

Bill. I was also surprised at the Attorney-General comparing the penalties imposed in this clause with others. I have just read that in Manjimup last week, for refusing to give way at an intersection, and for being involved in a collision, the magistrate imposed a penalty of £3 on an offender. In another case, where a person was found guilty of offensive behaviour and of threatening the safety of another person by pursuing him with a knife for the purpose of attacking him, the penalty was £2. Yet here we have, for a paltry offence of standing in the street, a penalty of £20 or two months' imprisonment.

Who judges the offence? In all other offences evidence must be taken, and a *prima facie* case made out in court. The magistrate then uses his discretion and makes his judgment. In this Bill the magistrate has no judgment whatever. If the Government wants to commit *hara-kiri*, it is going the right way about it.

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

Ayes—24.

Mr. Bovell	Mr. Lewis
Mr. Brand	Mr. W. A. Manning
Mr. Burt	Sir Ross McLarty
Mr. Cornell	Mr. Nalder
Mr. Court	Mr. Nimmo
Mr. Craig	Mr. O'Connor
Mr. Crommelin	Mr. O'Neill
Mr. Grayden	Mr. Owen
Mr. Guthrie	Mr. Perkins
Mr. Hearnman	Mr. Watts
Dr. Henn	Mr. Wild
Mr. Hutchinson	Mr. I. W. Manning

(Teller.)

Noes—23.

Mr. Andrew	Mr. Kelly
Mr. Bickerton	Mr. Molr
Mr. Brady	Mr. Norton
Mr. Curran	Mr. Nulsen
Mr. Evans	Mr. Oldfield
Mr. Fletcher	Mr. Rhatigan
Mr. Hall	Mr. Rowberry
Mr. Hawke	Mr. Sewell
Mr. Heal	Mr. Toms
Mr. J. Hegney	Mr. Tonkin
Mr. W. Hegney	Mr. May
Mr. Jamieson	

(Teller.)

Majority for—1.

Clause thus passed.

Clause 48—Removal:

Mr. JAMIESON: I assure you, Mr. Chairman, this will not be an easy one to get through. It is more oppressive than the previous clause because it takes away the right of the individual to have freedom in his own home. It gives the police the authority to enter without warrant, which is something to which we have never agreed in this country.

Surely this clause must be leading us towards a police state. Under its provisions, if some friends of the member for North Perth were having a game of penny poker at his home, the police could enter and remove such persons as they suspected of gambling.

Under this provision many members on the Government side have been guilty of gaming offences; and if the Bill were passed, they could be removed from their houses if they were playing penny poker.

The provisions in this clause have far-reaching effects, because the clause states:—

If any member of the police force of the State has reasonable grounds for suspecting that on any place upon which any sport of a kind usually attended by the public is then being carried on or conducted, or in any other place, any person is guilty of, or has on that day been guilty of, betting by way of wagering or gaming contrary to the provisions of any Act, that member of the police force may, without warrant, arrest that person and remove him from that place.

This is a very repressive provision, which interferes with the rights of the individual. This is an occasion when the principles of the Bill of Rights should be recognised. I oppose the clause. We should have an expression of opinion from the Minister and his colleagues as to how far they intend to go.

Progress reported, and leave granted to sit again.

## COUNTRY HIGH SCHOOL HOSTELS AUTHORITY BILL

### Council's Further Message

Message from the Council received and read notifying that it had agreed to the Assembly's request for a conference on the amendments insisted on by the Council, and had appointed The Hon. H. C. Strickland, The Hon. A. R. Jones and the Hon. A. F. Griffith (Minister for Mines) as managers for the Council, the Legislative Council committee room as the place of meeting and the time 7 p.m. on Wednesday, the 19th October, 1960.

House adjourned at 1.17 a.m. (Wed.).

## Legislative Council

Wednesday, the 19th October, 1960

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

### QUESTIONS ON NOTICE COALMINING INDUSTRY

#### Number of Employees from 1940 to 1960

1. The Hon. H. K. WATSON asked the Minister for Mines:

(1) How many men were employed in the coalmining industry in each of the years 1940 to 1960?

*Coalminers' Pensions, Contributions, Payments, Conditions, etc.*

(2) Concerning the Coal Mine Workers (Pension) Fund, what is—

(a) the weekly contribution by an employee;

(b) the weekly contribution by employers; and

(c) the contribution by the State?

(3) (a) What is the amount of the pension payable from this fund to—

(i) a retired coal miner; and

(ii) a widow?

(b) Is the pension right subject to the usual condition that it shall be forfeited if the coalminer takes part in a strike?

(4) Does the contribution by the State have the effect of relieving the Commonwealth Treasury of payments for which the Commonwealth would otherwise be liable in respect to age pensions?

The Hon. A. F. GRIFFITH replied:

(1) Year ended the 30th June,	
1940 .....	713
1941 .....	781
1942 .....	822
1943 .....	836
1944 .....	880

These figures do not include employees not engaged on mines such as clerical staffs, or men absent on account of sick or recreation leave.

(1) Year ended the 30th June—

1945 .....	1,034
1946 .....	1,104
1947 .....	1,141
1948 .....	1,165
1949 .....	1,164
1950 .....	1,181
1951 .....	1,220
1952 .....	1,398
1953 .....	1,593
1954 .....	1,751
1955 .....	1,583
1956 .....	1,335
1957 .....	1,293
1958 .....	1,199
1959 .....	1,138
1960 .....	1,081

These figures include all coal mine workers, as, with the commencement of the pensions scheme, all employees were recorded fortnightly.

(2) (a) 6s.

(b) £1 2s. 6d.

(c) Annual subsidy £30,000.

(3) (a) (i) £5 17s. 6d.—mineworker  
£5 2s. 6d.—for a wife  
(£11 per week).

(ii) £5 7s. 6d. per week

A sum of £1 per week is also paid in respect to each child under 16 years of age.

The above rates are reduced by any amount which the mineworker or his dependants are entitled to receive from the Commonwealth Social Services Department.

(b) No.

(4) No. See No. (3).

### SWAN RIVER

#### Bacteria Counts

2. The Hon. G. E. JEFFERY asked the Minister for Local Government:

(1) (a) At what intervals, and

(b) at what points are bacteria counts made to test the purity of the water in the Swan River?

(2) What bacteria-count figure is considered to be injurious to the health of swimmers?

(3) (a) When was the last count made; and

(b) what was the result obtained?

(4) When is the next count to be made?

The Hon. L. A. LOGAN replied:

- (1) (a) and (b) The Health Department samples monthly 36 swimming places in the river from the Middle Swan bridge to East Fremantle. The Swan River Conservation Board also carries out regular river sampling.
- (2) No standard coliform count for natural water swimming places has been universally established as an acceptable, safe count. Sampling results are mainly used to indicate and trace sources of pollution and must be interpreted in association with other evidence of stream pollution.
- (3) (a) The last sampling was done on the 20th September, 1960.  
(b) The result showed high coliform counts in many parts of the river. This finding is consistent with previous years during periods of high run-off after rain.
- (4) Today, the 19th October, 1960.

### LICENSING ACT AMENDMENT BILL (No. 3)

#### *First Reading*

On motion by The Hon. N. E. Baxter, Bill introduced, and read a first time.

### ESPERANCE LANDS AGREEMENT BILL

#### *Second Reading*

Debate resumed from the 12th October.

**THE HON. F. J. S. WISE (North)** [4.40]: I appreciate the opportunity given to me and to other members by the Minister in permitting an adjournment of the debate for several days; particularly when all of us realise that the Bill must have a speedy passage, and it is very close to the date line when it must be proclaimed.

The Bill, of itself, is a very short one. It contains two clauses and has two lengthy schedules; the one schedule being the original agreement with Esperance Plains Pty. Ltd., and the other being the agreement made between Esperance Plains Pty. Ltd., and the company to which its responsibilities have been assigned.

The first schedule, in dealing with the assignment of responsibilities, makes it clear that those who are to undertake the responsibilities are people of considerable financial strength; and their concerns are entirely new.

I notice from the comments of the Minister in this House when introducing the Bill, and in reading the speech of the Minister for Lands, that not only did they not go out of their way to discredit in any way the original principal

in Esperance Plains, namely Allen Chase, but it became obvious, from the reading of the one speech and from listening to the other, that there must have been satisfactory collaboration following the necessity to take definite action between the original syndicate formed by Allen Chase, the Government, and the new partners to the agreement.

I appreciate, with very many others, that the Government had no alternative but to act and to give notice at the time it did; because a sufficient time had to elapse to give the original syndicate, or company, the opportunity to show whether it could or could not carry on; and when it was obvious that it could not, the Government, under the agreement, had the right to present a case to the company, and the company had the right to answer it.

