H. J. Yelland
Hon. Sir W. Lathlain	(Teller.)

#### NOES.

Hon. J. M. Drew	Hon. W. H. Kiteon
Hon. J. Ewing	Hon. E. Rose
Hon. E. H. H. Hall	Hon. G. Fraser
Hon. G. A. Kempton	(Teller.)

Amendment thus passed: the clause, as further amended, agreed to.

Bill reported with further amendments and the report adopted.

### MOTION—PRODUCTION COSTS.

*Withdrawn.*

Order of the Day read for the resumption from the 4th June of the debate on the following motion by Hon. J. J. Holmes:—

That, in the opinion of this House, drastic steps should be taken to reduce the cost of primary production, affecting particularly the pastoral and wheat industries of the State, so that they may continue to exist in competition with similar industries in other parts of the world.

**HON. J. J. HOLMES (North) [8.48]:** The motion having served its purpose, I desire to withdraw it.

Motion, by leave, withdrawn.

*House adjourned at 8.49 p.m.*