

Legislative Assembly.

Wednesday, 30th September, 1936.

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

ELECTORAL—SWEARING-IN OF MEMBER.

Hon. J. C. Willcock (Geraldton) took and subscribed the oath, and signed the roll.

MINISTERIAL STATEMENT— PREMIER'S ACCESSION TO OFFICE.

THE PREMIER (Hon. J. C. Willcock—Geraldton) [4.33]: I desire to thank hon. members for the reception they have accorded me upon taking my seat here, and especially on taking my seat as Leader of the House. I also thank many members of this Parliament, and numbers of people elsewhere, for kind messages of sympathy and congratulation they have sent to me during my recent illness. First, I wish to say that I was intensely disappointed at Mr. Collier's finding it necessary to relinquish the position of Premier. Like all others who have been associated with Mr. Collier for so many years, I cultivated such respect, esteem, and I think I may safely add affection, for him that his retirement was a distinct sorrow to me. Doubtless anyone elected to the responsible position of Premier of the State must feel a great deal of pride in having that honour conferred upon him. Nevertheless, it was a disappointment to me personally, inasmuch as my accession to the Premiership became necessary owing to Mr. Collier's relinquishment of the office. So far as I am concerned, I desire, as did Mr. Collier and Sir James Mitchell, that the business of the

Chamber should be conducted in as decorous a manner as possible. I personally am anxious to extend every courtesy and every consideration not only to members on my side of the House but also to all other hon. members. Anything that I can do to maintain and foster goodwill and good feeling and esteem amongst members will be done on my part freely. I think we can say with some pride that in the Parliament of Western Australia there is a better feeling between members on different sides of the Chamber than in most other Parliaments. In fact, some Parliaments are not altogether noted for that cordiality and that good feeling which undoubtedly do exist here in Western Australia. Parliament, naturally, is an institution where there are many differences of opinion. That is why we come here—to express our differences of opinion in order to discover the way of wisdom. While we all fight strongly for our respective principles and the varying opinions we hold, I trust that although we do differ, and differ materially, yet when such differences do arise we shall agree to differ, with the underlying knowledge that notwithstanding our differences of opinion we can give each other credit for advancing whatever opinions we do advance, for the good of the people of Western Australia. This is the first public opportunity I have had of expressing my sincere thanks to my colleagues for the work they have done on my behalf while I have been ill. Not only have they been willing to do whatever was to be done, but they have been absolutely anxious to do it in order to enable me to recover my strength, so that I could return here. Particularly I desire to express my thanks publicly to the Deputy Premier, Mr. Troy, who has had a strenuous time since Parliament opened. Mr. Troy, in common with the rest of my colleagues, has been insistent that no load would be too heavy to bear so that I might be spared it. I am grateful indeed to Mr. Troy, and to my other colleagues. In conclusion, let me reiterate that personally I desire the conduct of the House to proceed with the amity and the goodwill which have existed here, and which I believe have been fostered by almost every member of the Chamber. My desire is that that good spirit should continue, so that at least we shall be able to retain the respect and goodwill of each other while being political opponents. (Applause from members.)

BILL—WOOL (DRAFT ALLOWANCE PROHIBITION).

Returned from the Council without amendment.

QUESTION—BATHURST BURR.

Mr. STYANTS asked the Minister for Agriculture: In view of the alarming spread of the Bathurst burr in and around Kalgoorlie and Boulder, and the menace to the pastoral and dairying industries in those districts, and the probability of the spread of this pest to the agricultural areas, is it his intention to provide finance to effectively deal with it this summer?

The MINISTER FOR AGRICULTURE replied: It is the responsibility of the local authority to eradicate any weed declared noxious. If action is taken by the board as suggested by the department after full investigation, no great expenditure would be necessary. The department is prepared to co-operate and assist financially.

QUESTION—GROUP SETTLEMENT, WALPOLE.

Mr. DOUST asked the Minister for Lands: 1, How many settlers were there on the Walpole settlement on 30th June, 1936? 2, How many abandoned locations were there on the Walpole settlement on 30th June, 1936? 3, How many settlers were paid in actual cash—(a) less than £5; (b) less than £6; (c) less than £7, during the months of July and August, 1936?

The MINISTER FOR WORKS (for the Minister for Lands) replied: 1, 57. 2, 20. 3, The number of settlers advanced by way of loans in cash—(a) less than £5, July, 2; August, 2; (b) less than £6, July, nil; August, nil; (c) less than £7, July, 2; August, 1. The reason for amounts advanced to these settlers being lower than the average was the lower value of improvements carried out or higher deductions for goods supplied.

BILLS (3)—FIRST READING.

- 1, Reciprocal Enforcement of Maintenance Orders Act Amendment.
- 2, Fair Rents.
- 3, Judges' Retirement.

Introduced by the Minister for Justice.

BILL—LEGAL PRACTITIONERS ACT AMENDMENT BILL.*Second Reading.*

Debate resumed from the 16th September.

THE MINISTER FOR JUSTICE (Hon. F. C. L. Smith—Brownhill-Ivanhoe) [4.42]: I must oppose the Bill, although I sympathise with the desire of the mover to improve the Legal Practitioners Act. The hon. member's efforts in the past to secure various amendments in the measure are known to me. However, it seems to me that the present Bill proposes amendments differing from those which he sought to effect previously. In 1923 the member for Fremantle endeavoured to introduce into the parent Act a proviso amending Section 6 of that measure. The proviso was to the effect that any person who obtained the Western Australian University degree of Bachelor of Laws should be admitted to practice. That amendment was defeated. Clause 3 of the Bill of 1933 provided that an articulated clerk should be able to engage in other employment during hours when the office of the legal practitioner to whom he was articulated was not open for business. It also provided that the practitioner to whom such clerk was articulated should pay the clerk. That differs from the corresponding amendment in the present Bill. Clause 4 of the earlier Bill, which clause was passed, provided for practical experience under articles of one year in lieu of two years if a person had obtained the degree of Bachelor of Laws at the Western Australian University. Another clause included in that Bill provided for the passing by a barrister of an examination prescribed by the Barristers' Board. Clause 3 of the 1933 Bill permitted any articulated clerk to engage in other employment without the permission of the Barristers' Board, provided that the outside work on which he was engaged was not done during hours when the office of the practitioner to whom he was articulated was open for business. And then, in 1934, the member for Fremantle brought down an amendment of Section 15 of the principal Act as follows:—

The board shall not refuse a certificate under paragraph (b) of this section to any person merely on the ground that during his period of service as articulated clerk he has received remuneration from the practitioner to whom he has been articulated, nor upon the ground that he has held any office or engaged in any employ-

ment outside the usual hours of business of the practitioner to whom he has been articulated.

Last year the member for Fremantle moved certain amendments that were ruled out of order. I think it necessary to make that explanation, because it seemed to me the hon. member the other night conveyed to the House that the Bill he was bringing in this time was the same as the amendments proposed in previous Bills, which were passed by the House. In regard to the proposed amendments, I feel that while we should have some sympathy for the sons of poor men who are ambitious and desirous of becoming lawyers or solicitors, we cannot disregard the fact that under the best of circumstances in which we could extend facilities to young men to become lawyers or solicitors who are without adequate means, there would be comparatively few of those poor young men seeking to qualify to give advice as against the large numbers of poor young men who in future will be, and who at present are, depending upon lawyers and will have to depend upon them in regard to advice on various legal matters. So to the best of our ability we have to see to it that those qualified for the law, and thereby entitled to give advice, are well qualified for that purpose. It seems to me that if we were to loosen up the provision in such a way as to preclude the achieving of desirable qualifications, it would be a menace to the public, who would have to pay for the mistakes that obviously would be made by lawyers and solicitors having deficient qualifications. I would point out to the House that it is entirely wrong to think that a University degree gives the essential qualifications. A University degree does no such thing, but merely indicates that the prospective lawyer or solicitor has passed a certain examination on the theoretical side. As a matter of fact, many of those who have been successful in getting that degree could not draw up a writ or a legal agreement, or any other legal document. Certain polish has to be acquired in connection with the drawing up of those documents, which can only be gained by experience. So Section 13 is designed to safeguard the public, in order to make it sure that those who have been admitted to set up in the post of giving advice have had not only theoretical training, but also the necessary practical experience. I do not know what has happened in the past, but I do know that in future these candidates will

have to be articulated; because the fact that there has been a weakness in the provision in the past is no reason why it should not be amended in the future. Theoretical knowledge in various professions, in engineering, for instance, is one thing, whereas practice is quite another. I remember that I once foolishly undertook a theoretical training in connection with engines, and I have today certificates showing that I was qualified from a theoretical point of view in respect of valves and engines and boilers and that sort of thing. But I was never able to drive an engine, and never would be until I had had the necessary practical experience. Now it is very much the same in connection with lawyers and solicitors. I think the board must have some control, and must have some say also in respect of outside employment at which earnings are reaped. It would be very undesirable in connection with the legal profession if it were permitted that articulated clerks in their spare time outside office hours could conduct, say, a two-up school, or go clerking to a bookmaker, thus following an illegal occupation.

Mr. Raphael: What is wrong with that?

The MINISTER FOR JUSTICE: It is not strictly legal. I am only citing this as an example. Many other instances may occur to members. I think it very desirable that we must see to it that the articles are adequately served on a full-time basis. The board appears to have no objection whatever to an articulated clerk receiving remuneration from his principal. I understand that at one time there was some objection to that under Rule 30; there was objection to having articulated clerks who received any remuneration whatever from the practitioner to whom they were articulated. Such clerks had to apply for and obtain the consent of the board, otherwise a certificate would be refused. But that rule has now been cancelled, and there is no objection on the part of the board; if the principals engaging the articulated clerk are prepared to pay him some remuneration, they can do so without having to make application to the board.

Mr. Raphael: It is the principal, not the board, that objects.

The MINISTER FOR JUSTICE: We are not going to get over that difficulty by repealing Section 13. Some time ago the period necessary to serve articles was cut down from three years to two years for clerks who had obtained their degree. As a matter

of fact, the board, which does not speak without some knowledge of what it is talking about, thinks this period is altogether too short for the gaining of the necessary experience properly to qualify clerks for giving advice as barristers and solicitors. The work of the profession is, of course, becoming more complicated every day and so is calling for higher qualifications.

Mr. Raphael: That is because the people are waking up to it.

The MINISTER FOR JUSTICE: While it may be a desirable ambition to become a lawyer or solicitor, I think that it is a much more desirable ambition to become a good lawyer or a good solicitor. In the past the board has been very tolerant in regard to the granting of these applications. During the last 20 years 139 applications for leave to receive remuneration were made, and only one was refused; and that was only partly refused because the gentleman concerned was conducting some kind of a business undertaking, a teaching college or something of the sort. He was told that if that was a full-time job he would have to give it up if he were going to be an articled clerk, and would have to apply himself to his principal's business during office hours. He did give up his teaching for the time being, but ultimately he decided to give up the idea of becoming a solicitor, and consequently he went back to his college. There is not a single case of hardship in connection with the attitude of the board towards applications made for leave to earn remuneration outside the usual hours of employment as an articled clerk. The hon. member quoted a letter from the Barristers' Board, in which reference was made to an application on behalf of some young man who desired to earn some remuneration outside the usual office hours. I do not think it necessary for me to read this letter again, because the hon. member has already read it; but if members will read it for themselves they will see that it is quite a reasonable letter from the board's point of view. The fact remains that, until such time as a young man is an articled clerk, he does not come under the provisions of the Act. He has to be an articled clerk before the board can impose any power under Section 13 of the Act, and decide whether or not they will grant him leave to undertake remunerative employment outside the ordinary office hours.

Mr. Sleeman: Do you agree with the contents of that letter?

The MINISTER FOR JUSTICE: I cannot disagree with the letter. I agree to the attitude expressed in the first part, where the board say they cannot deal with the subject matter of an application until the applicant has become an articled clerk.

Mr. Sleeman: But you know there is more than that in it.

The MINISTER FOR JUSTICE: The letter proceeds to say that as a matter of principle the members present at the meeting were of opinion that an articled clerk cannot satisfactorily serve two masters. But that was not the final say; it was merely a generous hint on the part of the Barristers' Board. I do not mean generous in the nature of the hint, but generous because they gave any hint at all.

Mr. Hughes: So that the man would not pay his fees and become articled and then be refused?

Mr. Sleeman: And probably be refused after paying his 13 guineas.

The MINISTER FOR JUSTICE: It might be that after the 13 guineas were paid one would be refused. That is possible.

Mr. Sleeman: And probable.

The MINISTER FOR JUSTICE: I say it is not probable. I have quoted figures to show that it is most improbable, seeing that the board have dealt with 139 cases in 20 years and practically have not refused one.

Mr. Raphael: You said they had refused one.

The MINISTER FOR JUSTICE: But I explained the circumstances. They temporarily refused one because he was conducting a business college in the city and told him he would have to give it up and apply his time as an articled clerk.

Mr. Sleeman: And told him the policy of the board at the same time.

The MINISTER FOR JUSTICE: Eventually that man elected to give up the business college and he became an articled clerk, but later on he decided to return to the business college. That can hardly be called a refusal. Seeing that 139 cases have been dealt with in 20 years with practically no refusal, I say it is most improbable that the board would refuse where the circumstances were in any way reasonable. The member for Fremantle made some reference to the position of British lawyers coming to this country. The number would be so insignificant that it is hardly worth interesting ourselves in it. I should say that such a man would be a very

rare bird. The profession in England is divided into two sections, which is entirely different from the practice here. The provision in our Act, according to my advice, appears in all the standard Acts. The member for Fremantle quoted the New Zealand Act. That legislation certainly seems to contain much more liberal provisions regarding qualifications than does our Act, but I understand that the effect is that there is no reciprocity existing between New Zealand and the States of Australia consequent upon the liberal conditions under which applicants are admitted in the Dominion.

Mr. Sleeman: What about Queensland?

The MINISTER FOR JUSTICE: In New Zealand the examinations are conducted by the University, and registrations are effected by the Registrar of the Supreme Court. In this State, apart from any University examinations, the Barristers' Board conduct examinations and register admissions to the profession. I do not know how the New Zealand provisions work in practice, but it has to be admitted that they seem to be more liberal than are ours. Of course that liberality would have to be viewed in the light of experience. We should need to know the effect of the liberality and whether it permits of an inflow into the profession there of men who are not qualified to give the great multitude of people requiring legal advice proper and good advice.

Mr. Lambert: Would you partially nationalise the profession?

The MINISTER FOR JUSTICE: However liberal the conditions may be, the number of people seeking advice will always be in excess of the few qualified to give it. I am given to understand that there is no reciprocity existing between Australia and New Zealand on account of the liberal provisions existing in the Dominion. There is a certain amount of reciprocity between this State and the other States, but if we leave the beaten track by passing this Bill, we shall probably disturb the existing reciprocity and create a position such as that which exists between New Zealand and the several States of the Commonwealth. The hon. member pointed out several instances of men who were qualified in the Old Country and who, on coming here, were able to enter the profession quite easily. I do not think there

are many such cases. As regards the legal profession as distinct from other professions, wherever its members go, they must have residential qualifications and comply with other conditions before they are permitted to practice. The main point to be considered is that, if Section 13 of the Act be repealed, it will affect the Act only and not the principle. A solicitor's clerk will still have to serve his articles in order to qualify. That principle will not be altered.

Mr. Sleeman: I am not asking for that.

The MINISTER FOR JUSTICE: That must be clearly understood.

Mr. Sleeman: We agree on that.

The MINISTER FOR JUSTICE: The present position broadly is that the solicitor who permits a clerk to serve under articles in his office dictates the terms to some extent, but if he does dictate his own terms, they are at least subject to review by the Barristers' Board. If the Barristers' Board consider that there is anything objectionable in the covenant, they call the parties together to review the conditions. Thus the Barristers' Board exercise a considerable jurisdiction and protect the article clerk against a solicitor who might seek to impose unjust conditions under the terms of the articles.

