been trying to instal volunteers where permanent men were employed before. This is calculated to cause considerable distrust and dismay, laudable as the desire may be to save money.

The COLONIAL TREASURER: I have nothing to do with the administration of the board; we are bound to pay under the Fire Brigades Act, 1909, one-fourth of the total estimated expenditure, and for last year that amount was £30,000, our portion being £7,500. This year we think it will be less. The hon. member will see that we are bound to pay our quota, and the only power we have is to appoint a representative on the board.

Mr. GREEN: And it is about that member that I have to complain. This is the only opportunity I will have of discussing the officer in question and fire brigade matters generally. Some time ago the third officer at the permanent station did the whole of the work which is now done by the superintendent of the volunteer brigades at a cost of £8 2s. per week, and he did it more effectively than it is being done at the present time. When the question of appointing a president of the board comes up again, I trust the Government will realise the desirability of selecting someone else to fill the position. The whole of the service is dissatisfied with Mr. Campbell's administration. He dodges the point, and is full of sophistry so far as the men are concerned. The expenditure is high when we consider that there were formerly 92 men employed, and that there are 72 to-day. The money is being mopped up in the maintenance of the superintendent of the volunteer brigades, who has not made a success of his work. If we had a new president, and if the board could be induced to place Mr. Connolly, the third officer of the permanent men, in the position of organiser of the volunteers, things would be on a vastly different basis. The man who was president of the union, after six years of service, was summarily dismissed, the excuse being given that a cook was not required. Yet that man had been serving as a senior fireman up to two years ago, when he was asked to take the position of cook. The usual thing in all services is to put off a junior when it is necessary to get rid of someone, but this man was dismissed because he was president of the union, and at the present time no fewer than three men have been suspended by Mr. Campbell because they are supposed to have said something about the volunteers at the different stations. While one man is fired out and another is put in who is not receiving any money at all, the other men resent that man and call him harsh names. Mr. Campbell never keeps his word with the men, and the men have no faith in him.

The Colonial Treasurer: Would the hon. member mind seeing me afterwards and putting this case before me in detail? I will look into it.

Item, Defalcations, hospital collector, Northam, £100.

Mr. SMITH: This is a small item, but an important principle is involved. I should like to know if the Government have a system of guaranteeing the officers. If not, will the Treasurer give an assurance that he will see that all officers handling money are guaranteed?

The Colonial Treasurer: Generally speaking, they are guaranteed. I will inquire into this case.

Item, Payment to Railway Department to cover all charges for free passes, special trains and cars, etc., £1,500.

Mr. SMITH: If this item were sufficiently reduced, it would enable the Treasurer to pay an increased salary to the officer whose case we were recently discussing. While the Government preach economy they should cut out all special trains. Reserved compartments should be quite sufficient just now for any Minister of the Crown

The Minister for Works: How many special trains are run?

Mr SMITH: If only one, it is too many. I do not know whether the Minister takes a special car.

The Minister for Works: If I want it, yes.

Mr. SMITH: Yet the Minister gets up here and preaches economy. He knows that the State is going back by millions of pounds, and I think these luxuries could be dispensed with.

Item, Travelling expenses, Hon. J. D. Connolly, whilst making inquiries on behalf of Government in Canada; £200.

Mr. GREEN: I should like to know exactly what the item means, and whether Mr. Connolly has been in Canada this year.

The COLONIAL TREASURER: Last year I challenged the item, and on looking up the papers I found that the arrangement made with the late Premier was that Mr. Connolly should make inquiries in Canada on his way Home, and that his expenses were to be paid. We had to pay them accordingly.

Vote put and passed.

This completed the Estimates of the Treasury Department.

[The Speaker resumed the Chair.]

Progress reported.

House adjourned at 12.46 a.m. (Friday).

Legislative Council,

Tuesday, 26th November, 1918.

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

["For Questions on Notice" see "Minutes of Proceedings."]

MOTION—PACIFIC ISLANDS' CONTROL.

The COLONIAL SECRETARY (Hon. H. P. Colebatch—East) [4.35]: I move—

That this House endorses the declaration of the Commonwealth Parliament, as fol-

lows:—"That it is essential to the future safety and welfare of Australia that the captured German possessions in the Pacific Ocean which are now occupied by the Australian and New Zealand troops should not in any circumstances be restored to Germany, and that in the consideration and determination of proposals affecting the destination of these islands, Australia should be consulted.

I do not propose to make any lengthy remarks in submitting this motion. When the resolution was before the Commonwealth Parliament the wish was expressed by members of that Parliament, including members of the Commonwealth Government, that a similar resolution might be passed by each of the State Parliaments.

Hon. A. Sanderson: Has it been done elsewhere?

The COLONIAL SECRETARY: I do not know that the resolution has actually been carried in any other of the State Parliaments of Australia. I know this wish was expressed, and the intention was that the world at large might see that the Australian people were united on this question. That is the sole reason for the action of the Government in presenting this motion. It might be argued that the matter is one that is outside the activities of the State Parliament, and on that point I am not prepared to offer any other contrary contention. I think we are all agreed that it would not be desirable for these colonies to be handed back to Germany, and we are all agreed that in the settlement of that question Australia should be consulted.

Hon. J. W. Kirwan: There is no Germany now.

The COLONIAL SECRETARY: That is a question which is hardly worth while debating. Judging from cables which recently appeared in the Press I think there is no doubt that this resolution is quite in accord with the intentions of the Imperial Government, and all that we wish to do by passing it is to show that there is unity amongst the people of Australia, as expressed by their Federal and State Parliaments on this question.

Hon. H. MILLINGTON (North-East) [4.37]: We naturally agree with the intention of this motion, but it appears to me to be an inspired one. The Prime Minister of the Commonwealth has been making certain pronouncements allegedly on behalf of Australia. It has been contended that he is not speaking with any authority from the people of Australia, and it seems to me that these motions which are being carried in the Federal Parliament and State Parliaments, and by various public bodies throughout Australia, are with the object of being used by the Commonwealth Prime Minister to show that he has behind him the people of Australia in his pronouncements.

Hon. R. G. Ardagh: He has on this question, I feel sure.

Hon. H. MILLINGTON: I am not disputing that for a moment. At the same time there are other questions, which will be discussed when the peace terms are being decided, of vital importance to Australia, notwithstanding which the people of Australia are not being asked to make any pronouncement on them. It appears to me that the time for putting forward war aims has gone by. Certain proposals have been made and accepted by the Central Powers as the basis on which peace negotiations will rest. Now that we are in that stage it seems to me not to be the time to specialise in any given direction as to how those who will lead the negotiations on the part of the various nations involved will do so, and that it is not the time to give anyone particular directions, whilst we are prepared to trust the Peace Congress entirely in regard to other matters of more pressing importance to Australia. We have to be careful not to overestimate the importance of any one matter whilst leaving other matters entirely out of consideration. The fact remains that since the peace negotiations were entered into they have declared their international policy—I refer to Japan. A statement on the subject appeared in the "Daily News" yesterday and again in this morning's paper. I believe that most of the people of Australia, who have given any thought to the subject, are more concerned with this pronouncement than with the matter under discussion. The national expansion policy of that country is certainly one which comes very near to the people of Australia. If we are going to make pronouncements on questions like this, which means that we are trying to influence the Peace Congress, I want to know why another question of such vital importance to Australia is allowed to go by the board. We have no objection to Australian views being placed before the Imperial authorities in this regard, but if we specialise on this one question and allow others to go by the board, those responsible for the negotiations on behalf of the Allies, and particularly on behalf of the British nation, may come to the conclusion that this is a matter in which we take no interest. The question I have mentioned is of far more importance to the future of Australia than the disposal of German New Guinea. We must also remember that the policy laid down by President Wilson, and agreed to by Mr. Lloyd George and others who have made pronouncements on the question, in regard to such countries as German New Guinea, provides for influencing the Peace Congress to the end that particular consideration shall be shown for the native inhabitants of these countries. Are the native inhabitants of German New Guinea to be given any special consideration?

Hon. W. Kingsmill: You would not have a referendum amongst them?

Hon. H. MILLINGTON: I do not suggest that, but I do suggest that those inhabitants have certain rights. I do not think we have got past the stage of saying that the native inhabitants of those countries are to receive no consideration. I would regret to think that this is to be the future policy of the British Empire. My reason for speaking this afternoon is that, whilst I do not particularly object to the motion, I do object to specialising

in regard to this one particular case, in which we are not prepared to trust the Peace Congress. It may be advisable to place Australia's views before the authorities, and it may be necessary for us to enter a protest. If the people of Australia do not do it they may come to the conclusion that we have no objection. As I have instituted this comparison, I would like to point out that representative Japanese have made it very plain what their ideas of expansion are in regard to territory. Even their pronouncement in the Press shows that they wish to have control of the Marshall Islands. As a matter of fact they have taken control. They do not wish to be restricted so far as the control of China and Siberia are concerned, and so on. There is no doubt whilst the war was in progress they were putting into operation their ideas of national expansion, and whereas it may not be a matter for Australia so far as their Asiatic expansion is concerned, it certainly is a matter of vital interest to us when they come so near to our doors as the Marshall Islands. No less an authority than Mr. Kazan Kaya Hara, in an article in the "Third Empire," gives the views of this nation and he shows that the Japanese national expansion is no mere myth. Let me read a few extracts from this article—

> In moments of deliberate consideration we do not think it unreasonable that the Japanese are excluded from these countries. In addition to economic conflict there exists racial antipathy in the minds of foreign people against the Japanese. The standards of life and morality are in a great measure different from each other, but now that the increase of population in this country has reached the explosive point, and now that we stand at the parting of the ways, is our Foreign Office right in keeping silent, emigration being limited by the Gentlemen's Agreement and being ever grateful for the Anglo-Japanese Alliance? Their duty is to take proper steps for the expansion of emigration so as to compel the Americans and British to admit our people. In case this object cannot be realised by peaceful means, where is our wrong in backing our demands by super-dreadnoughts, loaded with huge 15 centimetre guns and with submarines which can independently navigate 6,000 miles of sea? The grave problem whether the people must commit suicide or diminish their number can hardly be compared in the same light with the Gentlemen's Agreement or the Anglo-Japanese Alliance. Before the just demand for the right of national expansion, these agreements pale into insignificance.

Just one other extract to show further what their ideas are in regard to national expansion. They will put these ideas into operation unless some protest is made. I would commend this article to hon. members because it is really worth reading. This is how the author concludes his article:—

> Turn your eyes to the following figures:—Japan is one-eighteenth the size of Australia, and contains fifty millions of people. China proper is half the size of Australia and contains 400,000,000 of people. India is half the size of Australia and contains 300,000,000 of people. Australia, equal to China plus India in area, contains only 4,000,000 people. It is self-evident that Australia is unfit for the white, and yet on the trifling plea that our life and standard of morality are different, we are excluded. It certainly is not God's will that Australia remain a virgin land at the expense of the Japanese. The land for emigration and colonisation ought to be virgin land and in this sense Australia is best. To cultivate this virgin land is the right and the responsibility of the Japanese. Golden opportunities once lost will never come again. The Japanese people must plan a great national policy. With what views are Admiral Yashiro and Admiral Kato pursuing the naval expansion scheme? If our national destiny lies in that direction, it is well to expand our navy, through the adjustment of taxes, with a view to increasing instead of decreasing it. There is no wrong in increasing our 500,000-ton fleet to a million-ton fleet.

