member's remarks, but there was no need for him to make the statement he did. These details show that his assertion is not borne out by the facts.

I realise that I have been speaking for a long time. There are many points I have not touched affecting matters that were mentioned by members during their Address-in-reply speeches. The information I have given to-night in reply to members is as up to date as possible and can be taken as accurate. I have endeavoured to obtain details respecting other matters, but the information has not yet come to hand. I will make it available to the House when it is in my possession. The general tenor of the debate this session has been gratifying. There has been some criticism which, I presume, is inevitable. At the same time it appeared to me that the criticism offered in many instances was constructive, and certainly was not so severely destructive as it frequently is in this House. From the remarks of many members I believe they realise the difficulties ahead of the Government, particularly in view of the pessimistic outlook that appears to confront the farming community and primary producers generally. Due to other factors as well, this will mean a considerable reduction in the revenue available to the Government this financial year. In those circumstances it will be recognised that, although many of the requests were made by members as essential in the interests of their electorates, the Government will not be able to accede to all the suggestions for financial assistance. Nevertheless it will endeavour, to the best of its ability, to be fair in the distribution of the money at its disposal. I thank members for the courteous hearing they have accorded me.

Question put and passed; the Address adopted.

On motion by the Chief Secretary resolved: That the Address be presented to His Excellency the Lieut.-Governor by the President and such members as may desire to accompany him.

ADJOURNMENT SPECIAL.

THE CHIEF SECRETARY (Hon. W. H. Kitson—West) [10.9]: I move—

That the House at its rising adjourn till Tuesday, the 13th September.

Question put and passed.

House adjourned at 10.10 p.m.

Legislative Assembly.

Wednesday, 31st August, 1938.

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

QUESTION—RELIEF WORK.

"C" Class Men, Definition, and Earnings.

Mrs. CARDELL-OLIVER asked the Minister for Employment: 1, Will he define the work of a "C" class man on relief work? 2, Is any of such work piecework? 3, If so, what is the lowest weekly amount earned by "C" class men in such piecework? 4, What is the highest weekly amount so earned?

The MINISTER FOR EMPLOYMENT replied: 1, Forestry and land clearing. 2, No. 3 and 4, Answered by No. 2.

QUESTION—RAILWAYS.

Diesel Cars, Inadequate Accommodation.

Mr. SEWARD asked the Minister for Railways: 1, How many special trains were necessary to transport passengers who were unable to secure accommodation on Diesel cars last Friday? 2, What was the cost of running the special trains? 3, Will he make arrangements to notify his department of the approach of school holidays at Christmas and Easter, so that adequate transport may be provided for intending passengers?

The MINISTER FOR RAILWAYS replied: 1, Three. 2, £76. 3, This is not necessary; the specials were run to accommodate delegates returning home from the Country Women's Association conference.

QUESTION—EDUCATION.

State School Grounds.

Mr. NORTH asked the Minister for Education: 1, Which State schools in the metropolitan area are in urgent need of attention respecting the condition of their grounds by way of drainage and resurfacing? 2, Is he in a position to state which of such schools will receive attention first?

The MINISTER FOR EDUCATION replied: 1, Many schools in the metropolitan area are in varying need of attention and all are being dealt with as opportunity offers. 2, No.

QUESTION—YAMPI SOUND IRON ORE DEPOSITS.

Number of Employees.

Hon. C. G. LATHAM asked the Premier: How many persons were employed at Yampi Sound on the 31st December, 1937, and on the 31st May, 1938.

The PREMIER replied: 31st December, 1937, 38; 31st May, 1938, 70. It is pointed out that the figure for 31st December is not a true indication of the position as a considerable number of men had been permitted to leave for the holidays.

BILLS (2)—FIRST READING.

1. Mullewa Road Board Loan Rate.
2. Pensioners (Rates Exemption) Act Amendment.

Introduced by the Minister for Works.

PAPERS—MIDLAND LIGHT LANDS.

Case of Henry George Townsend.

HON. P. D. FERGUSON (Irwin-Moore) [4.36]: I move—

That the file dealing with the application, granting, and forfeiture of 10,000 acres of light land situated between the Midland Railway and the coast by Henry George Townsend be laid upon the Table of the House.

I do not think the Government will have any objection to this file being laid on the Table of the House. There are, however, one or two facts connected with the matter and with the reason for my motion, with which I would like to deal. Between the Midland Railway and the coast exist several million acres of sandplain. A great deal of this country is idle, and has always been idle. Much of it is also useless and incapable of being put to profitable development. Some portions of this area, however, are capable of development, and if carefully improved, and with careful husbandry, would produce something in the way of wealth for the State. This wealth production would be associated with sheep and wool. A considerable area of this country might profitably be used in conjunction with land held by farmers in other parts of the district, land of a more fertile nature. Recently a man named Townsend selected approximately 10,000 acres of this light land. The Lands Department, in an endeavour to assist him to take up land and settle upon it, allowed him to hold this area on very easy terms. It was realised that this gentleman would be serving a useful purpose by comprising one more of the State's settlers. Mr. Townsend was accordingly allowed to select this land at the very low rate of 5s. per thousand acres per annum. This gave him only the grazing rights. If, later on, he felt inclined to take up the area under conditional purchase conditions, the price would probably have been 1s. per acre, the minimum price at which land can be selected under the Land Act. The local road board, after the land had been occupied by this settler, struck a rate of 9s. 1d. per annum on the 10,000 acres. That was all right, as the money would probably have been used to assist him and other settlers in obtaining road access to their blocks. Immediately afterwards the Taxation Department levied a land tax of £7 11s. 6d. per annum in respect of that area. After the Lands Department had allowed the man to have the area at 5s. per 1,000 acres per annum and the road board had rated the whole area at 9s. 1d., the Taxation Department saw fit to levy such a tax on the holding. The inevitable followed. The man would not go on with the proposition. Had he done so, he would have gone out into the never-never in order to take up a virgin area of exceedingly poor country and endeavoured to do some good for the State. He promptly forfeited the block, which reverted to the Lands Department and the State was the loser. If the Taxation Department is to be used as a medium for preventing, or at least hindering, legitimate settlement of our land, it cannot be said to be serving a useful purpose. All Government departments should realise that it is their

duty to assist legitimate land settlement. The action of the Taxation Department cannot be regarded in that category, and, in fact, the valuation placed on this man's holding by the Taxation Department was at least 250 per cent. higher than the value that would have attached to the property had it been taken up under conditional purchase conditions. I desire the papers to be tabled so that the Press and the people generally may be informed as to the effect the Taxation Department is having on land selection. If the statements I have made are borne out by the information contained in the file, surely the Taxation Department should be advised that it was unreasonable in its attitude and that the State did not expect value to be placed on land that would deter settlement. The land in question in its virgin state has absolutely no value. It has been the property of the State from the inception, and no inducement has been held out to people to take it up. That is because, with the application of the most up-to-date methods of farming, profitable returns can hardly be expected from it. Even so, when we had an offer from a man who was prepared to take up such an area and spend his money in its development, as a result of which the State might have reaped more advantage than the settler, it is ridiculous for a department of the State to place obstacles in the way. I do not think there will be any objection on the part of the Government to the papers being placed on the Table of the House.

On motion by the Minister for Agriculture, debate adjourned.

MOTION—LEGAL PRACTITIONERS ACT.

To Inquire by Select Committee.

MR. SLEEMAN (Fremantle) [4.44]: I move—

That a select committee be appointed to inquire into the operations and general ramifications of the Legal Practitioners Act, 1893, and its amendments, particularly the protection of the public from unscrupulous and dishonest members of the profession.

The motion deals with a subject of which we have heard much in this Chamber during the past few years. I hope on this occasion we shall dispose of it and, as a result, secure a measure of reform in connection with the legal profession. If we achieve that objective, I trust the matter will not come before us again. I understand the legal profession and the Leader of the National Party in this Chamber support the proposal to appoint a select committee. In fact, I understand all the legal members of the House will support the motion, and that the Minister will not oppose it. In the circumstances, it will not be necessary for me to speak at the length I deemed advisable in past years. My attention has been drawn to words contained in the last two lines of the motion which, it is said, are regarded as offensive by certain members of the legal profession. I do not desire to be offensive, although most decidedly I would be offensive to unscrupulous and dishonest lawyers. I want it distinctly understood that I do not condemn all members of the legal profession as being in the category of unscrupulous and dishonest practitioners.

Mr. Fox: They do not say that they are all pure, do they?

Mr. SLEEMAN: No, nor would I expect them to be so. As those words are regarded by many members of the profession as offensive, I have indicated my willingness to accept an amendment to delete them. The legal profession is like every other section of the community in that it includes the good and the bad. I am prepared to admit that there are more honest and conscientious lawyers than there are unscrupulous individuals in their ranks. At the same time, I believe there are more black sheep among them than there should be, considering their numbers. During the past few years a number have defaulted without any protection being afforded their clients. However, I have agreed to accept the amendment I have indicated. I realise that the majority of the legal profession are decent men, and I do not desire to give offence to them.