Mr. Hughes: They passed some rather outrageous premiums.

The MINISTER FOR JUSTICE: If the Bill becomes law, the board in future will not exercise that jurisdiction, with the result that members of the profession who agree to take a clerk under articles will be able to dictate their own terms respecting the covenants governing the articles. They will be able to draw up a covenant including a provision that he must not accept outside employment.

Mr. Marshall: Then we shall amend the Act and prevent their doing it.

The MINISTER FOR JUSTICE: They will probably prevent an article clerk from getting any remuneration while in the service.

Mr. Sleeman: Then we shall have to bring them under the arbitration law.

The MINISTER FOR JUSTICE: We now have a board who exercise some jurisdiction and control over the terms of articles, but the Bill proposes to take that right from the board and leave the whole matter in the hands of individuals. In those circumstances I consider that the re-

sults would be far worse than they are at present, and that there will be far greater disadvantages from the point of view of poor young men who desire to become articulated clerks.

Mr. Raphael: Do you think that a butcher or baker would be doing wrong in accepting a premium and that a lawyer would be doing right?

The MINISTER FOR JUSTICE: That does not enter into the question before us.

Mr. Raphael: But we want to know.

The MINISTER FOR JUSTICE: The question before us is that of the machinery by which lawyers are controlled.

Mr. Hegney: I think there is more in butchering than in this.

The MINISTER FOR JUSTICE: The member for Fremantle spoke of clipping the wings of the board. I do not think there is any board in Western Australia functioning with less public criticism than the Barristers' Board.

Mr. Sleeman: That does not say it is right.

Mr. Boyle: How often do the members of the Barristers' Board meet?

The MINISTER FOR JUSTICE: Fairly frequently. The hon. member would be surprised at the work done by the board.

Mr. Sleeman: There were members of the board who, up to 18 months ago, had never attended a meeting.

The MINISTER FOR JUSTICE: I suppose their business is conducted like that of other boards; so many members form a quorum. Probably some attend to the business this week and others next week. I hope members will examine the provisions of the Bill carefully with a view to determining where it is leading us. As I have pointed out, the measure is entirely different from the proposals submitted by the hon. member on former occasions, which more or less were confined to the question of employment and remuneration outside the hours in which the office employing the articulated clerk was open. This Bill proposes to repeal the section governing the whole matter and will take from the board the power of control and leave it in the hands of the solicitors and barristers, which, in my opinion, would be to the very great disadvantage of those who desire to become articulated clerks.

MR. McDONALD (West Perth) [5.15]: I felt almost tempted to support the member for Fremantle (Mr. Sleeman) because he has shown such perseverance in this mat-

ter, and I know his motives are the very best. I have, however, looked carefully into this question, and find there are associated with it several considerations of some importance. It does not matter very much to the lawyers whether this Bill is passed or not, except that they wish to see the best qualifications maintained in the occupation. From the purely financial point of view a very bad lawyer who does bad work means more work for good lawyers.

The Minister for Employment: The profession must be greatly advantaged as a result of the recent operations of a certain lawyer.

Mr. McDONALD: The Bill does not make any difference to the lawyers from the point of view of their pockets. The situation is that rightly or wrongly—I think rightly—this provision has, I believe, appeared in all legislation, apart possibly from New Zealand legislation, dealing with the training of lawyers. As lately as 1932 when the English Solicitors Act was re-enacted, a similar provision to this was included, except that permission to engage in outside employment was not obtained from the appropriate law society, but on application to a judge of the High Court of England. The authorities apparently placed that much importance on the matter. The Barristers' Board has no personal concern in this question. I have recently become a member of the board, and have been surprised to find the quantity of work transacted by it. I think there have been three meetings in the last three months, and another is to take place next Friday. The meetings have lasted from 1½ to 2 hours, and the amount of work which has come before the board has been considerable.

Mr. Raphael: That is not very long from a lawyer's point of view.

Mr. McDONALD: The board is fulfilling a useful function. It stands between the public and the legal fraternity in any matter of complaint which arises. The board sifts the matter, and metes out blame where blame is due, and where there has been a misunderstanding it clears it up. Letters which have been written to the board speak in most appreciative terms of the work that has been done in looking into cases and explaining exactly where people stand. The board's feeling in the matter is that it desires to ensure that when a student is serving in articles he is giving genuine service,

and not merely sham service. Let me take the case cited by the Minister of a man who is running a business college. The board no doubt feels that the man who is running a comparatively large business organisation and has employees under him, must spend a part of the daytime and a part of his energy in conducting that business, whereas he requires all his energy and daytime work to obtain the training required in the legal profession. The only idea behind this section, in the board's administration, is to ensure that the employment a young man takes outside will be such that the service of his articles will be a genuine service. I find, as the Minister has said, that there have been no cases where any hardship has been occasioned to anyone who desired to take on outside employment. The matter should be approached with a more generous view towards the legal fraternity and the board than is sometimes expressed. The member for South Fremantle interjected some time ago that the legal fraternity represented a union. If it is a union, in this State it is a very exemplary one. I want to know whether there is any union which voluntarily contributes £500 a year to enable other people to join it. Some time ago the late Mr. Davy put up a proposal to the lawyers that they should tax themselves £500 a year, or £5 per head, which actually comes to more than £500 a year, to subsidise law students at the University. The legal fraternity agreed to that, and on their behalf Mr. Davy had a Bill passed through Parliament which, to make certain that all the contributions were on an equitable basis, provided that every member of the legal fraternity contributed £5 per annum while he was in practice.

Mr. Lambert: That is a most useful way to keep many people out of the profession.

Mr. McDONALD: That is one way to look at it. The legal fraternity accordingly established a law school at the University, where boys are trained to enter the law without any cost to themselves. The course is one of four years, and they can obtain a degree of Bachelor of Laws without any cost to themselves. During that period they can follow any outside employment they wish, consistent with the passing of the necessary examinations and satisfying their teachers at the University. When that is over they serve two years in articles for practical experience. It is customary, if not general,

that during these years the lads receive a certain remuneration.

Mr. Lambert: We subsidise the law library at the Supreme Court every year.

Mr. McDONALD: I think that is wrong. There was a subsidy for the law library, but it was reduced owing to bad times. The Barristers' Board suggested it could do without the subsidy. I understand the subsidy for the law library now comes out of the surplus from the contributions which the legal profession agreed to make towards the cost of a Chair of Law at the University. So far from deterring any boy, rich or poor, from entering the profession, the legal fraternity has gone to the opposite extreme, and pays £500 a year to give students free education at the University to enable them to join the profession. What union could possibly do more than that? We are not opposing the repeal of this section to place obstacles in the way of any deserving boy, who has but little means to assist him. We have shown our good faith by the substantial contribution we are making to enable the poorer lads to enter the ranks of the profession. I also wish to refer to one or two minor points. If a lad did pay £13 in stamp duty on his articles, and then was refused permission to engage in some outside employment, I do not think there would be any difficulty in having that money refunded by the Treasury on the recommendation of the Barristers' Board. Such a case has never arisen, but if it did arise, I am sure the lad would get his money back. The Minister has referred to the reduction in the standard of qualifications. According to information I had some time ago when I was considering the matter, New Zealand has already grave doubts about the wisdom of cutting down the qualifications, and is considering the advisability of tightening them up to secure a higher standard amongst those who qualify for the profession. The only anxiety the board has is to ensure that the service in articles shall be a genuine service. If it is satisfied on that score it has no objection to a lad earning some money during his articles by engaging in outside employment, so long as it is respectable employment. In view of what I have said about the assistance that has been given by the profession to enable lads in poor circumstances to receive free education at the University, I think very little need be added. The section can usefully stand in the same way as it stands in practically all

legislative enactments in other parts of the British dominions.

MR. LAMBERT (Yilgarn-Coolgardie) [5.27]: It is evident that the new Minister for Justice was speaking in a most unsympathetic and definitely uninspiring way, merely re-echoing a voice from the dungeons of the Supreme Court, rather than uttering his own opinions. His speech seemed to be studied conservatism. No sound reason has been advanced why Section 13 of the principal Act should not be repealed. There are many young fellows who are very bright and desire to join the profession. No unnecessary embarrassment or barrier should be put in their way. I know some of the most eminent men who belong to the profession. I should say that those one could safely consult upon any legal problem could be counted on the fingers of the hands. I was thinking a while ago of some of those holding positions to-day in the judiciary, and whether we could safely throw out the net and obtain someone with all the qualifications required for appointment to that body. With the exception of about a dozen I could not go out of that ring of preference to make an appointment. The member for West Perth (Mr. McDonald) went out of his way to stress the great benefits the legal profession had given to those who desired to become members of this exclusive union. He said that members of the profession gave no less than £500 a year to allow young people to qualify and mentally equip themselves to join this sheltered body. There are 38 students, including two females, at the University, and that works out at about £12 per annum for each student. This means that the whole of the legal profession in this State is giving the wonderful sum of £12 a year to each student attending the law section of the University. If one were to take the actual cost of the 830 students who come under all headings at the University, one would find that each student was subjected to a cost of about £200 per annum. Yet this sheltered and privileged profession provides this wonderful sum of £500 per annum to equip these individuals to join their union! What do we do? Some members are probably not aware that for countless years the people of Western Australia have subscribed a sum much in excess of that figure—

Mr. McDonald: Including the lawyers, as taxpayers.

Mr. LAMBERT: How many lawyers are there, in Western Australia?

Mr. McDonald: About 150.

Mr. LAMBERT: Out of upwards of 450,000 people.

Mr. Raphael: And some of them do not put in taxation returns.

Mr. LAMBERT: The hon. member must not say that. Last year we provided £125 for the purchase of law books for the reference library established at the Supreme Court. So on that, the lawyers are only £375 in excess of that contribution. For the total of the students who aspire to join this privileged profession, the contribution of the profession represents about £8 per head.

Mr. McDonald: Yes, it is so small that I think we shall have to withdraw the contribution!

Mr. LAMBERT: The possibilities of the position appeal to me. Members of Parliament, irrespective of what knowledge they may possess of the law, are called upon to be responsible for the framing of statutes that lawyers are required to interpret. There is no examination that debars the individual even in his preliminary run for Parliamentary membership. There is nothing to debar such individuals from having three means of gaining a livelihood, and yet maintaining their positions as members of this Chamber. Then we have the position of the English solicitor. I have one in mind whom I met recently and found to be a most engaging gentleman! To think that English solicitors can come here merely with a knowledge of English law and none whatever of our statutes, go into one of the legal offices where they are often nuisances and humbugs—I have no one in particular in mind when I say that—and after serving there for six or twelve months—I am not sure what the period of service is in Western Australia—

Mr. McDonald: Two years' standing and six months in Western Australia.

Mr. Steeman: Provided the individual has eaten his dinners.

Mr. LAMBERT: The English solicitor in that position could walk about Western Australia for 18 months, and go into a solicitor's office to do mere routine work for six months, and then he could apply for admission to—

The Premier: Be let loose on an unsuspecting public.

Mr. LAMBERT: Yes, but that is the Premier's remark, not mine. After his association with lawyers in his capacity as one-time

Minister for Justice and after having probably entered on his work in that direction with no great degree of prejudice, it comes well from the Premier to make such a suggestion. However, joking aside, I hope we will remove this particular barrier from the Legal Practitioners Act. There are too many instances of ordinary mediocre individuals crawling, by examination, into the profession and, after gaining that right to practice, contributing little to the advancement of the community or of the profession itself. I agree with the Minister for Justice that if we could have fewer but better-equipped lawyers, the community would be so much the better off.

MR. BOYLE (Avon) [5.36]: I intend to support the second reading of the Bill. I compliment the member for Fremantle (Mr. Sleeman) on the many efforts he has made, not to reform the profession or those engaged in it but to remove one of what I might describe as the incrustations of privilege that have become grafted on the legal profession over a series of years. I sympathise with the Minister for Justice. No doubt he did his job well, if against his conscience.

Mr. Raphael: He was not too convincing.

Mr. BOYLE: He did not convince me, but I give him credit for doing his job well.

The Minister for Employment: It was a bit more palatable than you were on State insurance.

The Minister for Mines: Of course it was.

Mr. BOYLE: I would mention the aspect of privilege associated with the profession. It seems difficult to contemplate opposition to the abolition of this particular part of the Act, as sought by the Bill, on the part of a Minister associated with the present Government. One has only to contemplate the history of Australia to appreciate the wonderful men who have won through and become an ornament of the legal profession whereas, had they lived in Western Australia, it would have been impossible for them to achieve such a result. I would mention Sir John Quick, one of the greatest jurists Australia has ever known. He told the world that he learnt his profession when a fireman by the light of the furnace fires. Then there is Sir Isaac Isaacs, who stated that he delivered groceries in Mel-

bourne in order to secure the money necessary to enable him to carry on with his studies.

Mr. Sleeman: He could not have done that in Western Australia.

Mr. BOYLE: No.

Mr. McDonald: Why not?

Mr. BOYLE: Because he would have been debarred from doing so.

Mr. McDonald: Not at all.

The Minister for Justice: Yes, the hon. member is wrong there.

Mr. Sleeman: The hon. member is on the right track.

Mr. BOYLE: I would mention the name of Abraham Lincoln, one of the greatest men of the world. He was not born with a silver spoon in his mouth, but in America he did not have any Section 13 to contend with that would prevent him from carrying out his studies.

Hon. N. Keenan: How do you know that?

Mr. BOYLE: It is cool cheek on the part of Western Australia to refuse to grant reciprocity to the Eastern States and New Zealand with regard to the legal profession. We have a population of 450,000 people and, according to the member for West Perth (Mr. McDonald), we have 150 lawyers practising within the State. On their behalf, we set up a close preserve debarring lawyers from the Eastern States from practising in our courts.

Mr. McDonald: That is the trouble: we do not.

The Minister for Justice: There is reciprocity.

Mr. BOYLE: No.

The Minister for Justice: I was referring to New Zealand when I spoke.

Mr. BOYLE: I am subject to correction.

Mr. Hughes: At any rate, you are right.

Mr. BOYLE: In a young State like Western Australia, why should there be any bar confronting any ambitious boy who may desire to enter an honourable profession? The law is, I think, and certainly should be an honourable profession, but to-day it is hedged around with all sorts of privileges. If a lad desires to enter the legal profession, he will naturally desire to join up with a decent office and the premium he must find is upwards of 200 guineas. In fact, that is quite an ordinary premium to enable a lad to serve his articles in Western Australia.

Mr. McDonald: Not in our days.

Mr. BOYLE: I know of one lad who, within the last two years, had to pay 200 guineas in order to serve his articles in Western Australia. He was debarred under Section 13 from earning money outside his profession. It is a most vicious principle—I use the term advisedly—that debars these young men from earning money outside but forces them to resort to process serving and other activities of that nature.

Mr. Raphael: Yes, at six bob a time.

The Minister for Employment: Are you referring to Mr. Hartrey?

Mr. Raphael: No, there are others who have to do the dirty work.

Mr. BOYLE: There should not be this bar to prevent young fellows from earning more money at outside work. Men who desire to do that are those who go ahead. It is a good thing that they should desire to make more money to help them in life. They are the men who come out on top. They are the type that prefer not to sit down, but to work energetically. On the other hand, there are men in the profession, men I would call the "silvertails," who have parents who are rich and can afford to pay the high premiums—they are the men who are not, in many instances, ornaments of the profession. They enter the legal profession for a pleasant and easy time. They are a danger to the profession. They put up their shingles and they have no great knowledge of the work they have to perform.

Mr. Sleeman: Hear, hear! They are the men who are a danger.

Mr. BOYLE: They are more dangerous than the men who had to fight and scrape to attain their position in life. We should never forget that the judges of to-morrow are the lawyers of to-day. The judges in Western Australia and in Australia are recruited from the legal profession, and the danger to-day is that we may have sectionalised judges in our courts. It is infinitely better to open the profession, admit good lawyers and allow the survival of the fittest. That is the way to get good advice and good judges. I do not desire to reflect for one moment on our judges, for I realise we have good judges in Western Australia.