I cannot tell hon. members the date of this article, but the statistics which are quoted are for the year ended June, 1911, so that we may imagine the article was published just before the war began or soon after. My reason for quoting the extracts from this article, which was written by the Japanese gentleman I have named, is to show the aims and the national aspirations of the Japanese. I do not know that they interest America or any other country so much as they do Australia. We have always regarded the Japanese question as one of vital concern to us, and therefore, whilst reconsidering and rearranging international matters, it appears to me that we have to a great extent lost our sense of proportion when we are attempting to dictate, or at least taking the trouble to give our views in connection with what should be done with German New Guinea, when we are neglecting something of much greater interest to Australia. I do not think that British statesmen have regarded this important subject from the same point of view as we in Australia. Australian statesmen have always had to emphasise the importance of this subject and for a number of years past they have endeavoured to indicate to the British Government just how we feel in regard to it. Therefore, if the Governments throughout Australia deem it advisable to carry the motion before the House, I claim it is also advisable so that there may be no misconception in the minds of those who will attend the Peace Conference, that the other question also should be referred to. Personally, I would be prepared to allow the Peace Conference to settle these matters. It is admitted that Australia's interests will be conserved at that Conference; yet we are emphasising this one question while we are leaving out another which I regard as of immeasurably greater importance. While there cannot be any serious objection to the motion before the House, the fact remains that there are many who are considerably more con-

cerned with the other matter to which I have ferred, and I would like to know whether those who are speaking in the interests of Australia and who are admittedly anxious to do the best they can for Australia, will also give consideration to the greater question and make a pronouncement in regard to it, similar to that contained in the motion we are now asked to pass.

Hon. A. SANDERSON (Metropolitan-Suburban) [4.55]: I would like to know the meaning of this motion. The leader of the House tells us that it is in order to show the world at large that we are united.

The Colonial Secretary: Yes, on this question.

Hon. A. SANDERSON: Who are authorised to speak for us on these foreign affairs? Is it not the Commonwealth Government? Have the Commonwealth Government requested the State Government to bring forward this motion? Let us have the correspondence on the Table of the House so that we may peruse it. If they have not requested the State Government to move we are doing this on our own initiative. It seems to me to be a novel procedure, because it is the first debate on Foreign policy that I have ever heard in this State Parliament. It is a novel departure, and as pointed out by Mr. Millington, it may become a dangerous departure. We all agree with this motion. No one will say that we are going to vote against it, but the difference between walking with caution and circumspection and putting forward a motion like this, is very great indeed. There is a method provided in our Standing Orders by which we can get over the difficulty, and, that is, as you, Mr. President, explained to us once in connection with the previous question, "that the question be now put." That is one way by which we can get over the difficulty in which we find ourselves, but I do not propose to move such a motion. I do however wish to protest against introducing a motion of this kind, a motion which is of the most far-reaching importance. I will not say that we are not permitted to discuss it, but in many respects we are not able to discuss it owing to the innumerable questions involved with it, and for my own part I also regard it as—I will not say a deliberate insult, because that is out of the question—but I do regard it as an insult after the assurances we have had from responsible British Ministers. I do not know how far one can believe cabled reports of speeches but I have read speeches by Mr. Lloyd George, Mr. Bonar Law, and Lord Harcourt, all to this effect, that those Ministers recognise to the fullest degree what Australia has done and they are prepared to give the fullest and most favourable consideration to anything which is put forward in connection with these peace negotiations. What more can we ask for? As has been pointed out by Mr. Millington, this Chamber is going to take upon itself to pick out one thing or two, or half a dozen which may be considered of importance, but is this a question of supreme importance? That it may be I am not prepared to deny off hand. At any rate this debate is an illuminating discussion on this very important question. If this was brought forward to strengthen the hands of the Prime Minister in London, I am not at all anxious to see the hands of Mr. Hughes strengthened. The speeches he has made during the past few weeks are not in the best interests of Australia, and they are not in the best interests of the Empire. One might almost say they are not in the best interests of the Allies. At any rate they are totally contrary to the views put forward by men like President Wilson. What we are doing now is likely to make the position more impossible because it means that we are taking the responsibility of introducing this matter. All I would ask is whether it is a wise step for the Western Australian Government to bring forward a motion of this kind. If they had been asked to do so by the Federal Government, there would have been some excuse, but we have had an assurance from the leader of the House, that it was not the Federal Government who requested them to submit the matter and therefore we can assume that it was done wholly and solely on their own responsibility.

The Colonial Secretary: We are acting on a suggestion made during the course of a debate in the Federal Parliament.

Hon. A. SANDERSON: I recognise that this motion has been submitted on the suggestion of the Federal Government, but will the leader of the House tell me whether such a request appears anywhere in "Hansard"? I read the debates in the Federal Parliament fairly closely and I candidly admit that I have no recollection of any such reference therein, although I do not question for a moment but that it might have been there. Will the leader of the House tell me whether this motion was brought in at the verbal request of the Acting Prime Minister of Australia? I realise clearly how careful one needs to be in dealing with foreign affairs, and what I ask is that the Government, when they introduce a motion of this character, shall take the whole of the responsibility for it on their own shoulders. I personally am not impressed, and I think there are a few people in Australia who are not impressed, with the necessity for this motion. I sincerely trust that in future motions of this kind dealing not with abstract questions, but with questions of national and international policy, shall not be brought forward without a specific request from the Federal Government or a specific request from the Imperial Government; or else that those who handle the affairs of this country, if they think fit to bring forward motions of this character dealing with international questions, shall shoulder the whole responsibility for bringing them forward. I maintain the Government should not act on a suggestion—because after all, that is all we have, a suggestion—from the Federal Government. If the object of this motion be to strengthen the hands of Mr. Hughes I should, without hesitation, vote against it; because we have had the assurance of Imperial Ministers that every thing asked for here has been already granted. Imperial Ministers who handle the affairs of the Empire with the greatest skill and care have given us that assurance and I think we could safely leave our interests in their hands. Those Imperial Ministers having gone out of

their way to give us that assurance that everything we here asked for is given almost before we ask it, what is the object of asking this House to pass this motion? I should like to know the object of the Government in bringing forward a motion of this description.

Hon. W. KINGSMILL (Metropolitan) [5.4]: It is my intention to support this motion. Regarding the argument that a motion of this character is unnecessary, I am quite at one with Mr. Sanderson when he says we have the assurance of the Imperial Ministers on the points raised in the motion, but I would remind him that notice of this motion appeared on the Notice Paper before the pronouncement was made by the three English statesmen of whom he has spoken. I think I can say that definitely. The cablegram conveying the statement of the Imperial Ministers appeared, I think, within the last six or seven days, and this notice of motion has been on the Notice Paper for much longer than that. When I read that cablegram the thought did occur to me that it might not now be necessary to deal with this motion of which the Colonial Secretary had given notice. At the same time, I do not think it is a bad scheme at all, if it is thought necessary for such a motion, that it should be passed by the State Parliament as well as by the Federal Parliaments because it will show, if it be necessary to show it, that those in Authority in Australia, not only in the Commonwealth, but in Australia as a whole, in the component parts of Australia, the States, are at one on the point. They are not always at one. In these circumstances I intend to support the motion. It is probable that the motive prompting the introduction of this motion is the one which has been suggested, namely, that of strengthening the hands of the Prime Minister, and for that reason and that alone, I intend to support the motion which the leader of the House has presented.

Hon. J. F. ALLEN (West) [5.9]: It was not my intention to have spoken on this question until I had heard the remarks which have fallen from the previous speakers. I had thought that the motion would require no discussion, but after the remarks which have fallen from Hon. H. Millington and Hon. A. Sanderson I desire to express one or two thoughts which have occurred to my mind. We in Australia have certain constitutional rights as a component part of the British Empire and it is inconceivable that those rights would be taken away without the sanction of the people of Australia. We have the right to control our foreign trade and the influx of population, and so far as the exercising of those powers are concerned, I venture to say that there is no power which will interfere with us.

Member: The Japanese Government have expressed certain opinions.

Hon. J. F. ALLEN: That does not suggest that the Japanese Government propose to do anything which will alter our constitutional powers, and unless the people of Australia have a desire to alter the policy of a white Australia, I think it will be agreed that policy is not likely so be altered. The Imperial Government has not made any suggestion as to taking away any of Australia's constitutional powers, and I think that if any of those powers at any time are taken away without protest from us, then we shall deserve to lose them. I have much pleasure in supporting the motion moved by the leader of the House.

Hon. J. CORNELL (South) [5.11]: In my opinion there can be no real objection to the carrying of this motion which to a large extent voices the opinions of the people of the whole of Australia, and no harm whatever can be done by the carrying of the motion. I am not prepared, as some members appear to be, to trust entirely to public opinion in Great Britain. I think it is about time the people of Australia expressed their own opinions on public affairs and gave the reasons behind those opinions. One statement made in England is typical of the knowledge there of Australian affairs when it was said that Tasmania was down in Sydney. I think it is quite right for this House to express an opinion and to voice Australian views and sentiments on a question such as the one dealt with in this motion. It is a question upon which we as representatives of the people of Australia are entitled to express an opinion. I fully recognise that it is desirable that the Government should respond to the suggestion of the Federal Government to submit a motion of this nature to the State Parliament. There is another aspect. To vote against the motion would be to imply that this House is not opposed to the return of the colonies to Germany. The Prime Minister of Australia is not entitled to the abuse that has been levelled at him. If there is one man who, in my opinion, has upheld the prestige of Australia in Great Britain, it is Mr. W. M. Hughes. We get diatribes by cable, but of all liars on earth commend me to the cable liar. I had experience of his work in connection with a torpedoed ship. Hon. members may rest assured that through the cables published in the Australian Press we are getting only one section of British opinion concerning Mr. Hughes. During my sojourn in England, I followed the papers closely; and I declare that there is in Great Britain a more powerful Press supporting Mr. Hughes than there is opposing him. At all events, Mr. Hughes has told the English people some home truths, and I say, "more power to him," because Australia, being an outpost of the British Empire, can only move to a certain extent until the British Empire has definitely declared its post war policy. Nothing in the world hurts more than the truth. If hon. members, however much they may disagree with Mr. Hughes politically, will look up reliable English newspapers, they will extend to him at any rate this credit, that from an economic point of view his arguments and his logic are absolutely sound. There is one other point made by Mr. Millington and referred to by Mr. Allen. I agree with Mr. Millington that there are other points which will arise at the Peace Conference that will probably affect Australia. My personal view is that at that conference only two questions will affect Australia. One of those questions is that referred to in the

motion, and the other is that of the exclusion of certain peoples from Australia. The question of indemnity goes by the board. All that will be asked of Germany in this repect at the conference, I think, will be reparation to France and Belgium. I do not believe Australia will get anything in the shape of an indemnity. But if the Government will not move in the direction suggested by Mr. Millington, it is certainly within Mr. Millington's province to move. To any thinking man it must have been apparent ever since the outbreak of the war that the proposals to-day put forward by Japan were bound to be put forward. When we accept the people of a country as comrades and brothers in arms for the defeat of other great powers, when we accept the sailors of that country as the guardians of our soldiers while crossing the oceans of the world, we cannot refuse to acknowledge that the people of that country are fit men to work alongside us. That is the point. I always give Mr. Millington credit for unlimited common sense and logic. I ask him to consider this point, which must appeal to him. It is the opinion not only of myself but of Australian soldiers. We crossed the Mediterranean within four days of the torpedoing of the "Arragon," when 646 men out of a complement of 1,089 were drowned within four miles of Alexandria Harbour. At that period the eastern end of the Mediterranean was a nest of German submarines and the two destroyers which escorted our troopship across the Mediterranean were Japanese destroyers. When our troopship sailed into Toronto harbour, all the Australians stood to on the deck and as one man cheered the Japanese who had escorted them safely. Now I advisedly ask hon. members, has not the war altered the entire question? If we accept a country's protection, we must face the facts as they are. Whilst I would fight to the last for the maintenance of a white Australia, it seems to me that I have recognised the inevitable long before other people. I am as sure as I stand here that the point is one upon which the Japanese will insist at the Peace Conference. It is a point applicable not to Australia only. Many of the States of the American Union have done exactly the same as we in Australia have done, and as a result Australia will be involved in this matter together with the United States of North America. Do not let us bicker; do not let us call one another black Australians because we recognise that something is inevitable. I will extend my support and co-operation in any direction for maintaining the status quo as regards Australia on the question of who shall be admitted and who shall be excluded. But, on the other hand, we have to consider what we can do. The Peace Conference, I believe, will settle the question, and settle it without reference to, or consultation with, Australia. I support the motion, and in doing so I deprecate the view taken by certain people within our community that the free men and the free women of Australia cannot express an opinion on how the destinies of our country should be directed unless we offer something offensive to the people of the older countries of the world. I am not at all sanguine as to how Australia will emerge from the Peace Conference. I hope she will emerge with the same constitutional powers as she possesses now. That is my fervent wish, but I see difficulties.