As the one who introduced Allen Chase as a person to the previous Government, I am in a position to know of certain circumstances that are not known to everybody in connection with the original agreement: the money that was spent; the money that came to Australia, and the intentions of those people. And I can say this, without qualification, that the standing and the *bona fides* of Mr. Allen Chase were tested under great scrutiny by Commonwealth inquiry many years ago, and more than two Commonwealth Ministers were able to give the Commonwealth Government assurances, at the time he became interested in other Australian ventures, with regard to Mr. Chase and with regard to the people associated with him.

It is rather remarkable that this man, who, I think, is close to being a visionary in seeing opportunities where others very close to opportunities do not see them—and that has happened both in Australia and out, in his case—has been responsible for bringing to this country vast sums of money—hundreds of thousands of pounds; more than a million—but, through sets of circumstances, has been associated to a degree with failures. He has lost a lot of money himself.

The Hon. H. K. Watson: Lost money, or the opportunity of making a profit?

The Hon. F. J. S. WISE: He has lost a lot of money himself. I verified that this morning by speaking to someone who is in a position to know; someone who was associated with him in the original stages. This man, who was prepared to take considerable risks at times when no one else was interested in such projects—which is a very important angle—endeavoured to operate from 8,000 or 10,000 miles away, in areas about which he knew very little. Although he has not spent more than perhaps a month of his life in Australia, he has been responsible for hundreds of thousands of pounds of invested capital coming to this country.

I think it is a matter for regret that although he has, in my view, made a substantial contribution to progress, he, like many others in the second stage of pioneering, will not be sharing in many benefits from such progress. He has suffered the fate of very many of his kind—men such as De Garis; and, indeed, Sir James Mitchell, whose name is almost revered in this country. The latter was roundly condemned and verbally trounced for the alleged wastage of millions of pounds in an endeavour to force settlement before its time on land considered to be unsuited to settlement.

I am one of those who would never take the view that the actions of Sir James Mitchell, or of De Garis, were not those of well-intentioned people anxious to do something for the State, and also for themselves.

The Hon. F. D. Willmott: And they did.

The Hon. F. J. S. WISE: After years of trial and error by others, they made it possible for the South-West corner of this State to be what it is today.

The Minister dealt briefly with the history of the Chase Syndicate at Esperance. I would like to add a little to the history of Esperance and what was done there. We all know that development in the Esperance district was very slow until modern knowledge and scientific action helped to solve very many problems; and it is not so long ago—certainly since the time when the Salmon Gums Experimental farm was first established—that we had an exodus of people from that district, in spite of the activities of the research station, because of unfortunate failures due mainly to lack of experience and lack of knowledge. At that time, people such as Bow and others, who were active in the Esperance district—I recall going there a long time ago as a Minister—were battling along and doing an amazing job, and giving pointers to what the Esperance Plain was capable of.

It is interesting to observe that in 1956, when Allen Chase first went to Esperance, there were 30,000 acres of pasture mentioned in the annual report of the department as at the 30th June of the previous year. But in the report of the senior officer of the Rural & Industries Bank, under date the 30th June of this year, there are 200 locations being developed in the Esperance district—at different stages of development—representing 170,000 acres in pasture. That is in four short years. It is certainly a pointer to something of a rather startling nature which has happened in the interim.

I mentioned that I regard Chase as somewhat of a visionary. I think he showed far too much of a tendency to take a risk, and he endeavoured to do in two years what should have taken five; he endeavoured to do in one year what should have taken three. Perhaps I have never

been given the credit for saying anything profound in my lifetime, but what I am about to say borders on the profound; and it is this: "In the development of the light lands of Western Australia into pasture there is no substitute for time."

The Hon. F. D. Willmott: That is undoubtedly where Chase went wrong.

The Hon. F. J. S. WISE: Take the remarkable history of the achievement of Mr. Smart, who quickly realised what was possible with the light lands on our coastal strip north of Perth, rather than south. How quick was his realisation that careful preparation, which was there for all to see, is most essential. That should have been the highlight in the endeavours of Allen Chase. The endeavours of the Esperance Research Station were there to be seen; and the reports of the department, which Chase saw before he came to Western Australia, and all this other evidence emphasised the need for careful preparation.

I think it was unfortunate for him, and for his project, that he struck the worst year climatically in the 50 years' history of Esperance. I know for a fact that £5,000 worth of clover seed went into his locations at Esperance in the first year; I know that 10,000 tons of super went in the first year at Esperance. I know that because I know very well the person who, although he had never met the members of the syndicate, had more than £100,000, Australian, cabled to him in the month of December, 1956. He was not known to the people in America—except to one man—but he spent the sums I mentioned buying seed and super for that first year. I know that person opened trust accounts in the names of the various members of the syndicate for all that money.

I mention that to show how earnest was their desire to get on with the job quickly. But in spite of the warnings that were given and the pressure that was put on to Allen Chase and those associated with him by those who knew, to make haste slowly, that was not done. He was shown evidence of where people had taken a risk—had thrown seed on to burnt country without an implement ever being used; he was shown where seed and super had been spun over hundreds of acres; and he saw the pasture which resulted. As it happened it was a very unkind and bad thing for him to see because, with his American instincts, he immediately saw the chance of endeavouring to do in one year what should take two.

He took the advice of those—one in particular—whom he brought from America, as against the advice of those who really knew—our own agricultural officers, and the local people like the Kirwan brothers, Alf Button, Noel White of Young River, and Noel White's wonderful son-in-law Rowley Fleay.

The Hon. A. F. Griffith: That was his greatest mistake.

The Hon. F. J. S. WISE: He saw their achievements after a run of good years, and he was confident, although he was not an agriculturist of any sort, that he could rush ahead. But what happened? There was the ploughing of tens of thousands of acres, without burning it, against the best advice.

The Hon. L. A. Logan: It was not ploughed properly in any case.

The Hon. F. J. S. WISE: Then the seed and super were put in. But I come back to my starting point and say that when he first inquired no one wanted the land; there was nobody who would regard it as a place to spend £150,000 per individual. Fancy putting in that sort of capital! Mr. Linkletter, who was here the other day, has spent £140,000 on his property.

I think if Chase, in his first year had had the same sort of season as we have had over the last two years this Bill would not be before us; he might have fluked success, initially, too. But he did not. I think due primarily to the anxiety to show results quickly and spectacularly, and therefore ignoring all advice, which was given by those who communicated with him; due to the very bad first year he experienced; due to the financial pressure on him and on his associates in two other ventures—one of them in Australia which up to this year has cost £1,500,000; I refer to Humpty Doo—and due to the recession which took place in America in 1956, through 1957, and into 1958, which tightened up all the purse strings of those whom he was hoping to get interested, he failed. They were all contributing factors to that failure.

It is very difficult, whether a man is a promoter, an entrepreneur, or a practical man with millions behind him, to achieve success within a stated period if all those things, collectively, are against him; especially when any one of them could have been the cause of failure.

I think we can agree that Chase's activities attracted enormous attention. As soon as an area was relinquished by him—two separate areas in the life of the previous Government, and I think one since—for subdivision, hundreds of applicants from other parts of Australia, with tens of thousands of pounds applied for this country because of the advertisement it received. Blocks that could have been picked up for shillings per acre became, justifiably, worth pounds per acre. When it was thought that the proposal was going to be a great success, it was interesting to see the various types of people who endeavoured to cash in, and ride on the band wagon while it looked all right. It was amazing to see the numbers who did this. But when the decline set in, it was a very different story. So it is; success begets success.

The Hon. L. A. Logan: It was ever thus!

The Hon. F. J. S. WISE: As the Minister says, it was ever thus. I do not know of anybody from Perth who would have undertaken the job of pioneering the Esperance area and farming it by investing £100,000. Apart from the failures experienced by those who had invested money in the syndicate, there were many others whose investments proved failures in that year of seeding, as the representatives of that district well know.

There have been failures since then. There is a gentleman from New South Wales, who developed an area west of the Lort River. There is no need for me to mention his name; but he too has spent well over £100,000, and this is his first year of prospect—four years after his initial attempt. That is the history known to all of us who are Western Australians; those of us who know the land, and are aware of the development of light land and its history. Whether Mr. Bennetts agrees with me or not—and I think he might—I am sure there will be a tremendous future at Esperance in the lifetime of many of us in this Chamber.

In this morning's newspaper I read an unwarranted and unfair criticism of a political kind; the sort of thing the Ministers of the Government themselves do not indulge in. I think we must give credit where credit is due, and say that the stimulus given by Allen Chase, following the example of the research station—and we must get back to that as a datum peg—will, I think, be a resounding success in the ultimate—even though it has been pronounced a failure—if money can be progressively fed into it, and the same sort of development carried out that these new folk are already undertaking.