There are certain aspects of the legal profession that call for inquiry. In the first place, I do not think that the acceptance of premiums is right or proper. The practice imposes a hardship on the poorer young men of the community who cannot afford such an expense. Premiums are not permitted in many industries and businesses, yet lawyers are allowed to accept premiums when lads are articled to them for training in the legal profession. Another complaint that has substance is that young men who are

articled do not receive the training that they can rightly expect. In the industrial arena, examiners visit various factories to see that the apprentices receive proper instruction in plumbing, carpentry, or whatever the trade may be to which they have been apprenticed. That does not apply to the legal profession. Although the latter profession is permitted to levy premiums in return for accepting young men who are articled for training as lawyers, the necessary instruction is not always forthcoming. That should receive some attention. Then there is the old problem involved in persons arriving in Western Australia from overseas and being admitted to the Bar without the necessity to serve articles. An opportunity should be provided for members of the legal profession to give evidence to indicate why that practice is permitted. One lad, whose parents can afford the expense, is able to go to the Old Country and, after taking his examinations there, can return to Western Australia and be called to the Bar without serving articles. On the other hand, the youth, whose parents cannot afford to send him to England, has to serve his articles before admission to the Bar. It is unfair and inequitable. Lawyers may provide evidence to show why this distinction should be allowed between the treatment of the rich man's son as against that of the poor man's son. That question should be investigated thoroughly. Another matter is the practice of allowing lawyers to amend bills of costs. If a lawyer sends in his bill, he should adhere to it. The legal profession is the only branch of the community that is allowed to send in bills and then substitute amended bills later on. I cannot understand why that practice should be permitted. If a doctor sends a bill to his patient, he stands by it, but the lawyer is permitted to withdraw his original bill and submit another. Then there is the matter of taxation of costs, which takes a lot of explaining away. If a client decides to have his bill of costs taxed, and less than one-sixth of the total amount is disallowed, he has to pay the solicitor's costs of the taxation in looking after his own interests. If any amount whatsoever is taxed off a bill, that should be the end of the matter; I do not think a person should be compelled to have one-sixth taxed off the amount of a bill to entitle him to the costs of the taxation.

Another matter as to which I am astonished the profession has not itself moved is that of the employment of junior counsel. If senior counsel is employed, he brings along with him a junior who, to all intents and purposes, may be a dummy; except that when the bill of costs is rendered he is allowed to charge two-thirds of the fee received by the senior counsel. The time is long past when such a state of things should have been remedied. Some years ago the leader of the Bar and the then Attorney-General, made the following statement in this House:—

> For instance, I agree with him—

He was referring to the mover of the motion—

> —that the second counsel may frequently be properly described, in the expression the hon. member used, as a dummy. I know that second counsel does not go into court at times, and if the leading counsel were to drop dead the second counsel would have to ask for an adjournment. I think a man who takes a brief on those terms ought to be ashamed of himself.
>
> Hon. P. Collier: Such a man very often takes no part at all.
>
> The Attorney General: I agree.

The practice has continued very many years; and, notwithstanding that Mr. Davy, the then leader of the Bar and Attorney-General, made those remarks in 1932, nothing has been done to stop it. Something should be done to prevent the continuance of the practice.

I have referred in the motion to dishonest members of the profession I am glad to say that the number of defaulting solicitors is not great. However, it must be remembered that solicitors furnish no guarantee or bond. My attention was directed recently to the case of a country solicitor who defaulted and then committed suicide. Quite a large sum of money was involved and one of his unfortunate clients was practically made bankrupt because of the defalcations. A solicitor who handles other people's money should give some guarantee. There are black sheep in every walk of life and the general public should be protected.

Mr. Hegney: Some poor people have been left penniless.

Mr. SLEEMAN: Unfortunately, the client of the solicitor who committed suicide did not get his money back. A suggestion has been made that solicitors' ac-

counts should be audited. An audit may result in the discovery of defalcations, but then the money is gone; it will not recover the money that has been misapplied. Every person who is entrusted with money belonging to the public should be under a bond. Parliament has already passed legislation compelling land agents to put up some guarantee or bond as a protection for the public which entrusts them with money. I hope the select committee will be able to recommend some way out of this difficulty. As I have said, I do not think an audit is sufficient. There must be some method by which protection can be afforded to clients of solicitors entrusted with cash. I do not intend to say anything further on the motion. I hope it will be agreed to and that as a result some measure of reform will be achieved in the legal profession.

MR. BOYLE (Avon) [4.54]: I support the motion. I compliment the member for Fremantle (Mr. Sleeman) on being the Charles Dickens of this House. I am speaking to-night on a brief. I have a letter from the Wheatgrowers' Union to which I shall refer in a moment. The motion is not a reflection in any way on the legal practitioners of the State. On the contrary, I think it will do much good to put the legal profession on that high and honourable standing that it should occupy. As the member for Fremantle said, there are black sheep in the profession who are causing much annoyance to other honourable members of an honourable profession. Personally, to the legal gentlemen of this House, especially the two King's Counsel, I am under a deep obligation. During my leadership of an important wheatgrowers' organisation in this State, I had advice from those gentlemen, especially from one of them, who steadfastly refused to take any fees whatever from the stricken wheatgrowers.

Member: Black leg!

Mr. BOYLE: I wish to make that acknowledgment. It is not with the idea of finding fault with any member of a profession of high standing that I support the motion, but there is no doubt that to-day justice, as laid down in Magna Charta, is being delayed and is being sold. I do not say it is being sold through the courts; it is being sold because only those who have enough money can purchase it. I was in very close association with a law case in which the stricken wheatgrowers of this State were involved, and as a result of which they had to pay £4,000 for legal costs. They are still paying off that sum. I regretted the action, although it was inevitable that it should have been taken; but I got a lesson into the working of our legal system in Western Australia that certainly was a salutary one for me. I wish to quote Lord Riddell, the great journalist and law reformer. He said law was so expensive that the London Chamber of Commerce set up its own tribunal for the settlement of its law cases. People in Western Australia are afraid to go to law not because they would be denied justice, but because they cannot afford it. The result is that to-day, owing to our antiquated Legal Practitioners Act, persons who wish to take advantage of the relief afforded by legal process are denied that privilege because of the excessive cost involved.

The letter I referred to is dated the 22nd August, 1938, and was sent to me by the Chairman of Directors of the Wheatgrower Newspaper Company, Ltd. It reads—

> We observe that Mr. Sleeman has moved for a Select Committee to inquire into the workings of the Legal Practitioners Act. In consequence we respectfully ask that you support our request that the bill of costs in the libel case this company was involved in in December, 1934, be closely analysed and inquired into.

I have the bill of costs with me. So that members may understand the case, it may be stated that certain articles appeared in a publication named "The Wheatgrower." I shall not deny that the articles were provocative. I assure members that I did not write them, but after the first one appeared I certainly came into the picture. I was in the cart, so to speak.

Mr. Warner: And carrying the baby.

Mr. BOYLE: Such humiliating terms were offered by the other side that they could not be accepted. The result was that, willy-nilly, we were dragged into the Supreme Court of Western Australia by Co-operative Bulk Handling Ltd., which had decided that it had been libelled in the "Wheatgrower." A Supreme Court action dragged on for 22 days. The Wheatgrowers' Union was successful in 22 out of 23 of the points at issue, and recovered costs to the extent of £1,785, less £78, or a net amount of £1,707. The legal side of it was that the union found £975 in costs, and that amount was absorbed by our legal side, while £1,707

net was also absorbed by our legal side, and later another bill came for £64 1s. 8d. Yet we had no legal redress. Certainly we had a chance of having the costs taxed, but that, of course, is another story that can be dealt with later. I will read a letter that will disclose the psychology of one particular solicitor who realised that his chance in life had come. I desire to pay a tribute to Mr. Downing, K.C., who, in this particular case, certainly made a silk purse out of a sow's ear. He bore the heat and burden of the day and carried the case through successfully. When the case ended, he told me that he had become a thorough expert in wheat matters. On the 10th December, the particular lawyer to whom I have referred—I have no desire at this stage to mention his name, so I shall call him Mr. Blank—wrote to the general secretary of the Wheatgrowers' Union as follows:—

Re Wheatgrower Newspaper Company, Limited, Attacks Co-Operative Bulk Handling, Ltd.

I confirm my conversation with you of even date regarding my costs herein, and when we discussed the matter of payment of one-half of the costs of the jury's country tour payable by the defendant company.

As pointed out by you, senior counsel's fees have been paid amounting to the sum of 400 guineas. I now ask that a fee of 200 guineas be guaranteed to me by the union.

To date I have received in respect of the case over and above senior counsel's fees the sum of £330, of which I have disbursed in jury and court fees and incidental expenses, including the sum of £20 on account of jury's tour, a total sum of £230; leaving in hand an amount of £100.

I shall be pleased to receive a further cheque for £250 to cover my fee and pay the jury fees for next week and the balance of expenses for their tour.

Should you be unable to raise this amount immediately, I shall be pleased if you will let me have a cheque to-morrow on account of same for as much as possible, with an undertaking from your union that I shall be paid a fee of not less than 200 guineas in addition to disbursements and incidental expenses in connection with the case.

Mr. Hegney: No basic wage about that.

Mr. BOYLE: Let the hon. member wait just a moment.

I must point out, however, that I shall be rendering a detailed statement to you at the conclusion of the case, giving full particulars of disbursements, etc., but that I regard the above fee of 200 guineas as an absolute minimum fee for which I should be protected at this stage.

Mr. Downing and myself are hopeful of obtaining a successful decision in which case, of course, your union will be refunded all expenses, and then an adjustment will be made in respect of counsels' fees (solicitor and client costs payable by the defendant in any event being a matter for adjustment).

I shall be in court again at 10.30 a.m. to-morrow, when the judge will hear argument on the legal questions involved and when the form of the questions to be put to the jury will be formulated. In this connection I may add that at Mr. Downing's request, I am arranging for a legal reporter to take notes of evidence as to the law, and also when the judge is summing up to the jury.

I shall be pleased to have your reply before 1 leave for the court to-morrow morning.

The case had been won, and 16 months later, before he rendered his bill of costs, the lawyer was sitting on £1,700 that the other side paid him, and £790 he had got from us. He was taking the plums out of the pudding all right. Hon. members can understand that he was very eager to get his cheque out of us while the case was going on, but immediately the case was won and the costs had been adjusted against the other side, he was sitting on between £2,000 and £3,000, and there is no time limit in the Legal Practitioners Act to compel him to render a statement of accounts.