Hon. J. E. DODD (South) [5.24]: There are one or two points made in this debate on which I wish to say a word or two. First of all, let me say that if the war had not been over, I for one would not let stand many Australian lives between the handing back of New Guinea to Germany and the contrary. I do not think, really, the question is worth the shedding of much blood. But now that the war is over, now that we have accomplished that which we set out to achieve, there is a different aspect on the question. Consequently, I should be very sorry indeed to see what was formerly German New Guinea, and the other Pacific possessions of Germany, handed back to that country. Germany is a power that we do not want at our back door, or at our front door either. Consequently, I am in entire agreement with the motion. Some criticism has been offered with regard to the attitude of the Prime Minister of Australia, and in a good many quarters it has been said that the opposition to the motion arises out of something the Prime Minister has said in Great Britain, out of certain speeches which he has made there. When Mr. Hughes was making those brilliant speeches in 1916, when almost the whole of Australia was ready to fall at his feet and worship him, I delivered two or three speeches criticising the then policy of Mr. Hughes.

Hon. A. Sanderson: Hear, hear!

Hon. J. E. DODD: I still criticise one aspect of his policy, which I regard as highly detrimental not only to Australia, but possibly to the whole world. Whilst I say that, I say also that now Mr. Hughes is not so popular as he was, now there are thousands of people ready to fly at his throat because of something or other he may have said or done, I am not going to take any such stand as asserting that he is not fitted to represent Australia at the peace conference, or that anything in this motion is likely to weaken his hands. As regards the big bulk of the population of Australia, Mr. Hughes's economic proposals are undoubtedly in accord with the ideas of that majority. They are not in accord with my ideas, but one cannot disguise from oneself the fact that the economic proposals of Mr. Hughes are in accord with the views of three-quarters of the Australian people. That being so, even from that point of view, who is better fitted than Mr. Hughes to represent Australia at the peace conference? It has been said, also, that Mr. Hughes was guilty of bad taste in saying that a statement of Mr. Lloyd George was not in accordance with fact. No one has a greater admiration than I have for Mr. Lloyd George. Him I regard as absolutely the one man in this war. Let any number of other men be put forward, but Mr. Lloyd George is the one man who has

been absolutely solid throughout this war. But are we to say, because of that fact, that Mr. Lloyd George has never made a mistake? Mr. Hughes is not the only man who has said of Mr. Lloyd George that he was in the wrong. Sir William Robertson, the head of the British Army, has said it; and so have General Maurice, and Admiral Jellicoe, and many other prominent men. Are we going to condemn Mr. Hughes and declare him unfitted to represent Australia simply because he expressed an opinion the like of which has many times been uttered, and in practically the same words, in this very Chamber? There is another aspect of the subject. I refer to the question of the Japanese. One of the most fruitful causes of war is the infernal jealousy that exists in the minds of nations. It is really only another form of Jingoism. If we are going on with our jealousy of Japan, if we at every move made by Japan are going to see some ulterior motive, then we are going to get into war with Japan, and that sooner than we now think. I am one of those who do not believe that Japan has any designs whatever upon Australia. Mr. Prendergast, the late leader of the Victorian Labour party, thought Japan had designs upon Australia, and he went to Japan to study the question there. Labour leader though he was, Mr. Prendergast on his return said he was absolutely convinced that the Japanese were friends to Australia. And what nation has proved its friendship for Australia better during this war than has Japan? Regarding Japan's demand for equal reciprocal rights, let me point out that those equal reciprocal rights do not include equality in the matter of entry into this Commonwealth. The law of Japan provides that a Japanese who becomes naturalised in any other country shall never again be looked upon as a citizen of the country of his birth. Unless the Japanese law on the point has been altered within the last two years, that is the position. Indeed, I understand that a Japanese who becomes naturalised in another country is regarded by the Japanese almost as an outcast or outlaw. Therefore the fear which many Australians entertain is groundless. I trust the motion will be carried. I hope Australia will always remain a white country. I do not think we have so much to fear from the Japanese as many of our people believe, and especially do I consider it a sad and dangerous error for us to be continually holding up Japan as entertaining designs upon Australia, and to be continually seeking for ulterior motives in whatever Japan does. I have much pleasure in supporting the motion.

Hon. J. W. KIRWAN (South) [5.30]: I am sorry the motion has been brought forward, not because I do not agree with it, but because of the discussion it has evoked. I feel, too, that it was quite unnecessary. We have the assurance, as explained by Mr. Sanderson, of Imperial statesmen, that the German colonies in the Pacific will not be returned to Germany; and strong as that assurance may be, we have an even stronger assurance in the condition of Germany to-day. There is to-day, so far as we can learn from the newspapers, no German Empire as we recently understood it. According to this morning's paper, we find that there are now no fewer than three republics established in Prussia alone; and when there is a conglomeration of republics—there must be a dozen of them in all—to whom would the colonies be returned? To which of the republics would they be given? It is quite out of the question that anybody should propose that the German colonies of the Pacific should be returned to Germany, when there is practically no Germany to return them to. Furthermore, I feel that a good deal of the discussion, especially the discussion that was raised about the interference with Australian affairs, was contributed by those who hardly realise the entirely new position that exists in international relationship as the result of the proposed Peace Conference. Anyone who has studied the 14 points on which the Peace Conference will be based, as laid down by President Wilson, must realise that if President Wilson has his way—and no doubt his will be the predominating personality at the conference—the entire position between the nations of the world will be very much altered. When the war was on we were glad enough to talk about the freedom of the seas, and the proposed league of nations, but we cannot have either without at any rate some surrender of local authority. For instance, in one of the clauses of the peace proposals of President Wilson, it is stated—

> The removal, as far as possible, of all economic barriers, and the establishment of an equality of trade conditions among all the nations consenting to the peace and associating themselves for its maintenance.

That will mean a certain abrogation of local authority. It will mean that at any rate some of the local powers of the nations joining in the league will have to be surrendered to some common body. Furthermore, another clause reads—

> Adequate guarantees given and taken that international armaments will be reduced to the lowest point consistent with domestic safety.

That, also, implies some abrogation of power on the part of the nations joining in the league. But in respect of Australia and the smaller nations, and in fact of the nations generally, in all those questions that have been referred to there is security for justice given, inasmuch as the last of the 14 points states—

> A general association of nations must be formed under specific covenants for the purpose of affording mutual guarantees of political independence and territorial integrity to great and small nations alike.

If the whole or anything approaching the whole of these ideals is to be accomplished, then we shall have to surrender some of the powers which all the nations of the world joining the league at present possess. That is a thing we must face in the future, and personally I think it will be to the general benefit of humanity. We cannot have that unity and peace amongst nations which is looked forward to unless we are prepared to abide by some of the terms such as laid down by President Wilson, although it may mean some sacrifice of national pride or national

dignity. But it is inevitable, and to that league of nations we must look to safeguard the rights of nations small and big.

Hon. Sir E. H. WITTENOOM (North) [5.36]: I intend to support the motion. I cannot understand anyone in Australia doing otherwise. Every one of us is of opinion that under no circumstances should those colonies be restored to Germany, and that under any circumstances, if possible, Australia should have control of them, and if that is not possible, then they should be under the control of some nation not favourably disposed towards Germany. But I take exception to the methods adopted by the Prime Minister of the Commonwealth while in England. I have the highest respect for Mr. Hughes, who undoubtedly has brilliant talents and has done good work. He is a most industrious and indefatigable worker, and he has a certain superficial brilliance of ability which must carry weight. But in my opinion in the present case he has been wanting in both etiquette and tact. He is an ambassador from Australia; he is there representing Australia. Whom better could we send than the man who has the honour of being the Prime Minister of the Commonwealth? But there is a method of representing the views of those represented, in accordance with tradition and with etiquette. Instead of going around England and making speeches about what ought to be done, it was his duty to approach the Prime Minister of England and lay his views before him. I am quite certain that he would have had a most sympathetic reception, and I fancy he would have got all the satisfaction he desired. But, no, he adopts methods which I think are highly undesirable, to use the mildest language. Suppose Mr. Churchill or Mr. Balfour were to come to Australia while Mr. Hughes is Prime Minister, and attempt to dictate to him the policy of the Commonweatlh, what would Mr. Hughes say?

Hon. J. Cornell: There is no analogy between the two positions.

Hon. Sir E. H. WITTENOOM: But I think there is. Whilst I am quite in accord with the motion, I wish to place on record my objection to the methods adopted by Mr. Hughes, which I think are undiplomatic, unconstitutional and wanting in etiquette. His proper course was to have gone straight to the Prime Minister of England and represent to him the views of the Commonwealth. I am quite certain he would have received satisfaction. But, instead of that, he has taken a course almost embarrassing to the British Government. He has gone about the country as a delegate from Australia. Suppose delegates from Canada and from South Africa had done the same thing. Lots of English people have asked "Is Mr. Hughes a guest here, or is he a representative of the overseas Dominions, or is he a representative of the British Government?" He has gone too far. By bringing in the question of indemnities at this stage, he has anticipated matters by too much. All that we are dealing with at present are the conditions of the armistice, the conditions under which the Germans are handing over their powers for doing harm. It is not a question of the conditions of peace. Why, then, should Mr. Hughes have laboured the question of peace to such an extent? And now he brings up the question of indemnity to Australia. Surely anyone on reflection must see that before we could ask for an indemnity some of those unfortunate countries denuded and almost starving should have something done for them, as, for instance, Belgium, Serbia, Roumania, Mesopotamia, and Armenia. In all those places people are starving. Yet we in Australia, who have scarcely felt the war, are, through our representative, demanding an indemnity.

Hon. H. Stewart: You do not think he asked for it at their expense?

Hon. Sir E. H. WITTENOOM: No, but the present is not the proper time. He is embarrassing the British Government at an inopportune moment. The time will come later for the discussion of those questions. I will support the motion.

Hon. J. CUNNINGHAM (North-East) [5.43]: I intend to support the motion, but I would much rather have seen it differently worded. Personally I cannot understand the motion in itself. I believe that by striking out certain words we would get something nearer to the desire of the people of Australia. I find that the motion really means that only those islands occupied by Australian and New Zealand troops shall not be handed back to Germany. In my opinion, if it is necessary that a motion should be carried, first in the Federal Parliament and then in the State Parliaments, to the effect that the Pacific Islands should not be handed back to Germany, we ought to include the whole of them. Why not include the Marshall and Caroline Islands?