On the Lort River, 40,000 acres are being cleared to be burnt in February, and March; to be ploughed twice next year, and to be seeded in 1962. There is the prospect; that is sanity; and that is what should have happened here, even if it had been only 5,000 acres instead of 45,000 in the initial year. However, I am merely expressing my points of view, because I was very closely associated with this venture in its initial stages. If there is to be any blame for its failure, perhaps some of it might be attached to me, because I introduced the man to the Government of this State.

It was very unfortunate, however, that firstly he struck the season he did, and that secondly he would not follow, implicitly, the example set him. He preferred to take the advice of those who did not know anything about Esperance. I support the Bill, and hope that these new people will have the great success which they and the Esperance district deserve.

**THE HON. J. M. A. CUNNINGHAM** (South-East) [5.51]: I listened with a great deal of interest to the remarks made by Mr. Wise. I think his address was most fair, and I feel that many of his remarks were a gracious acceptance of, perhaps, fault, which I do not think can be laid at his door; if that is what he implied. No-one can doubt for one minute that the intentions of Allen Chase in the Esperance project were meant to succeed. He was a business man, first and last; he wanted the whole project to be a success; and he would therefore have employed all his best endeavours to see that it was a success.

Probably the very desire to succeed caused him to fall into the error of trying to go too far too fast. Mr. Wise expressed it as trying to do in one year what should have taken three. That was the greatest mistake made, because all the advice from the settlers in that district, and from the research station, indicated that a paying crop could not be taken from the land without a reasonable amount of work spread over approximately three years. Added to that fact was the bad season which has been mentioned. However, we must remember that although a bad season must have contributed greatly to the failure of Chase's efforts, there were private farmers who had taken up farms at the same time, and who did succeed in and around the immediate vicinity of the Chase holdings.

But success did not come to them until the second or the third year. It was said that Chase tried to run his activities from 10,000 miles away; and that was probably the second great mistake he made. It is a little ironical to think that a man with the business capacity and instincts which Chase possessed should have been so trusting.

**The Hon. F. R. H. Lavery:** He was even trusting to his manager.

**The Hon. J. M. A. CUNNINGHAM:** Not only to his manager. Let us be fair and state some of the things that happened very close to the ground, and which I know contributed to the failure. Not many people know that the men who were working for him, and who were receiving wages for supposedly clearing, finding themselves on a piece of slippery clay—and this is an actual instance—emptied up to half-a-dozen bags of super on the slippery area to provide traction for their vehicles. Worse still, there were two specific occasions when the caterpillar tractors bogged down in an extremely marshy area, and bags of super were dumped into the ruts of the track to enable the vehicles to get out.

One instance of which I heard—second-hand, I admit, though it was from a person whose word I would accept at any time—was that of a tractor driver who, after a couple of hours work, deliberately broke the wedge injection of the fuel injector of

the tractor. He ruined it, and then sat down for two days while the mechanic fixed it. These are not all hearsay instances, because many people know that they actually happened. I have seen the actual tracks which were about 2 ft. wide and perhaps 1 ft. or more deep, where the tractor, in an attempt to get out, had dragged a furrow; and there before me were uncovered the bags of super which had been laid in the tracks.

**The Hon. H. C. Strickland:** Was not that work done by contract?

**The Hon. J. M. A. CUNNINGHAM:** I do not know whether it was done by contract or not, but the fact remains that all this work was being paid for by Allen Chase in hard cash. I suggest that many of these instances also helped to contribute to the failure of the project. Allen Chase did not set out to prove the success or value of the land; that was proven to him before he came to the area. There were successful farms established; and there were successful farmers with money waiting to take up land. Allen Chase was shown the area, saw the opportunity, and decided to take action and do something about it.

The success of the district is established: and it was so before Chase came. Other farmers have gone to the area following the advice of local people and what they have been able to see at the Esperance research station; and they have been able to go ahead and definitely improve their land and, in three years, take off what has amounted to the whole cost of their production, and the little extra for which they were looking. Name after name could be mentioned of people who went to that area. I know of fellows who went there with old steel-wheeled tractors, and who today are successful farmers. Some of them have in excess of 2,000 acres, and cannot get beyond developing 1,200 or 1,300 acres, because that keeps them fully occupied. A great deal of land is still undeveloped because the holders cannot get down to the job of developing it. They find they are fully occupied in developing 1,200 or 1,300 acres.

We must bear in mind that the original agreement between Allen Chase and the Government, despite all the claims to the contrary, and the suggestion that it was faulty, and had holes in it, was still a binding agreement. The present Government had to abide by it, unless it could get Chase to agree to assign his interests. Fortunately, wise counsels prevailed—and no pun is intended here—and the present Government did prevail on Mr. Chase to assign his interests to the new company. The new company in turn agreed to accept the imposition of conditions that bound it to specific results, failing which

a penalty was to be paid. The agreement shows the sincerity of the new people, and their determination to succeed.

Many names have been mentioned, and many people have been credited with the success of the Esperance district. I think most of them can claim a certain amount of credit for what has been done. We can go back as far as 1938 when Sir Charles Latham was chairman of the special committee that inquired into Esperance land. His report is available today and reads almost word for word with other reports that have been issued and printed in the last few years; even to the statement that the land, when properly developed, would carry three to four sheep per acre. That was a very courageous statement for Sir Charles Latham to make in 1938. Other people have been working for the good of Esperance. The member for the district, Mr. Nulsen, has for many years advocated many things on behalf of the district, as has also Mr. Bennetts; and so did the late Mr. Boylen.

However, it was not until the late Garnet Wood was Minister for Agriculture that a definite step towards the development of Esperance was taken. It was a great day when he announced that he had prevailed upon Cabinet to establish a research station at Esperance. I would like to suggest to the Minister and the Government that some recognition should be given to the part played by the then Minister. The research station should, perhaps, carry his name to indicate the fact that it was he who was responsible for its establishment.

I commend the Government for the part it has played in obtaining this agreement. The district must progress now. I am moved to say, also, "Bravo!" to the Minister who stated quite recently—I believe it was announced in yesterday's Press—that he is now giving serious consideration to the establishment of a superphosphate works in the Esperance district. This, too, has been advocated by many members, but always merely in the hope that it could be part of Esperance's future development. Apparently it is to be established many years in advance of the time it was thought possible; and, as I have said, the Government and the Minister are to be commended for their work.

**THE HON. G. BENNETTS** (South-East) [5.18]: I, too, am going to support the Bill. I am now going to relate the history of Esperance from the time I entered this Chamber in 1946. At the end of my first session in Parliament I was asked to go to Esperance by three people who had formed themselves into a land board. They were the late Mr. Fraser, a bank manager in Esperance, and another person whose name I cannot recall at the moment. When I arrived there they said that Mr. Nulsen had been working very hard over a period of years in the Esperance district, but had not been able to

carry out anything successfully because he had no backing. They asked me to inspect Mr. Bow's property, which I did; and after the inspection I was quite convinced that, although little superphosphate had been used on the land, the fodder showed a great potential.

I went also to other parts of the district including a property of an acre, held by Mrs. Cartridge, on which were growing peanuts and other kinds of vegetables and fruit. This property convinced me that anything could be grown in the district.

I was then asked to contact a particular person in one of our departments because he would give me detailed information on Esperance land; and he expressed pleasure that I was intending to help in the district. He gave me full information, but stated that he did not believe I would get very far in my efforts, because there was one officer in the department who was keeping Esperance back. This officer continued to do so until Esperance began to grow, and then he wanted to take all the credit for what was being done in the district.

At the conclusion of one of the field days I remained behind to attend a meeting on behalf of the farmers of Esperance, in order to ask questions of this particular person. We put him on a spot; and the farmers of Esperance would confirm this statement.

When in Perth I contacted the Dutch Consul to ascertain whether he would be prepared to bring some Dutch farmers to Esperance if I was able to persuade the Government to establish a land settlement scheme there. He told me that because of the war all the farmers were required in Holland and that therefore he was not interested.

I also contacted the Italian community, because I thought perhaps if I could get a scheme established those people might be persuaded to settle in the district; but I found myself in the same position—I could not get anything done.

I battled on, and in 1946 I mentioned Esperance on many occasions in this Chamber. There are only one or two members remaining alive of those who were present then. I was called Mr. Esperance because on every occasion I tried to point out what could be done there and what Esperance could produce if given an opportunity. If members will turn to page 168 of the 1947 *Hansard*, they will find that was when I started in this Chamber to boom up Esperance and to state what could be achieved there.

Subsequently, Mr. Buttons—a farmer from the Salmon Gums area—went to Esperance at a time when building materials were hard to obtain. We battled for him, and finally, with the help of Mr.

Cunningham who entered Parliament in 1948, arranged for him to obtain materials.