Mr. Raphael: That is where you are wrong for once.

Mr. BOYLE: The hon. member may have more knowledge of them than I have.

Mr. Raphael: Some of them are in their dotage.

Mr. SPEAKER: Order! The member for Victoria Park must not reflect on the judiciary.

Mr. BOYLE: Reference has been made to the donation by the profession of £500 towards establishing a Chair of Law at the University. Why, the merchants of Perth provided £10,000 for a Chair of Agriculture, and, in those circumstances, I do not know that so much merit should attach to the legal profession. If 150 lawyers had each contributed £5, that would have amounted to £750 a year.

Mr. Watts interjected.

Mr. BOYLE: I am not speaking in a derogatory manner at all. If the legal profession desire to do that, it is quite all right; but all I am saying is that I cannot award them any great measure of merit. There are other avenues. For instance, here is the railway service. Were the men there accorded facilities for their improvement and education? I think they had to make provision for themselves.

The Minister for Railways: No, considerable provision was made on their behalf.

Mr. BOYLE: I was in the department for some time and they provided little for me. We had to make provision for ourselves, including provision of the death benefit fund. That was one of the things started when I was in the department. I have pleasure in supporting the proposal of the member for Fremantle.

MR. RAPHAEL (Victoria Park) [5.46]: I commend the member for Fremantle for the fine effort he periodically makes to try to secure an amendment to this Act. The Minister, when opposing the measure, seemed to me to speak with little confidence, as though he did not believe what he was saying. It has always been a principle of the Labour movement, and I hope will continue to be a principle, that prosecutions should take place on every occasion against persons accepting a premium to teach a youth a trade. That principle should apply in every profession. The position regarding the dental profession in this State was somewhat similar to that obtaining in the legal profession, but now there is a dental hospital, funds will be required to enable it to function. An amendment is needed to the Act to prevent private dentists from accept-

ing a premium of 200 guineas, just as lawyers should be prevented from doing so. The member for West Perth told us of the magnificent effort being put up by the lawyers of this State in donating £5 per head per year towards this fund. Each man making that contribution has only to take in one student and the donation is paid for 40 years, so it is quite a good proposition for them to make this annual donation.

Mr. McDonald: Unfortunately, they do not get the £200.

Mr. RAPHAEL: They do. I know of cases where they are still getting big premiums.

Mr. McDonald: Some who contribute to this fund never see a premium.

Mr. RAPHAEL: I support this measure because it will prevent any further premiums being paid to Shylocks. I do not suggest that all the members of the profession come under that category, but those with whom I have been unfortunate enough to be associated in some of my dealings certainly earned the appellation. The Minister stated that the board had given permission for certain men to earn money while they were articled to the law in this State. The medical profession, which is perhaps the highest profession in the world, often permit their students to earn money while they are studying. During the University vacation these men are able to undertake work of various kinds. They may even be bookmakers' clerks if they desire. The Minister, when applying his remarks to the degrading profession of 'bookmakers' clerks—

Mr. Marshall: He wants to be careful. Some of them are supporting him.

Mr. RAPHAEL: The Government—and he is a member of the Cabinet—are only too happy to apply taxation to the masters of these men, and I think they should, therefore, give them the respect due to them. I wonder how many members have had their names written by these bookmakers' clerks; how many have made bets with them during the past few years? I hope that the measure will be carried if for no other purpose than to ensure that the lawyers and barristers of this State may no longer be able to take premiums from the students articled to them. I support the member for Fremantle.

On motion by Hon. N. Keenan, debate adjourned.

BILL—LAND AND INCOME TAX ASSESSMENT ACT AMENDMENT.

Second Reading.

MR. SAMPSON (Swan) [5.53] in moving the second reading said: The object of the Bill is to exempt certain branches of the agricultural industry from the incidence of taxation. It will be remembered that a Bill was brought down some time ago to provide that land used solely or principally for agriculture, horticulture, pastoral or grazing purposes, or for two or more such purposes should not be deemed to come within the meaning of the section unless certain improvements had been carried out. The Land Tax and Income Tax Act 1935 contained a proviso reading—

Such land tax shall not apply to improved land within the meaning of Section 9 of the Land and Income Tax Assessment Act, 1907-1931, held at noon on the 30th day of June, 1935, and used solely or principally for agricultural, horticultural, pastoral or grazing purposes.

The difficulty which has arisen is the apparent inability of the Taxation Department to reconcile pig, poultry and bee farming with other branches of agriculture. Of course they are wrong.

The Minister for Agriculture: It must be a conspiracy.

Mr. SAMPSON: I would not say that, but it is definitely a misunderstanding. The exemptions in the Act I quoted refer to agriculture and the pastoral industry, but the Taxation Commissioner will not accept pig, bee and poultry farmers as agriculturists. I say he is wrong. When the department declares that Webster and other authorities, including the *Encyclopædia Britannica* are wrong, it becomes our duty to make the position clear. It is desired that all sections of agriculture, including pig, bee and poultry farming, should be exempt from the provisions of the Land Tax Act.

Hon. P. D. Ferguson: That was Parliament's intention.

Mr. SAMPSON: No doubt. When this Bill came forward last year, the then Minister for Justice unfortunately received incorrect advice on the matter, and with all sincerity submitted it to the House. It becomes now my duty to show definitely that the advice given to him was wrong. On the decision of the Taxation Department depends whether those engaged in the branches of agriculture I have mentioned are to pay

land tax. Possibly it will be said that the amounts involved are not considerable, but in all these cases we should deal with the position even-handedly. I am not blaming the ex-Premier or the former Minister for Justice; I am blaming those who have incorrectly interpreted the meaning of agriculture and given it a very restricted meaning. The Minister for Justice himself, on a previous occasion, said that there should be fair treatment to all concerned, and after all, that is the kind of sentiment one would expect from gentlemen of the calibre of the present Premier—that all should be treated fairly, not that special consideration should be given to one section of the agricultural community and not to another. If I thought the House desired to have the definition of "agriculture" I could quote it from various authorities. What I have said, however, will, I think, be sufficient, and therefore I do not propose to read a long statement I have extracted from standard dictionaries. I have already said that the *Encyclopædia Britannica* definitely includes small industries related to agriculture as a branch of agriculture. In view of the remarks made by the Minister last year, the position seems to call upon me to show that the department are imposing a tax. Before doing that, however, I would like to read a few lines from the "Hansard" report of the Minister's speech of last year on the corresponding Bill. The Minister said—

.... in this case the land must be improved to the extent of one-third of the value of the land, in order that a claim may be made for a rebate. The Bill is for the purpose of allowing land which comes under the purview of Subsection 3 of Section 9 to come into Subsection 2, which allows people to hold land on which improvements are effected to the extent of £1 per acre to be exempt from land tax. I do not think we should agree to the principle contained in the Bill, for the simple reason that these are very small holdings and are in suburban areas in close proximity to the town, and so they might be pretty valuable. If a holding of 10 or 15 acres is worth from £100 to £150, all that would be necessary would be to have a dilapidated old fence, or an old well, and the land would be within the purview of the improvements under the Act, and so would be exempt from taxation. If there are on it (the land) reasonable improvements, it is not subject to any taxation.

That is a definite statement. If there are on the land reasonable improvements, the land is not subject to any taxation.

The scale of improvements is really ridiculous. If it were a holding of 2,000 acres on which £1 per acre had been spent in improve-

ments, it would mean a tolerably big sum. . . . Only a small area of land is required for any of these industries; whether it be pigs or fowls or even bees, one does not require much land for the purpose, unless he is going into the industry on a big scale.

The area of land, of course, has no association whatever with the exemption. I contend that if the land is used for those branches of agriculture, Parliament intended it to be exempt from taxation.

The Premier: What about a poultry farm on a thousand-acre block?

Mr. SAMPSON: It would be quite possible to use that land for a poultry farm.

The Premier: Oh!

Mr. SAMPSON: Usually, of course, a poultry farm is a very small area. However, we must not overlook the fact that the poultry farmer does more than keep fowls on his property. The poultry farmer must grow green feed and, to make the business pay, grow it all the year round. The Minister said a poultry farm might occupy 1,000 acres.

The Premier: No. That man might be keeping poultry on a quarter of an acre out of a thousand-acre block.

Mr. SAMPSON: The Act contains a provision that the improvements shall amount to one-third of the unimproved value of the land. This would provide exemption in the extreme case suggested by the Premier. However, a thousand-acre poultry farm is not impossible.

The Premier: But very improbable.

Mr. SAMPSON: Quite so. It is a fact that in California, when I visited that State in 1928, there was a farm of 3,000 acres devoted exclusively to the production of lettuce. The Minister's suggestion is not as extreme as might be thought. That was the position—3,000 acres of lettuce. Of course there were train loads of lettuce going from the farm to New York and other places. All that, however, has nothing to do with the Bill. The Minister said the amendment would allow a man to hold 20 acres in a suburban area having on it only an old fence which had cost about £20, and so on. But there is in the Bill a condition which precludes consideration to property within a municipality; consequently exemption might not apply in the instance in question. I have endeavoured to point out that according to the Minister in certain circumstances there would be no land tax on pig, poultry or bee farms. In answer to that, I wish to say that there is no exemption in any cir-

cumstances so far as the Commissioner of Taxation is concerned. I propose to prove that assertion by submitting certain assessment notices and letters which various small farm producers have received from the department. I am not quite sure that I should read out the names. I would prefer not to do so, but last year the Minister said that I had failed to give any names. Some people have a disinclination to have their names brought forward in connection with any taxation matter. Therefore, I propose not to give the names but to allow the Minister, if he would agree, to inspect the papers.

The Premier: If you quote from any document, you have to place that document on the Table of the House.

Mr. SAMPSON: I am quite agreeable to do that.

The Premier: And then the names are there.

Mr. SAMPSON: I know that, but I also know that I can trust hon. members.

The Minister for Mines: The Press can take copies and give the names, if they desire to do so.

Mr. SAMPSON: Some people might be disinclined to have their names mentioned in connection with land tax matters, but we will take a chance on that. Here is a letter sent by the State Commissioner of Taxation to a farmer on the 7th March, 1935—

I acknowledge receipt of your communication of the 21st ultimo, and in reply have to inform you that an examination of your income file discloses that you derive your income principally from poultry and bee farming. It is pointed out that land used for such purposes is not exempt from land tax. The assessments as issued are, therefore, in order.

Hon. P. D. Ferguson: The farmer ought to challenge that in the courts.

Mr. SAMPSON: Yes, it should be challenged in the courts; but the amount involved is small, and I know it would be difficult to induce that man to take proceedings. Here is another letter, dated the 22nd January of this year—

In reply to your communication of the 20th instant with reference to exemption from taxation for land used for poultry farming, I have to advise that in addition to land being improved, for which a rebate of one-half of the tax levied is allowed, it must be used solely or principally for agricultural, horticultural, pastoral, or grazing purposes.

Here we have the department setting themselves up as an authority on etymology, and claiming, by implication, that pig, poultry

and bee farming are not agricultural pursuits. The letter continues—

Where the primary use is for purposes of residence, and cultivation merely a subsidiary purpose, and the land is not a source of revenue or profit returnable for income tax purposes, the exemption is not allowable. I consider that the taxpayer's land which is used for poultry farming does not come within the meaning of the exemption clause and is, therefore, taxable.

That is perfectly clear. After due notice of the question had been given to the Minister, the department sent out such a letter as that. It would be highly embarrassing but for the fact, known to us, that an error was made. Here is a letter from the Acting State Commissioner of Taxation, dated the 29th January last—

In reply to your communication of the 23rd instant, I desire to advise that small farmers, who solely or principally use improved land for agricultural, horticultural, pastoral or grazing purposes, receive the same advantages as other farmers. As previously advised on the 22nd idem, land used for poultry farming is not considered to be within the meaning of the exemption clause.

And so the assessment must stand. The writer of another letter says:—

Some time ago there was a piece in the paper about poultry farmers and the land tax. I took it from that, if certain improvements were done, the poultry farmer would be exempt from paying land tax. On receiving my demand note for land tax, I wrote the Taxation Department telling them what I had read in the paper, but the answer is I have got to pay. I should be very pleased if you could give me any further information on the matter.

That man was led to believe, from what was stated here when the previous Bill was before the House, that subject to certain improvements he would be exempt from payment of tax. Next I have a letter dated the 7th February last, signed by the Acting State Commissioner of Taxation—

In reply to your request of the 17th ult. for exemption from taxation for land used for poultry farming, I have to advise that in addition to land being improved, for which a rebate of one-half of the tax levied is allowed, it must be used solely or principally for agricultural, horticultural, pastoral or grazing purposes.

Let hon. members note the insistence on this. All this time having elapsed, one would think the department would be able to inform itself as to what agriculture is. The letter continues—

Where the primary use is for purposes of residence, and cultivation merely a subsidiary

purpose, and the land is not a source of revenue or profit returnable for income tax purposes, the exemption is not allowable. I consider that your land which is used for poultry farming does not come within the meaning of the exemption clause and is, therefore, taxable. I have to state that an examination of your income file shows your income is earned practically wholly from poultry.

In respect of pig farming the position is very similar to that in regard to poultry farming. A pig farmer, if he is to be successful, as the Minister for Agriculture will endorse, must grow green stuff, grow fodder. So his pursuit is definitely on the same lines as other phases of agriculture.

Mr. Withers: It is very evident that your party are very sympathetic with you!

Mr. SAMPSON: I think they will be when the vote comes.

Sitting suspended from 6.15 to 7.30 p.m.

Mr. SAMPSON: I have other letters which I could read, but after all they merely endorse what I have already put forward. I have also a bunch of assessment notices, including one which has reached me to-day. They also relate to the subject, and in addition, some of them refer to bees. Apiculture is a most important branch of agriculture.

Mr. Withers: Are those assessments very high?

Mr. SAMPSON: No. One of them is for £2 2s. 1d., one for 6s. 8d., and a third for 18s. Mostly they are small amounts. I feel sure the measure would have passed last year but for a misunderstanding, and I hope members will give it a favourable and speedy passage. I move—

That the Bill be now read a second time.

On motion by the Premier, debate adjourned.

BILL—CHILD WELFARE ACT AMENDMENT.

Second Reading.

MRS. CARDELL-OLIVER (Subiaco) [7.33] in moving the second reading said: I wish to bring to the notice of members Section 47 of the principal Act, which reads as follows:—

The Governor may, on the recommendation of the Minister, order the release of any ward from the control of the department or from any institution, and upon production to the secretary, or in the case of an institution to the superintendent or matron thereof, of such

order, the child shall be forthwith released accordingly.

The result of the Act as it stands to-day is that the ultimate authority in dealing with any case envisaged by Section 47 rests in the Minister, and from his decision there is no appeal. There is no doubt that the Minister in every case acts in a manner which he considers to be in the best interests of the child or children. That he acts in a bona fide manner is beyond question. Nevertheless mistakes can occur, and to my knowledge there has been a recent grave miscarriage of justice, notwithstanding the intentions of the authorities concerned, firstly because of the ignorance of the parents as to the Minister's intentions, and secondly because the power given to the Minister leaves no right of appeal. This amendment seeks to adjust these errors. It provides in paragraph (c) of Clause 2 that adequate notice of any proceedings involving a change of guardianship before the time originally decided upon by the courts has expired shall be given to those most concerned, namely, the parents. To-day it seems hardly equitable that when it is decided by the authorities that the State guardianship of children is to be terminated before the time originally appointed by the court, there is no provision made for parents to be notified. So we have a state of affairs where one parent, through ignorance of the Minister's intention, may possibly lose complete touch with his or her child, and when the decision of the Minister comes to light it may be too late for action to be taken. As I have said, the first part of paragraph (c) of Clause 2 deals with the notification of the termination of State guardianship to those most concerned, namely, the parent. The second part deals with the right of appeal by parents, should they feel aggrieved by the Minister's decision. To make my case clear, I will give an example of what happened some time ago under the present Act. This will show members how unfairly this apparently innocent Section 47 in the principal Act may operate. A man and his wife agreed under some private arrangement to separate, and the man further agreed that the woman should have the custody of the three children, and that he would pay £2 per week for the upkeep of the two younger children, both of whom were girls, aged approximately 9 years and 11 years.