Hon. H. Stewart: We are not occupying them.

Hon. J. CUNNINGHAM: But we know that if Great Britain had had her way during the war the British troops would to-day be occupying the Marshall Islands. I do think that Australia should be consulted not only in connection with the islands occupied by the Australian and New Zealand troops, but also in connection with the Marshall and Caroline Islands. It is not my intention to oppose this motion, although I would rather see it amended in the direction I have indicated. We say that Australia should be consulted. I quite agree with that. I also agree that these Islands should not be handed back to Germany. I am not prepared to say whether it is good policy on the part of this House to carry this motion. I do not know that necessity has arisen for this House, or any other State Parliament in the Commonwealth, to express an opinion in connection with a matter of this nature.

Hon. Sir E. H. Wittenoom: I think it is very wise that we should do it now.

Hon. J. CUNNINGHAM: Whilst there may be some objection raised in connection with the action of the Prime Minister in sounding, through the Federal Parliament, the State Parliament of Australia in the direction of carrying a motion of this kind, I am not prepared to say that I shall vote against this motion. Mr. Hughes's actions in England are

only in conformity with his actions before he left Australia. As the representative of Australia, Mr. Hughes was a discredited Prime Minister before he left this country. We have had the spectacle in Australia of seeing the Prime Minister giving his solemn pledge that in the event of a certain referendum going against his Government they would resign the control of affairs. We know how that resignation was tendered and what happened a few hours after, when the same Ministry was brought back again to administer the affairs of the Commonwealth. How can we expect the statesmen of Great Britain to take Australia's representative seriously?

Member: Whom would you send?

Hon. J. CUNNINGHAM: A representative of the people. Had the Prime Minister kept his pledge to the people, we would have had a man representing Australia in England who could say that he had the authority of Australia behind him. That authority Mr. Hughes has not got. The events of the last two years have proved that. I believe it is unnecessary to carry this motion. It should have been made to include the whole of the German possessions in the Pacific.

Hon. G. J. G. W. MILES (North) [5.50]: I have pleasure in supporting this motion. One of my main reasons for doing so is that it will strengthen the hands of the Prime Minister in England. I disagree with some of the remarks which have been made as to his attitude. If we knew all the circumstances we would probably find that the Prime Minister had already approached the Ministry in England in regard to the matter, and the only way he could get justice for Australia was to go on the public platform and advocate that these German islands should not be returned without Australia being consulted.

Hon. Sir E. H. Wittenoom: Why should you think that any injustice has been thought of for Australia?

Hon. G. J. G. W. MILES: Mr. Hughes would not have come out on the public platform without consulting the Ministry of Great Britain. I think the way in which Mr. Hughes has been criticised is not quite fair. He is the Prime Minister of Australia and Australia's representative in England. It has been said that Mr Hughes did not carry out his pledge. The only fault I can find with him is that he did not put a conscription measure through both Houses of Parliament and dissolve the House of Representatives. We should then have had conscription carried and Mr. Hughes would have been in a stronger position than ever.

Member: Why not have a dictator?

Hon. G. J. G. W. MILES: Mr. Hughes is not a dictator. He is the Prime Minister of the Commonwealth and it is our duty to support him.

Hon. W. Kingsmill: But not our pleasure.

Hon. G. J. G. W. MILES: It may not be the pleasure of some people. In my opinion Mr. Hughes has played the game, and has been the leading man in Australia during the great crisis just as Mr. Lloyd George has been the leader in the British Parliament. I am glad to hear Mr. Millington's reference to the Japanese peace proposals. We in Australia do not realise what we owe to Japan. She had 38 ships guarding our shores and convoying our troops to and from Australia. It is our duty to consider the treatment that we shall mete out to Japan in the future. If the people of Australia are not prepared to develop the Commonwealth as it should be developed, our hands will in all probability be forced by the Imperial Government. Japan as an ally has done great service in assisting us to win the war and in gaining for us the freedom which we in Australia have to-day. In her proposals Japan does not ask that her citizens shall have the same rights as citizens of Australia have, but that her citizens shall be treated in Australia as Britishers are treated in Japan. In Japan the Britisher has no political rights, and if the Japanese were admitted to Australia they would have no political rights here either. If the people of Australia had only handled the White Australia question as it should have been handled, we would have been a far better country to-day than we are, and would not have been in the same financial position that we are now in. One of the means by which our finances are going to be straightened is by the development of the Northern portion of Australia, whether by indentured labour or Japanese labour, or by British coloured labour. I have pleasure in supporting the motion.

Question put and passed.

Resolved: that motions be continued.

MOTION—AUSTRALIAN IMPERIAL FORCES, RAILWAY CORPS.

Hon. J. CORNELL (South) [5.55]: Before moving the motion standing in my name I make this offer to the Government through the leader of the House. If the Government will cut out the differential treatment to the railway men, that is, will ensure that all the men who have enlisted from the railway service will get the privileges which have accrued to them without any differentiation, I will withdraw the motion.

The Colonial Secretary: I am not in a position to give such an assurance.

Hon. J. CORNELL: Then I will proceed with the motion. I move—

> That in the opinion of this House it is unjust that railway employees who have or who may enlist in the Railway Corps should be made to forfeit whatever holidays may accrue to them whilst serving in the Australian Imperial Forces; and further, this House is of the opinion that the Government should without delay annul any regulation or by-law imposing such forfeiture from the date of its coming into force.

Can the Colonial Secretary give an assurance that during the session a vote will be taken on this motion? I only desire a formal seconder to it, that the Colonial Secretary should reply on behalf of the Government, and that the matter should rest there. From the individual standpoint I cannot for a moment conceive of any member of the Government sympathising with the attitude which has been adopted towards these men. Every member of the Gov-

ernment has, or has had, a blood relation on active service, and some have had very close relations there. One of the reasons for my moving this motion arises from the fact that on two occasions during this session in another place the Minister for Railways was asked if there was any differentiation on the question of leave and privileges in connection with the men who had enlisted in the A.I.F. The answer to the question was either framed through ignorance or through design. The answer was that any employee of the railway service who enlisted in the combative forces of the A.I.F. gained all the privileges that accrued to him, but that any member who enlisted in the railway unit forfeited all the holidays accruing to him. It is said that the members of the railway unit were so advised on enlistment. The railway unit is part and parcel of the Australian Imperial Forces, just as is the 11th Battalion of Infantry. If the Commonwealth authorities had made any differentiation or distinction I could understand the State Government doing so, but such is not the case. The pay and the privileges of the men who enlisted in the infantry or other units are the same as in the case of those who enlisted in the railway units. In the ordinary routine of camp and troopships the men who enlist in the railway units are called upon to do the same duties as the men who enlist in the infantry. Why the Commissioner or the Minister have insisted that there should be differentiation between the two, I do not know, unless it should be from the fact that members in the railway service who enlist in the railway units do not run the same risk as those who are in the combatant units. Let us analyse the position. At the beginning of the war many men could not get into the army. Thousands volunteered and were rejected. Later on as the war progressed the men who were previously rejected were accepted, and as members of the Australian Imperial Forces went to France. Up till then the Imperial authorities did not realise the necessity for railway units but soon afterwards they found that railway units were as essential to winning the war as the infantry. Therefore the formation of railway units in Australia was requested and the Minister for Defence on behalf of the Commonwealth Government, set about to bring these units into existence. Many men who were rejected for combatant duties were accepted as members of the railway unit. There were men too who were drawing 15s. a day in the service of the railways, who enlisted in the railway unit for 10s. a day. Now let us analyse the risk. I have said that the railway unit was as essential for the prosecution of the war as the infantry. Statistics prove that these units have not had the same casualties as the infantry. We can expect that. The work is totally different. One of the reasons for the low rate of casualties in the railway units arises out of the fact that the whole of the work of these units, most important work it was too, when carried on within reach of shell fire, was done at night time. It would be a stupid officer who would run such trains in the day time. Here is one aspect of the question that appeals to me. The Commissioner has said that a man who enlists in the infantry shall have his privileges accorded to him but that a man who enlists in the railway unit shall forfeit part of them. Let us take examples. Two men, both of them from the railway service, enlist, one in the infantry, and the other in the railway unit. Both go through the routine and training and they arrive in England. The man in the infantry is declared unfit to go to France while the man in the railway unit is declared fit and goes to France. The man who is declared unfit returns and is allowed to retain all his privileges, while the man who was with the railway unit and sees actual service is denied portion of the privileges which the other man receives. I met an Anzac in Kalgoorlie who enlisted in the infantry. He put in two years in France and the authorities learning that he was a thoroughly qualified engine man, transferred him from the infantry to the railway unit. If the Government are going to follow up their ridiculous line of reasoning, it follows that the man who is transferred from an infantry corps to a railway unit forfeits his rights to the privileges which were his up to the date of the transfer. There are a good many who enlisted in the infantry and other units and who were afterwards transferred to railway units. If we analyse the position we find that at least one-third of the members of the railway unit tried to join combatant units beforehand but were rejected. Then, in consequence of that rejection they became members of the railway unit. When they joined that unit they were told by the railway authorities that as the risk was not so great while a member of the unit, they would forfeit portion of their privileges. I can quote one illustration at least of the vagaries of the Military service. A railway man went from this State to Victoria. He was rejected in Victoria as being medically unfit and he was sent back to this State and was discharged. Two days later he became a member of the railway unit. When I was in France I saw that man who was rejected in Victoria as being medically unfit go right up to the firing line while I had to remain at the base. Would not a man of that kind be entitled to retain all the privileges he enjoyed before he left to serve his country? I have no desire to weary the House by quoting other instances, but I do claim that these men are entitled to the earnest consideration of the Government. If we are going to differentiate between the risk run by members of the railway and other units we must differentiate between all units. The percentage of casualties is greater in the infantry than in the artillery, it is greater in the artillery than in the engineers, and it is greater amongst the engineers than amongst the tunnellers, the army service corps and the army medical corps. If we are going to measure the position by the risk run, we will not know where to begin or where to end. The Government will not suffer any loss of dignity by reviewing the whole position, and if they do so they will confer a measure of justice on the members of the railway service who enlisted in railway units. All that is asked for these men is that they shall be treated equally with those who enlisted in other units. I am informed, and I believe it

is correct, that when a person employed in the Railway Department enlisted he was given an assurance that on his return he would get his position again. Members of the railway unit and members of the combatant units have to go through exactly the same test before they can be re-employed in the service and on that basis of reasoning the Government were wise, but on the other basis of reasoning I claim that it is altogether unsound and should be put right. It was found that it was just as essential to have railway men in connection with the prosecution of the war as infantry, and if we go through the records we will find that not only have our railway men done remarkably well at the scene of action, but that they have rendered loyal service at home. If there is one section of the community therefore which deserves consideration, it is that section which comprises the railway employees. I was associated on active service with many railway men and I found that all were prepared to do their duty as members of the Australian Imperial Forces. I sincerely hope the Government will see their way clear to rectify the anomaly that I have referred to

Hon. J. W. KIRWAN (South) [6.13]: I second the motion.

On motion by the Colonial Secretary, debate adjourned.

BILL—VERMIN.

Read a third time.

BILL—CRIMINAL CODE AMENDMENT.

Report of Committee adopted.

Sitting suspended from 6.15 to 7.30 p.m.

BILL—PRISONS ACT AMENDMENT.

Assembly's Message.

The Assembly having disagreed with one amendment made by the Council, the reasons for such disagreement were now considered.

In Committee.