I had an aerial photograph taken of the whole area, and then got Mr. Keogh from Kalgoorlie, and a contractor to go to the district to bore for water in certain parts of the country. They obtained the water measurements and the depths in different localities, and then they took up property there. I brought them to the Agricultural Bank, and they were the first people from Kalgoorlie to settle in the district. Then came the Sampsons and the Kirwan Brothers, being three brothers from Widgiemooltha. They took their mother—a very old lady—and pitched a little tent, and the old lady cooked for them. Because they had only a limited amount of money, one of the brothers finally had to go out to work in order to obtain enough food for them to carry on. Those people made a success of the venture, and today their property is very valuable and equal to any in Esperance. Apart from them, though, others proved the value of the district.

As Mr. Nulsen and I were the Labor members for the district, we, as did Mr. Cunningham too, called on the late Garnet Wood to request him to visit Esperance. This he did, and at Mr. Bow's property, we stood in a field of oats which, without the aid of any superphosphate, had grown to a height which was over my head. This was a good example of the potential of Esperance.

Another great help to the district was the late Hugh Ackland. He stated that he had not seen a better district than Esperance; and he believed then that if a research station were established, the district's future would be assured. Of course with the establishment of such a research station has come the proof that he was correct.

Next came the advent of the Chase Syndicate. I was one among many members of Parliament who visited a property which was being ploughed by the person who had obtained the contract for the work. Some of the members expressed concern as to whether the amount of time which would elapse between the ploughing and the sowing was sufficient. Some members thought the project would be a failure.

Later, I again visited the area and met a very knowledgeable officer of the Department of Agriculture, who was concerned with the planting of the fodder. I also met the head of the Chase Syndicate. These two gentlemen—the Agricultural Department officer and the Chase Syndicate representative—were conferring one day, and during the conversation the Agricultural Department officer suggested to the Chase Syndicate representative that he should adopt the plan submitted by those from the research station. He said the scheme proposed by the Chase Syndicate would not work and that it would be advisable to

follow the suggestions outlined by the station; otherwise, he contended, the scheme was doomed to failure. Despite this advice, the representative said that the syndicate had the largest chemical establishment in California, and that it was going to work under its own system; but the Agricultural Department officer stated that this was a very foolish decision.

This officer tried to persuade the representative of the Chase Syndicate to proceed in a different way, but he would not be told. I do not know whether this man was instructed by Mr. Allen Chase to do wonders there and grow a remarkable crop. The Americans always want to be a little better than others. Apparently they wanted to put in a crop and reap the benefits of it quicker than anyone else. They seemed to think they were the experts and that we were duds.

Eventually the land was sown to crop; but unfortunately Esperance experienced one of its worst seasons so that the crop proved a failure. I was sorry about that.

Had the Chase Syndicate not come to Esperance, it would have been another 50 years before the district would be in the position that it is in today. The Chase Syndicate brought Esperance into the limelight throughout Australia and overseas. Since Mr. Chase went to Esperance, men with vast experience and plenty of capital have come from all over Australia wanting to take up land there. It is a great thing for the district that the present syndicate has come along, because it will do a lot of good.

I am not in favour of big syndicates taking up land, developing it, and then reselling it. At one time I thought it would be a good scheme to get 100 practical farmers from the Eastern States, with money and families, to go to Esperance. Had we got such men, we would have built up a population immediately, and these people would have built up an industry for themselves. I hope now, however, that when this syndicate resells the land, the sales will be on a basis reasonable to the purchasers. I do not think any Government should allow big investors to develop large areas and then exploit the people who finally purchase the land.

I would say that in another five years Esperance will have beef cattle and other stock; and within 10 years cattle could be exported from there to other parts of the world. Before 10 years are up, we could acquire a meat works at Esperance. I understand that a person interested in a meat works in another part of the State has a big property at Esperance, and he anticipates that a meat works will be required there.

The establishment of a super works at Esperance is very important because the cost of super there is terrific and it is a



burden on the people because of the amount they have to use. I would not say that Esperance is the best clover district in the State; I think the Waroona area might be a bit better; but Esperance has a longer growing period than any other part of Australia—than any other part of Western Australia, anyhow.

I think that in 1949 I took to Esperance a party of farmers from Cunderdin and Meckering—men of ability. They gave wonderful information in regard to farming methods and stock to the people there. These farmers were quite taken with the district; they could see its potential. They said that when Esperance had been going for about five or six years and was producing stock, a road to Albany would be required and that road trains would need to be established. One of these people applied for land in the district, but he got a block that was not large enough for him. As a result he had to forfeit the block. Those farmers recommended that 1,200 acres would be sufficient in certain areas of the Esperance district, and that in other areas—those further out—the holdings would need to be larger. They also said that the size of the holdings would depend on the size of the families, and so on.

I am pleased that Esperance has developed as I have always said it would. During the time I have been a member here I have never let an opportunity pass without saying something about Esperance. I had to laugh at Sir Charles Latham because he always said that Esperance had a potential, and he used to tell me so. On one occasion Sir Charles, as a member of a land board, or some such authority, went to inspect the Esperance district. At the time there were no roads, but he could see the potential even then.

I am pleased that the present agreement has been arrived at. It has come about at the expense of Mr. Chase, who lost a considerable amount of money; but he did something for Australia by commencing to develop the Esperance district. We must give him full credit for the position in which Esperance finds itself today.

If I am spared for another five years I will be pleased to see the condition of Esperance then. I imagine that by that time there will be super works at Esperance; that the population there will be double or treble what it is today; that Esperance will be right on top of the world.

It is difficult to get a good supply of water at Esperance. Mr. Griffith, the Minister for Agriculture, the Minister for Lands, and the Minister for Works have all been confronted with the problem of getting a supply of water for Esperance. But no doubt in time this difficulty and all the other difficulties will be overcome. I support the Bill.

**THE HON. E. M. HEENAN** (North-East) [5.40]: As Mr. Wise mentioned, the Bill is brief—it comprises two paragraphs and a couple of schedules. The history surrounding its introduction is an interesting one indeed. I have listened with a great deal of interest to the speeches delivered by the Minister, by Mr. Wise, by Mr. Cunningham, and by Mr. Bennetts; and I congratulate the previous Government, the present Government, and the members for the district on what appears to be the successful outcome of this romantic undertaking.

No doubt members will be aware that Esperance was discovered a long time ago by a French explorer by the name of D'Entrecasteaux. He sailed into Esperance Bay; and one of his ships was called *L'Esperance*, a French word meaning "hope." There seems to be a good deal of significance in that name.

I have known Esperance intimately all my life, because when I was a few months old, having been born at Kanowna, my father and my family shifted to Esperance; and some members of the family have been there practically ever since. My father subsequently became mayor of the town; and my brother Esmond, now deceased, was chairman of the road board for many years.

In our school days we rode on horseback to go duck shooting, rabbiting, and fishing over practically all of the territory which is now under discussion. This district is known to me as only one's homeland can be known. I know the bays, rivulets, lakes, and almost every landmark in the area.

For the record, I want to mention a few names that we have not heard so far; because Esperance was not discovered only in recent years, nor were its potentialities appreciated only in recent years. It was pioneered first by a family named Dempster whose name has not been mentioned here this afternoon. One of the main streets in Esperance, fortunately, is named after this family; and the most prominent hill which overlooks the town of Esperance, and the bay, is known as Dempster's Hill. It is only right and proper that the Dempster family should be remembered in these ways, because there was nothing there when they went to Esperance.

We can feel sorry for what has happened to Mr. Chase—to his hopes and his money; but this family of Dempsters went to Esperance when there were no roads; there was no telegraph line; no jetty; no railway—nothing. They developed their property to the best of their ability with the resources available to them at the time; and they continued that development right up to the 1930's when they had to give up the unequal struggle because the younger members of the family were growing up, and the district was not progressing. So they had to go away to seek their

fortune elsewhere. However, if any name should be mentioned when the history of Esperance is referred to, it should be the name of Dempster.

I can remember that when I was a boy of 14 or 15 the only means of getting away from Esperance was either by coach to Norseman or by steamship to Albany. The steamship used to call in at a place called Fanny Cove in the vicinity of where White's property is now situated, or a little further on, and the crew used to row ashore in what I suppose were whale boats, manhandle the wool into the boats from the beach, and then row the boats back to the ship which would be lying a quarter of a mile offshore. Families such as the Dempsters, Moirs, Hancocks, McCarthys, Dunns and Daws, all had to battle against great odds in those early times.

The Hon. G. Bennetts: And the Bows.

The Hon. E. M. HEENAN: I think Bows came to the district after the people I have mentioned. In fact, the property which was developed so well by the late Noel White was taken up and worked for years by a remarkable pioneer and his family named Moir. I have camped in that family's old homestead on many occasions. All of the Dalyup country was taken up and developed by the Dempster family which had its main house at Esperance, but their sheds and other buildings were at Dalyup.