Mr. Withers: On a point of order. Is the hon. member in order in reading her speech?

Mr. SPEAKER: No. There is growing up a very bad habit of reading speeches in this House. Nevertheless, the hon. member on this occasion may proceed.

Mrs. CARDELL-OLIVER: Thank you, Sir. I have seen so many members reading their speeches in this Chamber that I really thought it was the proper thing to do.

Mr. SPEAKER: We have got into a bad habit, I admit.

Mrs. CARDELL-OLIVER: I promise not to offend again. Following on the arrangement I have related, after a few months the man desired to return to the family, but his wife and son, aged 15, objected. A few months later, owing to certain allegations made by the husband, the two girls were brought before the Children's Court in Kalgoorlie, and it was decided by the court that the woman was not a responsible mother, and so the children were handed over to the guardianship of the State until they should reach the age of 18 years. The woman had been advised by her lawyer not to take the case seriously, that there was no likelihood of the children being taken from her, and therefore she did not seriously defend herself. The two girls were sent to the Salvation Army Home at Buckland Hill. The mother and son followed, and they were allowed to see the girls as frequently as they wished. In fact, on one occasion the girls were allowed to stay all night with their mother and to accompany her to the Royal Show. I mention this in order that members may realise that had the mother been all that was alleged before the court, she should not have been permitted to have such complete access to her girls. However, the children were suddenly removed from the Home, the mother being left in complete ignorance of their whereabouts. The matron of the Home was not allowed to give any information regarding the children. The mother, through a solicitor, eventually found that the children had been released from the State guardianship by an Order-in-Council and given to the father, and he with the knowledge of the authorities had left the State and the Commonwealth. The woman was destitute and left as a charge on the State. It was then that some members of an organisation to which I

belong investigated the case. We found that a considerable amount of the evidence given at the court was exaggerated, that in fact the woman was not a bad woman but was indeed a fairly good mother. Her greatest handicap in providing reasonable home conditions was the failure of the husband to make the regular payments agreed upon. Legal advice was obtained, but it was found that the case could not be re-opened as the children had been taken out of the jurisdiction of the Child Welfare Department, and had left the State, and that from an Order-in-Council there was no appeal. In submitting this amendment, I contend that it is not a case of taking into consideration the good or bad morals of the parents; it is only common justice to give the parents the right to know what is to happen to the children should they be liberated from the guardianship of the State. Further, no law should deprive them of the right of appeal should they feel aggrieved by a proposed action of the Minister as to a charge of guardianship. I move—

That the Bill be now read a second time.

On motion by the Minister for Employment, debate adjourned.

MOTION—YOUTH EMPLOYMENT.

To Inquire by Board.

Debate resumed from the 9th September on the following motion by Mr. Lambert (Yilgarn-Coolgardie):—

That in the opinion of this House, a board (with statutory powers, if necessary) should be appointed to inquire into and investigate generally the question of employment of the male youth of the State, having regard to the social and economic conditions which are likely to result by their non-employment, and in view of the increasing number of young females engaged in clerical and other occupations which could be filled by males, and, further, with a view to rationalising employment on an equitable quota basis of all juvenile workers.

MRS. CARDELL-OLIVER (Subiaco) [7.43]: Again I am sorry that my notes are in such a form that they will have to be more or less read. However, if you object, Mr. Speaker, I will do the best I can without these notes, although doubtless I will take longer and will ramble along as other members do.

Mr. SPEAKER: Order! The hon. member must not reflect on other hon. members.

Mr. Withers: We can all make good speeches if we get somebody else to write them for us.

Mrs. CARDELL-OLIVER: In reality there is no need for an inquiry to give members the truth about this question; we already know it. If boys are unemployed, it is mainly for want of training or because they will not take positions on farms. I realise that the conditions on some farms are bad, but they are just as bad for the farmer as for the employee, and naturally the town youth, absolutely untrained to any farm work, finds conditions on farms much harder than he would have done had he been trained to the life. Again, owing to trade union restrictions, many youths who should be employed as apprentices are idle. The problem could be solved by raising the school age to 16 and instituting municipal training centres and Government farm schools throughout Western Australia. I realise that the reply to this statement will be that by the time the youth has been trained, machines will have taken his job, but I consider that we have not reached that stage in Australia yet, and that we still have thousands of farms where men and youths could be usefully employed. I made inquiries at the Boys' Employment League and found that there was little difficulty in placing boys provided they were willing to leave the town. In fact, the organiser said that boys would accept lower wages and without keep if they could get jobs in town. It is not the boy that is the real problem to-day: it is the young man who is untrained and requires a man's wage. There is a shortage of domestic female labour, although there are a number of female typistes unemployed. Those girls have had no domestic training, and when they are thrown out of work at the age of 21 owing to the fact that increased wages must be paid to them, they are practically stranded. Girls prefer office to domestic work mainly because it is more attractive. Domestic hours are irregular and often the boxroom is the bedroom. But the time is past when the majority of mistresses can be accused of not sympathising with the girls. There are a few incompetent mistresses who lower the standard of domestic service because they, through inexperience, do not realise the limitations of the physical endurance of the maid. This again would be remedied if all girls, no matter in what position of life they were placed, were compelled to undergo a course

of domestic training. The second problem is that of equal pay for equal work. Quoting from Miss Hegney's book, "Are Women Taking Men's Jobs?"—a book that I presume most members have read—I find that out of 16 trades, only in one case of adult and one case of juvenile labour are female wages higher than those of men and boys. In those trades—boot dealers, boot repairers, chemist shops assistants, dairy produce and cooked meats, drapers and men's clothing, fish and poultry, furniture dealers, grocers, hardware, tobacconists, miscellaneous, confectionery, booksellers, motor requisites, electrical and radio goods—approximately half of those employed are girls or women and the wages received are considerably less than those of men and boys. In my opinion and in the opinion of many women's organisations, an equalisation of the rates of pay would at least let both sexes know that the most efficient of either sex would be employed. On page 61 of Miss Hegney's book there appears a report of an inquiry into the comparative efficiency of boy and girl labour. The trade investigated was the metal industry, and the inquiry took place at McKay's Implement Works, Sunshine, Victoria. The difficulties with regard to boy labour were frequent; girls were installed in place of boys and there was an immediate increase of output amounting to 62 per cent. Equal pay for equal work would mean a survival of the fittest, and I am quite sure that that is what both men and women want. The third problem is that of making marriage a career for women. Women who have been either earning their own living or reared in an independent atmosphere are not going to marry with the knowledge that they must accept every penny from their husbands as a gift, or, when they are married, do they ever willingly ask for housekeeping money. I know that the great majority of men, especially the working men, are by nature generous. They give almost their entire wages to their wives willingly, but the fact remains that the money is the man's to give, and however nobly the gift may be made, an independent woman feels her dependence. Men must remember that the type of woman who is capable of feeling her dependence is the best type. A temporary misunderstanding or a bankruptcy in which the woman has had no share leaves her, perhaps after years of hard work, without a shilling. Again, a man can will almost all his

property away from a faithful wife if he so desires. I do not say that he often does so, but the knowledge that he may do so does not act in the best interests of both parties. It is not a question of sex antagonism, so far as the woman is concerned. If married women are worth the name of women, they willingly give their entire lives to their menfolk and their families, but I cannot understand why men do not try to understand the married woman's position and try to think of themselves in her place, utterly dependent economically upon the goodwill of the woman. Decent men know how hard it is to take gifts from a woman, and decent women feel the same towards men. Denmark has solved the problem by a law which requires the man to give a house-keeping allowance according to his income. If the wife earns the income, and not the husband, then she must make an allowance.

Mr. Marshall: I will give up work to-morrow if you get that introduced.

Mrs. CARDELL-OLIVER: Further, neither husband nor wife may mortgage or sell the home without the consent of the other party. This law has made Danish housewives noted for their housekeeping efficiency. The women are not only educated in the domestic life, but they are also well equipped in general knowledge and lead lives that make them true helpmates. I feel sure that the proposed inquiry would lead to some very interesting experiments, and I therefore whole-heartedly support the motion.

MR. MARSHALL (Murchison) [7.53]: I was going to make a suggestion to the member for Subiaco (Mrs. Cardell-Oliver) to overcome the difficulty if her theory was correct, but the Danish law has done that for me. I was going to suggest that nowadays when women are taking the place of men, they should be the wage-earners and the gentlemen should sit at home and look after the house.

Mr. Raphael: I should not like to have to put up with your cooking.

Mr. MARSHALL: I listened carefully to the speech of the member for Yilgarn-Coolgardie (Mr. Lambert), and have read the motion over and over again, but I find myself nonplussed and cannot understand what the hon. member desires to achieve.

Mr. Raphael: He himself does not know.

Mr. MARSHALL: The motion, in effect, asks for the appointment of a board with

statutory authority to do certain things. The board are to inquire into several matters, and the motion concludes—"with a view to rationalising employment on an equitable quota basis of all juvenile workers." What does the hon. member desire the board, with statutory authority, to accomplish? If I interpret the motion correctly, the board would be required to subdivide juvenile labour and allocate various positions between the sexes. I suggest that such a thing would be almost impossible of accomplishment. The board would require to have a full knowledge of every youth unemployed; otherwise they could not subdivide or rationalise the labour. Therefore every vacancy in the State would have to be known to the board. We would have to require every employer and prospective employer to refer appointments made to the board so that we could ensure that there was no more female than male labour employed. I cannot see how the motion would be workable. As to the board inquiring into the economic consequences of female workers taking the place of males, much can be said, but do not we all know the economic effects of unemployment on either sex? What could the board tell us after investigation about the deplorable conditions of any youth who desires work and is unemployed? For years past this has been the subject of much discussion in the House, and almost every social organisation, both male and female, has dealt thoroughly with it. So far from any remedy being arrived at after those deliberations, the position, if anything, is worse than it was in years gone by. After all, what right have we to discriminate between the sexes or to give any board statutory authority to do so?

Mr. Lambert: No one suggested it.

Mr. MARSHALL: There is no doubt that that is the proposal contained in the motion. We have no right to authorise a board to say that a female shall be employed here and a male there.

Mr. Withers: You would have the females going into the mines, as in the early days.

Mr. MARSHALL: That might be done, but is not likely. I do not suggest it. The economic evil of youth employment, though drastic, is no more severe in its effect than is unemployment upon the adult who has youthful dependants to support. It is not nearly so drastic. While we have one boy or girl unemployed, there are other people who have numbers of both sexes dependent

upon them, and they too are unemployed. The problem cannot be confined to the employment of youth, nor can we expect any remedy from a motion of this kind. It is difficult, even with the aid of the "Year Book," to find the number of individuals employed annually in industry, and the number of individuals of both sexes who go out of industry each year. I have attempted to discover some basis upon which one can show more or less the actual number of people coming into industry and going out of it, because of old age or other causes. It is almost impossible to get the information. We can get a guide by appreciating to the full the effect of mechanisation in industry in the first place. Again it is difficult to get anything like an accurate idea of numbers, although we know that each year many men are thrown out of work because of this mechanisation. On reference to the "Official Year Book," in an attempt to solve the problem by finding the number of men and women who are employed annually in our factories, I learn that over a period of years female labour has gradually gained upon male labour. That may provide some food for thought, but I suggest it does not get us very far along the road to a solution of the difficulty. Page 803 of the "Year Book," under the heading of "Sex distribution in Factories," shows that in 1930 there were in round figures 15,000 males employed in Western Australia, and 3,000 females, a proportion of five to one. In 1934, 12,000 males were employed in factories and 3,000 females. Whereas in 1930 the proportion was five to one, in 1934 it was four to one. That is a remarkable aspect of the position. I find, too, that in 1930 there were 3,722 females employed in our factories, and yet in 1934 there were only 3,233. In the case of male labour, in 1930 the number was 15,921, but in 1934 it had fallen to 12,930, a decrease of approximately 3,000.

Mr. Withers: Due to displacements by machinery.

Mr. MARSHALL: That is the point. It is the answer to the argument of the member for Subiaco with regard to the 62 per cent. increase. With all this mechanisation, it is only necessary to press an electric button and the female becomes as efficient as the male.

Mrs. Cardell-Oliver: Sixty-two per cent. more so.

Mr. MARSHALL: Due to machinery.

Hon. P. D. Ferguson: I suppose the depression had something to do with the reduction in male labour.

Mr. MARSHALL: I am not quoting the figures to show the effect of the depression on industry. In the main the figures show a general reduction all round.

Mr. Styants: The ratio is practically the same.

Mr. MARSHALL: Over the four-year period there is a reduction in factory employment of approximately 3,500 individuals of both sexes. I have tried to ascertain approximately the number of people who are going out of industry. The difference between arrivals and departures over that period of years does not very greatly concern us, in that it does not involve many people. With the object of getting some idea of the number of young people annually leaving school to prepare for employment, I asked the Education Department to supply me with some figures. I assume that the figures relating to the number of male and female children leaving school cover the juvenile section of the population which is preparing to go into industry. As a result of my inquiry, I was informed that the estimated number of boys and girls of 14 years of age and over who left school during 1935 was as follows:—State primary and central schools, boys 2,650, girls 2,050; State high schools 150 boys and 150 girls; private schools, primary and secondary, 550 boys and 450 girls, a total of 3,550 boys and 2,650 girls, representing approximately 6,000 annually. Regret was expressed that the figures for the two previous years were not available.

Mr. Hegney: Do these figures cover the non-State schools?

Mr. MARSHALL: I should say so. They represent an annual herd of 6,000 young people coming into industry. It is hoped that the number will decline.

Mr. Thorn: You have not the figures of those who are still out of work?

Mr. MARSHALL: It is impossible to get that information; nor is it possible to ascertain the number of people who have gone out of industry for one reason or another. It must be accepted by everyone, and more particularly by members of Parliament, that it is a deplorable state of affairs that our young people should start out in life in the midst of idleness and probably in a very objectionable environment. I can see no

solution until we attack the economic conditions which brings it about. We must look with concern upon the youth who has no outlook in life, no future, and no prospect of being absorbed in industry. Side by side with him we find adults in the same position, and upon whose shoulders there are many dependants. Until we tackle the source of the evil we shall not make much progress. Although the motion may readily pass this Chamber, I am fairly confident that we shall not be one step further along the road to a solution of the trouble. I have a son and four daughters. If there is going to be any experience of unemployment in my family, I am going to ask the boy to be the one who is out of work. Nothing can lend itself so readily to immorality than the fear of hunger or of depression visiting the female sex.

Mr. Withers: That is a reflection on the sex.

Mr. MARSHALL: Nothing of the kind. It is deplorable to place such temptation in its way, and to deny members of that sex the right to work in those jobs for which they are fitted would only increase that temptation. It would make their position insupportable, and by interfering with them we would be forcing them into a state of immorality. That is what I wish to imply. I am not casting any reflection upon young females. They are only human, and hunger is a dreadful thing. Many people will commit crimes rather than suffer the pangs of hunger. If we are going to interfere with the employment of young females and deprive them of the opportunity to obtain employment, each move we make in that direction amounts to a temptation. I am concerned about the aspect of employment for both sexes. This motion will get us nowhere. The cause of these ills does not lie in industry. One would think that industry was only in existence for the absorption of the unemployed. Surely nothing could be further removed from fact. Industry is not here to absorb the unemployed: it is here to manufacture and deliver goods, and render a service to society.

Mr. Raphael: And to show a profit.