Hon. W. Kingsmill in the Chair; the Colonial Secretary in charge of the Bill.

Clause 3, 64c, Subclause (2).—Add the following words—"and shall act without remuneration."—Reasons of the Legislative Assembly for disagreeing to amendment—1. That the amendment is unnecessary, because the clause as it stands gives the Government power to provide either an honorary or paid board. 2. The amendment would limit the power of choice of the board.

The COLONIAL SECRETARY: I move—

That the amendment be not insisted upon. It was never the intention of the Government to establish a paid board, but there have been times when boards of a similar character have received some small remuneration, and it is rather unusual to add to the clause words which prohibit any consideration whatever being paid to members of the board. To my mind the point is not one of sufficient importance that this House need insist upon its retention.

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

[The President resumed the Chair.]

Resolution reported and a Message accordingly returned to the Assembly.

BILL—FORESTS.

Second Reading.

Debate resumed from the 19th November.

Hon. Sir E. H. WITTENOOM (North) [7.35]: In addressing myself to this Bill I should like to preface my remarks by saying how much I congratulate the leader of the House on the admirable speech made by him on introducing the Bill. I understand, and I have heard from other sources, that he considers himself a tyro at this business. All I can say is that he must be thoroughly experienced and, after hearing his remarks, I would say to him—"Genius is modest." It was one of the best speeches I have ever heard, and one which summed up the situation splendidly. Some of his remarks found an echo in my mind, particularly when he said that our jarrah wood was too good for the uses to which it has hitherto been put. Anyone who had the opportunity and privilege, and, I might add, the pleasure, of visiting the Town Hall the other morning, and seeing from the display there made what jarrah can be worked up into, would, I think endorse the remarks which fell from the leader of the House. But it becomes a question whether one can find the market for these woods. I quite agree that if markets can be found it would bring in more money, and no one, I think, would object to that. The trouble would be to find a market. We have large timber areas and, seeing that those who utilise those areas will, under this Bill, have to pay increased rates, it is inevitable that they should avail themselves of the market that is to their hand rather than look around for fresh markets. But I also agree with the hon. the leader of the House when he said that our forests should be looked after in such a manner as will make some future provision for re-afforestation. The Bill as submitted to us is a very comprehensive one and one which gives very large powers indeed, so large that I think we should very carefully consider its provisions before we delegate these powers to other people. Under the Bill the Conservator of Forests has extensive powers and the Conservator is to be subject only to removal by Parliament. That is all right provided we get the right man, and the question is, have we got the right man? Personally, I only met to-day for the first time the gentleman who is proposed as Conservator of Forests, therefore I know nothing about him. But before we put a man in this position for a number of years, I think we are entitled to require from the Government a statement as to their attitude and as to his qualifications, because under this Bill everything is left practically to his dictation. There is a clause in the Bill with reference to hewing. It was at first proposed to ex-

clude hewing altogether from this Bill but by some means or another an amendment crept in by which it shall be lawful, subject to the provisions of this Act and the regulations, to fell and hew for railway sleepers such timber as may be standing on any such area or portion thereof after all timber thereon which, in the opinion of the Conservator, is suitable for sawmilling purposes, has been felled, or in localities from which, in the opinion of the Conservator, it is impracticable to remove timber for sawmilling purposes. If, in the opinion of the Conservator, there are in Western Australia any districts in which hewing would be justified, then permission can be given under this Bill. That is to say, if there are any sites where it is considered advisable a spot mill could be placed there. That sounds practicable and feasible if looked at from a superficial point of view. But if a spot mill were placed in, say, a valley, it must be remembered that there have to be workers, and workers in these days are not prepared to live in tents, in any knocked-up tenement. They have to have proper homes. This proposal is surrounded by difficulties, and cannot be worked out so easily as appears to be supposed. Again, every lease has to be put up to auction. Everything has to be by permit in the future and these permits has a tenure of 10 years and cannot be handed over to anybody except by auction. It seems to me that these leases, many of which are situated miles from railways, cannot be successfully transferred under the auction process. The main principles of this Bill are contained in Clause 3 and also paragraph (2) of Clause 5. From these clauses it will be found that the rights of all peoples who now hold concessions or permits shall not in any way be interfered with. That is stated in the most emphatic manner possible—

> The Acts mentioned in the schedule to this Act are hereby repealed to the extent therein stated; but except as herein expressly provided such repeal shall not affect any concession, lease, license, or permit granted, or any right acquired, or liability incurred, or any appointment made, or any other matter or thing done, under the repealed Acts or any of them.

That is quite plain. I now pass on to Clause 5, Subsection 2, which reads as follows:—

> The rights conferred by all existing timber concessions, timber leases, and sawmilling permits are hereby preserved.

Surely that is quite convincing, and it seems to me also quite a right position to take up. Those people who have had these leases and permits have been for years working under the conditions under which they have paid their rents, and therefore any alteration proposed to be made should be subject to their rights. Instead of that, however, when one turns to Clause 24 it is found that those rights are encroached upon by the subject of hewing. Certainly, one of the rights the concessionaires and leaseholders and permit holders had was that of hewing. There is no getting away from that. Hewing is a very useful institution for those who hold large leases, not to precede the mill fallers, but to succeed them, and take out afterwards such trees as the mill cannot deal with, or as are situated in inaccessible places. And in spite of what the Conservator says, there are many deep gullies in which the timber is inaccessible to anybody except the sleeper hewer. In those circumstances it seems to me that the intention, at all events, is to interfere with this right very considerably. However, we now find that, under compulsion I believe, the Government have allowed this amendment to come forward permitting hewing under certain conditions. But those conditions give the Conservator the entire control of the situation, so that he can entirely stop hewing if he thinks fit. It is for the House to consider whether it is wise to put the Conservator in such a position, especially in view of the fact that it means interference with the rights stated by those two clauses to be preserved to the leaseholders. Apparently the Government desire to permit hewing, but it is a qualified permission, a permission qualified by the fact that the Conservator is to decide when and where and how trees may be worked by hewers. With a spot mill, he may say, there shall be no hewing whatever. Therefore I contend the Government are breaking faith with the first part of this Bill, in which they practically say that they do not intend to interfere with these concessions; and the Government ought not to interfere with these concessions, because hundreds of thousands of pounds have been spent upon them, machinery has been placed upon them, and in other directions very heavy expenses have been incurred. Now it is to be left to the Conservator to decide whether there shall be hewing or not. In those circumstances I say that unless those conditions are taken out of the Bill the Government will be breaking faith with the concessionaires and the leaseholders and others interested in timber areas. The Bill requires looking into very carefully. As I have said, it recognises the fact that the leaseholders have these rights. But, taking advantage of the position, the Government are endeavouring to invade those rights, or to qualify them in such a manner that they will be practically taken away or ignored. Then we come to another part of the Bill in which we find the Government again recognise the rights of those holding timber concessions and leases and permits. Clause 6 says—

> The Governor may (a) extend the terms of sawmill permits granted under the Land Act, 1904, so far as the operations thereunder have been temporarily discontinued in consequence of the present state of war——

That, of course, refers only to sawmill permits.

> and (b) so far as the operations under any existing timber concession or timber lease have been temporarily suspended in consequence of the present state of war——

That brings all three systems of tenure of timber country within the Bill.

> (i) extend the term of such concession or lease subject to payment, during the period of such extension, in lieu of the rent thereby reserved, of a royalty on all timber acquired

at the prescribed rate of royalty under this Act for timber acquired under permits, and to the regulations in force for the time being, subject to the proviso to Section 43——

Thus it will be seen that the Government are prepared to extend the term correspondingly with the period during which the concessionaires were prevented by the war from utilising the leaseholds while they continued to pay their rents. The Government recognise the injustice of that position, and say to the leaseholders, "We will extend your term by the period of the war, but we will do it at the increased royalty provided by this measure." The Government give the extension, whatever it may be, three or four years, but not at the rents already arranged—at the prescribed rate of royalty, not rent. In paragraph (ii) the Government say—

or (ii) within twelve months of the termination of the war, accept a surrender of any concession or lease, and issue, in lieu thereof, a permit under this Act of the same or other land at the prescribed royalty, the rent paid under the surrendered concession or lease during the period of temporary suspension of operations being credited to the permit holder and apportioned over the term of the permit.

If one has a lease or a concession with seven or eight or ten years to run, and says to the Government, "I will surrender this lease and take it up again as a permit, and I will pay the royalty"—that is the increased rent—instead of the rent I have been paying," in that case one gets this advantage, that the rent paid under the surrendered concession or lease during the period of temporary suspension of operations is credited to the permit holder and extended over the period of the permit. The first principle recognised by the Government is that if one surrenders timber country on which during the period of the war operations were suspended because nothing could be done, but during which period the rents have been paid, and if one takes up such country under the royalty provided by this measure, the Government place to one's credit the amount of rent paid during the period of the war, and extend that amount over the term proportionately. The Government admit both principles that I contend for. I contend that during the period of the war the terms of timber leases and the rents payable under those leases should not have been enforced, in view of the fact that no one could then make use of timber country. However, the rents have been paid regularly. If the Government recognise that it is right to extend the leases by the term during which work was compulsorily suspended, surely it is right that they should give some consideration for the amount paid during that term as lease rents. I am led to this conclusion from the fact that in the first Bill introduced into another place Clause 41, dealing with regulations, provided—

Regulation 42. Enabling the Governor, so far as the operations under timber leases have been temporarily suspended in consequence of the present state of war, on the application of a lessee (a) to extend the term of a lease subject to payment, from the approval of the application for such extension, of a royalty on all timber acquired at the prescribed rate for sawmill permits, and to the regulations in force for the time being: Provided that the rent reserved by the lease shall, so far as it extends, be applied in satisfaction of the equivalent royalty. . . . . .

Here again we see that the Government have recognised the injustice of the position. If I wanted further evidence, I would extend the kind consideration and patience of the House to the notice given on Thursday, the 24th October, by the Attorney General of certain amendments, which amendments included the addition of the following paragraph to Clause 5—

(3) The Governor may—(a) Extend the term of sawmill permits granted under the Land Act Amendment Act, 1904, so far as the operations thereunder have been temporarily discontinued in consequence of the present state of war; and (b) so far as the operations under any existing timber concession or timber lease have been temporarily suspended in consequence of the present state of war—(i.) extend the term of such concession or lease subject to payment, during the period of such extension, in lieu of the rent thereby reserved, of a royalty on all timber acquired at the prescribed rate of royalty under this Act for timber acquired under permits, and to the regulations in force for the time being, subject to the proviso to section forty-one: Provided that the rent paid during the period of temporary suspension of operations shall be credited to the lessee and apportioned over the period of such extension; or (ii.) accept a surrender of any concession or lease, and issue, in lieu thereof, a permit under this Act of the same or other land at the prescribed royalty, the rent paid under the surrendered concession or lease during the period of temporary suspension of operations being credited to the permit holder and apportioned over the term of the permit.

Surely the omission of this amendment from the Bill presented to this House requires the fullest explanation. We find the Government introducing into another place a Bill in which they not only provide for extension, in which they not only recognise the justice of applications for extensions, but also recognise that rents paid during the term a concession or a leasehold was not operated should be credited against the royalty to be paid during extension. I do not think I can put the matter more clearly; I trust I have made my meaning plain to hon. members; but by way of making the matter still more explicit may I be permitted to quote a notice of an amendment in Clause 6 which I intend to place on the Notice Paper. But first let me read Clause 6—

The Governor may (a) extend the term of sawmill permits granted under the Land Act, 1904, so far as the operations thereunder have been temporarily discontinued in consequence of the present state of war; and (b) so far as the operations under any existing timber concession or timber lease have been temporarily suspended in conse-

quence of the present state of war—(i) extend the term of such concession or lease subject to payment, during the period of such extension, in lieu of the rent thereby reserved, of a royalty on all timber acquired at the prescribed rate of royalty under this Act for timber acquired under permits.