Mr. Cross: Who got the interest on the money?

Mr. BOYLE: Considering that the capital had gone, I do not think we had any need to worry about interest. Sixteen months later, having received the fruits of victory, he wrote to the Wheatgrowers' Union. I have not that letter with me, but it was to the effect that he was then about to go into the question of the bill of costs, and everything in the legal garden was all right.

Mr. Patrick: Was he the senior counsel?

Mr. BOYLE: No. It was really a pleasure to be associated with the senior counsel in the case, but the senior counsel received £500, whilst the junior counsel got £2,000. The member for Swan (Mr. Sampson) talks about apprentices not getting a chance! On the 3rd April, 1936, this solicitor was asked by the Wheatgrowers' Union to endeavour to get the matter fixed up. This is his reply—

We are in receipt of a letter from Messrs. ..... of the 3rd inst. in which they state:—

The amount received from the defendant company and/or the Wheatgrowers' Union on account of costs (as shown in our statement of the 22nd November last) totalled £975. The net amount received from the plaintiff company (after set-off of £78 16s. 11d. taxed costs

plus the recovered costs of the plaintiff company) was £1,701 17s. 9d. In addition the sum of £5 paid in on behalf of the defendant company as security for costs of discovery was recovered, making the total costs received £2,681 17s. 9d.

I wish hon. members to remember that these were not Co-operative Bulk Handling costs; those costs were paid by Co-operative Bulk Handling's own solicitors. These were our costs.

Solicitor and client costs have been rendered for the sum of £2,743 6s. 1d., leaving a balance owing by your client of £61 8s. 4d. We shall be glad if you will advise us regarding payment of the above balance due.

Later on, I was deputed by the Wheatgrowers' Union to investigate the matter. It will be seen that I had no association with the "Wheatgrower" newspaper at the time of my investigation. On the 18th June, 1937, the solicitor wrote to the Secretary of the "Wheatgrower" as follows:—

I acknowledge receipt of your letter of even date and have noted contents. I cannot see that any good purpose would be served by discussing a matter which has long since been finalised so far as I am concerned.

We approached the Barristers' Board, by way of deputation, and were courteously received. We placed all the information we could before the board, and were informed that under the Legal Practitioners Act of Western Australia, the board had not one ounce of disciplinary power over a solicitor in circumstances such as those we had related. The Barristers' Board informed us that the most it could do was to interview the gentleman concerned. If he had bolted, or had done anything like that, he would have been reported to the Supreme Court, but no action could be taken to recover the excess costs. Ninety days is the period allowed for a client to have his bill of costs taxed, and members will understand that that time having elapsed, it was not then possible to have the costs taxed.

Mr. Fox: Is the period not 30 days?

Mr. BOYLE: No, ninety days. The position was that the time had elapsed, but through the good offices of Sir Walter James, the solicitor surrendered £300, which was an admission that he had overcharged. If the select committee is appointed, I do not want it to put up anything of a revolutionary character, although we know that the existing Act is very old, and that under it, the "Six families" ruled in the early days. I hope the member for Claremont will not regard this remark as being disrespectful, but as an old Western Australian myself, I know that there were certain families in Western Australia who were in unassailable official positions, and that this country, at that time, was ruled by them. Do we not know that one Minister of the Crown was sacked in his nightshirt? I cannot imagine our present Premier receiving the sack in the early hours of the morning! What I have related is a political historical fact—Mr. Venn, who was a member of the Forrest Government, was sacked in his nightshirt. I mention this merely to show that that is how this country was ruled in those days.

Member: It is not ruled at all now.

Mr. BOYLE: We are trying to repair the omission. I am not offering these remarks offensively because if one knows anything of the history of the State, he will be aware that in the early days appointments were all made from Downing-street. Those who were in Downing-street established the legal system and what we have now is only a relic of those days. Under the South Australian Act there is power to appoint a statutory committee—it is appointed by a judge of the Supreme Court on the Governor's order—to consist of seven members. This committee has power to deal with delinquencies on the part of solicitors in that State. The rules governing the statutory committee indicate that not only are embezzlement and defalcations in funds regarded as unprofessional conduct, but are also matters for disciplinary action. Surely the rendition of a bill of costs of the type to which I have referred constitutes unprofessional conduct of the worst kind. Yet no redress was obtainable. We had to pay that £2,000 and look pleasant. The two hundred guineas I mentioned grew to £2,000 and we had no redress whatever; although we may derive some satisfaction now, perhaps, from the appointment of a select committee, which might formulate a new charter for the profession and provide some legal protection for the people of the State. For after all, it is not the lawyers but the people generally that count. The people provide the money for litigation. They have a right to claim justice and to approach our law courts without fear and trembling. But there is not an hon. member listening to me who would not do

anything to avoid getting into a legal tangle, because we are all afraid of the law and the difficulties in which it may involve us.

Mr. Stubbs: If you win, you lose!

Mr. BOYLE: Yes. An injured farm worker came to me in my official capacity—I might point out that we endeavour to do everything possible to help men in distress—and as a result of our intervention he received justice. He had recovered £50 by a legal action, but his lawyer offered him £15. I went to the union's solicitor. He telephoned the man's lawyer and spoke to him in a very comradely fashion, telling him to "keep the £15 and cough up £35," which he did. Had that man been unable to obtain our assistance, he would have had to lose what was his, because he had no money with which to fight. I mention that case as indicating how a very honourable profession can be dragged in the mire by a dishonourable practitioner. Under our Act no opportunity is provided to deal with men of that kind. I will give a hypothetical instance which I submitted to a distinguished member of the Barristers Board. Suppose I won a case and recovered damages to the extent of £1,000 and the lawyer gave me a bill for £1,000. Suppose further that I had that bill taxed and the Taxing Master wrote off £900, intimating to the lawyer that he must pay me that amount. Would I have any redress against that lawyer for having attempted to extort from me £900? I put that question to the member of the Board and he said, "No, it would be regarded as an error of judgment on the part of the lawyer." A lawyer, mark you, could be in error in making out a bill of costs of that kind!

I compliment the member for Fremantle (Mr. Sleeman) on bringing forward this motion. I believe the Government has agreed to an inquiry being held and I hope the House will do likewise. The proposed select committee will have numerous examples to investigate, and plenty of precedents for the reformation and the bringing up to date of the Western Australian Legal Practitioners Act.

MR. McDONALD (West Perth) [5.20]: The member for Fremantle (Mr. Sleeman) would be disappointed if I did not intervene at this stage.

Mr. Raphael: Are you not an interested party?

Mr. McDONALD: What I earn from the law is so little that I can be looked upon as entirely disinterested. I propose to support the motion. The matter has been brought up every year for the last five years and it is just as well that a select committee should be appointed to deal with it once and for all. The Council of the Law Society has informed me that it would welcome the appointment of a select committee and offers its fullest co-operation to secure any amendment to the law that might be desirable in the interests of the public.

Several points were raised by the member for Fremantle, but as the Act will probably be made the subject of consideration by a select committee, I do not intend to occupy much time in dealing with his remarks. There were, however, one or two matters he mentioned to which I would like briefly to refer. He said that students paid premiums and perhaps did not receive much instruction. Very few students are articled to-day unless they have secured the degree of Bachelor of Laws. They then serve two years' articles and I think I am right in saying that in many cases—and possibly in the majority of cases—they pay no premium at all. On the other hand their employers sometimes pay them a certain amount in salary during the period of their articles. Although they have the qualifications of Bachelor of Laws before they enter on their two years' articles, they are compelled to pass an examination set by the Barristers' Board at the end of their apprenticeship—an examination on practise and procedure to ensure that during their two years' articles they have learned that part of their business it is the function of their employers to teach them, namely practice and procedure. So no student is admitted unless he has made good use of his two years' apprenticeship in learning the practice and procedure that the two years' articles is meant to teach him. If he fails in his examination at the end of his two years' articles his failure is a reflection partly on himself and partly on the office in which he worked. I think it would be found on investigation that few—I do not know of any—have failed and that means that they have received adequate training during their articled period.

The next point raised was that lawyers had the power to amend their bill of costs.

The scale of charges is laid down by the law. It is a maximum scale, which lawyers must not exceed.

Mr. Raphael: They never get down to any minimum, do they? They have not, so far as I am concerned.

Mr. McDONALD: They mostly charge less than the maximum scale. When a client says, "I want your bill assessed by the proper officer of the court"—the taxing master—the solicitor has to render, by law, a detailed bill. I think this is the only profession from which a detailed bill is required. The bill sent to the client in the first place may be one setting out very shortly what has been done and containing a lump sum charge. In a detailed bill every attendance, every letter and every disbursement is included and opposite each item is the amount charged in respect of that particular item. When the solicitor is called upon to have the bill of costs taxed, he feels—and I am sure my friends on the Government side would not object to this—that if his bill is to be assessed by the proper officer of the court, he is entitled to charge the legal scale laid down, which may be larger than the amount previously charged. An analogy might be drawn between the lawyer and an employee who is entitled to a certain award rate but accepts less than the proper wages. If the matter subsequently comes before the Industrial court he is entitled to get and is given—and the Bill introduced last night is designed to make his position still more secure—the rate prescribed by the award.

Member: How would the legal profession get on under such conditions?

Mr. McDONALD: The members of the legal profession would be much better off. Having previously rendered a bill of costs for an amount less than he is entitled to charge by law, a solicitor called upon to have the bill assessed by the taxing master, thereupon inserts the rate he is entitled to charge by law. At this stage I may point out that the one-sixth that has to be taken off the bill is not one-sixth of the whole bill, but only one-sixth of the items to which objection has been taken. There may be 50 items and objection may be taken to six. So as not to have unnecessary taxation the litigant or the client has to take off one-sixth of the items to which he has objected.