The place where the Kirwin Brothers have done so well—I do not wish to take away any credit from the people who are now on those places—was taken up and developed by a family named Hanne; and another man by the name of Dunn and his family were out that way from 1900 to 1920 or 1930. They worked their properties, but eventually had to abandon them as their families grew up because there were no railways, roads, deep-water jetties, or markets. When we were children at Esperance nothing was imported. Fruit was grown at Dalyup—almost any kind of fruit that one could mention was grown there, and carted around the town of Esperance for sale. Vegetables were also grown on the sandplain. The settlers in those days realised the potentialities and possibilities of the country; but, of course, they were 20 years ahead of time.

I mention these names and matters of interest because there is a tendency to overlook them. Further, when the names of members of Parliament are recalled, anyone who wants to learn something of the early history of Esperance ought to read some of the speeches by a man named Thomas Walker who represented that district in the Legislative Assembly for many years. One could also read with interest the speeches of Jabez Edward Dodd, the late Sir John Kirwan, the late James Cornell, and—

The Hon. G. E. Jeffery: I take it this was before 1946.

The Hon. E. M. HEENAN: —by the late Texas Green who was a Federal member for that district for a great number of years. There was also the late C. B. Williams and the late Robert Boylen. If any evidence is required that the potentialities of Esperance were realised many years ago, those records in *Hansard* will prove conclusively that such was the case. I want to pay the greatest respect to the present member for that district; and I want to give the greatest credit to Mr. Bennetts, Mr. Cunningham and Mr. Garrigan for the way they have kept hammering away at the need for further development of this remarkable area.

However, in regard to these matters, we should bear in mind what was done in years gone by because the average person could easily think that some of the former members of Parliament—whose names I have mentioned—did not realise how remarkable was the place they were representing. Their speeches, however, which I have read with the greatest interest, prove conclusively that although many people have awakened to the potentialities of that area in recent years, the same potentialities were realised and appreciated many years ago; but, unfortunately, in those times there were insurmountable difficulties associated with the development of the district.

Then, of course, tribute has to be paid to men such as Dr. Teakle, Dr. Dunne and Mr. Shier of the Department of Agriculture because, undoubtedly, they have been responsible for playing a big part in bringing the Esperance country to the present stage of its development. They have applied the scientific knowledge inculcated in the course of their training and research; and there is no doubt they have been largely responsible for the success that has been achieved. I applaud the former Government for its courage, because this was a scheme on a grand scale. I always believe that some schemes are worth "having a go at," and Mr. Chase undoubtedly did "have a go" at this place on a grand scale.

It was unfortunate that he struck a bad season, and that many other circumstances handicapped him but, in a way, he succeeded because he demonstrated what a grand idea he had, and what a practical scheme the development of Esperance was. He had the courage to go on with it, and, in the course of doing so, he gave the place remarkable publicity and brought it under the notice of some of his colleagues who, I presume, are now able to supply the financial requirements at the point where he left off. I have the greatest admiration for the work he has done at Esperance; and I think that in years to come the name of Allen Chase will stand out as that of a man who made a

great contribution to the development of Esperance, and who realised the potentialities of that vast area.

I am open to correction, but I am pleased to note in the agreement appended to this Bill that his company still has an interest in a fair parcel of land at Esperance. A quick perusal of the agreement indicates that he was granted fee simple for 61,000 acres, which I hope he still has, and that he was granted permits to occupy another 39,000 acres. So his company still has a fairly big slice of that area. I hope I have read the agreement correctly, because I will be very pleased indeed if Mr. Chase has been given the opportunity to take part in the bright future which undoubtedly lies ahead of this land. I also hope it will be the means of his recouping some of the money which was unfortunately lost by him and his financial friends in recent years.

As far as the present Government is concerned, I think it has made a good arrangement. It seems to stand out clearly that the companies it is now dealing with, and the individuals who form those companies, are financially sound; and that the mistakes of the past will not be repeated.

This is a new era. Esperance has passed through many eras. Mr. Cunningham mentioned that we could go back to 1938, when Sir Charles Latham was a member of a commission; but Mr. Cunningham undoubtedly knows, but omitted to mention it, that from 1920 onwards the mallee was opened up. The mallee, which commences only 30 miles north of Esperance, was opened up, and for 10 to 15 years that land was farmed in a big way. Unfortunately, during the depression years the prices were against the settlers; there were no markets for their products; there were no roads or transport; and a lot went the way many settlers have gone in this country during the early years of its development.

I am speaking on this Bill because I know and love Esperance, and I wish everyone connected with its growth and future development the best of success.

My other interest lies in the fact that Esperance is the port for the goldfields, and a large section of the population in Esperance hails from the goldfields. The prosperity which will come to Esperance will be reflected on the goldfields.

Even now Kalgoorlie and Boulder are great potential markets for the produce that is raised in Esperance. The other day I was somewhat surprised by a remark made by a prominent butcher in Kalgoorlie who was travelling in the train from Kalgoorlie with me. He told me that in spite of the progress Esperance has made, it cannot cope with the demands of the Kalgoorlie meat market. The butchers cannot buy sufficient sheep at Esperance to meet

the demands of Kalgoorlie. This butcher was coming down to the metropolitan area to buy cattle from the Midland market. I was surprised at what he told me. He said that development in Esperance had not reached the stage when it could produce enough meat to supply adequately the goldfields market.

The Hon. G. Bennetts: The produce from newly developed properties is coming on.

The Hon. E. M. HEENAN: I realise that. I am saying what a great potential for Esperance lies in the goldfields market. There are still some 30,000 people living in Kalgoorlie, Boulder, and the surrounding towns. Great interest is being taken by the goldfields people in the prosperity and development of Esperance. Many of these people have bought land in Esperance, and many go there for their holidays. The more that Esperance goes ahead, the better it is for the goldfields generally.

As a member for the goldfields I am pleased that this new era is about to commence. I hope the Bill will receive a speedy passage through the House. I hope the new company will proceed with its programme; and, when it does, I feel sure all will be well.

THE HON. A. R. JONES (Midland) [6.3]: I desire to make a short contribution to the debate on this Bill. Firstly, my interest in the measure arises mainly from the fact that I am naturally interested in agriculture. Secondly, I have been to the Esperance area on a number of occasions, and some three years ago I made some observations; and on my return I, in conjunction with the late Mr. Ackland, appended my name to a report relating to that district. I am pleased to say that the bold claims which were made at that time are now being well and truly fulfilled.

Esperance, in common with other parts of Western Australia, has a wonderful future. As we all know, its main drawback is its isolation. It has been said that Esperance is not yet producing sufficient to satisfy the needs of the goldfields population. I can well understand that statement, particularly in respect of the sheep requirements. However, in respect of cattle requirements for the goldfields market, the position will be the reverse—there will be more than sufficient cattle available in Esperance to meet the requirements of the goldfields population. It will not be very long before the Kalgoorlie market will be able to buy the best quality lambs from the Esperance district.

Reference has been made to several people who were prominent in the development of the Esperance district, and to the things they did towards that objective. I want to mention the name of one person

who took a prominent part in this matter many years ago. He is John K. Dixon, whom I met some time ago—I think first in 1934. He was an aspiring young man. Whatever pursuit he decided to follow in life, he did so with a great amount of energy. He was one of those persons who was always trying out new stunts.

In 1933 or 1934 he took some pasture seeds with him to the Esperance district; he also took along phosphates and what we now know as trace elements. At Willson's Patch he carried out some experiments. I can well recall his telling me in 1935 that some of the seeds he had brought along with him were growing profusely. At the time he felt there was a great future for the Esperance district, which was admirably suited to some of the species of seeds he took with him. Of course, today his words are being fully confirmed.

It is a pity that he was not one of those who went to the Esperance district later on and successfully developed their holdings. In ventures such as this, somebody initially has to carry out experiments before success can be assured. That has happened in Esperance. There is now no risk in people going to that district to try themselves out as farmers.

The agreement between the Government and the Chase Syndicate has no doubt been studied by every one of us very closely. Some of us criticised that agreement when it was first made, and today it has been shown that the criticisms which were then levelled were justified.

As Mr. Wise said, irrespective of how the agreement with the Chase Syndicate has worked out, and irrespective of the part played by the previous Government and by the Chase Syndicate itself, Esperance has been given much publicity as a result of the agreement; and the publicity is apparently needed to put it on the map. A company has now come forward to take over most of the responsibilities of the Chase Syndicate. I trust it will be able to carry on the good management and good husbandry of the soil.

There is only one part of the agreement to which I wish to make some reference. It is on page 6 of the Bill dealing with the moneys which the company shall expend within a specified period, and the number of acres it shall develop. To me the stipulations in the agreement appear to be the bare minimum; because those who have experience of development of land in Western Australia—particularly land which requires a fair amount of superphosphate, trace elements, and work before it can be brought into production—know that £500,000 will not go very far in developing 350,000 acres. I trust it is understood by all parties concerned that the stipulations in the agreement are the

bare minimum. I suppose the management of the company has found out that this sum of £500,000 will hardly be sufficient to clear the land mentioned.