The extra payments prescribed by this measure are to be made.

and to the regulations in force for the time being subject to the proviso to Section 43; or (ii) within twelve months of the termination of the war, accept a surrender of any concession or lease, and issue, in lieu thereof, a permit under this Act of the same or other land at the prescribed royalty, the rent paid under the surrendered concession or lease during the period of temporary suspension of operations being credited to the permit holder and apportioned over the term of the permit.

I trust that the hon. gentleman who leads this House with so much ability will recognise the justice of my contentions. In doing so he will be recognising the principles originally enunciated by the Government themselves in the Bill, and by the Attorney General in his notice of amendments. There is no getting past that. I am only asking for that to be reinserted in the Bill which the Government themselves considered fair. However, I may give some further reasons. We all know that during the war holders of timber country, whether concessionaires or lessees or permit holders, have been compelled very largely to suspend operations. I am not in a position to speak for all holders of timber country, or for all sawmillers or all timber merchants or all timber companies. But I am in a position to speak of one case in which I know the facts. During the time operations have been compulsorily suspended, those people have been confronted with a need for very heavy expenditure indeed; and I daresay that what I state of them would apply to many others. The Government rents paid by the company in question during the term of suspension of operations total no less than £25,500. That is the amount paid by the company to the Government for rent during the period of suspension of operations, a period during which by far the greater number of their mills were not working, owing to, I will not say no markets being open, since the markets of the world were greedily open and anxious to secure timber supplies, but owing to the lack of means of transport. From the Western Australian sawmillers' point of view, it was no use that the markets of the world were anxious or greedy for timber, since he could not ship any timber to them. Therefore it was of no use cutting down trees when there was nowhere to send them. Fortunately jarrah is not like wheat; it will not fall down of its own accord and so, if there be no market for it, it is left standing. One big item of expense is the maintenance. Imagine a company with 10 mills! One of the items of expenditure is 350 miles of railway. Think what it means to maintain that in order! Then there is the trained staff. All these expenses have to go on. The men have to be kept on in the office. Everything has to be maintained in preparation for what might be forthcoming; and such preparations have been and are being made as will render it possible to absorb in the mills a large number of our returned soldiers. We must keep our competent managers and supervisors. We cannot turn away men who know all about the business. And most of those men, while highly competent in the mills, were not competent to go to the war; they were nearly all rejects. But I am in the happy position of being able to point to the splendid numbers of mill workers who have gone to support their country in its hour of trial. Then there is the interest on buildings and on a capital of £1,750,000. There is some interest to pay on that.

Hon. W. Kingsmill: Is that working capital?

Hon. Sir E. H. WITTENOOM: It is paid-up capital, not nominal capital. Then there are the tram lines to maintain, and another large item is represented by the branches in all parts of the world. One of the great advantages of the timber companies in this State is that they have extended their activities to almost every part of the world. For instance, they have branches and agencies all through Australasia and New Zealand, India, Ceylon, China, Africa, South America and Great Britain. In each of those countries there is a depot, and the connection has been maintained so that the business can be reorganised at any moment. One might ask why this connection was maintained? Of course it is because no one knew when the war was going to cease, and if the agents had been disbanded we should not have been able to get capable officers at short notice. In the case of one of the companies, the loss sustained during the period of the war has been no less than £20,000 per annum or, to be accurate, a total of £68,000. I am pointing out these disabilities in order to show that it is a reasonable request that the Government should deal fairly with the question of rents. None of the timber companies ask for anything else. They say that during all this time they have endeavoured to keep their businesses going so that they may be prepared to reorganise those businesses as quickly as possible. Before the war one company was employing 3,750 men, and their community numbered from 10,000 to 12,000 souls. A business like that is worthy of consideration. The whole of the trade with England was ruined. A magnificent wharf in England which belonged to the company and was loaded with timber when war broke out, was taken over by the Government, together with the timber, for war purposes?

Hon. W. Kingsmill: Where was that?

Hon. Sir E. H. WITTENOOM: In London. All the business practically collapsed and had to be nursed during the war to be available after the war for the re-employmen of the 3,750 men. In those circumstances surely the Government should not be

too exacting in the question of rents. They have admitted the justice of this request, yet for some reason I find no reference to it in the Bill. The Attorney General provided for it on the Notice Paper, but I do not find it in the Bill after all. Yet it is recognised that if anybody chooses to surrender a lease he can have those very terms.

Hon. W. Kingsmill: Was the proposal rejected in another place?

Hon. Sir E. H. WITTENOOM: I cannot remember, so busy have I been with the French visitors. To be just, I must say I heard it had been rejected in another place in a very small House, and that the rejection was quite against the views of a large number of members in that place. I ask members here is it not fair and just that some consideration should be given to these timber companies who have been so unfortunately placed during the last few years? The principle is recognised in Subclause 2 of Clause 6, and I should like to be informed why it cannot be extended. It may be argued that the timber companies should not have kept up their expenses during the war—that they should have closed down everything. The answer to that is obvious, namely, they desired to be in a position to resume operations when the opportunity should arise, and to find employment for the large number of men who have to come back from the war. In connection with the Conservator, I again express the view that he is given immense powers. I think the responsibility is on the Government to show that he is fitted to be placed in such a position He may be one of the best men in the world, but on the other hand he may not be. He may be a theorist. He may have gained his experience in countries altogether dissimilar from Western Australia, and I think we ought to have some assurance that he is peculiarly fitted for the position. We all recognise the importance of this industry. I believe it should be conserved as far as possible without undue interference with existing conditions. The Minister said that if operations had gone on as they were going before the war, the forests would have been cut out in 25 years. I am inclined to go further and say that they would have been cut out in 10 years; because there was a largely increasing demand for timber, and with a number of mills going in every direction they would have decimated the forests to a very large extent. In the interpretation of "owner" I find no reference to "concession." Does it include concessions? I should like the Minister to tell us that. In regard to the Conservator, it is provided that if he be suspended he shall not be restored to office unless each House of Parliament declares by resolution that he ought to be so restored. I should like the Minister to tell us how often the Conservator can be suspended and restored. I suppose there is no limit.

Hon. J. Ewing: I should think that once should be sufficient.

Hon. Sir E. H. WITTENOOM: In Clause 33 it is provided that a permit holder may make roads, construct and work tramways, and extend them on to Crown lands. But what about the removal of the tramways at the end of the term? I should like the Minister to answer this also when replying. I find that in Clause 43 provision is made for regulations enabling the Government to extend the term of sawmill permits. I understand that very few permits have exercised their rights for the full term of years, and amongst those who have least exercised it, I am told, are the Government mills which are the largest permit holders. I am informed that the Conservator has stated he considers they have enough cutting for 100 years' supply. Apparently they have been very generously dealt with. How far will the Governor extend these permits for 100 years' supply? The Government again recognise the rights of leaseholders and concessionaires in the proviso to Clause 43, which says—

> Provided that so far as such regulations apply to any existing concession, lease, or sawmill permit, such regulation shall not be inconsistent with the rights under such concession, lease, or permit.

Throughout the whole of the Bill there is an attempt to recognise the rights conferred, and there is at the same time an attempt to interfere with them. To sum up, the remarks which I wish the Colonial Secretary to deal with in the course of his reply are, first, whether the amendment that I have proposed will be entertained by the Government, that is that the amount of rents which have been paid on these concessions, leases, and permits during the term when they were inoperative owing to war conditions will be set against the extra amount of royalty which is intended to be placed upon them; and secondly, that he should explain the inconsistency as to why in two particular instances, namely, in connection with the schedule and again in connection with Clause 6, the Government are so emphatic in stating that they will not interfere with the rights of these holders, and then take away their hewing conditions. I should also like the Colonial Secretary to assure us in the most emphatic and convincing manner possible that the Conservator, upon whom it is proposed to place these enormous powers for an extended period and under such conditions that they can only be voted out by both Houses of Parliament, is a fit and proper person to occupy that position.

On motion by Hon. J. W. Kirwan debate adjourned.

BILL—FRUIT CASES.

Second Reading.

Debate resumed from the 7th November.

Hon. J. DUFFELL (Metropolitan-Suburban) [8.17]: It is my intention to oppose the second reading of this Bill. I do not consider that any good will be done by passing it. According to the statement of the Honorary Minister in introducing it, it will not be required at any rate before July, 1920. The Bill is full of absurdities, and if it were passed would do more harm than good. We have been for some time trying to induce returned soldiers, amongst others, to take up the in-

dustry of fruitgrowing. With that object in view, the embargo has been removed from some of the valuable lands and fertile gulleys in the ranges. It was hoped to induce soldiers to take up land that is suitable for growing fruit, particularly citrus fruits, and at the same time is in close proximity to the Perth markets. That being so it is somewhat strange that a Bill of this nature should be brought forward at this juncture, bristling as it is with absurdities, and which if passed would impose upon the fruitgrowers conditions which would be impossilbe for them to carry out and conduct their business under paying conditions. Let me instance the standard sizes of cases as put forward in the sheet accompanying the Bill. The sizes as set out there are for bushel and half-bushel and quarter-bushel cases. It is, of course, necessary that we should have a standard case, but a standard can be brought into vogue in a more simple manner than as provided in the Bill. This provides that the name of the maker of the case, and the grower of the fruit and his address, the quantity of fruit contained in the case, and many other particulars should be legibly stencilled upon it. This is one of the most absurd clauses in the Bill. The maker of the case shall be the one who puts it together. The cases which are generally used are what are known as collapsible dumps, and these are made by several of the large mills in the State, including the State sawmills. The cases are already put together, and are made collapsible so that when the orchardist gets it for packing the fruit all he has to do is to open it out, nail on the bottom, pack his fruit and then nail on the top. According to the Bill the orchardist who packs the case must stencil upon it the fact that he is the maker of the case. This is absurd, and he is also to be liable for the penalties provided in the Bill, if some mistake should have crept in on the part of the sawmiller in cutting the case. There are many things which have to be stencilled on the case. It will be something like a newspaper when it finally reaches the market. There will be marks all over it.

Hon. W. Kingsmill: They will make good reading.

Hon. J. DUFFELL: The same provisions also apply to the cases which are used by the orchardist in gathering his fruit for the purpose of conveying it to be sorted and classified before being packed. They must also bear his name and address, as set out in the Bill. How absurd this is! The Bill is indeed full of such absurdities. It is not required at present. Notwithstanding the remarks of the Honorary Minister, if the Bill is passed it will constitute one of the greatest deterrents that any Minister of the Crown, who is desirous of encouraging the fruit industry, can place upon it. The orchardist already has enough to contend with owing to the low prices which he has been getting during the last three or four years for his fruit. When we take into consideration that we are trying to induce returned soldiers to grow fruit with brighter prospects as to prices now apparent, and to take up these healthy conditions of earning a livelihood, it is absurd for us to consider a Bill containing such ridiculous proposals as this Bill does. They will have a more baneful effect upon the industry than any other measure that I can think of. I hope hon. members will see that a Bill of this nature is not required. Most of the sawmills in the State are cutting timber by machinery to the required sizes and giving close attention to the work. To bring in a Bill like this for the purpose of dealing with the export trade is nothing short of an absurdity. If the fruit grower intends to export his fruit, he would be little short of an ass to attempt to put citrus fruits, for instance, into a case which was made for grapes or tomatoes. I cannot conceive of any orchardist being so ridiculous as to pack fruit in a type of case which was unsuitable for it. But according to the opinion expressed by the Honorary Minister, it is just possible that some men will do such a thing, and to prevent it he considers it necessary to bring in this Bill. There may be other reasons for its introduction. It is somewhat remarkable that the Honorary Minister has now got control of the jam factory. It is strange how this jam factory is continually cropping up in this Chamber. Now that the Honorary Minister has charge of it, it is just possible he wants his pound of flesh, and full measure in the cases he will get in connection with the working of the factory. If the Bill does pass the second reading I shall in Committee debate every clause of it, and do all I can to convince hon. members that it is unnecessary. I assure hon. members that the Bill is unnecessary to induce orchardists to pack their fruit in the best possible manner, and to induce them to give measure for measure according to the requirements of the foreign markets and those others outside the State. I hope the Bill will not be read a second time.