Mr. MARSHALL: That may be so. When machinery has displaced those who were previously employed in industry, such people should be able to enjoy some of the prosperity which has been brought about

by machinery. That can only be accomplished by a radical change in the monetary system. Until we tackle that aspect of the position, a motion of this sort can get us very little along the road to progress. I support the motion, but I know where we will finish up. If it is going to be a question of an argument as to taking a girl out of a job and putting a boy in her place, or two girls out of a job and absorbing two boys in their places, I will have nothing to do with it.

Mr. Lambert: No one has suggested that.

Mr. MARSHALL: That will not solve the problem. I heard the hon. member speak and all I noticed him say was something about nice looking girls tinkling the typewriters.

Mr. Lambert: That was the member for Claremont.

Mr. MARSHALL: That was the only point the hon. member raised regarding his motion. That is not the problem. It does not matter whether it is the fingers of the male or of the female that tinkle the typewriters. That is quite beside the issue. Our problem is that the army of unemployed is being rapidly augmented, and the juvenile section of the community is not being placed in industry or even educated.

Mr. Raphael: Do you not think that if men were in certain jobs they would get married and that would ease the tension?

Mr. MARSHALL: But the motion does not refer to giving jobs to men of marriageable age. It applies to the youth. I agree with the member for Victoria Park (Mr. Raphael) that the male would naturally desire to marry if he had a definite job.

Mr. Raphael: The Government will give sustenance to a married man.

Mr. MARSHALL: The suggestion in the hon. member's remark is economically impossible, for the Government could not provide for all the unemployed. It would be utterly impossible. If the Government issued a statement to the effect that on and after the 1st of next month there would be no unemployed person here, nor one individual paid less than the Arbitration Court wage, what would happen? We would be confronted with the task of providing for the whole of the unemployed of the Commonwealth. They would flock here. Not only would that happen, but

we would have men flocking here from every European country.

Mr. Stubbs: And how could we pay them?

Mr. MARSHALL: We would have to be prepared to employ every unemployed white person the world over. The problem of employment boils down to one of finance. While we borrow money upon which interest rapidly accrues so that at the present time half the taxation has to be earmarked for the payment of interest, there is no possible hope of any State Government solving the problem of unemployment.

Mr. Raphael: Countries can borrow hundreds of millions for armaments, so what is wrong about borrowing to provide the people with work?

Mr. MARSHALL: I quite agree, but that has no bearing on the point I have raised. It has nothing to do with it. Governments have borrowed as the hon. member suggests, but there must be a day of reckoning. I am told that England is employing an excessive number of men on the building of warships and the provision of armaments, but that is merely temporary, and then the re-action will set in.

Mr. Raphael: You mean that the war will set in.

Mr. MARSHALL: That will be the first step towards a drastic reaction.

Mr. Raphael: A million a minute could be borrowed in order to prosecute the Great War.

Mr. MARSHALL: I quite agree.

Mr. Thorn: Why not let the member for Victoria Park make the speech?

Mr. MARSHALL: While those countries did borrow to that extent, it now represents just as big a burden to them as the war is a burden to Australia even today. We pay about £30,000,000 annually for our war debts. Fancy a small country like Australia having to produce £30,000,000 worth of goods in order to pay for the money borrowed to prosecute her part of the war! That amount is being added to greatly, with the result that all Governments are at their wits' end to find additional avenues for further taxation to meet the heavy obligations. That cannot last much longer. I shall support the motion, but I prophesy that if it is carried it will be both ineffective and resultless.

On motion by Mr. Needham, debate adjourned.

MOTION—TRAFFIC ACT.

To Disallow Trailer Regulations.

Debate resumed from the 16th September on the following motion moved by Mr. Watts (Katanning), as amended on motion by Mr. Doney (Williams-Narrogin):—

That the new regulations to be numbered 41 and 46 of the Traffic Regulations, 1936, as published in the "Government Gazette" of the 26th August, 1936, and laid upon the Table of the House on the 8th September, 1936, be and are hereby disallowed.

THE MINISTER FOR WORKS (Hon.

H. Millington—Mt. Hawthorn) [8.21]: The regulations that the member for Katanning seeks to disallow provide that every trailer that is attached to a motor vehicle shall have an efficient braking system. The regulations are two of many that have for their objective making safe the traffic on our highways, safe not only for those in charge of the vehicle, but for the general public. If the motion is agreed to and the regulations disallowed in their entirety, I think it will have a disastrous effect with regard to heavy vehicular traffic, particularly where trailers are attached to motor trucks.

Mr. Raphael: Would this cover those on the road at present.

The MINISTER FOR WORKS: Yes.

Mr. Raphael: Some more of the Traffic Act business!

The MINISTER FOR WORKS: The regulations were arrived at as a result of co-operation between my Department and the traffic branch of the Police Department. The object has been entirely the provision of added safety. In commenting on the matter, the Traffic Department state—

The by-law requiring brakes to be affixed to trailers will not be enforced in so far as the small trailer used for the purpose of carrying camping outfits or other light articles, but it is absolutely necessary that trailers capable of carrying up to 8 or 10 tons, such as used by the White Rock Quarries, should be so equipped.

There may possibly be some misunderstanding as to whether the regulations are to be completely annulled or whether the member for Katanning is merely anxious that they shall be altered in respect of the lighter traffic. The traffic report proceeds—

In view of the heavy weight which is behind the vehicle pulling the trailer it must be patent that the brakes on the tractive power could not be expected to hold both vehicles, especially when coming down steep hills. The brakes which are affixed to a trailer are such that if

by chance the connecting rod should snap or become unpinned, they would be automatically applied. Another argument in favour of these appliances is that should the brakes on the tractor fail, then there would be some chance of the trailer holding it to an appreciable extent by the application of its brakes.

Then the report adds—

There is no objection to the regulations being amended by adding a provision that these regulations shall only apply to trailers the weight of which, including the load, is 25 cwt. and over.

Hon. C. G. Latham: That is all we want.

THE MINISTER FOR WORKS: There will be no objection to that.

Hon. C. G. Latham: So long as it is amended along those lines, the regulations will be all right.

The Minister for Mines: But we cannot amend them here.

THE MINISTER FOR WORKS: No, but we can amend them ourselves. As a matter of fact, the Traffic Branch have notified me that they do not insist upon brakes being fitted to the small, or week-end, trailers, and the motor firms have been notified accordingly.

Mr. Raphael: That is all right, but if the regulations are passed, they could be enforced with regard to all trailers.

Hon. C. G. Latham: Of course, we cannot amend the regulations.

THE MINISTER FOR WORKS: It would be most inadvisable to disallow the regulations in their entirety. The member for Katanning was not altogether logical in his references in that regard. He said that if the trailer restricted the speed of the tractor vehicle, it became fairly plain to him that there was no need to fear that accidents would occur because the trailer had no brakes. That is not so. The difficulty would occur on the down grade. Whereas in the Katanning district there might not be any great danger in traversing its easy undulating slopes, when the roads in the hilly country surrounding Bridgetown, Denmark or even in the ranges adjacent to Perth are considered, the position becomes quite different. I have been informed that the momentum is calculated by the weight of the vehicle multiplied by the velocity. If a vehicle were proceeding slowly, there would not be the same momentum as would be apparent when the vehicle gained pace. The manufacturers, when turning out trucks, provide for the braking requirements of a full truck load, but not necessarily for the braking power required

by the addition of a trailer of 8 or 10 tons in weight. Naturally those responsible for traffic safety must provide that if a trailer is to be attached to an already heavily weighted truck, which has its own braking appliances, it must be equally necessary to attach braking appliances to the trailer in the interests of the safety of the driver and of the public. I do not think for one moment the member for Katanning desires to endanger the public, and provided he is agreeable to the regulations being amended so as not to apply to the smaller trailers, I can see no objection to his proposal. The departmental experts do not take any exception to it either. Of course, the regulations as they stand do provide for all vehicles, but have not been enforced and, as I have already intimated, the police authorities state that they will not be applied to the smaller vehicles.

Hon. C. G. Latham: But you know that a traffic inspector could take action against anyone he liked.

The Minister for Agriculture: You mean, against anyone he disliked.

THE MINISTER FOR WORKS: If that is the desire of the member for Katanning, I shall not labour the matter. If the hon. member will withdraw his motion I will guarantee that an amended regulation will be prepared making it apply only to trailers and a load in excess of 25cwt. I agree that it would involve needless expense if we were to require the attachment of braking power to the smaller trailers, but it is essential that the provision shall apply to the heavy trailers. Some people are never satisfied with a reasonable load. I have seen enormous loads of wool or stone on a truck, but the drivers are not satisfied unless the trailer behind carries almost the same amount. It is not safe, and undeniably there is need for some braking power or gear that will brake the load on the truck plus that of the trailer. For these reasons I oppose the disallowance of this regulation. If members will take my assurance, I will have the regulations amended in accordance with the suggestion from the Traffic Department, that it shall only apply to trailers where the trailer with its load weighs 25cwt. and over.

MR. RODOREDA (Roebourne) [8.31]: These are more regulations put up by the experts. The Minister referred to them previously on the amendment I moved. Immediately the experts' regulations are ques-

tioned they are prepared to give way, so of course we cannot accept them as the final arbiters of what shall be done as regards traffic. The main objection I raised to these regulations is one that has now been granted: that is, that they applied to all trailers. If the department did not intend to enforce the regulations, why did they not make exemptions when they drew them up? It is a ridiculous attitude to adopt, to put up a regulation with the understanding that if it is put through it will be all right but, if it is not, an amendment can be made. Why could not proper regulations be framed in the first place? While I agree that for the metropolitan area in particular there should be regulations governing brakes on heavy trailers, I am wondering how long it will take the traffic authorities and other authorities down here to wake up to the fact that there are other parts of the State where different conditions obtain altogether? We know that no cognisance is taken of this fact when vehicle licensing is undertaken. People outback pay the same licensing fee as people in the metropolitan area, but they are given no roads to recompense them for the expenditure. They have only bush tracks. But no allowance is made for that. A similar position exists with regard to these regulations about brakes on trailers. The mover of the motion suggested that about £8 would be necessary to alter the trailers. That may be O.K. for a 25 cwt. trailer, but there are companies operating in the North-West which have eight to ten trailers—two wheelers and four wheelers—carrying six to eight tons. To alter all the wheels and put brakes on would cost from £20 to £30 apiece, and there is no need for brakes.

Mr. Patrick: I suppose the road itself is a good brake up there.

Mr. RODOREDÁ: There is no need at all for brakes.

Mr. Raphael: The experts are wrong again.

Mr. RODOREDÁ: I am going to vote for the disallowance of these regulations until consideration is given to that aspect. I want exemption for the people of the North-West. I speak only for those in my own district, but I know that similar conditions obtain on the Murchison. I am not prepared to allow motor transport firms to be mulcted to the extent of £150 to £200 to pay for brakes. There is no need for brakes on trailers in the North-West. They have

hilly country to negotiate, but they have been negotiating it for the last ten years to my knowledge with a truck and trailer combined carrying from 10 to 12 tons of wool, without any trouble at all. I ask the Minister that, when the department is amending these regulations, it should give consideration to that aspect. I am sure that the regulations will be disallowed here. We have to do that before they can be amended.

The Minister for Works: Oh no!

Mr. RODOREDÁ: We have only the assurance of the Minister that they will be amended in accordance with our desires. If we disallow them now there will be an opportunity for them to be amended and tabled again.

HON. C. G. LATHAM (York) [8.36]: I endorse the remarks of the Minister. I know that in the past there has been an omission as far as heavy trailers are concerned, and there is a danger of accident, particularly in the hilly country. Consequently there must be some control over them, and it seems to me that this is the only way to effect that control. But once we pass these regulations it will be left entirely to the discretion of any traffic inspector under the Traffic Act to enforce them. He need not be a policeman. Outside the metropolitan area the enforcement will generally be in the hands of private individuals employed by the local authority of a particular district. Under these regulations a man with only a small trailer behind a motor car would be liable to have action taken against him. I think, however, that the suggestion made by the Minister should meet the position, which should be gone into very carefully. I am not going to say I agree to the 25 cwt. and I do not think the regulations need apply to the North-West.

The Minister for Works: There is not the same danger.

Hon. C. G. LATHAM: There is not the same danger and it means that if you are going to have four-wheel trailers you will need to have a man on each one to apply the brake.

The Minister for Works: They say not.

Hon. C. G. LATHAM: It is not a question of one trailer behind the power. There are sometimes two or three trailers behind, and I do not see how the braking system

can be applied to the second and third trailer.

The Minister for Works: They say it can be done.

Hon. C. G. LATHAM: I do not know how. It may be done with a screw so far as one trailer is concerned, but I do not know how it could be done with the second, third and fourth trailers.

Mr. Rodoreda: It would need pretty expensive gear.

Hon. C. G. LATHAM: I do not think there is any need for that in the North-West, but in the lower part of the State there is a necessity for these regulations, especially in the hilly country. I hope the Minister will not commit himself to 25 cwt. and that he will give consideration to areas where wheat is carried with one trailer. We can amend the regulations, and I know no member desires to cancel them because if there were an accident to-morrow we would regret it very much. I think that if the Minister will give an undertaking that he will not confine himself to 25 cwt. but will give consideration to the needs of the country districts, that will be all the House will desire.

MR. MARSHALL (Murchison) [8.40]: The regulations were passed.

Hon. C. G. Latham: They might be adopted by certain road boards as a result of a small amendment.

Mr. MARSHALL: There is no proposal to amend the regulations which have been laid on the Table of the House.

Hon. C. G. Latham: The Minister can amend them.

The Minister for Works: I say that I will do so.

Mr. MARSHALL: It is remarkable that our departmental officers, when formulating regulations or drafting measures for Ministers to introduce, never seem to be able to see beyond the Darling Ranges. They want every regulation and every law to have a State-wide application, irrespective of the conditions that prevail.

The Minister for Works: The member for Roebourne had an important amendment to move to the traffic regulations last year, and it was agreed to.

Mr. MARSHALL: It is fortunate that a member happened to notice this regulation, and took exception to it. Take the contractors who feed our railways by haul-

ing wool. They use several four-wheeled trailers attached to their trucks. They do that in order to bring down the cost of transportation. The growers will need all the cheap transportation they can get this year. How are we going to apply brakes to several four-wheeled trailers and provide that they shall be automatic? It is not possible to do so. If these regulations become law, all we shall do will be to pile up the costs to the growers who live in isolated parts of the State. It is time the departmental officers, if they do not know the conditions prevailing in outback centres, found means to obtain the necessary knowledge from those who have it. Probably these regulations are necessary in the city, and in the hilly country adjoining, where so much stone and other heavy material is hauled in large quantities.

Hon. C. G. Latham: And in the South-West, where big loads of timber are carted.

Mr. MARSHALL: In the Murchison there is not much traffic, and if there is a slight hill here and there, the driver of a truck usually saves petrol by coasting down it.

Hon. C. G. Latham: The local authorities should be permitted to adopt these regulations, or amend them.

Mr. MARSHALL: I am not sure what may happen, and I am not prepared to vote for the continuance of these regulations. These contractors are feeding our railways, and are an acquisition to growers who are in distress as a result of two years of drought. If contractors are obliged to discard some of their trailers, and carry lighter loads, the cost of transport must go up. In cases where no danger is likely to arise, I cannot see the necessity for these regulations. I feel inclined to vote for their disallowance. The department could then review the whole position and bring down new regulations within a few days. The officers concerned ought to know what the position is. I do not know who drafted these regulations. The police officials who control the traffic in the city must have had experience in isolated parts of the State, and they should have been consulted. Possibly an officer of the Public Works Department drafted these regulations.

The Minister for Works: The most dangerous road I have travelled on is Mill-street.

Mr. MARSHALL: People outback should not have to be governed by regulations which

affect more particularly perhaps the metropolitan area.

Hon. C. G. Latham: The roads are not too good at Nullagine and around Marble Bar.