The Hon. A. F. Griffith: Of course, they are the minimum as expressed in the agreement.

The Hon. A. R. JONES: I trust the Government has looked into the financial resources of the company and found that it has much more money available for development than has been set forth in the agreement. I wish the company every success and trust that the agreement entered into between the Government and the company will leave nothing to be desired. I hope that in the final outcome all parties will be happy with the arrangement; that the land involved will be properly developed; and that the company will be able to take out the profits to which it is entitled, and which every thinking person agrees it is justified in making.

*(Continued on page 1940)*

## COUNTRY HIGH SCHOOL HOSTELS AUTHORITY BILL

*Conference of Managers: Suspension of Sitting*

**THE PRESIDENT:** As the conference of managers on the Country High School Hostels Authority Bill will take place in the Committee room of the Legislative Council at 7 p.m., I shall leave the Chair until the ringing of the bells.

*Sitting suspended from 6.10 to 9.50 p.m.*

### *Conference Managers' Report*

**THE HON. A. F. GRIFFITH** (Suburban—Minister for Mines) [9.50]: I have to report that the conference managers met in conference on the Bill and reached the following agreement:—

Amendment No. 1: Reject.

Amendment No. 2: Reject.

Amendment No. 3: Accept.

Amendment No. 4: Accept, but amend by striking out the word "remote" in line four of the amendment.

Amendment No. 5: Reject.

Amendment No. 6: Accept, but add the following words thereat:—  
"where transport is not provided or is not caused to be provided by the Minister for the purpose of transporting those students so enrolled in High Schools or Primary Schools."

Amendment No. 7: Reject.

I move—

That the report be adopted.

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

## ESPERANCE LANDS AGREEMENT BILL

### *Second Reading*

Debate resumed from an earlier stage of the sitting.

**THE HON. F. R. H. LAVERY (West)** [9.52]: In supporting this Bill I desire to make a couple of comments. I do not want to go into the history of Esperance because in this Chamber tonight we have seen grow the first blade of grass to the last blade. At the commencement of Parliament this year I said that on some Bills I might become a little provocative; and this is one of the Bills.

I agree that the speech made by Mr. Wise tonight covered the situation as it originally occurred with respect to the Chase Syndicate and Esperance land. With other members of this Chamber I know that the intentions of Mr. Allen Chase did not come to fruition.

This Bill to ratify a new agreement is very sound legislation. I have read the Bill carefully, and there are one or two items about which I would like to comment. I just said that this is a very good Bill, but so was the Bill introduced by the previous Government. However, there were people who were not prepared to accept a man like Allen Chase and the co-members of his financial institution. I say that he came here genuinely to develop part of our country.

Unfavourable publicity was also given in the Press at that time. I am sorry a certain member is not in this Chamber at the present time, although I have discussed this matter with him outside. However, because he is not here I will not mention his name. He is a member for the district and he wrote many discouraging letters in the Kalgoorlie Press about what was happening at Esperance.

I do not know how many members have been to Esperance either before or since the Chase Syndicate went to that district. I attended three field days—in 1954, 1956, and 1958. You, Mr. President, were a visitor to one of those field days and, with other members, you would know that the development of Esperance is of tremendous value to Western Australia as a whole; and the Allen Chase Syndicate has to be given some credit for placing the Esperance project on the agricultural map of Australia. I know that one very wealthy farmer from New South Wales attended the field day in 1958 and he said he had never seen such good fodder; not even in the Darling Downs and other places.

Much has been said about the bad season that occurred at Esperance when the Chase Syndicate commenced operations; and much has been said about Allen Chase trying to do in one year what it would

take men like Dr. Dunne and others three years to do. That is agreed; but Allen Chase was stabbed in the back.

**The Hon. A. F. Griffith:** By whom?

**The Hon. F. R. H. LAVERY:** I intend to make a statement which I am prepared to repeat outside the House.

**The Hon. A. F. Griffith:** By whom?

**The Hon. F. R. H. LAVERY:** By his own manager. This manager told a meeting of the local road board that the set-up at Esperance could not work until Allen Chase was out of it. That man was being paid by Allen Chase to manage his affairs at Esperance; and what Mr. Cunningham said tonight about the wastage going on is true. It was not the Allen Chase organisation, but a contracting firm which was formed suddenly in Perth for the preparing of the land at Esperance, that caused the wastage. I am not sure of the name of that organisation. It might have been Esperance Development. Anyway, it had something to do with development.

This firm borrowed a large sum of money from the Rural & Industries Bank to take tractors and Chamberlain ploughs to Esperance in order to set up a big organisation, having become imbued with the spirit of Mr. Chase to get moving and do things quickly. What happened there? This firm took down four Challenger IV tractors; and half the time not one was working in the paddocks—they were at Esperance undergoing repair. The type of tractor was no good. However, as regards the ploughs, there were none better. This firm was trying to cultivate ground through which the ploughs would not travel because of bogginess and everything else. After the ground was ploughed it was left in ridges and holes. It was in such a grim condition that no farmer would ever think of cropping it.

However, this firm set about cropping that ground within a few weeks of ploughing. I think most members in this Chamber who saw it, as well as you, Mr. President, would agree that it was an absolute waste of time, manpower, super, and seed. I sincerely hope that the parties to the new agreement will be blessed with at least a better start than was the Chase Syndicate.

I make the challenge again that this particular firm had no idea of contract farming. It simply set up an organisation to sell tractors. I refer to the Moore Road Machinery Co. The manager of that company went down to Esperance. As I said before, the company sent down four tractors and a number of Chamberlain ploughs together with other equipment.

I am not a member for that district, but I am very keen on the future of Esperance—I always have been. While my wife was alive she bought some property at Esperance which we still own. I want to make it quite clear that it was

not only the Allen Chase Syndicate that was a failure at Esperance. First of all he had trouble with his own manager; and, secondly, the condition under which preparation of the ground was carried out was no credit to the company which did that work.

Members of this Chamber levelled criticism at the previous Government on account of the original agreement. However, I compliment the present Government on the new agreement it has made; I believe it is very sound. However, so was the previous one. I did not intend to sit in this Chamber and listen to criticism of Allen Chase without saying something; particularly as quite an amount of private money was spent by that gentleman. In answer to a question tonight, it was said that Allen Chase spent quite a lot of his own personal money—£70,000 or £100,000. This was done, as it would have been done by any other investor, with the idea of making more money out of the development of Esperance.

Following the 1958 field day held in Esperance, the local road board organised a meeting of all interested people. This meeting provided an opportunity for people to place their complaints before certain influential people, such as the Ministers who were in the area for the field day; and I was at that meeting. Unfortunately Mr. Cunningham was unable to be present as he had to return to Coolgardie that afternoon. It was the feeling of the meeting that the land should be developed efficiently. The meeting wanted the Chase Syndicate to sell the land in small lots. Instead of three or four families owning 20,000 acres, it was felt that this amount of land should be owned by ten families.

I am pleased to see, that, by clause 12 of the agreement, the company will endeavour to place as many settlers on this land as possible, and that at least 50 per cent. of them will be Australian-born settlers. I believe the Lands Department should be advised that land ought to be made available to local people in order that it may be passed on to their sons. I do not think this land should be left entirely to the syndicate. No matter how much money comes into the State, if local people are interested they should be allowed to play some part in the development of the area.

I commend the Bill. I think the agreement is a good one. I believe the time is not far distant when the Esperance scheme will acquire the same degree of importance as the Ord River scheme, and will add to the export potential of the State. I am optimistic enough to believe that this will occur within five years. Development has already proceeded in the area, and I believe that when Mr. Linkletter returns to America, he will convince those people who have any doubts about the scheme that their doubts are unfounded. It therefore gives me pleasure to support the Bill.

**THE HON. A. F. GRIFFITH** (Suburban—Minister for Mines—in reply) [10.41: When introducing this Bill in the second reading, I went to some pains to recount the history of what had taken place—not of the development of Esperance in years gone by, but of the development of the events which took place prior to the appearance of the Chase Syndicate in Western Australia. I also recounted the lack of progress made by the syndicate. I indicated the amount of land that had been developed—the land that Chase now holds in fee simple—and I went to some pains to give the House particulars of the agreement entered into between the Government and American Factors Ltd.

The reception given this Bill is very pleasing. Nobody has engaged in any criticism of the Chase Syndicate—at least not while this Bill has been in course of introduction. Recriminations will not get us anywhere in a matter of this nature; but the sort of criticism that is constructive in matters pertaining to an agreement such as this, is criticism similar to that levelled by Mr. Wise. In a few words, Mr. Wise pointed out that had Chase taken notice of the local people, rather than people who said they knew, and obviously did not, he would have been better off and might have been there still. However, Chase did not heed the advice of the local people, and as a result he failed rather lamentably. As I mentioned before, if Chase did nothing more, he did help to draw attention to the importance of the Esperance district and the potentialities of the area.