Hon. E. M. CLARKE (South-West) [8.30]: I have carefully read the remarks the Honorary Minister made when introducing the Bill and the reasons which he gave for asking the House to pass it. Speaking with some considerable experience of the fruit-growing industry, I say he has not given one single sensible reason, to my idea, for introducing a Bill such as this. He has to a certain extent shown the weakness of his case, because he says the Bill will not come into operation for some time. The way things are going at present we shall not want fruit cases, because we shall have no fruit to put into them. I am sorry to say there are scores of acres of orchards which for several years past have been allowed to go to ruin. Why? Because they are not paying. Now comes the Minister with a Bill which contains drastic clauses calculated to hamper the fruit grower more than ever. Mr. Duffell has pointed out that there are thousands of cases which are already cut to a certain size which cannot now be altered. What is to become of these? They will have to be used, otherwise they will have shrunk so much that they will be condemned under the Bill.

Dealing with the shrinkage, one fruit-grower sent me two or three of the fruit cases, one of which shrunk fully half an inch. Under the Bill 2½ per cent. is allowed for shrinkage. The cases to which I refer are outside the Chamber and any hon. member can see them. The breadth of the end of the case governs the whole of the size. Two boards are nailed on one side and two on the other, with the result that the pieces to which the boards are nailed shrink to the centre and reduce the case by a tremendous ratio. That proves to me that whoever drafted the particular clause in the Bill dealing with this matter did not know very much about fruit cases. As Mr. Duffell has pointed out, under the definition of "maker" the Government mills will be responsible for the cases that they have made, and they will be made in such a way that they will collapse and come together. When they are opened out there is nothing more to do in the way of completing them except to put the lid on them. Clauses 3, 7, 9, 11 and 12 are, in my opinion, quite sufficient to condemn the Bill. I have not spoken of the fruit industry in the manner I have done because I want the sympathy of anybody, but I do want a Bill which will encourage the orchardist to grow fruit. At the present time orchards are being allowed to go to ruin and on top of that along comes the Minister with a Bill such as this which should never have a moment's consideration. I hope hon. members will vote against it and thus save the time of the House.

On motion by Hon. J. Ewing debate adjourned.

BILL—STATE CHILDREN.

Select Committee's Report.

Hon. W. KINGSMILL (Metropolitan) [8.37]: It is my intention, at the conclusion of the few remarks that I have to make, to move that the report of the select committee be taken into consideration when the Bill itself is in Committee. This is the only opportunity I will have of dealing with the report of the select committee, as I shall be in the Chair at a later stage and I desire to lay before the House the reasons which have actuated me at all events—the other members of the committee will be able to speak for themselves—in arriving at some of the conclusions which are embodied in the report, I intend to do so as briefly as possible. In the first place the report which is now before hon. members states that on the question of the control of the departments of State dealing with children the select committee which consisted, and consisted most unusually, of four members, were equally divided. Let me say at once that this brought up a defect in our Standing Orders relating to select committees which was made apparent. I need not find the Standing Order, which is a very short one, but it provides that when the voting is equal in a select committee the Chairman has not a casting vote. The question, it is provided, shall pass in the negative. So hon. members will see it behoves the Chairman to be extremely careful of the sort of question he puts. If I had chosen to take advantage of that Standing Order, and believing as I did that a change of control was necessary, and if I put the question that the present system of control of the children's departments throughout the State should continue as at present, then that question would have passed in the negative, and I could have achieved my object.

The Colonial Secretary: You would have had to vote for it.

Hon. W. KINGSMILL: Not as chairman of the select committee. The absurdity of that Standing Order is very apparent, when we see the form in which the question is put. It is left entirely to the discretion of the chairman, and if the chairman chooses to put his question in such a way that a negative result brings about the state of affairs he wishes, the rest is easy. However, we thought it better in this case to be honest and not to adopt any trickery, but to say that the committee were equally divided on this particular question. I have no doubt my colleagues will speak their own views in this connection. I regret this should be so, because I still believe, and the evidence which was brought forward, in my opinion, tended to show, that administration by a State children's council is likely to bring about better results than administration by a department. There are two States in Australia which are at present under this control, the State of South Australia, where the system has been in vogue for some years, and the State of New South Wales, where again it has been in vogue for some years. Amongst the witnesses from whom we had testimony were State officials and they themselves took different sides on this question. We found that the head of the State Children Department was very much opposed to control by a State children's council, and yet we found that his senior inspector, a man of years of experience, and who gave us most valuable evidence, advocated the creation of a State children's council, and lauded to the skies the work of the State children's council in New South Wales. So we see that not only the select committee, but the officers of the State Children's Department themselves are divided on this question. However, as this is not likely to enter to any great extent into the subject that is being considered, I will pass it by. I have no doubt the leader of the House in Committee will explain the reasons why an offer, which was made by certain private individuals, but which was evidently genuine, to finance the erection of suitable buildings to be used as a children's court has not been either accepted or declined. There is no doubt whatever in the minds of the committee that the premises which are still doing duty as a children's court are entirely inadequate. The leader of the House will agree with me that they are utterly unsuited for the purpose for which they are being used and if that is so, and if the Government find themselves unable to arrange for the erection of suitable buildings, they will not lose dignity and they will be doing a good turn to the children of the State if they accept the offer which was generously and I believe genuinely made. With regard to the

children's court, I think even the work that is being done up to the present time has proved of value. Of course the whole trend of legislation with regard to children and the whole trend of children's courts has been to revise what is, after all, and has been for, I may say, centuries, the common law of England, which recognises that a child up to the age of seven years is not capable of committing a crime, but, strange to say, after the age of seven is capable of committing a crime. That is obviously an absurdity, and it has been recognised as such in most of the civilised countries of the world. Throughout the Dominions of the Empire, at all events, it has been so recognised. In England now the crimes of children up to the age of 16, if they can be called crimes, are dealt with by children's courts. In this State the statutory age is 18; in America it is 18, and it is to America that we have to look as the pioneer in the consideration of child life, and more particularly in connection with these children's courts. As a matter of fact, in America children's courts occupy the best positions in the town. They are wonderfully well equipped with buildings and officers, and not only are there officers but there are advisory boards appointed by the children's courts. These boards take the place of the State children's councils which exist in Australia. I think the first children's court that was established in America was established in a city which needed it very badly, namely, Chicago, and the effort was so recognised in that city that when the court was established there in 1899 no fewer than 22 probation officers were appointed at the expense of a private association to watch the career of the children after they had been before the court. We would like to see similar probation officers appointed in this State. When the court was established there in 1899 no fewer than 22 probation officers were appointed at the expense of a private organisation in Chicago, for the protection of children, to carry out the supervision of those children who did not attend before the court. Not only this, but a handsome Children's Court was erected by the same association. I I understand that to-day the officers of the Childrens' Court in Chicago deal with no fewer than 6,000 children annually. Let me say at once that if a satisfactory Children Act is passed in this State, giving to us a properly constituted Children's Court, with the necessary number of probation officers in whom adequate power is vested, it will, for me, solve the problem of the transfer of the control of State children from the department to a State Children's council. It has been found that many children are brought before the court for whom an inquiry is more necessary than a criminal process. For a criminal child, a probationary period may be ordered, and during that period it should be possible to send the child to an institution, either subsidised by the Government or unsubsidised, or to an individual, as the court may think fit. If this can be brought about, we shall have done a great deal for the improvement of the condition of our children, and will have brought our State Children law into conformity with similar laws throughout the world. The State Children law in Great Britain was passed in 1908, and much advantage was taken of the experience of America. A book, which I have here, published by Mr. Richard Clarke Hall, a Children's magistrate from the inception of the Children's Act, consists very largely, in fact, to possibly the extent of 25 per cent. of the whole book, of quotations from the standard work on Children's Court and probation written in America by Messrs. Flexner and Baldwin. With regard to the influence of State Children's councils, it is a noteworthy fact that in South Australia and in New South Wales, where the control of the State children is in the hands of these councils, institutional life for the child is at its lowest and the boarding-out system is at its highest. In the evidence given by Major MacClure, of the Salvation Army, before the select committee, it was stated by that gentleman that in South Australia, with a population much larger than that of this State, the total number of children in the institutions controlled by the Army is lower in actual numbers than in this State, and in New South Wales no such institutions exist. Speaking of New South Wales, the Committee was much struck by the description of certain children's cottage homes at Mittagong, where children are separated into lots of not exceeding 16 under one roof, with most admirable results. The Committee have further recommended that, in future, it would be well if the institutions now existing and subsidised by the Government were inspected at more frequent intervals than in the past. We have had it in evidence that the extension of the functions of the State Children's Department in late years, in the direction of boarding out a larger number of their children, has necessitated the employment of their officers to supervise this new development to such an extent that the inspection of many of these institutions has suffered. Let me now deal, as briefly as possible, with the amendments recommended by the Committee. The first amendment occurs in Clause 2, paragraph 1, which paragraph it is proposed shall be deleted, as the Committee considers that the definition of "institution" in the parent Act is wider and gives a better opportunity of commitment of children to whatever class of institution is desired than that contained in the Bill. When a child appears before the Children's Court, the board should have power to order that child into the care of any person, or any body, or any institution which the court may think fit. This, I think, is a very natural power for the court to wish for, and in asking for it they have the complete support of the Committee. Paragraph 2 contains an alteration in the definition of the expression "State child" by the insertion of the words "or an incorrigible, uncontrollable or convicted child." The Committee thinks that the word "convicted" should be struck out. This recommendation is made because it is well known that children are frequently

brought before the court for the most trivial offences, sometimes, for instance, for offences against the municipal by-laws. If the evidence goes against the child, there is no course open to the court but to record a conviction. This would mean that until this child is 18 years of age he would be looked upon by the department as a State child, and would suffer from any disadvantage that would entail. The recommendation in regard to Clause 4 simply rectifies a clerical error. With regard to Clause 6, it is in evidence—I am sorry that the evidence is not yet to hand from the printer, so that I could read it to hon. members—that not in every case have the wishes of the court been respected by the State Children Department. Commitments have been made of children who have been before the court to certain institutions; but the order of the court has been varied at the discretion of the State Children Department. Surely a court is the highest authority in the land. It would be a very peculiar thing indeed if the order of the court in the case of an adult were varied by a Minister or a departmental head. We know that such a thing has been done, but the Minister who did it met with a good deal of reprobation for his action. The committee do not think, and I do not think, it is right that any variation of the orders of the court should be made. If the court is unsatisfactory, change the court; but while we have the court we must respect the wishes of the court and respect the commitments which it makes. The leader of the House will be able to see the evidence to which I have alluded. We have it in evidence that the orders of the court are not always respected.