Mr. MARSHALL: The Pilbara district is fairly hilly, but on the Murchison the country is mostly of the tableland variety, and such hills as there are can readily be negotiated. How Messrs. Campbell & Co. could be expected to link-up three 4-wheeled trailers with their trucks and have brakes on them acting automatically from the trucks at no great cost to the contractors, I am at a loss to understand. We shall have to take a definite stand to enlighten the officers concerned, and show them that they must discriminate between different portions of the State when bringing down regulations of this character.

MR. DOUST (Nelson) [8.47]: After listening to the Minister, I am satisfied that his suggestion will meet the case in every possible way in the South-West. There is the possible exception of the regulations applying to 25-cwt vehicles being made to cover 30 cwt. Trailers are very little used in the sleeper industry. The cartage of piles, however, is a different matter. These are anything up to 80 feet in length, and are carried on trailers. In many instances the trailers are not very strongly affixed to the motor trucks. Sometimes they have broken away from the trucks. When that occurs on some of the steeper grades of the South-West, an accident is almost certain to follow if someone happens to be travelling on the road at the same time. Even if the road is empty but for the truck and trailer, the driver himself would probably meet with a serious accident, because the momentum that would be developed by the heavy load with the trailer behind might affect the braking power of the vehicle in front, and cause a smash. I do not profess to know how brakes could possibly be affixed to the trailers. In the case of heavy vehicles, I suggest it would not be asking too much to have brakes fixed, even if they had to be applied by another man who was travelling on the trailer with the timber. So far as the metropolitan area is concerned, the regulations would be all right if they were to apply only to vehicles carrying more than 25 cwt. In Western Australia there are something like 126 local authorities, each with its own inspector. It is unreasonable to suggest that these are all

going to follow the regulations framed by the Traffic Department of Perth. If the regulations are to apply to the whole State, they should be much more definite than those which have been put up by the department. I think it is unreasonable that the regulations should apply to the North-West, or to some portions of the wheatbelt and the gold-mining areas, particularly in parts where the tracks are much more level than they are nearer the coast. But so far as the coastal country is concerned, where heavy piles and timber are carted I consider it necessary to have braking appliances on all trailers carrying over 30 cwt. I do hope the Minister will be able to give effect to this suggestion as regards our portion of the State. If it is possible for him to have separate regulations made for the North-West and other parts of the State which do not require the present regulation, his action will, I think, meet with the approval of everyone.

On motion by Mr. Boyle, debate adjourned.

PAPERS—YAMPI SOUND IRON LEASES.

Debate resumed from the 9th September on the following motion by Hon. C. G. Latham (York):—

That all papers relating to applications for and the granting of leases at Yampi Sound be laid upon the Table of the House.

MR. COVERLEY (Kimberley) [8.52]: I see no objection to the motion moved by the Leader of the Opposition. Nor do I see much importance in a motion that the papers relating to the leasing of the Yampi Sound iron ore deposits be laid on the Table of the House. To my thinking, the Leader of the Opposition has not put up a remarkably strong case. I listened attentively to the hon. gentleman, thinking I was about to learn that something serious had been done to the North-West; but I find that the only objection put forward by the Leader of the Opposition is that the firm of H. A. Brasserts Ltd. were really dummying for the Japanese in this business. It appears to me that we shall not know much more than the Leader of the Opposition has already told us, if the papers are laid on the Table. The Minister for Mines is perfectly certain that in granting the leases the Government were not violating the mining legislation of this

State in any way. No matter who the lessee of the iron ore deposits may be, he will hold his lease only in accordance with our mining laws. I do not know if the mere fact of something that has been done being unpalatable to members of Parliament should be made the subject of complaint, so long as it was done in accordance with our mining legislation. The Leader of the Opposition suggested that the lessee was going to sell the ore to a Japanese syndicate. I believe that to be true.

Hon. C. G. Latham: I do not believe the lessee is going to sell it at all. I believe the Japanese are using the name of the lessee. However, I am not sure.

Mr. COVERLEY: Possibly I agree with the Leader of the Opposition on that point also. I do not believe a company could be formed either in Australia or in Great Britain to invest money in those iron ore deposits, because the venture is not profitable. The only people who would finance the working of the deposits are the Japanese. Like the Leader of the Opposition, I believe there is not one pound belonging to English people invested in the Yampi Sound deposits to-day. However, I have no objection whatever to that. Let me ask the Leader of the Opposition whether he would object to a Japanese company or syndicate buying the wool or the fruit of Western Australia?

Hon. C. G. Latham: I would like direct dealing with the Japanese, so that the people of Western Australia may get the money.

Mr. COVERLEY: The mining laws of Western Australia do not permit that. The only saleable assets we have in the North-West are our cattle and our minerals. I fail to see why we should be debarred from disposing of them. It is asked, why should we sell the iron deposits to the Japanese instead of working them ourselves? Surely the Leader of the Opposition knows that there are many more iron deposits in Western Australia. I fancy the Leader of the Opposition is merely voicing the complaints of outside people who are annoyed that someone else has got the rake-off, instead of themselves getting it—people with bees in their bonnets.

Hon. C. G. Latham: I am not representing anybody.

Mr. COVERLEY: Those iron ore deposits have been idle for years, open to selection but nobody taking them up.

Hon. C. G. Latham: Some people took them up, and lost money over them.

Mr. COVERLEY: They have not lost their money at all. If this business goes ahead, they will get their money back with interest. They are wealthy people of a jealous nature. They think somebody else got something that they themselves should have had, and so they started to howl. There are iron deposits, not far from Geraldton, within 30 miles or so of a railway. Why do not the people now complaining take up those deposits and make all the steel rails and nails and traps wanted in this country? Our mining law compels any company working iron deposits here to do so under Australian conditions. The company would have to comply with our mining laws, and this means that the State would control the company's operations and would get a royalty from every ton of iron sold.

Hon. C. G. Latham: How much per ton?

Mr. COVERLEY: I am not sure.

The Minister for Mines: Sixpence per ton.

Mr. COVERLEY: The fact remains that the amount, whatever it may be, is fixed by the mining laws of this State. If that amount is not suitable to the Leader of the Opposition, his proper course is to move to amend the mining laws, instead of criticising the transaction.

Hon. C. G. Latham: I do not know what the position is.

Mr. COVERLEY: I would not admit that, if I were the Leader of the Opposition.

Hon. C. G. Latham: I am prepared to admit my ignorance.

Mr. COVERLEY: That is a very lame excuse on the part of the Leader of the Opposition. The whole business is being carried out in accordance with the mining laws of Western Australia. If any grievance exists, that grievance must be against the mining legislation of this country. Those who are dissatisfied with the transaction should attempt to alter that legislation so as to bring it into conformity with their ideas. In that case they would receive plenty of support from other members of this Chamber. The Leader of the Opposition said that if we worked the deposits ourselves, the effect would be to relieve the unemployment position; but that position will benefit just the

same whoever works the deposits. The Brasserts Company, for whom I have no particular respect, will have to comply with arbitration awards in this State. They will not be able to get away with any infringement of the Arbitration Act. Whatever wages the men working in the industry are legally entitled to, those men will receive. They will be well protected. The first point made by the Leader of the Opposition was an objection to the iron ore deposits being sold to Japan. If that is a grievance, then we have no right to sell our wheat or our wool or any other commodity to the Japanese. The second point of the Leader of the Opposition was that dummying existed. The hon. gentleman knows as well as I do that that is only being done to overcome the mining laws of this State.

Hon. C. G. Latham: That is a nice admission, a beautiful admission!

Mr. COVERLEY: Beautiful admission or not, I have already admitted that I believe it to be true. I agree with the Leader of the Opposition in that respect. I believe that the Brasserts Company are merely acting for Japanese. I believe that the machinery to be used at Yampi Sound has already been made in Japan.

Hon. C. G. Latham: That is a subterfuge to get around our law.

Mr. COVERLEY: I have no objection even to that, so long as the deposits are worked and the State receives what it is entitled to claim. I have just as much right to see that the industries of my electorate are made use of as the Leader of the Opposition has to see that wheat and wool and other Western Australian products are sold.

Hon. C. G. Latham: Japanese are allowed by the laws of this country to come here and buy anything. Now an English firm is being made use of in order to get around our law.

Mr. COVERLEY: I hope that the proposition will be proceeded with, because I can foresee other avenues of activities for the Kimberley district. For instance, I can visualise a market for our cattle, and the Lord knows the cattle industry is in a pretty bad way and requires all the assistance possible. I hope that, in the course of time, the working of the iron ore deposits will be the means of opening up additional mineral resources in the North. It is all very well to raise adverse contentions regarding the proposition. Although we have such mineral resources in the Kimberley districts, the fact re-

mains that it is impossible to get any syndicate in the southern part of the State to take an interest in those resources of the North. If we can attract fresh capital from outside, we should make full use of it.

MRS. CARDELL-OLIVER (Subiaco) [9.2]: I support the motion, but at the same time I voice my protest against any such concession being granted to a company that is dummying. The member for Kimberley (Mr. Coverley) mentioned that Brasserts were dummying for a Japanese concern.

The Minister for Mines: Who said they were dummying?

Mr. Coverley: I said that it might be so, in my opinion.

The Minister for Mines: The Leader of the Opposition made the statement.

Hon. C. G. Latham: I am not the only one under that impression.

Mrs. CARDELL-OLIVER: At any rate, I voice my protest. I have voiced such a protest with regard to a British firm, let alone to a Japanese concern. That iron ore belongs to Australia, and should remain so. The day will come when we may require that ore for the promotion of our own industries, and it is poor statesmanship indeed that will allow deposits to pass into the hands of foreigners when the iron ore cannot be replaced. We talk about trade in wool and wheat with outside countries, but that is childish in this connection. Wheat and wool can be grown annually, but the formation of an iron ore deposit takes thousands upon thousands of years. If members will glance at a map of Australia, they will see that Yampi Sound is approximately 900 miles from Alice Springs. They will see therefore that the proposal to grant concessions to the Japanese in the North may have disastrous results.

Mr. Coverley: But they are not allowed there.

Mrs. CARDELL-OLIVER: It would be easy for them, if given further concessions, to put a railway through from Yampi Sound to Alice Springs and isolate the entire southern part of Western Australia.

Mr. Coverley: But the law prohibits the Japanese from doing anything of the sort in Australia.

Mrs. CARDELL-OLIVER: There may be some members who wish to give away what should be retained by Australia, but I again voice my protest against any such conces-

sions that will allow our mineral resources to pass to foreigners, especially to Asiatics.

MR. LAMBERT (Yilgarn-Coolgardie) [9.4]: I presume the Minister will have no objection to placing these papers on the Table of the House. It always seems most peculiar that if anyone takes up mineral deposits in this State and a few St. George's-terrace people are left out, they howl like dingoes. The Yampi iron ore deposits have been known for half a century or more. It is wrong when an English company is prepared to invest money in the development of the deposits, to assume without any evidence at all, that it is purely a Japanese concern. Great Britain is one of the clearing houses of the world for all minerals. It is quite possible that Japan could procure her iron ore requirements in other parts of the world, even having regard to her position on the trade routes. It is wrong, however, particularly on the part of the Leader of the Opposition, to suggest for one moment that the company is a Japanese concern. We have every right to admit the bona fides of a long-established English company. I had not heard of the company until it took up the iron ore deposits at Yampi Sound. For my own part, I have had a thorough sickener regarding the State's mineral deposits, and I do not want to know anything more about them. It is fruitful to recall that the Leader of the Opposition was a member of a Government whose last executive act before going out of office was to put through an Order-in-Council whereby the whole of our interests in the manganese railway were taken away.

Hon. C. G. Latham: You are changing your centre of blame now.

Mr. LAMBERT: The last dying act of an effete Government was to put through that Order-in-Council, thereby depriving the manganese company of upwards of £125,000 of Western Australian capital. Then we talk about encouraging people to invest their money in our resources! The biggest steel people in Australia invested a large proportion of that money in the manganese company.

Mr. SPEAKER: Order! I think the hon. member is getting a long way from the motion.

Hon. C. G. Latham: Yes, get back.

Mr. SPEAKER: Order! The member for Yilgarn-Coolgardie had better stick to Yampi Sound.

Mr. LAMBERT: I merely desired to draw a very friendly parallel, and I will not suggest that the Leader of the Opposition was aware of the fact. It is always the same when a move is made to encourage the investment of capital. If a few are left out of it, particularly a few St. George's Terrace speculators, they always howl like a pack of wolves. If they are not in as first robbers when there is a rake-off to be made, that is always the result. I deprecate the suggestion that the company concerned is other than a British company. I had the opportunity of meeting the managing director when he was in Perth, and I shall not have any hesitation, when he returns next month, in drawing his attention to other mineral resources that can be developed in Western Australia. Those resources cannot be worked by the people here under our existing economic conditions. The member for Subiaco (Mrs. Cardell-Oliver) may be extremely alarmed at the thought that one of the hundred iron ore deposits that are to be found in Western Australia is to be worked. With all the resources that are available in the Eastern States, it is not possible for the manufacturers there to operate economically any of our deposits in Western Australia. If it is possible to operate them with British capital, it ill becomes an impoverished State like Western Australia to neglect the opportunity. With the member for Kimberley (Mr. Coverley), I welcome the proposition, and if we can have other industries opened up in isolated parts such as the Kimberleys, it will be beneficial to the State generally. If a big scheme of development should be embarked upon in the Kimberleys, it will be a good thing, because that is one of the most vulnerable parts of the continent. No doubt the Leader of the Opposition was good intentioned in his remarks.

Hon. C. G. Latham: I did not think I was capable of good intentions in view of what you have said.

Mr. LAMBERT: I believe that even the Leader of the Opposition would welcome the idea of British capital coming in to foster industry here. Unless this country is populated and industries opened up, it may not be the prerogative of Australia to be in effective occupation of this continent at the end of the next 50 years. So where we can get friendly relationships and useful capital and a market for our products, I say give them every opportunity, develop them and turn them into some profit.

THE MINISTER FOR MINES (Hon. S. W. Munsie—Hannans) [9.11]: To me it seems remarkable to hear some of the statements by some members, more particularly those made by the member for Subiaco (Mrs. Cardell-Oliver).

Hon. C. G. Latham: You two never seem to get on together.

The **MINISTER FOR MINES**: No, but we are fairly good friends, just the same. The hon. member complained bitterly; she did not care whether it was British or Australian, or what it was, but she wanted the iron ore kept here and not sold to a foreign nation, particularly not to Japan. Let me tell the member for Subiaco that the Broken Hill Proprietary owns and controls Cockatoo Island in Yampi Sound to-day, and is selling 200,000 tons of iron ore per annum to Japan. Yet I have not heard the hon. member say one word about that. As a matter of fact, they are not getting their ore from Yampi Sound, but are taking it from Iron Knob, in South Australia. I should be lacking in my duty as Minister for Mines if I had an opportunity to get that 200,000 tons exported from Western Australia instead of from South Australia, and did not encourage the enterprise. I mean to encourage it for all I am worth while I am Minister for Mines. If the Leader of the Opposition had come to me and asked me to lay the Yampi Sound papers on the Table of the House, I would merely have asked him to give formal notice of a motion to have them placed there. I welcome any and every inquiry that can be made into any of my actions, either in regard to Yampi Sound or anywhere else.

Hon. C. G. Latham: But you did not tell me.

The **MINISTER FOR MINES**: And the hon. member did not ask me. He said it in this House, and said he had made various inquiries and asked a lot of people—

Hon. C. G. Latham: I did not say I asked a lot of people.

The **MINISTER FOR MINES**: He said he could not find any record of Brassert & Company. I want to tell the hon. member that there is a firm known as H. A. Brassert & Company in Granite House, Cannon-street, London. For three months prior to the hon. member moving his motion, when he said he did not know anything about Brasserts, there was a company registered under the laws of Western Australia and

their registered office was at 29 Barrack-street, Perth. So the hon. member had not very far to go to get all the information he wanted.

Hon. C. G. Latham: Are you referring to H. A. Brasserts, Ltd.?