This is probably one of the shortest Bills I have had the pleasure of introducing into the House this session. It contains two clauses only; but both clauses drew quite lengthy speeches from those members who spoke. I suppose that is very natural. Mr. Bennetts said that he never loses an opportunity to mention something about Esperance. I think that is an understatement. But it is only natural that members who are interested in the district, and who represent the district, should wish to recount for the benefit of the House some of the history of the area.

We can fully understand Mr. Wise's interest, since we are all aware that he had something to do with the early negotiations of the Chase agreement. I repeat that recriminations are of no value to us; and we can learn from the mistakes we have made. As I mentioned last week when we were dealing with a Bill in connection with arrangements for the Ord River scheme, it was not expected that, in regard to that scheme, the same mistakes would be made because, fortunately for the State, the management of the scheme was in the hands of very experienced people. The Gorey family is well known and has had a great deal of experience; and therefore I do not think that that project will fail.

But it is important to realise that the project in the North, involving a huge amount of land that is to be developed under the agreement approved by Parliament in recent days; and this agreement affecting the South, and involving millions of acres of country which formerly has been of no great productive value, are both steps forward; and I join with other members who say they hope these people at Esperance will have more good fortune than the previous holders of the land.

It must not be forgotten that this agreement was not an easy one to negotiate; and I think that full credit is due to the present Minister for Lands who carried out the negotiations, sometimes on a basis that was indeed—

The Hon. L. A. Logan: Difficult.

The Hon. A. F. GRIFFITH: Difficult is the right word to use. We must not forget also that during the whole of the negotiations Allen Chase had the right, under the previous agreement, to transfer his agreement if he wished to do so, and nobody could have stopped him. But the negotiations that took place with American Factors Ltd.—with Mr. Chase himself behind the negotiations—have concluded most satisfactorily with the agreement which is now presented to the House.

A question was asked about the *bona fides* of American Factors Ltd. as a company. I am assured by my colleague, the Minister for Lands, that this company is of a very high standing; that its financial status is beyond doubt; that it has connections all over the world. I do not think we need worry about the company in that respect.

I hope that the principals of this company will accept advice, and will benefit from the experience of other people in the district. They will probably benefit also from the lack of experience that Mr. Chase had when he came to Western Australia. I had the pleasure of meeting some of the principals of this company; and Mr. Rockhill, in particular, impressed me as being a solid type of businessman who knew where he was going and what he wanted to do. I therefore wish them well, not only in their own interests but more particularly in the interests of Western Australia; because if the company succeeds then Western Australia will benefit and will succeed. On the other hand, if the project fails it will mean another misfortune for us. Surely, with all the experience of the past, this company must have a better chance of succeeding; because it will have the benefit of information and knowledge passed on to it which the previous company was not prepared to heed.

I do not think it is necessary for me to labour the matter further. It merely remains for me to thank members very sincerely for their remarks in support of the Bill.

Question put and passed.

Bill read a second time.

*In Committee*

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

## LOCAL GOVERNMENT BILL

*Recommittal*

On motion by The Hon. L. A. Logan (Minister for Local Government), Bill re-committed for the further consideration of clauses 6, 105, 106, 212, 432, 460, 474, 475, 478 and 533.

*In Committee*

The Chairman of Committees (The Hon. W. R. Hall) in the Chair; The Hon. L. A. Logan (Minister for Local Government) in charge of the Bill.

Clause 6—Interpretation:

The Hon. R. C. MATTISKE: I move an amendment—

Page 11—Insert before the interpretation "land" in lines 1 to 4 a further interpretation as follows:—

"Justice" means a Justice of the Peace.

When I first drew attention to the necessity for this alteration, I was not aware that the omission occurred so often throughout the Bill. It is one of those things on which I commented during my second reading speech. We had comparatively little time to go through the Bill carefully and, as a result, I was not able to wake up to myself in time. In order to clear up the situation, I submit this interpretation which is better than altering all the different clauses throughout the measure.

The Hon. L. A. LOGAN: It was unfortunate that we accepted the amendments to put the words "of the peace" in the Bill, because they should not have been there in the first place. They are not required. I am rather surprised that Mr. Mattiske said he did not have time to study the Bill, because the word "justice" has been in similar measures since 1948, and those measures have been the subject of discussion by both the Chambers on about six occasions. It is not intended that the word "justice" should apply in its narrowest form to a justice of the peace; it is intended that it should be interpreted in its widest form, and that covers all justices, and not only justices of the peace.

The Hon. G. C. MacKinnon: Not according to the Interpretation Act.

The Hon. L. A. LOGAN: A justice means a justice of the court.

The Hon. H. K. Watson: What is the difference between the amendment before the Committee and the Interpretation Act?

The Hon. L. A. LOGAN: There is no difference, and therefore it is not required. According to the Interpretation Act "justice" means a justice of the peace, and therefore the amendment is unnecessary. To put in the words "of the peace" right throughout the Bill would hold us up to ridicule when it is realised that the word "justice" is already defined in the Interpretation Act. I think we should leave the interpretation of "justice" as it is and take the words "of the peace" out wherever they were put in previously.

The Hon. R. C. MATTISKE: I would like to clear up a couple of points made by the Minister. He said the intention is to use the word "justice" in its broadest sense. So immediately he has confirmed the point I made about the necessity for clarification in the Bill. As I said during a previous Committee stage, I was advised by a senior civil servant that the word "justice" is generally used these days in legal circles to include a magistrate.

The Hon. H. K. Watson: What is wrong with including a magistrate?

The Hon. L. A. Logan: That is what we want.

The Hon. R. C. MATTISKE: That is what I wanted to know when I first submitted the amendment. I asked whether it was intended to include a magistrate or simply a justice of the peace. At the time the Minister said it was to cover a justice of the peace only.

The Hon. L. A. Logan: I did not remark on it. Mr. Jeffery gave you the interpretation.

The Hon. R. C. MATTISKE: No; he referred to that during the second reading speech.

The Hon. L. A. Logan: He gave the interpretation.

The Hon. R. C. MATTISKE: He mentioned the Interpretation Act. My whole purpose is simply to clarify the point. If it is intended that the word "justice" should include others, let us make it quite clear.

**Amendment put and negatived.**

**Clause put and passed.**

**Clause 105—Declaration by returning officer and other electoral officers:**

The Hon. R. C. MATTISKE: I move an amendment—

Page 104, line 35—After the word "justice," delete the words "of the peace" inserted by a previous Committee.

My amendment to delete the words is really consequential upon the one which was just defeated; but, having moved it, I will leave it in the hands of the Minister. If he wishes, I will formally move, as we reach each of the clauses, that the words previously inserted be deleted.

The Hon. L. A. LOGAN: I think they should be deleted wherever they appear, and the honourable member can move in that direction.

**Amendment put and passed.**

The Hon. R. C. MATTISKE: I move an amendment—

Page 105, line 3—After the word "justice," delete the words "of the peace" inserted by a previous Committee.

**Amendment put and passed.**

**Clause, as further amended, put and passed.**

**Clause 106—Powers of returning officer, deputy, presiding officers:**

The Hon. R. C. MATTISKE: I move an amendment—

Page 105, line 15—After the word "justice," delete the words "of the peace" inserted by a previous Committee.

**Amendment put and passed.**

**Clause, as further amended, put and passed.**

**Clause 212—Firewood sawmills and depots, etc.**

The Hon. R. C. MATTISKE: There are a series of amendments to this clause and, as the matter has all been debated at length in a previous Committee, I do not propose to elaborate on it. I move an amendment—

Page 184, line 4—Insert before the word "firewood" the prefix "(a)".

The Hon. E. M. DAVIES: I rise to object to the amendment. These amendments propose to add letters of the alphabet, to precede the titles of "firewood," "timber," etc., with a view to adding a proviso which would mean that no local authority would have any control over these depots, except in the case of their committing a nuisance; in which case the local authority, if it cancelled the license, would have to pay compensation. During the years, these industries have been allowed to remain in certain districts, under annual license, providing they carry out their work in an effective way, and do not become a nuisance. I see no necessity for the proviso, which would make the local authority pay compensation. I oppose the amendment.

The Hon. L. A. LOGAN: This amendment is in a somewhat different form from that moved the other evening, which the Committee defeated. At that stage I was prepared to accept the amendment, because it was similar to that which the Committee had accepted in relation to brickmaking. I am still prepared to accept the amendment.