The Colonial Secretary: They have been varied by the Minister on one or two occasions.

Hon. W. KINGSMILL: I do not think that is proper. The only persons to vary the orders are, in my opinion, the court themselves. If the court is unsatisfactory, the Government can introduce legislation to change it.

The Colonial Secretary: The Government have no complaint whatever against the court.

Hon. W. KINGSMILL: Then I say it is not a good practice, but a practice which can lead to a good deal of abuse, this variation of the orders of any court by even Ministers. That the opinion of the select committee, and it is very strongly indeed my own opinion. The committee have accordingly thought it well to add to Clause 6 the following new paragraph:—

> Upon any order having been made in connection with any child by the Children's Court, it shall be the duty of the department to carry out in all particulars such order.

I am sure the leader of the House expected the next amendment, namely, the deletion of Clause 9 of the Bill. That clause provides for the placing out for service or apprenticeship of children by the secretary of the State Children Department only. A deputation from those institutions which have been in the habit of placing out and apprenticing their children, waited upon the Colonial Secretary, and met from him with so sympathetic a reception that the select committee, on hearing members of the deputation give evidence, were emboldened, in view of the attitude of the leader of the House, to accede to their wishes and not take away from those institutions the powers which they, with the knowledge they possess of the children, and with the knowledge which in most cases they possess of the prospective employers, can exercise with greater discretion and with greater benefit to the child and to the State than can any departmental secretary. It is therefore recommended that the present system, whereby the secretary of the State Children Department is notified, be not departed from, and that Clause 9 accordingly be struck out. The same remarks apply in large measure to Clauses 10, 11, and 12. Those clauses refer to financial arrangements made between the institutions in which the children have been reared before being placed out, and the children themselves. Those institutions now have the power—and a very necessary power, and so far as the committee could ascertain, a power which is most judiciously used—of keeping in the Savings Bank account of each child a certain proportion of his or her wages. The institutions acknowledge that this system gives them a certain amount of trouble; but there has never been any complaint, so far as we can learn, on the part of those interested. The representatives of the institutions say that the system establishes a bond of union between the institutions and their old boys and girls which is valuable both to the institution and to the child. They are willing, therefore, to take charge of this money, from which they derive no benefit whatever; but they are most anxious that there should be a Government audit of these accounts. Such audit would be of the simplest possible description, and would occupy a minimum of time. The committee have therefore recommended that that wish should be acceded to. Under clause 18 a new difficulty arises, the difficulty of dealing with cases of illegitimate children. The clause refers to Section 106 of the principal Act, which section reads—

> (1.) Every licensed foster-mother shall keep a register in the prescribed form containing in respect of every State child received by her the prescribed particulars, and in respect of every other child received by her, the following particulars, so far as such particulars are capable of being ascertained by her, that is to say: (a) the name, age, religion, and place of birth of the child; (b) the names, addresses, and description of the parents; (c) the name, address, and description of any persons other than the parents from or to whom the child was received or delivered over; (d) the dates of receipt and delivery over; (e) particulars of any accident to or illness of the child, and the name of the medical practitioner (if any) by whom attended. (2.) Such register shall at all times be open to inspection by the department or any officer thereof, and the foster-mother shall every three months forward a copy thereof to the department. Provided that such register shall at all times be open to an accredited officer

of the department and at such other times to such persons as the Minister may direct. Now it is thought that this clause if carried into effect—as I presume it would be—would compel every licensed foster-mother to give, for instance, the names and addresses and the descriptions of the parents of every child in her care. It is not considered advisable that this should be done, because of the proviso to the clause. I suppose that while we have our present social system there will always be illegitimate children. As long as those illegitimate children are being cared for by those who are responsible for them, there is no necessity whatever to take any steps which will in any way tend towards the discouragement of those who are willing to look after such children. That being so, your committee do not think it advisable to have all the particulars asked for available apparently to all the officers of the State Children Department; and it is to that end that the committee advocate the striking out of the clause. Clause 19 contains a proposed new section for the principal Act, which new section is provided with a view, I understand, of preventing what is known as baby farming—

> No premium or reward shall be paid or offered to any person for maintaining or taking care of, or undertaking to maintain or take care of, any child under the age of six years, and no person shall offer or agree to maintain or take care of such a child for a premium or reward: Provided that nothing herein shall prevent the payment of a reasonable weekly or other periodical sum approved by the secretary to any person for taking the entire charge of any such child, but so that no sum shall be paid more than four weeks in advance.

Your committee had it in evidence that in certain cases, such as those of soldiers going to the Front, some of them married and some unmarried, it was desired to leave in charge of certain persons a sum of money for the care of children, some of them born in and some of them born out of wedlock. If this clause were to come into operation, such an arrangement would be rendered illegal. That I think distinctly wrong. We should not in any way discourage, if we can help it, compatibly of course with public policy, those persons who are willing to look after the unwanted children who come into the world. This, above all times, is not the time to initiate a policy of that kind. For that reason your committee have resolved to recommend the deletion in this proposed new section of the word "periodical" and also of the words "so that no sum shall be paid for more than four weeks in advance."

Hon. Sir E. H. Wittenoom: Why not strike out the whole clause?

Hon. W. KINGSMILL: I do not think that would be wise, because it may be noticed that these sums may be left with certain associations, not State associations, for the care and protection of children, or with the Salvation Army institution known as "The Open Door," or with the Children's Protection Society, or with solicitors. Thus it will be seen that the sums would be left with thoroughly respectable persons. But if we insert such a provision limiting the amount deposited to not more than four weeks' allowance, we destroy the chances of a great deal of useful work being done on behalf of these children born, as I have said, some of them in wedlock, some out of wedlock. That is the reason which actuated the committee in making their recommendation in this particular. Again, Clause 21 was criticised a good deal by the witnesses—and we had some 19 witnesses on various clauses of the Bill. Many witnesses criticised Clause 21 pretty strongly. The clause reads—

> The following sections are hereby inserted in the principal Act, after Section 117:—117a. The home or place of residence, and every part thereof, of any illegitimate child under the age of six years, shall at all times be open to entry and inspection by any female officer of the department. . . . .

It is a very good thing, in order to prevent cruelty to children and to see they are properly looked after, that these homes should be open to inspection; but in order to provide that such inspection shall be carried out with as much discretion as possible, and that persons shall not be deterred from giving homes to illegitimate children by the fear of being annoyed by inspections which are not needed, it is thought fit to fix the responsibility for the ordering of these inspections upon some responsible officer. Your committee have therefore recommended that no such inspection shall be made except with written authority of the permanent head of the State Children Department. I do not think any objection can be taken to that, and I hope the leader of the House will be disposed to accept the amendment. In Clause 22 an amendment is proposed that is more or less of a machinery amendment and does not involve any principle. It provides a monetary penalty in lieu of imprisonment for certain offences. Then there are certain new clauses which your committee wish to see added to the Bill. The first new clause is one of repeal—the repeal of the State Children Act of 1915. That is a very small Act, consisting of only two clauses, the executive part of it being contained in one clause, which deals altogether with the Children's Court. While the Act is inferentially repealed by the clauses of this Bill dealing with the subject, still it is thought well to include in this measure a definite repeal. For that purpose we recommend a clause, to stand as Clause 2, repealing the particular Act in question. Now the other new clauses, 6, 7, and 8, deal with the Children's Court and its powers and its policy. As I have said, there have been some very trivial offences for which children have been brought before the Children's Court, such as the infringement of trivial municipal by-laws, the kicking of a football in the streets, playing in the parks, climbing trees—which I think every member interested in children will admit is the only purpose for which a tree grows. One child was brought before the court because he was fishing. He has my deepest sympathy. He was fishing with a bit of string on a bit of a stick, without any hook, yet he was haled before the

court as an offender. It is obvious that in cases of that sort some other procedure is needed.

Hon. Sir E. H. Wittenoom: What sort of a man brought that child before the court?

Hon. W. KINGSMILL: An inspector. In New South Wales—and the idea comes from America—when children are guilty of very minor offences a letter is written to the parents acquainting them of the fact that this young ruffian of theirs has been guilty of an offence against some petty municipal by-law. He is not served with a summons. A notice is sent, and he is bound by that notice to attend at the Children's Court. At present it is impossible for our Children's Court to do anything but record a conviction if it is shown that the child is guilty. It is not right. In many cases it is not the child, but the parents who require punishment—and in these minor offences it is indeed the parents who are punished, because very often the parents have to pay the cost of the summons and, not only that, but have to lose the time and, I suppose, the money necessary for them to attend the court. Your committee is anxious that the cost of the summons should be saved to those parents, and they recommend the adoption of the system which has been imported into New South Wales from America, namely, the sending of a notice. If that is not sufficient to bring the child to court, then of course a summons must be issued and he must take his chance before the court. The second proposed new clause, Clause 7, provides that—

> The court in committing any child to an institution shall have regard to the future welfare of such child and may direct such child to be detained in one of the institutions scheduled in the State Children Act, 1907, or in some other institution as the Governor may approve of, at which such special training and supervision can be provided as may best meet the needs of any special case.

That widens the field of commitment which the court possesses and which the court itself wishes to have widened. Clause 8, again, is giving more discretion to the Children's Court. It provides—

> Notwithstanding the provisions of any Act, by-law, rule, or regulation, the court in awarding punishment or penalty upon any child may have regard to the antecedents, character, age, health, or mental condition of the child convicted, and may take into account the nature of the offence or any special circumstances of the case, and such court may, notwithstanding the nature of the evidence adduced, refrain from recording such conviction or from imposing any punishment, penalty, or fine.

That is very necessary. It takes away the system of the court recording a conviction against a child for an offence which may be trivial in the extreme. It enables the court to carry out functions alluded to in the report, functions which should be reformative instead of punitive, and it is a clause which I think is very badly needed indeed. The other new clause only deals with the amendment I have already alluded to, providing that accounts of wages kept for children by institutions shall be subject to a Government audit at prescribed periods. That is all the remarks I have to make on the Bill. The committee, I think I am justified in saying, took a very great amount of trouble with the Bill and examined a large number of witnesses. They can highly commend certain parts of the Bill, particularly that in regard to the restriction of the ages of various classes of child labour. They think the Bill, more especially if amended in the directions they indicate, will be a distinct advance on existing legislation. As I have said, it was not without a great deal of discussion that the conclusions which the committee are unanimous upon were arrived at, and while the discussions in that connection were very protracted, the discussions on the questions which they did not agree upon were even more protracted. I should like to place on record my appreciation of the work done by the "Hansard" staff in connection with this select committee. It happened on two or three occasions that, after a morning's work, when we had been examining witnesses for two and a half hours, the whole of the evidence was in our hands within half an hour after the conclusion of the taking of that evidence. That is a matter which any "Hansard" staff, more especially one such as ours, which is worked to absolutely the last ounce with Royal Commissions, select committees, and long sittings of Parliament, may well be congratulated upon. This is the second occasion upon which I have had to congratulate "Hansard" on its work, and I have great pleasure in doing so. I beg to move—

> That the report of the select committee be taken into consideration when the Bill is in Committee.

On motion by Hon. J. Duffell, debate adjourned.

House adjourned at 9.23 p.m.

Legislative Assembly,

Tuesday, 26th November, 1918.

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

SITTING DAY, ADDITIONAL.

The PREMIER (Hon. H. B. Lefroy—Moore) [4.37]: I move—

> That for the remainder of the session the House shall meet for the despatch of business on Fridays at 4.30 p.m., in addition to the days already provided, and shall sit until 6.15 p.m., if necessary; and if requisite, from 7.30 p.m. onwards.