The **MINISTER FOR MINES**: I say that Brasserts of England, the same firm, were compelled to register a company in this State, and that they did it three months before the hon. member moved his motion. Yet the hon. member declared he could not find out anything about them. That information as to the registration of the company was advertised both in the "West Australian" and in the "Government Gazette."

Hon. N. Keenan: Are they registered as a private company or as a foreign company?

The **MINISTER FOR MINES**: I admit I do not know that; but they are registered in Western Australia as a British foreign company.

Hon. N. Keenan: A foreign company?

The **MINISTER FOR MINES**: Foreign because it is British. It is marvellous that there should have been such suspicion over Brasserts. I cannot understand it. It is only because there are whisperers going about telling all kinds of tales and they have caused a great deal of suspicion in connection with Brasserts. It is most remarkable that this company should be singled out for such suspicion and criticism. I want to inform members—this is not hearsay, I have had it confirmed—that so far as iron and steel engineering is concerned, Brasserts are consulting engineers for the British Government and have been so for the last 21 years. They are also consulting engineers to the Russian Government and the New Zealand Government, and also for nearly the whole of the big iron and steel firms throughout the world, including the Broken Hill Proprietary. They are consulting engineers to the Broken Hill Proprietary in this country. Then people turn round and ask, "Who are Brasserts; where do they come from?" And then somebody volunteers that they are dummying for Japan. That is what the Leader of the Opposition said.

Hon. C. G. Latham: Be truthful. I never questioned their financial position at all.

The **MINISTER FOR MINES**: No, but you said they were dummying for Japan. Take your gruel like a man.

Hon. C. G. Latham: I'll give you some gruel presently.

The MINISTER FOR MINES: I told the hon. member he was mistaken in saying that. If I thought they were dummying for Japan, they would not hold those leases for five minutes. They were given plainly to understand that it could not be Japanese.

Mr. Patrick: Do you mean could not be Japanese capital?

The MINISTER FOR MINES: No.

Mr. Sampson: A distinction without much difference.

The MINISTER FOR MINES: There is this difference: So far as I or the Government are concerned, there has never been a scratch of the pen with any representative of the Government of Japan in connection with Yampi Sound, nor will there ever be while I am Minister for Mines. When the papers are laid on the Table members will see a letter but no reply. I have refrained from making one scratch of the pen as regards Japan.

Mr. Sampson: Why should not you reply to the letter?

The MINISTER FOR MINES: So long as the holding company, who are Brasserts Ltd., are a British company, they can export the ore where they like. The Leader of the Opposition said he was not aware that anybody knew we had these iron ore deposits at Yampi Sound, that there had been no publicity.

Hon. C. G. Latham: Did I?

The MINISTER FOR MINES: The hon. member's statement was, "I do not know how much publicity was given to the fact that we had these leases available." In fact, the matter has been before the public since leases there were first taken up. The first lease was taken up in 1907 by Percy Keen, and I do not think three months have passed in any one year since then when there has not been some public announcement in the Press regarding Yampi Sound and its iron ore deposits. The hon. member made that remarkable statement, notwithstanding that on the 6th March, 1935, the "West Australian" published the full history of Yampi Sound and its iron ore deposits. I think the article occupied 1¾ columns of the newspaper and contained particulars as to who had applied for leases, how long they had been held, whether any money had been spent on them and who got them after they were sold. I am rather

surprised that the Leader of the Opposition did not know anything about them. They have been offered and taken up at least a dozen times. The first genuine attempt to do anything with the leases stands to the credit of Hoskins & Co., of Port Kembla, who to-day are amalgamated with the Broken Hill Proprietary Co. So far as the Mines Department are concerned, Hoskins & Co. still hold the leases. They still hold Cockatoo Island and are working it. They have half a dozen or more men there and have had them there for four or five months. They told me they had amalgamated with the Broken Hill Proprietary Co. and that it is practically one company today. I am not concerned about that. If they can make any arrangement with Japan or can sell the ore to Japan, so long as there is British or Australian labour employed to work it, that is all that worries me. As I mentioned once before in this House—it is worth repeating—I had the pleasure while in England of being taken by train to Corby, 83 miles from London, where Brasserts Ltd. have planned and are erecting steel works for Stewarts and Lloyds, the largest in the world. That is saying a good deal. Their job when completed is to cost 6½ million sterling. They had erected the first unit and were erecting the second at the time of my visit, but they are also managing the works as erected for Stewarts and Lloyds. I feel proud of having been able to interest people with capital in England, who are prepared to do something with the iron ore deposits at Yampi Sound. I believe that Brasserts Ltd. are going to do it. Regarding the statement made in the Press recently that £600,000 of Japanese money is being made available to work the deposits, I cannot say definitely whether that is so. If Brasserts Ltd. spent up to a quarter of a million of their own money on Koolan Island to equip it with wharves and machinery without having some binding agreement with Japan—the only customer they have, so far as I know—they are bigger fools than I thought. As long as the holding company are British and British capital is employed, I am satisfied. Members may have a Royal Commission or any committee of inquiry they like and I undertake to say that under our laws I defy any such body to ascertain where the money actually came from.

Hon. C. G. Latham: You are suggesting it was paid through London.

The MINISTER FOR MINES: I am not speaking of the £600,000; I am speaking of the £100,000 of the holding company of Brasserts Ltd. I believe, and the Agent-General, Sir Hal Colebatch, believes, that the £100,000 is wholly and solely British money. As to the £600,000, I know that Mr. Salt, one of the chief engineers of the company, was here a few weeks ago and left for Japan. I have had no word from him since he left, but I heard the other day that he would be returning to Western Australia by the middle of next month at the latest. I believe that he has completed an agreement to get the £600,000. I was told that, but not by a representative of the company. I was told that he had been in Japan negotiating with the Nippon Mining Co. and the Japanese Government. Before he left here, he told me that they had raised £100,000 of capital, that they were purchasing the leases from the option holder, that they intended to man the leases as early as possible, and as far as possible, and that whatever machinery was required or wherever it was manufactured, Japan had to find the money and pay for it. He informed me that he was insisting upon that as the only fair business guarantee that when they expended their £100,000 to get this concern going they would have one customer to take at least a million pounds' worth of ore. It would have been pretty smart business if they had succeeded in doing that. I do not care where the money comes from so far as their negotiations with Japan are concerned. The first "judgment" will be found on the file. When the warden, who was quite a young man—this was one of his first trials as a warden—issued what he termed his first judgment, he did not give a judgment at all. He simply summarised the evidence given and then sent it to me saying, in effect, "You find out so-and-so, and when you have convinced yourself, you give the decision." That was the judgment he gave. On that judgment I cabled Sir Hal Colebatch—this will be found on the file—for the purpose of ascertaining whether the statements made before the court up there in opposition to the exemption were true or not; to get him to see, if possible, the contract that Brasserts had signed, and I got a fairly lengthy cable in the course of a few days giving me particulars of what was in that contract. As a result, I cabled to say that they could not have

the leases if they signed a contract to work under those conditions. I refused to allow them to hold the leases because, under the contract, they had actually made provision for the employment of a certain number of Japanese engineers and clerks and, under the Mining Act of Western Australia, no Asiatic is permitted to work in, on or about a mining lease. When they found they could not get the lease under those terms, they altered the conditions.

Mr. Patrick: It was stated in the Press that Japanese engineers were going up there.

The MINISTER FOR MINES: That may be so. I believe there are two or three Japanese coming down with Brassert's engineers this time.

Hon. C. G. Latham: Did not that make you suspicious of who were the real owners, when they were employing Japanese clerks?

The MINISTER FOR MINES: It did not make me suspicious. It simply occurred to me to say, "You cannot have the lease under those conditions, even though the holding company is British." They did not get it, either.

Hon. C. G. Latham: I did not say you gave it under those conditions.

The MINISTER FOR MINES: I know you did not. I am pointing out what happened. I do not know why the Leader of the Opposition wanted to make such a long speech. If he had not done so, I would not be replying.

Hon. C. G. Latham: You are not replying to what I said.

The MINISTER FOR MINES: I am replying to some of the ridiculous and utterly absurd statements made by the Leader of the Opposition. He further said, "Why cannot we do the same as Broken Hill Proprietary Ltd.?" Whom did he mean when he said "We"? He admitted that the Broken Hill Company was supplying Japan with iron ore, and he asked why could we not do the same as Broken Hill? That is just what I am trying to do, and I believe that when this contract is signed and they are ready to produce iron ore at Koolan Island, Broken Hill's 200,000 tons a year will be gone forever. The Japanese will take the lot from us, and a good deal of the whispering around the streets is due to the fact that they realise that a very profitable trade

will depart from them. The Leader of the Opposition said that Brasserts were dummies for Japan.

Hon. C. G. Latham: I did not say that. I said that on the surface it looked to me as if the firm of Brasserts were dummies for Japanese interests. Why don't you speak the truth?

The MINISTER FOR MINES: Very well, I will withdraw what I said, and I will say that the Leader of the Opposition said that on the face of it, it looked as if Brasserts were dummies for Japan.

Hon. C. G. Latham: Because they were employing a Japanese staff and using Japanese money.

The MINISTER FOR MINES: They were not employing a Japanese staff; they have never done so.

Hon. C. G. Latham: Did not you stop them?

The MINISTER FOR MINES: No.

Hon. C. G. Latham: Was it not in the original agreement?

The MINISTER FOR MINES: Yes, but they did not employ them.

Hon. C. G. Latham: You are making your case very suspicious.

The MINISTER FOR MINES: Before they could do it, they had to consult Australia, and when they did so, they were told they could not do it. There is no question about that. I believe there are two or three of the same Japanese who came to visit the island on several occasions—

Hon. C. G. Latham: You know they made a thorough investigation.

The MINISTER FOR MINES: I am saying there are in Western Australia now two or three of the men who have been there, not once, but several times previously, and they were there six weeks on the last occasion surveying the island with a view to determining the amount of iron ore there. I believe they are coming down with Brasserts' engineers on this occasion for the purpose of giving those engineers information as to what they discovered while there.

Mr. Sampson: There seems to be a lot of secrecy about the whole matter.

The MINISTER FOR MINES: There is no secrecy. I do not know what the hon. member means. I would like to know has he ever asked any question or looked for any information in connection with Koolan Island or Cockatoo Island, or any other island, which he has not received?

Mr. Sampson: Recently in the North I inquired from a person associated with the venture, and he said he could tell me nothing.

The MINISTER FOR MINES: Who was that?

Mr. Sampson: I am not prepared to say.

The MINISTER FOR MINES: So the hon. member has been sneaking around, as a few others are trying to do, to get into the swim himself and get his cut!

Mr. Sampson: He was endeavouring to keep calm and not become hysterical.

Hon. C. G. Latham: You had better not make such a suggestion concerning me.

The MINISTER FOR MINES: I am not putting this up on you, but on the hon. member who interjected. This is another whispering tale that is being put around. Who is the man?

Mr. Sampson: I would not give you his name.

Mr. SPEAKER: Order!

The MINISTER FOR MINES: No, because he does not exist. You have never spoken to anybody about it.

Mr. Sampson: You are making another false statement. You are becoming hysterical and foolish.

The MINISTER FOR MINES: Influence has been brought to bear from Western Australia on members of Parliament in the Eastern States to try and probe into matters concerned with Koolan Island, and the subject of the export of iron ore to Japan. Questions have been asked in three different Parliaments. I want to know why they want to stick their bib into the business of Western Australia? What has it to do with them? The ore is ours to do what we like with. I am not too pleased with many of the things our present Prime Minister does, but I am glad of his reply to one of these stickybeaks. The statement of the Prime Minister on the 10th September was that he felt no more justified in prohibiting the export of iron ore to Japan than in prohibiting the export of wool to Japan. Of course he had no right to interfere. In connection with all the actions of this State in its dealing with Brasserts over Yampi Sound, both Brasserts and the State Government have kept the Commonwealth authorities advised about everything that has been done. Brasserts have sent a full account to the Commonwealth Government of their intentions, how they are going to work the leases, and the quantity of ore they anticipate selling. All they asked of the Commonwealth Govern-

ment was that they should permit three Japanese to inspect the iron ore as it went into the boat at Koolan Island, because the agreement is for shipment to be made f.o.b. Koolan Island. The Japanese have to pay on that basis, on the value of the ore as it goes into the ship at that loading point. That was a reasonable request, and the Commonwealth Government agreed to it. I do not see how they could have done anything else. If anyone had suggested we should not allow the Japanese to come to this State to buy our wool, but should depend upon some Australian buyer to buy on their behalf, that would have been classed as ridiculous. It is anticipated that the Japanese are going to take up to 1,000,000 tons of iron ore from Yampi Sound every year. If they are going to purchase that quantity and pay on its value as it goes into the hold of the ship at Koolan Island, they have a right to see what they are purchasing. No one can take exception to their having a man on the spot to pass the ore. The Commonwealth Government did not take any exception to that, and agreed to the proposal. After reading in the paper of the motion moved by the Leader of the Opposition, the legal representative of the company in this State came to me and said, "You can make this statement on my behalf if you like. I have cabled to Brasserts, and they have cabled back agreeing that if the Leader of the Opposition wants to see all the private correspondence that has passed between us, Brasserts and Japan, he is at liberty to come to my office where he will have the file placed at his disposal."

[The Deputy Speaker took the Chair.]

Hon. C. G. Latham: Why did he not send that information to me?

The MINISTER FOR MINES: Why did the hon. member not ask for it?

Hon. C. G. Latham: It is not my duty to go to private individuals.

The MINISTER FOR MINES: He is not a private individual in that sense; he is a representative of the company.

Hon. C. G. Latham: Why did he not send that information to me?

The MINISTER FOR MINES: I am making that offer to the hon. member now on his behalf.

Hon. C. G. Latham: I will not accept it from you.

The MINISTER FOR MINES: That is immaterial to me, but it is fair that I should pass on the statement that was made. The gentleman in question came to me with the deliberate object of making that statement, for fear that even after the files were placed on the Table of the House there should be some suspicion that there was something else behind the business.

Hon. C. G. Latham: We will have an inquiry.

The MINISTER FOR MINES: I do not care what the hon. gentleman has. He can have any inquiry he likes, and I will welcome it. He can have it when and where he likes.

Hon. C. G. Latham: You seem to be getting very annoyed to-night.

The MINISTER FOR MINES: Not at all, but it does make me annoyed when people are good enough to take an interest in the deposits in this State, to put up £100,000 of their own money in an endeavour to develop them, for other people on mere street tittle-tattle and suspicion to endeavour to cripple the British company which is willing to do so much good for us. The member for Subiaco (Mrs. Cardell-Oliver) made a suggestion that is unworthy of her, in connection with this file, and the charge made by the member for East Perth (Mr. Hughes). She said that the banking account of every one connected with the business, one way or the other, should be inquired into. She could have an inquiry tomorrow into my banking account. It is unworthy of the hon. member to make such a suggestion. I have nothing to hide in any of my transactions. I would welcome an inquiry into each and all of my dealings. I do not know the feelings of any other member of the Government, but so far as I do know them, I believe that every other member of the Government would welcome any inquiry the hon. member would like to ask for. I hope that all this suspicion about the Yampi iron and Brasserts will be ended when members have had time to go through this pretty thick file, and ascertain for themselves what it contains. I propose on the motion of the Leader of the Opposition now to lay these papers on the Table of the House.

Mr. Patrick: I should like to move that the debate be adjourned.

The MINISTER FOR MINES: There is no need for that. The debate is finished, be-

cause I am laying the papers on the Table of the House.

Hon. C. G. Latham: Have I the right to reply?

The MINISTER FOR MINES: If you, Mr. Deputy Speaker, are going to rule that the Leader of the Opposition has the right to reply, I may be called upon to question your ruling. The hon. gentleman asked for these papers, and I have presented them. I contend that he has no right of reply. The debate is closed, and the papers are on the Table of the House. If he had desired to see the debate continued, he should have asked someone else to speak.

The DEPUTY SPEAKER: I must rule that the Leader of the Opposition has the right of reply.

The Minister for Mines: I do not think he has that right.