The Hon. J. G. HISLOP: It would be fair to accept the amendment. It has been a principle of this House that when any new measure is brought in we do not deprive the individual of his ability to carry on his business. We have continued that principle through the professional side of life. I can remember some years ago when we registered, as dentists, those working as dental mechanics. I believe we owe something to people who have been employed under certain headings for a long time, and we should allow them to continue in that fashion. The word "maintenance" makes it difficult. It might mean that an industry could be ordered out at short notice, which would be contrary to the practice of this Chamber.

**Amendment put and passed.**

The Hon. R. C. MATTISKE: I move that the clause be further amended as follows:—

Page 184:

Line 5—Insert before the word "firewood" the prefix "(b)".

Line 6—Insert before the word "timber" the prefix "(c)".

Line 7—Insert before the word "timber" the prefix "(d)".

Line 8—Insert before the word "junk" the prefix "(e)".

**Amendments put and passed.**

The Hon. R. C. MATTISKE: I move an amendment—

Page 184—Add the following proviso—

Provided that nothing in this section shall empower a council to prohibit the continuance of the above enterprises (c) and (d) which are being carried on at the commencement of this Act, unless the person, or persons, carrying on such enterprises is paid reasonable compensation in such amount as the council and such person, or persons, agree upon, or failing agreement in such amount as is awarded by a single assessor in case the parties agree upon one, otherwise by two assessors, one to be appointed by each party.

The Hon. L. A. LOGAN: I draw the attention of the Committee to the word "person" which, under the Interpretation Act, means a person, or party, including a body corporate.

The Hon. A. L. LOTON: I would refer Mr. Mattiske to the last portion of this proviso, and ask him what the position would be if the two assessors did not agree. There is to be one from each party, and it is hardly likely they would reach agreement. Where do we go from there?

The Hon. R. C. MATTISKE: In that case the provisions in the Arbitration Act will apply.

The Hon. A. L. LOTON: It does not say so.

The Hon. R. C. MATTISKE: I thought that would be automatic.

The Hon. A. L. LOTON: No.

The Hon. R. C. MATTISKE: I was of the opinion that where the matter was referred to arbitration and there could be no agreement, the Act would apply. In the event of the assessors failing to agree, the provisions of the Arbitration Act will apply. At this stage I think we should include the amendment, and then, if it is necessary to recommit, we can do so and touch it up a second time.

**Amendment put and passed.**

Clause, as amended, agreed to.

Clause 432—Declaration of referees:

The Hon. R. C. MATTISKE: I move an amendment—

Page 357, line 33—After the word "justice," delete the words "of the "peace" inserted by a previous Committee.

**Amendment put and passed.**

Clause, as further amended, agreed to.

Clause 460—Owner may impound on his own land cattle found trespassing thereon:

The Hon. A. L. LOTON: I move an amendment—

Page 376—Add after subclause (4) in lines 33 to 39 the following new subclause:—

(5) If any entire horse, ass, or bull above the age of one year shall be found trespassing without a keeper on any land, the owner of such land may castrate such cattle if unbranded, and if the owner thereof be unknown.

(a) In every case where any cattle shall have been castrated in accordance with the foregoing provisions, no compensation shall be given to the owner of such cattle for such castration.

(b) The above enactments shall be cumulative, and not be a bar to any claim for any compensation for damage or to any penalty which may have accrued by reason of such trespass, unless such compensation shall have been claimed before a Justice of the Peace at the time of making the complaint therefor, or assessed on the hearing of such complaint.

Part XX of this Bill deals with various aspects of cattle trespass, pounds, pound-keepers, and rangers. There is a provision in the Cattle Trespass, Fencing, and Impounding Act which deals with entire horses, asses, or bulls which are found

trespassing without a keeper, and I feel that this provision should be included in this measure.

My reason is that there are many people who allow young bulls which have not been castrated to remain with their mothers. This presents all sorts of difficulties for a man with stud cattle on adjoining properties because they can easily get through a fence. The breeding season would be disrupted, and he would be in the unfortunate position of having stud cattle and nondescript bulls together, resulting in mixed progeny. To overcome that difficulty I want the owner of the stud cattle to have power to castrate straying bulls, under the provisions of this legislation.

#### **Amendment put and passed.**

Clause, as amended, put and passed.

#### **Clause 474—Proceedings prior to sale of unclaimed cattle:**

The Hon. R. C. MATTISKE: I move that the clause be further amended as follows:—

Page 384:

Line 7—After the word "justice," delete the words "of the peace" inserted by a previous committee.

Line 25—After the word "justice," delete the words "of the peace" inserted by a previous committee.

Page 385:

Line 17—After the word "justice," delete the words "of the peace" inserted by a previous committee.

Page 386:

Line 22—After the word "justice," delete the words "of the peace" inserted by a previous committee.

#### **Amendments put and passed.**

Clause, as further amended, put and passed.

#### **Clause 475—Justice may order unsold cattle to be destroyed:**

The Hon. R. C. MATTISKE: I move an amendment—

Page 386, line 26—After the word "justice," delete the words "of the peace" inserted by a previous committee.

#### **Amendment put and passed.**

Clause, as further amended, put and passed.

#### **Clause 478—Authority for destruction of injured, diseased, or dying cattle impounded:**

The Hon. R. C. MATTISKE: I move an amendment—

Page 387, line 29—After the word "justice," delete the words "of the peace" inserted by a previous committee.

#### **Amendment put and passed.**

Clause, as further amended, put and passed.

#### **Clause 533—Councils must adopt valuations:**

The Hon. L. A. LOGAN: Last night, Mr. Watson and, I think, Mr. Teahan, spoke about rating and at the time I stated that there was some merit in their arguments, but that it would be better to leave the Bill as it was. I gave some further thought to the matter this morning, and tried three different ways of finding a suitable amendment. I believe we could have quite easily put the full amount of value in and left it to the local authorities to adjust their rates up or down accordingly; but then we would probably have quite a lot of differences between one and the other. Then I toyed with the idea of putting 60 per cent. in before "annual value," but came to the conclusion that it would be much better to delete the words "the amount of all rates and taxes and a deduction in the aggregate of twenty pounds per centum for repairs, insurance and other outgoings." I therefore move an amendment—

Page 438, lines 5 to 8—Delete all words after the word "less" down to and including the word "outgoings," with a view to substituting the words "forty per centum to cover rates, repairs, insurance and other outgoings."

The Hon. H. K. Watson: I think you should make the words "forty per centum" read "forty pounds per centum."

The Hon. L. A. LOGAN: The amendment was drafted by the Parliamentary Draftsman.

#### **Amendment put and passed.**

The Hon. L. A. LOGAN: I do not know whether this is necessary, but I move an amendment—

Page 438, lines 5 to 8—Substitute the words "forty pounds per centum to cover rates, repairs, insurance and other outgoings" for the words deleted.

#### **Amendment put and passed.**

Bill again reported with further amendments.

### **COUNTRY HIGH SCHOOL HOSTELS AUTHORITY BILL**

#### *Assembly's Further Message*

Message from the Assembly received and read notifying that it had agreed to the conference managers' report.

### **ORDER OF BUSINESS**

**THE PRESIDENT:** The next order of the day is the Traffic Act Amendment Bill.

*Point of Order*

The Hon. A. L. LOTON: I point out, Mr. President, that we have a Standing Order which prevents us from commencing new business after 11 o'clock at night, and it is now a minute or two after that time.

The PRESIDENT: That is so.

## ADJOURNMENT OF THE HOUSE: SPECIAL

THE HON. A. F. GRIFFITH (Suburban—Minister for Mines): I move—

That the House at its rising adjourn till 2.30 p.m. tomorrow.

Question put and passed.

*House adjourned at 11.4 p.m.*

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

## QUESTIONS ON NOTICE

### DRAINAGE AT RIVERTON

#### *Commencement of Scheme*

1. Mr. O'NEIL asked the Minister for Water Supplies:
  - (1) Is it anticipated that a commencement will be made on a comprehensive drainage scheme for the Riverton area of the Canning Road Board during this financial year?
  - (2) If so, what is the extent of the proposals?
  - (3) If not, can any firm estimate be given of the likely commencement date?

Mr. WILD replied:

- (1) "No.
- (2) Answered by No. (1).
- (3) A firm estimate cannot be given, but each year all contemplated works receive consideration in the light of available funds.

2. *This question was postponed.*

### WATER BORES

#### *Details of Tenders for Drilling*

3. Mr. O'NEIL asked the Minister for Water Supplies:
 

Would he give details of the most recently accepted tenders for drilling of—

  - (a) 5-inch or 6-inch bores;
  - (b) 8-inch bores?

Mr. WILD replied:

Tenders are not called for drilling only. I would like to add that this question is not very clear, and if the honourable member amplified it, we could endeavour to give him the information he is seeking.

# Legislative Assembly

Wednesday, the 19th October, 1960

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