Mr. Raphael: Could he object to the lot?

Mr. SPEAKER: Order, please!

Mr. McDONALD: He could object to the lot, but mostly he objects to specific items. The others he allows as being fair.

The member for Avon (Mr. Boyle) referred to a case that I am glad to say is most exceptional. He put the matter very fairly, and I and any reasonable member of the legal fraternity can only condemn without equivocation the solicitor concerned. We regard the case as indefensible. I have never before encountered such an instance, and I do not intend to palliate it for one moment. The amount charged was a very large one. Indeed, it is the highest charge for litigation that I have ever seen. As some justification, it might be mentioned that the litigation, from start to finish, lasted for several months, and when it is realised that the legal practitioner concerned was perhaps engaged almost for the whole time over several months working on the case, the charge may not appear quite so high.

Mr. Boyle: That is not so.

Mr. McDONALD: Yes, it was five or six months.

Mr. Boyle: Four months, and he was not fully engaged on the work.

Mr. McDONALD: I do not desire to argue with my friend, but I would say that, from the nature of the case, a considerable part of his time, if not the whole of it, must have been occupied on the case during that period. In saying that I am not for one moment defending the man concerned. The charges were grossly exorbitant but, bearing in mind the length of time involved, the amount may not appear so excessive as it would be judged to be by one who did not know the work involved. However, I do not defend the man for one moment.

The Barristers' Board has not so limited a power as was suggested. It has the power to deal with professional misconduct. What happened in the case quoted is that after the bill had been rendered by the solicitor to the Wheatgrowers' Union, the Union consulted the firm of which Sir Walter James is head. That firm scrutinised and examined the bill of costs, and obtained a refund of some £300 on behalf of the Wheatgrowers' Union. The union—I understand, and I shall be glad to be corrected if I am wrong—agreed that the solicitor should receive for his work the amount of his charges less the reduction of some £300. So that after the Wheatgrowers' Union had consulted an independent solicitor and that solicitor had gone into the

matter, the union agreed that the original solicitor's charges should be compromised or settled at a certain sum.

Mr. Boyle: "Compromised" is the word. Sir Walter James objected to the £1,000.

Mr. McDONALD: But the matter was compromised with the other solicitor, and settled at a certain sum after that reduction had been made. After, unfortunately, that had happened, what could any board or any tribunal do? The aggrieved party had arrived at a settlement or compromise. The matter was finished. The union had said, "In return for the £300 we will declare that we have no further claim." Perhaps the union was not satisfied. However, that was the end of it. I myself consider the compromise was highly unfortunate. The Barristers' Board—I am telling no secrets—used every effort with the idea of re-opening the compromise; but there was no power to do so. When people make a settlement, one cannot turn round and open the matter up again. The Barristers' Board had no power to do so, but not because it was not anxious and willing to deal with the matter. The reason was that the aggrieved party had arrived at a settlement before the matter came before the board at all.

The Legal Practitioners Act I do not think is the product of the "Six Families." It was modelled on English legislation, and while it can be improved it is not ineffective. It has been effectively used in the past by the Barristers' Board in cases where action was necessary. I do not want to detain the House. For my part, and with the approval of the council of the Law Society, this committee will be agreed to. The society will co-operate in every way it can to secure any amendments which may be satisfactory in the interests of the public and which at the same time may be equitable to those who are carrying on a lawful occupation.

May I, before closing, just refer to the other side of the picture? I would not like the public or the House to think that the law is a lucrative profession. It is, I believe, the cheapest of the professions for anybody to enter—the cheapest in respect of qualifying. We have a free University, and the Chair of Law in the University was made possible by the activities of the lawyers themselves. They for the last ten years have taxed themselves voluntarily, by an Act of Parliament which they themselves procured, to the extent of £5 a year for the support of the Chair of Law. I think some £8,000 or £10,000 in the last few years has been paid in all by the members of the legal fraternity for the purpose of establishing and maintaining a Chair of Law so as to give lads, and poor lads, free education in the law, even although they come in as competitors with those who are already admitted. I do not know of any other occupation the members of which tax themselves year by year to give free education to young men, and young men perhaps in poor circumstances, so that they may come into the occupation as competitors with those who are already in it.

If the matter of professional conduct is left to the lawyers by the forthcoming amendments to the Legal Practitioners Act, the more powers given to the Barristers' Board, the more lawyers will welcome them. The House can be assured that no body that has the power will be more stringent in seeking and enforcing the highest standard of professional conduct than the lawyers themselves, because they are the people chiefly concerned. May I say, as almost a final word, that when lawyers deal with the public, they render, I think, on the whole faithful service in this State and in all other parts of the British Empire. One of the activities of lawyers in Western Australia on behalf of the public is rendered through the Poor Persons Legal Assistance Act. In the few years that that Act has been in force, upwards of 600 cases have been dealt with by the Law Society on behalf of poor people who would not have had the means to go to law without the society's assistance. I know of a specific case within the last couple of months. A man who otherwise would not have been able to go to law had his case taken up by the Law Society's aid, counsel being assigned to him to conduct his case; and he recovered a verdict in the Supreme Court for damages of between £1,100 and £1,200, all of which amount is being paid. Thus it will be seen that while an occasional lawyer—I am happy to say, a lawyer rarely found—may not be faithful to his trust, the profession on the whole is sensible of its duties to the public, and is active in giving service to assist the public.

By the courtesy of the member for Fremantle (Mr. Sleeman), I desire to move an amendment to the motion standing in his name, because although my reading of it may be critical, it seems to me that if the motion is passed as stated on the Notice

Paper it will make, by implication, a reflection on the legal profession painful to many members of it who have endeavoured to do their duty to the public.

Mr. Raphael: Bills of costs are often painful to clients.

Mr. McDONALD: That is a highly exceptional case. Bills to clients or patients which are painful to them are not confined to members of the legal profession, nor to any particular trade or calling. I move an amendment—

That the words "particularly the protection of the public from unscrupulous and dishonest members of the profession" be struck out, and the following words inserted in lieu:—"and to recommend any alterations in the existing law that may be thought necessary."

Amendment put and passed.

THE MINISTER FOR JUSTICE (Hon. F. C. L. Smith—Brown Hill-Ivanhoe) [5.43]: There cannot be any objection to the proposal contained in the motion. The Government offers no objection to the appointment of the proposed select committee. I take it that the member for Fremantle (Mr. Sleeman) desires that the select committee should inquire into the provisions of the Legal Practitioners Act and its amendments, as to the effect of those provisions, or—shall I say—the possibilities that exist for objectionable practices among the legal profession as the result of inadequacy of those provisions. The motion is wide in its terms, and certainly should afford the select committee ample scope for inquiry into the operations and the ramifications of the legal profession generally. We know that many persons have a tendency to criticise legal practitioners. It is a learned and exalted profession, for entry into which it is necessary to be highly qualified. Of necessity, legal practitioners deal with problems arising amongst various members of the community, perhaps in connection with breaches of the law, or in connection with civil actions that present a great deal of difficulty. People faced with difficulties of this kind would, if they possessed any commonsense at all, welcome the assistance and advice that the legal practitioner could give them. On many occasions they welcome it, too, in spite of the cost of that advice. Even in the short period during which I have occupied the position of Minister for Justice, a few cases have come under my notice in which it would have paid the litigants to seek the advice of a legal practitioner. They have been disadvantaged financially because they considered they could conduct their own affairs and put their own interpretations upon the Act with which they were concerned. Maybe in the legal profession, just as in other professions, there are certain practitioners who are deserving of criticism. We know that some have been guilty of fraudulent practices and that from time to time others have been guilty of very questionable practices. I was always under the impression that if any member of the community had a complaint about the conduct of a member of the legal profession, or about the charges imposed upon him for services rendered, the complaint could be referred to the Barristers' Board for inquiry, and that the board would have an opportunity to rectify the cause of the complaint, if that were justified. As some members of the profession deserve the criticism aimed at them, it seems to follow that legal practitioners generally have to suffer a certain amount of criticism because of the remissness of some of their number. That is the attitude of many people against the members of various professions.

Mr. Sleeman: Even members of Parliament.

The MINISTER FOR JUSTICE: Yes.

Mr. Marshall: Do not make ours a profession.

The MINISTER FOR JUSTICE: I have known people who, having got into difficulties with a policeman in their district, have ever after disliked policemen generally, because of the attitude of one man.

Mr. Boyle: Anti-social.

The MINISTER FOR JUSTICE: Some people have trouble with doctors and ever after are condemnatory of the medical profession. The same applies to members of the legal profession. I notice that my remarks about doctors aroused the sympathy of the Minister for Agriculture. I am pleased that the member for West Perth (Mr. McDonald) has raised no objection to an inquiry. Investigation by a select committee will afford the legal profession opportunity to explain certain practices that of necessity operate in the profession, such as the basis for costs. If the truth were known, the costs imposed might be justified.