HON. C. G. LATHAM (York—in reply) [9.45]: Mr. Deputy Speaker—

The Minister for Mines: That is all you should have the right to say.

Hon. C. G. LATHAM: But for the temper that has been displayed by the Minister for Mines I would not have continued the debate. He has charged me with all sorts of things.

The Minister for Mines: I did not charge you with anything beyond what you said yourself.

Hon. C. G. LATHAM: He said I had reflected on Brasserts' financial position. I did no such thing.

The Minister for Mines: You said you did not know whether they were a company with "two bob."

Hon. C. G. LATHAM: I made no such statement. Since the Minister rose to speak I have had the opportunity to peruse "Hansard." I put up a reasonable case for these papers.

The Minister for Mines: And you have got them.

Hon. C. G. LATHAM: Had I gone to the Minister and said, "I should like to see these papers," he would have been within his rights if he had said, "Put up a case for them, and I will lay them on the Table of the House if the House agrees." We are now getting a new order of things. Members have to go to a Minister and say, "Will you please lay these papers on the Table of the House?" It is not usual for a Minister to accept a motion of this sort as formal.

The Minister for Mines: On three occasions I went to the Minister of the Government of which you were a member to ask for certain information and for certain papers. I was asked to give notice and was told that the notice would be treated as formal, and that the papers would be laid on the Table of the House. That was done on three occasions by the Government of which you were a member.

Hon. C. G. LATHAM: My motion was on the Notice Paper for some time. If the Minister had desired to treat it as formal there is no reason why he should not have approached me, just as I might have approached him. I have made no suggestion of dishonesty against the Minister, nor has any other member done so, nor is it in my nature to make such a suggestion. But since the hon. gentleman got up and said he had a perfect right to champion the cause of Brasserts, who are total strangers to me, I want to find out, as any other member would want to find out, what is the standing of that firm in London. Although I went through a great deal of documentary evidence, I could find only one reference to them; and I told the House what that was. I gave the address of the firm in London, and stated that they were described as constructional engineers. I said it was remarkable that a firm of constructional engineers should be interested in foundries, or in the conversion of iron into steel. Probably they have built works for Stewarts & Lloyds, because that would be their business, they being constructional engineers. As a matter of fact, Stewarts & Lloyds are established here in Australia, in Newcastle. We know they are established at Birmingham, and at several other places. They are not likely to allow a firm like Brasserts to run a business for them.

The Minister for Mines: Brasserts are running it until they complete the third unit.

Hon. C. G. LATHAM: I will accept the Minister's statement, but I have my own opinion about the matter. To suggest that members of this Chamber have no right to question the integrity of other people's business with the State is to carry the thing to extremes. The information available to me was information published in the Press. That information led me to believe that Brasserts were, on the face of things, acting as mere dummies for a Japanese firm. Since I spoke, that aspect has been ventilated in a leading article in the Sydney "Bulletin." The "Bul-

letin" did not take my statements as information to base a leading article upon. The Minister for Mines and the member for Yilgarn-Coolgardie have suggested that I stand up in this Chamber because I have not had a cut.

The Minister for Mines: I have not said that at all.

Hon. C. G. LATHAM: Or that I stand up here to voice the opinion of St. George's-terrace people who desire to be in on this. No one has ever asked me to do dirty work for them; and if anybody asked me, I would not do it.

The Minister for Mines: I did not say anything like that.

Hon. C. G. LATHAM: I say again that I am opposed to either Brasserts or any other firm using our iron deposits or any other deposits of ours for the purpose of getting a rake-off. I have no objection whatever to the Minister for Mines, if he so desires, negotiating with the Japanese for the disposal of our iron ore or anything else.

The Minister for Mines: Where are we to get the quarter of a million sterling to erect works?

Hon. C. G. LATHAM: The Japanese today are finding the money to do it. That £600,000 mentioned was Japanese money. The Minister to-night gave information that was new to me, the information that Brasserts were going to employ Japanese clerks and Japanese engineers. Japanese engineers, I believe, are coming here now. What for? Why do we want Japanese engineers? Are they better than English engineers? All that those Japanese engineers want to do is to act as inspectors to see that the class of ore going into the ships is the class of ore they are paying for. Since speaking in this Chamber I have received what I believe to be reliable information that the Japanese have been at Yampi Sound not only once but twice, and have got photographs and everything else they desire. They have made a thorough investigation, putting down trial holes. Why did they do that? They have nothing to do with that matter. When Japanese want to buy our wheat, they do not come into our paddocks and test the wheat before buying it. They do not test our sheep to see what class of wool we are shipping.

The Minister for Mines: It was because there was an Australian holding the leases at the time.

Hon. C. G. LATHAM: I do think it is about time we got those papers and looked through them. The probability is that when a representative of Brasserts, London, comes here, we shall be able to ascertain the position from him.

The Minister for Mines: He will be most happy to tell you anything you want to know.

Hon. C. G. LATHAM: I have never been so suspicious about this matter as I am tonight, after the Minister's statement. There was no need at all for him to work himself into a rage. All I had to say was said in a calm and dignified manner. I accused no one of anything. All I said was that from information which had reached me, and I dare say had reached every other member of the Chamber, Brasserts were merely permitting their name to be used for the benefit of the Japanese. I object to that class of business. There is no need for it. The Minister tells us about the contracts being signed in England.

The Minister for Mines: I did not say so.

Hon. C. G. LATHAM: That they were to be signed.

The Minister for Mines: They were not.

Hon. C. G. LATHAM: I had not the opportunity of following the Minister very closely, because he got so annoyed, and at times worked himself up into such a rage that it was difficult to understand him. Brasserts applied to the Agent General for certain information.

The Minister for Mines: Because they could not have the lease under those conditions.

Hon. C. G. LATHAM: They knew very well they could not. If it was necessary to negotiate with Japan in this matter, in my opinion there would be no difficulty in amending the law or putting through a special Act.

The Minister for Mines: No law is needed.

Hon. C. G. LATHAM: By means of a subterfuge the law is got round.

The Minister for Mines: No.

Hon. C. G. LATHAM: There is no doubt in my mind that the firm's intention was to put Japanese workmen there.

The Minister for Mines: No.

Hon. C. G. LATHAM: That is against the law of the State.

The Minister for Mines: The Japanese wanted Japanese workmen.

Hon. C. G. LATHAM: The Japanese are mere successors associated with Brasserts.

The Minister for Mines: No, they are not.

Hon. C. G. LATHAM: I wish to say candidly that I am more suspicious now than I was when the Minister began his speech.

The Minister for Lands: You are in a bad mood now!

Hon. C. G. LATHAM: No; but I do hate to be charged with things I am not entitled to be charged with.

The Minister for Mines: All I charged you with was—

Hon. C. G. LATHAM: If the Minister's charges are not more truthful than many of the statements made by him, they are not very true. My statement first of all was that on the face of things Brasserts were dummies, but that the Minister would be able to inform us concerning that aspect.

The Minister for Mines: I told you they are not dummies.

Hon. C. G. LATHAM: The Minister said that when I could not find out about Brasserts, I said they were not worth two bob. I never made such a statement. Those are the matters which make me annoyed. I know the Minister did not read "Hansard" himself and take out those extracts. The extracts were taken out for him.

The Minister for Mines: They were taken out from a pull of your speech. I made sure that I got a pull of your speech before you could correct it.

Hon. C. G. LATHAM: That would not matter, because I very seldom make any corrections at all in the reports of my speeches.

The DEPUTY SPEAKER: Order! I ask the Leader of the Opposition to address the Chair.

Hon. C. G. LATHAM: I hope that with the papers to be laid on the Table, the Minister will put a proof of my speech there. Then the House will be able to judge whether there was any need for the insinuations made.

The Minister for Mines: I would throw the speech into the waste-paper basket.

Hon. C. G. LATHAM: The Minister makes misleading statements in this House which are only worthy of the waste-paper basket. As a matter of fact, I am pleased to have the papers. I shall probably move for more papers now. I shall probably ask the Minister next time to treat my motion as formal, so that he may not work himself into a passion.

The Minister for Mines: It would be much better than this.

The DEPUTY SPEAKER: Order!

Hon. C. G. LATHAM: If the Minister, in his calmer moments, will read through my speech, he will see that I did not connect him with anyone.

The Minister for Mines: I read it calmly.

Hon. C. G. LATHAM: I wish everyone in this House would use the same calm, temperate language that I do. If they did there would be a much better feeling than is apparent at times. Nothing I said was unwarranted but the Minister, for some unearthy reason, finds it necessary to champion these people.

The Minister for Mines: I will champion anyone who will make available so much money to develop our assets.

Hon. C. G. LATHAM: He made reference to talk about this particular firm dummying for Japanese financiers. If the Japanese have been getting their iron ore from the Broken Hill Company—I have no reason not to believe that they have been—the fact that they are desirous of getting our ore is probably because they can get it more cheaply.

The Minister for Mines: That is probably the reason.

Hon. C. G. LATHAM: What I object to is our mining laws being over-ridden.

The Minister for Mines: They are not being over-ridden.

Hon. C. G. LATHAM: Yes, over-ridden by an English firm that allows its name to be used for the purpose of enabling the Japanese to trade with us. If it is a question of the Japanese trading with us, let us amend the existing law.

The Minister for Mines: Never while I am here.

Hon. C. G. LATHAM: The Minister put up all sorts of excuses regarding this firm that is said to be dummying for the Japanese. When he said that, why did he say they wanted Japanese clerks and so forth?

The Minister for Mines: I did not say that. You stick to the truth.

Hon. C. G. LATHAM: And Japanese engineers.

The Minister for Mines: I ask for a withdrawal; I did not say anything of the kind. I said that in their contract the Japanese wanted those things, not Brasserts. The Leader of the Opposition has misconstrued what I said.

Hon. C. G. LATHAM: I will accept the Minister's statement.

The Minister for Mines: Be truthful!

Hon. C. G. LATHAM: Then the Japanese wanted their clerks and engineers! What part did the Japanese play in it if they were merely buyers of the iron ore? They were paying for it f.o.b.? Why were Japanese clerks and Japanese engineers required in such an undertaking? Did they want to inspect the standard of the ore that was shipped? The Minister's statement makes me suspicious. How do the Japanese come into it at all? They are mere purchasers and the others mere vendors according to the Minister. We will see what the papers disclose, and I shall probably attempt to pursue some other course in this House. If all the papers I want are not there, I shall certainly ask for them.

The Minister for Mines: That is a lovely statement to make. Do you say that I have taken papers off the file? Are you accusing me of that?

Hon. C. G. LATHAM: You know, Mr. Deputy Speaker, what I mean. There may be many files. I have asked for the file dealing with the leases but there are probably other files dealing with this matter.

The Minister for Mines: You are getting all that there are.

Hon. C. G. LATHAM: I am prepared to accept the Minister's assurance. Of course, I did not make any suggestion that the Minister had taken papers off the file.

The Minister for Mines: That was the inference.

Hon. C. G. LATHAM: Now the Minister is making himself out to be an injured innocent.

The Minister for Employment: Why stonewall the motion?

Mr. Cross: It is already carried.

Hon. C. G. LATHAM: I do not want any interjections from the Minister for Employment.

The DEPUTY SPEAKER: If the hon. member did not take notice of interjections he would proceed better.

Hon. C. G. LATHAM: And if the Minister and others abided by the Standing Orders, I would not have reason to object. If there are not on the file the papers that I desire to see, I shall certainly ask the Minister to lay them on the Table without all this fuss. If the Minister feels injured, I am sorry because I can assure him I do not wish to talk unnecessarily.

The Minister for Mines: You are doing a good deal of it now.

Hon. C. G. LATHAM: After the statements made by the Minister, I should say I would do so. He charged me with making all sorts of statements that were not true and even advanced the suggestion that I had altered the duplicate copy of my speech.

The Minister for Mines: I did not say you did. I have not read "Hansard" and do not know what it contains.

Hon. C. G. LATHAM: If I have beaten the Minister, I am glad.

The Minister for Mines: You have not got the papers yet.

Question put and passed.

BILL—STATE TRANSPORT CO-ORDINATION ACT AMENDMENT.

Second Reading.

HON. N. KEENAN (Nedlands) [10.7] in moving the second reading said: This is a small Bill to amend Section 11 of the State Transport Co-ordination Act of 1933. That Act was passed for the purpose of controlling transport in this State and the scheme of the Act was to bring into existence a board, called the Western Australian Transport Board, which, after the Act became law, was to have complete control of all transport in Western Australia and to have the right to determine the conditions under which it would be conducted. Under Section 11 power was given to the board over the railway and tramway systems. Members will see that Section 11 is divided into seven subsections and each of those subsections, except Subsection 7, deals with both railways and tramways. By some error due no doubt to drafting, the reference to tramways was left out of Subsection 7. The object of the short Bill I now present to the House is to rectify what I submit was a small error in drafting because the intention was that all the power that was given to the board with regard to our railways was also to be given to the board with regard to the tramways. Therefore, by Clause 2 of the Bill, Section 11 of the principal Act is amended by deleting Subsection 7 and inserting in lieu thereof the subsection set out in the Bill. That subsection includes the words "or tramway" in two places and thus brings it into conformity with the intention, and with the provisions, of the preceding six subsections, so as to give

the board the complete power which Parliament intended to give them and which, by inadvertence, was given only in respect of a railway. Because, of course, the extension of a railway, although not specifically set out in Subsection 7, would be the construction of a new railway. Otherwise the Cue-Big Bell line is merely an extension. If it were a main line, it would be submitted by the Minister to the board before being submitted to the House. So I ask the House to accept this short measure, and I move—

That the Bill be now read a second time.

On motion by the Minister for Works, debate adjourned.

House adjourned at 10.12 p.m.

Legislative Council,

Thursday, 1st October, 1936.

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

BILL—FREMANTLE LITERARY INSTITUTE MORTGAGE.

Read a third time and *passed*.

BILL—LAND ACT AMENDMENT.

In Committee.

Hon. V. Hamersley in the Chair; the Chief Secretary in charge of the Bill.

Clause 1—agreed to.

Clause 2—Temporary provisions for relief from rent on account of drought:

The CHIEF SECRETARY: Mr. Holmes and other members, when speaking on the

second reading, asked me to approach the Minister for Lands to ascertain whether it would be possible to make the provisions of the Bill retrospective, owing to the fact that there had been a severe drought extending, in some districts, over six years. I referred the matter to the Minister, as requested, and he regrets that it is impossible to accept an amendment to that effect. He points out, however, that amongst those entitled to consideration under the measure are a number of pastoralists who have already paid their lease rents. They have paid £44,000, and there is approximately £16,000 outstanding from pastoralists, who are usually very prompt in paying. The Minister gives an undertaking that those who have paid will receive consideration when the second half-year's rent becomes due. He regrets that it is impossible to go further, mainly because the great majority of pastoralists have paid their lease rents in the past, and, in order to give the relief suggested by Mr. Holmes, the Government would have to make refunds of cash, which they simply have not got. I understand that the Bill meets with the full approval of the Pastoralists' Association. I assure members that the Minister for Lands is sympathetic and that if he can see any way in which he can reasonably give more assistance, he will be quite prepared to consider the matter.

Hon. J. J. HOLMES: I recognise that the Minister for Lands and the Chief Secretary are sympathetic towards the pastoralists in the difficulties with which they are faced. But for that, I would have moved an amendment to achieve what I had in view. I realise now that the effect would be to create a difficult position for the Government, who, on the showing of the Chief Secretary, have already gone as far as they can go, seeing that those who have paid their first half-year's rent will receive consideration when the second half-year's rent becomes due. I do not desire to pursue the matter any further at this stage. I am satisfied that in the circumstances the Government have gone as far as they can go. Still, I believe that next year something more will have to be done to meet the difficult situation in which the pastoralists are placed, and I hope that the Government will then be in a position to provide further assistance to this well-deserving section of the community.

Hon. G. W. MILES: The Government might consider making a further amendment of the Land Act. When the original measure