From time to time the member for Fremantle (Mr. Sleeman) has brought forward in this Chamber legislation to amend the

Legal Practitioners Act in various ways. Each year he has introduced at least one Bill seeking to amend the Act in some particular, with a view to improving the efficiency of our legislation or creating opportunities for admission into the profession. He has complained of the provisions governing the admission of members to the Bar, and has pointed out the differences in the conditions governing those who obtain their degrees and serve their articles in this State, as compared with those who obtain their degrees in the Old Country. There, I think, he has a very justifiable grievance. He has dealt with the conditions governing the employment of articled clerks and their right to engage in other employment while serving their articles, to the end that sons of poorer members of the community possessing the capacity to become qualified might have the opportunity to enter the profession. He has referred to the provisions governing the taxing of costs, and he has raised very serious objections, supported by much argument, to the employment of junior counsel and to the defaulting of solicitors. On one occasion a measure was introduced to establish a fund that would provide a sort of guarantee to assist clients who had been the victims of solicitors' defalcations. During the last two or three years or more, the hon. member has directed attention to various measures and to the possibility of members of the profession indulging in objectionable practices, and to objectionable conditions governing the profession. On the whole, the House would be well advised to support the motion and afford opportunity to make a thorough inquiry into the profession and the matters mentioned by the hon. member from time to time, with a view to the introduction of amending legislation to remedy any defect found to exist in the Act.

Question, as amended, put and passed.

Select Committee Appointed.

Ballot taken and a select committee appointed, consisting of Messrs. Rodoreda, Seward, Styants and Watts, and the mover, with power to call for persons and papers, and to sit on days over which the House stands adjourned; to report on the 21st September.

MOTION—FIREARMS AND GUNS ACT.

To Disallow Regulation.

MR. SEWARD (Pingelly) [6.5]: I move—

That Regulation 14a under the Firearms and Guns Act, 1931, as published in the "Government Gazette" on the 18th day of February, 1938, and laid on the Table of the House on the 9th August, 1938, be and is hereby disallowed.

The regulation to which I object is as follows:—

Every person proposing to deliver a firearm from his custody or control, shall before making delivery of the firearm to any person required under the Act to have a permit or license to possess the firearm, call for and inspect the permit or license entitling such last-mentioned person to possession of the firearm.

I remind the House that under the Firearms and Guns Act it is necessary for anybody, before possessing a firearm, to have a license issued to him by a police officer. The license specifies the particular firearm that the person may hold, the weapon being identified by the number and the name of the maker. If this new regulation comes into force, no person will be able to dispose of a gun to a prospective purchaser until the latter has first secured a license to hold the gun. In this matter I am more particularly concerned about the country districts. Whilst the regulation may be all right in the case of dealers in guns, and people of that description, who are living mostly in towns where a police officer is generally not far away, the position is very different in the case of people in the country. Many residents in the country own guns. If this restriction is imposed upon them they will be unable to sell any firearm until the prospective purchaser becomes possessed of a license to hold it. This will inflict great hardship upon those concerned. It will mean that when the purchaser has decided to buy a particular weapon, he will have to find the nearest police officer so that he may secure a license. Even then he could not get a license until he had furnished the name of the maker and the number of the gun. The only alternative would be for the owner and the prospective purchaser to go off together and find a police officer. All this is unnecessary, particularly in the country, under the existing provisions of the Act. What would happen in the North-West I do not know. Police officers are not so numerous there that they

can be picked up at any time. If any person there wanted to dispose of a gun, he could not do so unless he first of all found a policeman from whom to procure a license. A case came under my notice six months ago. A neighbour of mine asked me about a gun and inquired whether I wanted to sell it. Finally I agreed to dispose of it to him. The transaction was quite legal. When I came to renew my license, I told the police officer the name of the person to whom I had sold the gun. In the country that is quite a sufficient precaution to take, for the policeman concerned has the necessary knowledge of the whereabouts of the gun. If the purchaser did not secure his own license, that would not be the fault of the vendor. The police would have all the information necessary and could take whatever action they might desire. My electorate is fairly closely settled, but I could mention three separate parts of it where, if a person wished to find a police officer, he would have to travel anything from 70 to 80 miles. In sparsely settled places, the owner of a gun would be unable to dispose of it, even if he desired to do so.

Mr. Marshall: If a gun is transferred to another person, that person must have a permit to hold it.

Mr. SEWARD: He cannot, under this regulation, transfer a gun unless the would-be purchaser holds a license. A license is not transferable, but is issued only to a certain person. Many people in the city do not realise that to residents in the country a gun is practically a necessity. One hardly goes anywhere in a car without a gun, in case there is game at which to shoot. Many workmen, such as shearers, who travel around the country frequently shoot kangaroos or rabbits. A man who is moving about may want to buy a gun, and may have an opportunity to do so from the man who owns the place at which he is working. He cannot purchase the weapon until he first finds a police officer and obtains a permit to hold it. Such a restriction should not be imposed upon the public. There is a growing tendency to thrust upon ordinary citizens the obligations of departmental officers, who have particular duties to perform. I fail to see why residents of the country should have to do work which members of the police force, under the Act, are expected to do. The police are entrusted with the task of issuing all licenses. I do not say that policemen have not sufficient work to do, but the average policeman is not overworked to the extent that he cannot attend to the duties imposed upon him under the Firearms and Guns Act. The regulation in question is unnecessary. If the police desired to impose it upon dealers in towns, I would not have so much to say about it, but to apply it to everyone in the State, so that no one may sell a firearm unless the prospective purchaser first obtains a license, is to impose too great a hardship upon the people. I hope the regulation will be disallowed.

On motion by the Minister for Mines, debate adjourned.

MOTION—HEALTH ACT.

To Disallow Amendment to Regulations.

MR. SAMPSON (Swan) [6.14]: I move——

That the amended regulation, Schedule B (relating to meat inspection and branding), made under the Health Act, 1911-37, as published in the "Government Gazette" on the 5th August, 1938, and laid on the Table of the House on the 10th August, 1938, be and is hereby disallowed.

Sitting suspended from 6.15 to 7.30 p.m.

Mr. SAMPSON: The position regarding the extension of the abattoirs area is, I understand, that the original announcement in the "Government Gazette" was not in the form of a regulation but of a proclamation. Later on the regulation, to which reference is made in the motion, was laid on the Table of the House. According to statements that have percolated through to this Chamber from another place, if this regulation is disallowed, the extension of the abattoirs area, as determined a few weeks ago, to 25 miles plus the balance of any road board district affected, will prevail. I feel confident that the Minister for Agriculture was not here when this proclamation was drawn up, because if any organisation other than the Government were guilty of drawing up such a document, its action would be described in terms that would not be polite. It would be accused of attempting to mislead the people. I pay the Minister for Agriculture the compliment of saying that I do not think he would be a party to it, and in fact, I do not

think any of the Ministers would have been parties to it. I am confident that the proclamation was signed merely in a matter of fact way. In consequence, the rights of the people's representatives to vary what usually takes the form of a regulation cannot in this instance be exercised. Two extensions of the abattoirs area have been gazetted by way of regulation and in each instance has been defeated. Surely if there is anything in democracy and the practice of giving effect to the will of members of Parliament, there can be no justification for bringing down the proposals in this entirely new form.

The Minister for Agriculture: Are you sure it was an endeavour to extend the abattoirs area that was defeated?

Mr. SAMPSON: Yes. That is the position as stated by Mr. Baxter in another place.

The Minister for Agriculture: It has nothing to do with this.

Mr. SAMPSON: The Minister is referring to the proclamation?

The Minister for Agriculture: No, I am referring to your observations.

Mr. SAMPSON: I had better ignore the Minister's remarks and continue with my speech.

Mr. SPEAKER: Yes, it would be far better.

Mr. SAMPSON: If I am out of order in referring to what Mr. Baxter said in another place regarding the proclamation, there is nothing for me to do but to continue with my argument along the lines I intended. I do not desire the matter to be further confused, for it is already too clouded. I propose to ask the Minister, in order that the rights of democracy shall receive some consideration, that what has been done be undone, and that the people, through their Parliamentary representatives, be given an opportunity to say whether or not the abattoirs area shall be extended. It is clear that there is more behind this matter than the question of health. I look to the Minister for Health in that respect.

The Minister for Health: Behind which matter?

Mr. SAMPSON: The extension of the abattoirs area.

The Minister for Health: Are you moving to disallow the extension?

Mr. SAMPSON: My motion appears on the Notice Paper and is quite clear. I realise that whatever is done, no progress will have been made, and I have explained fully why that is the position. I ask the Minister to cancel what has been done and, as is customary, to give members of Parliament an opportunity to deal with the whole question. I remind the Minister for Agriculture that a long time prior to the lamented death of Mr. Munsie, a deputation from the Armadale-Kelmscott and Gosnells Road Boards waited upon him, in his capacity as Minister for Health, and discussed the proposed extension of the abattoirs area. The statement submitted by the deputation constituted an unanswerable reply to any suggestion that the health of the people was not receiving first consideration. The representatives of those road boards asked the Minister to adopt new regulations whereby slaughter houses would be registered, that no killing should take place unless a qualified inspector, approved by the Minister, was present, and that all such meat should thereupon be branded. What happened? There was silence from that time onwards. Later a deputation from the same board waited upon the Minister for Agriculture and discussed the problem with him from another angle. The Minister stated in the Press that the basis, as justification for the extension, was on two grounds. The first was that of health and the second that of the necessity to protect the capital expenditure incurred in the erection of the abattoirs and to obtain some revenue from the concern. I do not contend that those are not good reasons. We have fully anticipated the health phase and the requests proffered by the deputation represented a full reply to the contention that there was any lack of consideration from that standpoint. I realise, irrespective of whatever is done regarding the motion, that we cannot secure the results we desire, but we can at least ventilate the subject and provide an opportunity for Ministers to show that the position is not as was suggested in another place.

The Minister for Health: That has already been done. This will not affect the position.

Mr. SAMPSON: Unfortunately, no. What has been done has been effected by way of proclamation and, to express it in the vernacular, "we have had it put over us."

Mr. Cross: What does the regulation contain that is objectionable?

Mr. SAMPSON: The member for Canning (Mr. Cross) attended one of the conferences

and must not cross-examine me. He knows more about butchering than I do.

Hon. P. D. Ferguson: Of course he does.

Mr. SAMPSON: The proposed new area has a radius of 25 miles whereas formerly it was 12 miles. That is the effect of the proclamation. Many hundreds of small producers are affected. The actual number is a matter of conjecture. Many would not have a body of beef in a month, while others might have a couple of pigs a week. Here and there would be a man with substantial interests at stake. A producer in the Mundaring Road Board district operates about 24 miles from Perth and 15 miles from Midland Junction. He has spent between £2,000 and £3,000 on his property. He has an orchard and runs poultry as well. In addition, he is a pig fattener. He is not a dealer, but he says that the new regulation will halve his income. One man sent two pigs, each weighing 60lb., to Midland Junction and they realised 41s. 6d. each. The long array of charges amounted to 19s. 7d. for the two, or about 10s. each. There are other instances demonstrating the fact that it will not pay the small man occasionally to send in a few pigs to Midland Junction for sale.

The Minister for Health: That has nothing to do with the regulation, has it?

Mr. SAMPSON: Of course, the whole subject has been argued from the standpoint of health, and it has been suggested that the health of the public is at stake. Actually the Minister, so far as the members of the deputation that waited on the Government are aware has not given consideration to it. We did not receive any reply to our representations. The road boards concerned take a most serious view of the matter. They wanted to do what was right, and, anticipating the action of the Government, asked to be permitted to do what was necessary from the standpoint of health. I have a good deal of matter at my disposal, but I do not propose to go through it all because the Minister is fully aware that there is a lot of humbug talked about the Midland Junction abattoirs, viscera and so on. As a matter of fact, the suggestion advanced by the Armadale-Kelmscott and Gosnells Road Boards would have overcome the whole difficulty. No one wants sold to the public meat that is unfit for human consumption. We are with the Minister in that respect, but we want to protect the interests of the small producers. At the same time, we are in accord with the Minister in seeing that the small producers do what is right. To force them to send their stock to Midland Junction on the hoof would be very unfair, and the Minister for Ariculture should do something to remedy the position. This has been done in his absence, and I appeal to him to take a stand for righteousness.

The Minister for Agriculture: I shall not be on your side.

Mr. SAMPSON: I shall be much disappointed if the Minister is not with me.

The Minister for Agriculture: You will be disappointed.

Mr. SAMPSON: It is claimed that some of the dealers are really hawkers, and should be licensed as such. Many have contracts to supply regular customers and the rest of their meat is sold wherever possible. In other words, the meat is hawked. The road boards are out to stop that sort of thing, although if done it may be of advantage to others in the trade. It is claimed that the dealers serve a useful purpose and act as a curb on the wholesalers. I am unable to say whether that is true. The meat markets at Perth and Fremantle tend to keep down prices, but if the new abattoirs area be insisted upon and the dealers and small producers are prevented from sending in carcase meat, the wholesale butchers will have matters entirely in their own hands, because all competition will be eliminated. At a meeting held in one district recently a departmental inspector stated that the producers could, on request, receive permits to kill an odd beast or two.

I admit that certain permits have been issued, but I claim that that is not the way to deal with this matter. It should not be necessary to have to apply for a special permit.

[Resolved: That motions be continued.]

On occasions a bullock or other beast is injured and therefore cannot possibly be sent to market on the hoof. If the regulation were sustained, that animal could not be legally marketed unless a permit was obtained, and a permit could not be obtained by telephone.

The beast could therefore not be quoted as meat. The proclamation states—

> All those portions of the State comprised within the circumference of a circle having a radius of 25 miles from the General Post Office, Perth, as the centre . . .

Why the Acting Minister—and my sympathy is with him, because he accepted this in all good faith and probably agreed without reading it——

The Minister for Agriculture: You should get that idea out of your head. I signed the proclamation before I left the State.

Mr. SAMPSON: Another ideal shattered! I did not think the Minister would do that to the producers. I shall say no more, except to appeal to him again to treat this matter on its merits and give the producers fair treatment.

The Minister for Agriculture: You have said nothing about the regulation under the Health Act.

Mr. SAMPSON: What is the use of my talking about the regulation under the Health Act when, in his reply, the Minister will say that if the regulation is carried out the effect will be further to enlarge the area?

The Minister for Health: You are moving to disallow a health regulation and you have not said one word about it.

Mr. SAMPSON: I have pointed out the desire of the road boards, which are treating the matter from a health standpoint. The Minister treated its request as of no importance; he did not even give the board the courtesy of a reply. Why? Because it was intended, evidently, to take steps to increase the abattoirs' area by proclamation. The regulations have been twice defeated and so he would effect his purpose by some other means. As a matter of fact, I heard a threat in this Chamber the year before last, when the regulations were defeated, to the effect that other means would be taken to ensure the extension. I leave the matter now with the Minister. I contend the Government should not stand for this proclamation; to do so would be wrong. The Government cannot shelter behind the statement that the health of the people is in question, because I have shown that the local authorities in the areas concerned desire to submit the name of an inspector to be approved by the Minister. They also desire to have slaughter houses registered and to allow killing to be done only after the inspector has examined the beasts. They also desire that the meat shall be branded before being sold for consumption.

On motion by Mr. Thorn, debate adjourned.

BILL—MUNICIPAL CORPORATIONS ACT AMENDMENT.

Second Reading.

MR. CROSS (Canning) [7.50] in moving the second reading said: The Municipal Corporations Act, which was passed in 1906, is not only out of date but also out of print. It seems remarkable to me that a standing committee has not been appointed to deal continually with old legislation with the object of bringing it up to date. Some of our statutes were passed 700 or 800 years ago, and are still in existence.

Mr. Sampson: You voted against the Municipal Corporations Act Amendment Bill.

Mr. CROSS: The particular portion of the Municipal Corporations Act that I desire to have repealed, is that dealing with distress for rates. This is a practice that has prevailed since the feudal system was introduced into Great Britain. The practice is out of step with present-day methods, and I am astounded that no general attempt has yet been made to deprive a city council of the power to distrain the goods and chattels of some unfortunate person who might owe a debt to the council. The Bill is a simple one, but so that members may know exactly what it proposes, I shall read the two sections of the Municipal Corporations Act it is desired to repeal.

The Bill proposes to strike out of Section 413 the three words, "by distress and." That would then leave the council power to recover a debt by ordinary legal process or by sale. The council would be able to take action under the Local Courts Act in the same way as tradespeople and merchants take action for the recovery of debts. As very few copies of the Act are available, I shall read Section 414 to members, so that they will know exactly what it is desired to remove from the Statute-book. The section reads:—

> 414. (1) If any person liable to pay the amount due in respect of any rate, who has been served with the notice mentioned in Section 388 does not pay the whole amount of the rate due in respect of any land mentioned in the said notice, or, if payable by instalments,

any instalment thereof then due, at the time, in the manner, and at the place required by the said notice, and such default continues for 30 days, the mayor may, at any time, and as often as occasion may arise, by warrant under his hand, distrain the goods and chattels found upon the land in respect of which the rate is payable.

(2) At the expiration of five days from the time of such distress the mayor may cause such goods and chattels to be sold, and out of the moneys to arise therefrom may pay all costs, charges, and expenses attendant upon such distress and sale, and shall then pay the amount or the instalment thereof then due in respect of the rate for which such distress and sale are made, and pay over any surplus to the person so distrained upon.

(3) In every case in which a warrant of distress has been delivered to a collector or bailiff, such collector or bailiff may levy for the costs, charges, and expenses of such warrant and of anything done thereunder, unless such costs, charges, and expenses are paid, as well as the amount due in respect of such rate.

(4) In the event of any distress not realising sufficient to pay the amount due in respect of any rate and such costs, charges, and expenses, the mayor may from time to time make other and further distresses in like manner until the whole of such amount has been fully paid.

Section 415 reads—

415. (1) The warrant of distress for the recovery of the amount due in respect of any rate struck may be in the form and to the effect contained in the Twenty-first Schedule hereto.

(2) The mayor may include any number of persons in one such warrant, and may direct such warrant to any bailiff and his assistant for execution.

(3) All distresses and sales made in pursuance of such warrant shall be conducted and carried out as nearly as practicable with the provisions of the law relating to distraint and sale for rent.

(4) All such costs, charges, and expenses as aforesaid shall be according to the scale mentioned in the Twenty-second Schedule hereto.

(5) Every police constable shall, upon being so required by any bailiff or his assistant, aid in making a distress or sale pursuant to such warrant.

The twenty-first schedule to the Act sets out the wording of the warrant addressed to the bailiff or to his assistant. I will read extracts from it:—

. . . these are therefore to authorise you forthwith to make distress of the several goods and chattels in the first place of the person or persons named in the schedule, if he, she, or they be then resident in the said premises and have any goods and chattels there, and in case of a change of possession then upon the goods and chattels of any person or persons who is the occupier or occupiers in possession of the said premises so named in the said schedule at the time of the execution of this warrant.

Section 22 sets out the rate of charges to be made by the bailiff and also stipulates the rates of commission he may impose. I point out the total injustice of the present scheme under the existing Act, an injustice to the people against whom distraint is levied. This can apply not only to poor people, but it may be a source of inconvenience to business people in the city. There are many premises being either leased or rented, and the tenant may be the best tenant in the world. The tenant may pay his rent in advance all the time, but if the landlord fails to pay his rates in the period specified by the Municipal Corporations Act, the council has power to distrain on the tenant's goods. I have known instances where business men have been in occupation of premises and the bailiff has been put in on the tenant in the presence of the tenant's customers. The tenant has thus been made to look foolish, when the fault did not rest with him but with the landlord. In such cases the tenant has no redress against the landlord. I am aware that there are provisions whereby, if the tenant pays the amount of rates due to the municipality or corporation concerned, he can then retain later rents, but there might be an instance where the amount involved is considerable—it would be considerable where the premises were large—and it would not be possible for the tenant immediately to find the amount. Why should the tenant be put to any inconvenience when the fault was entirely that of the landlord? Take the case of poor people who rent houses. They may be paying their rents regularly, but the landlord may have failed to pay his rates. Why should the tenant have to put up with any inconvenience on that account? The whole position is stupid; it is an outrageous business altogether and should be relegated to the oblivion from which it should never have emerged. I have explained all that can happen under the distress clauses and the cruel practices that can be perpetrated. The present officer, Mr. Richardson, has endeavoured to carry out the distress laws with as little inconvenience as possible to the people. He has never gone to extremes, but all officers may not be like him; one day we may have a man in the position who may not be so fair and reasonable as

is Mr. Richardson. Therefore the people should have protection such as I propose to give them in the amending Bill I am submitting. I move—

That the Bill be now read a second time.

On motion by Mr. Doney, debate adjourned.

BILL—LOCAL COURTS ACT AMENDMENT.

Second Reading.

MR. CROSS (Canning) [8.5] in moving the second reading said: The Bill I am now submitting is exactly similar to that which I moved last session, and which received support from both sides of this House. I do not consider that I should have any serious difficulty about getting it through on this occasion. It was only on the last night of the session—in the middle of the night too—that it was rejected in another place by one vote, and when some of the members of that Chamber had gone home. The Local Courts Act was passed 35 years ago and since that time many changes have taken place. In the parent Act the section I desire to amend is that usually invoked when it is desired to distrain on a debtor's goods after judgment has been obtained in the local court. The principal Act stipulates the goods that are to be exempt and protected from distraint. I remind members that that is one of the cruellest sections in our present-day statutes. For the benefit of members I will read the proviso that sets out the goods that shall be protected when distress is issued after a creditor has obtained judgment from the local court:—

Provided that the following goods shall be protected from seizure:—Wearing apparel of such person to the value of £5, and of his wife to the value of £5, and of his family to the value of £2 for each member thereof dependent on him; bedding to the value of £5 and an additional sum of £1 for each member of his family dependent on him; implements of trade to the value of £5, family photographs and portraits.

Mr. Sampson: You have altered this Bill.

Mr. CROSS: No. What I propose to do is to alter that proviso, because it means that at the present time, when judgment has been obtained in the court and distress is issued, a creditor can take everything else except wearing apparel and bedding. To give a creditor that power, when people, through no fault of their own, but through just bad luck or misfortune, find themselves in difficulties, is cruel, and no creditor should have the right to take all the goods and chattels from the home. Not even the baby's cradle nor the perambulator is protected. It is disgraceful that such a state of affairs should exist.

Hon. C. G. Latham: Will the Government do that under Section 51 of the Act?

Mr. CROSS: If the Government does, I will ask the hon. member to assist me to get the section repealed.

Hon. C. G. Latham: We tried, but did not get any support from you.

Mr. CROSS: Under the Local Courts Act, no article of furniture at all is protected.

Hon. P. D. Ferguson: It is just the same under Section 51.

Mr. CROSS: Members opposite supported the Bill I introduced last year. On this occasion the amendment proposes, as it did last year, to protect bedding, wearing apparel and furniture to the value of £25 in all. It is my belief that if in any home there is only £25 worth of furniture, including bedding and wearing apparel, no distress should be made on the goods and chattels. With regard to tools of trade, at the present time exemption and protection is given to the value of £5. Seeing that values have changed materially in the thirty years since the Act was passed, we can well realise that at the present time it would not be possible to get, say, a set of carpenter's tools for £25. Therefore it is my desire to amend the existing law to protect tools of trade to the extent of £25. The South Australian Act of 1907—even that is an old Act—protects sewing machines and mangles, but in this State if a woman had a sewing machine it would not be protected if it was worth more than £5. Members surely know that it is not possible to buy a new sewing machine for less than £20. Thus, to be fair and just and to carry out the spirit, even of the parent Act, the amount should be increased to £25. The South Australian Act defines the value of goods at a forced sale. Members will realise that in any distress sale the real value of the goods is never obtained. The few distress sales that I have attended have been real tragedies, and the goods have been sacrificed. The South Australian Act defines the value that must be obtained at a forced sale. I drew attention in the Bill I introduced a little while ago to amend the Municipal Corporations Act, and also in

the Bill now under discussion, to the fact that there is no provision for anything like that in our statutes. The power exists, if the debt is not paid, for a creditor to wait until the people acquire more goods, and then it is possible to distrain again. Two years ago New Zealand amended its Local Courts Act to afford absolute protection in respect of goods of a value up to £25. That is all I seek to do here. The amendment is justified, particularly in view of the changed value of goods, because members will realise that at the present time articles of furniture and everything else cost a great deal more than they did when the Act was passed. I have submitted the Bill at the present early stage of the session in the hope that it may be sent to another place before the session is far advanced, and so that members there may have full opportunity to study the amendments and appreciate the justice of them. I move—

That the Bill be now read a second time.

On motion by Minister for Justice, debate adjourned.

BILL—COMPANIES ACT AMENDMENT.

Second Reading.

MR. SAMPSON (Swan) [8.15] in moving the second reading said: Few will dispute the necessity for an amendment to the Companies Act. The parent measure received assent in January, 1893, since when no material alterations have been made. Western Australia has become the happy hunting ground of the predatory salesman, and the small investor is regarded more or less as the legitimate prey of the unscrupulous.

The Bill is taken from the Imperial Act, and similar measures have been adopted by the New South Wales, Tasmanian, and South Australian Parliaments, as well as by the Parliaments of the Commonwealth and New Zealand. In the circumstances, I can safely say that the measure is not an innovation. It represents the combined thought of a number of Parliaments, including the Mother of Parliaments. South Australia was the last State to adopt such legislation, and it is interesting to note that the Bill was under discussion in that State for six years. I mention that to indicate that the Act was passed with no undue haste. Two joint select committees sat, and the Bill was debated in three separate sessions of Parliament. Members will observe, therefore, that considerable caution was displayed, and when the Bill before the House was drafted advantage was taken of the deliberations of the various Parliaments I have mentioned, including the special consideration given to the subject by the South Australian Parliament.

Members will admit that the protection of investors should be the first consideration, and this was one feature to which special attention was given by the South Australian select committee, whose recommendations were adopted. Early in 1934, a Premiers' Conference was held, and at that conference the Commonwealth representatives announced that the Federal Government would promulgate a model Bill as a basis for uniform legislation. The Bill before the House amends an important section of the Western Australian parent Act, and is substantially uniform with the Commonwealth measure. Provisions are included that prohibit share canvassing. Prospective investors must be given opportunity to check statements made by those selling shares; in other words, the desires, needs and interests of the public are to be harmonised. The Bill provides greater protection for the public.

The measure introduced in the South Australian Parliament was supported by members on both sides of the House. By no means was it a party measure because, after all, trickery is not the possession of any particular party, nor is the detection of it the special work of any particular party. That uniform legislation throughout the Commonwealth is desirable is admitted. Some people go so far as to say that if a buyer purchases shares that are worthless, or nearly so, it is his own fault, and that there should be no protection for him against unscrupulous salesmen. The old adage that a fool is born every second is sometimes quoted to justify the despoiling of those prone to believe statements made by their fellows. If the Bill is passed, fleecing and duping will not be so easy as hitherto. The debates in the different State Parliaments and in the House of Commons indicated a remarkable similarity of difficulties faced, and the trickery practised in the different countries.

The Bill is an amendment of the law relating to companies and proposes the adop-

tion of provisions of the Imperial Companies Act of 1929 that have been inserted in the Companies' Acts of the other States of the Commonwealth, except Victoria. The Protection of Purchasers Act, 1933, should be referred to. I want to make it very clear to members that that Act did not amend the law relating to companies. It applied exclusively to a company interested in and to others dealing in land. Relating to sales of land subdivided into allotments for the purpose of sale, it operates for the protection of persons that are induced to purchase such allotments of subdivided land. The Protection of Purchasers Act was introduced in this House following certain scandalous statements made and reported to members of this House in connection with which a Royal Commission took evidence. The Act was introduced to give protection, so far as possible, to buyers of land. Section 16 reads——

> No person shall himself go, or employ or procure another person to go, from house to house offering for sale subdivisional land or shares, or canvassing, persuading or inducing persons to go to view any subdivisional land with a view to sale. Penalty: £100.

I submitted that section of the Protection of Purchasers Act, 1933, to three solicitors and was advised that it had nothing to do with anything except land. The Act is for the protection of purchasers of allotments of subdivided land or shares in such allotments, and does not refer to the purchase of shares in an incorporated company.

The Minister for Justice: You could get three other opinions differing from that one.

Mr. SAMPSON: I hope not, because the Government introduced that measure to protect the buyers of subdivided land.

Mr. Patrick: It was introduced by the member for Collie.

Mr. SAMPSON: I am sorry; so it was. I have received a number of letters in regard to the Bill, and propose briefly to refer to them. By some means, other people have been able to ascertain the contents of the Bill, although it was not available until yesterday. As a matter of fact, I am not sure whether it was available before to-day. No copy has been handed by me to anyone else. I admit, however, that the Bill is the same as that which was introduced last year. Here is a letter that comes from a man at Ardath, who says he frequently listens to a certain person who speaks over the air. The Ardath man says "Certain remarks were so very direct that I feel constrained to send this letter to you." He refers to a "hasty and ill-conceived amendment." In the second letter, which comes from Mt. Barker, the writer says that the remarks of the speaker over the "wireless "were so very direct that I feel constrained to send this letter to you." This writer also refers to a "hasty and ill-conceived amendment." I can only come to the conclusion that we have here a most remarkable coincidence; but the coincidence is repeated in further letters. A man writing from Watheroo says, apropos of the same wireless address, "his remarks about the Companies Act were very direct" and he adds "This Act is not a matter for hasty and ill-conceived amendment." Another letter comes from Wongan Hills and, referring to the same radio speaker, the writer says, "his remarks about the Companies Act were so very direct that I feel constrained to send this letter to you"; and he adds later on that "the Companies Act is not a matter for hasty and ill-conceived amendment."

Hon. C. G. Latham: The man must have sent a circular letter to his friends.

Mr. SAMPSON: The next letter is from Tuart Hill. The writer says, "I desire most strongly to protest against any interference with the Companies Act," and he considers that the amendment proposed by me "will simply play into the hands of a few sharebrokers." From Yelbeni comes another letter in which the writer says that he was "hopelessly ruined by the last depression" and adds, "Surely our position is bad enough without men like you trying your best to make it worse by stifling anyone who is trying to help us." The next letter is from a man at Wongan Hills who also protests against a "hasty and ill-considered amendment." From Wickepin a letter of protest is forwarded. The writer says that after listening to a certain address he is writing "this letter of protest." A writer from Katanning says that he wishes to "protest strongly against the proposed Government amendment of the Companies Act." I might take that as a compliment, I suppose. If any other Government were concerned I should certainly do so. Here is a letter from East Pingelly and the writer hopes that I

will "refrain from amending the Companies Act." Another correspondent from East Pingelly writes "to object strongly to any interference with the Companies Act" and asks me "in my official capacity to exploit it as a statesman and not continue in the old ring fashion."

Mr. SPEAKER: Does the hon. member contend that these letters have any relation to the Bill under discussion?

Mr. SAMPSON: They appear to have.

Hon. C. G. Latham: They are protests from the country practically threatening a member for introducing a Bill.

Mr. SPEAKER: The Bill was not made public until a few moments ago.

Mr. SAMPSON: That is what makes these letters more remarkable. Here is one from West Pingelly. The writer begins, "I understand you are sponsoring an amendment to the Companies Act." So that identifies it.

Member: It is very fishy.

Mr. SAMPSON: The writer states, "I for one am strongly opposed to your amendment, especially coming from the C.P."

The Minister for Mines: Did he know what the amendment was?

Mr. SPEAKER: Order! How can the hon. member give the House an assurance that he is dealing with correspondence relating to the Bill under discussion? Can he assure me that it is so?

Mr. SAMPSON: It seems to be a physical impossibility that the correspondence should deal with a Bill which is first seen to-night.

Mr. SPEAKER: I must protest. The hon. member should not proceed any further with those letters.

Hon. C. G. Latham: On a point of order. Most of us have had letters protesting against our dealing with the Bill, which was known to be coming on.

Mr. SPEAKER: The House quite understands that the contents of the Bill were brought before Parliament for the first time to-day. Letters written before the Bill becomes public cannot possibly relate to the Bill, because its contents could not have been known until the second reading had been moved. Unless the hon. member can give me a definite assurance that the letters are relevant to the matter under discussion—

Hon. C. G. Latham: It is a matter of intimidation.

Mr. SAMPSON: Then I shall not read the letters further, Mr. Speaker. The one on which I started states—

This Bill will interfere with the policy of our country, which is freedom.

Hon. C. G. Latham: We may have a select committee on the Bill, and then the committee will bring the gentleman along.

Mr. SAMPSON: The Bill of which hon. members now have copies seeks to amend the law relating to prospectuses of companies incorporated outside Western Australia which invite persons in Western Australia to subscribe to the shares of such companies. The Bill places certain restrictions on the offering of shares for sale by companies generally. It is immaterial for what purpose a company is formed. The company's object may be to deal in land, but the measure extends to companies incorporated for any commercial or other purpose of trading or profit-making whatever. There is a clause which provides that it shall not be lawful for any person to issue, circulate or distribute in Western Australia any prospectus offering for subscription shares in or debentures of a company incorporated or to be incorporated outside Western Australia, whether the company has or has not established, or when formed will or will not establish, a place of business in Western Australia, unless before the issue, circulation or distribution of the prospectus in Western Australia a copy thereof, certified by the chairman and two other directors of the company as having been approved by resolution of the managing body, has been delivered for registration to the Registrar of Companies. That is a highly important matter. It provides protection, inasmuch as before its issue the prospectus must be delivered for registration to the Registrar of Companies.

There are various other requirements, all of which are taken from Imperial and Eastern States Acts. They have in view the one object of protecting the people, of imposing upon the seller, the person who goes from house to house or place to place to sell shares, the need of doing certain things before it is competent for him to sell the shares. To comply with the measure, a prospectus, in addition to complying with the provisions I have set forth and certain other provisions, must contain particulars with respect to the following matters: The

object of the company; the instrument constituting or defining the constitution of the company; the enactments, or provisions having the force of an enactment, by or under which the incorporation of the company was effected; an address in Western Australia where the said instrument, enactments or provisions, or copies thereof, and if the same are in a foreign language a translation thereof certified in the prescribed manner, can be inspected; and so on. Where a prospectus is published as a newspaper advertisement, it shall be sufficient compliance if the prospectus specifies the objects of the company, or the primary object for which the company is to be formed.

Another clause applies to all companies, whether local or foreign—I hope hon. members will note that—and the object is to ensure that persons intending to take shares shall have such knowledge as to the financial state of the company as any person ought to have before he invests his money in shares and incurs the liability of a shareholder to pay calls. Clause 5, Subclause 1, provides—

> It shall not be lawful for any person to go from house to house, or from place to place, offering shares for subscription or purchase to the public or any member of the public.

It seems quite simple that people should go from house to house and from place to place selling shares, but it constitutes a grave danger, because there are persons who have great faith in human nature, and when a salesman comes along and develops some degree of comradeship or personal goodfeeling it is not long before the matter of the sale of shares is broached. If the money is there, the chances are that a sale is effected. As will be observed, touting for the sale of shares, or hawking shares, whether the company is formed and inaugurated in Western Australia or elsewhere, is made illegal by the Bill. The measure has received world-wide adoption—I think I can say world-wide. At any rate, it is world-wide as far as the British Empire extends.

Now I wish to refer to a few cases that have come under my notice. One is that of a lady who felt that she could retire from business. She had the misfortune, however, to listen to the wiles of a salesman, and signed up for £2,000 worth of tobacco and timber shares. It is really a most pathetic case. The woman was comparatively well-to-do. A salesman calls. A feeling of confidence and friendship is engendered. You, Mr. Speaker, would appreciate how that comes about. Even a hard business man and man of the world like yourself, Mr. Speaker, might fall to the continued onslaughts of a capable salesman.

Mr. SPEAKER: The hon. member is not in order in reflecting on the Chair.

Mr. SAMPSON: I withdraw the remark, Sir; and I do hope that you will never fall for anything of the kind. This widow lady is a very fine woman indeed. To-day, because of the fact that she listened to those arguments, she is in need. She erred in accepting the bonds that were offered her, and as a consequence finds herself in want. The bonds are practically valueless. The salesman, as usual, was a very able man—most able in the capacity to pull the wool over the eyes of this lady. She had faith in her fellows. I do not know that that is a reflection on her: the reflection is surely on the person who took advantage of her lack of judgment. The salesman's promises induced a spirit of optimism which led the purchaser to believe that at a later date she would, if necessary, be able to sell out at a good premium. These were the salesman's flamboyant and extremely misleading statements. Some time since, advice was received that the company is being wound up and that the lady will receive a first and final dividend of 1s. 1d. for every £25 that she invested. I also know a gentleman who spent most of his life on the sea. He went to retire in the hills district, and he was induced to put up £1,700. That gentleman has been reduced to penury. No offence has, however, been committed. There is no protection here as there is in the other States. If the transaction had been effected there without the submission of a balance sheet and so on, the purchaser would have had some recourse. The £1,700 transaction to which I refer was not quite what one would call a sale. The man exchanged certain shares for other shares. The shares he exchanged were gilt-edged, and a type of share that will always produce a reasonable return. The canvasser concerned was handling Queensland tobacco and timber shares. I met him myself. He developed quite a detached attitude. His endeavour was to make it clear—and he succeeded in doing this—that there was really no need for him to sell shares, as he was quite independent. What he was doing,

he was doing to advance an Australian industry and to fill in his time usefully. He certainly filled it in. It is a remarkable thing, but it happens about 19 times out of 20, that victims do not discuss the proposition with other people until the application form has been signed. That is the regrettable feature. I remember there was a trawling proposition here some time ago. A company was formed, though I do not know whether it actually caught or sold any fish. Here again someone asked me what I thought of the proposition. My reply was, "I am not too keen on it, because our people do not appear to be able to make a living at it." The woman who had asked the question was very annoyed with me. She said, "But I have already bought the shares." I replied, "I must answer your question fairly."

The Bill, if passed, will certainly go a long way towards protecting the public from lying statements. The measure contains a provision that waiver of compliance with its requirements is void. Another company that became very well known, or very badly known, in this country was Eastern Traders Ltd. Its representatives travelled about from place to place in Western Australia, and sold a remarkable number of shares here. They also sold shares in South Australia, but that was before the South Australian Parliament had passed this amendment to the Companies Act. Had that amendment been in force here, I do not think Eastern Traders could possibly have cleaned up the large sum which they did obtain from the too trusting Western Australian people.

Many of them were actuated rather by a desire to develop the industries of the State than to make money, but they did not have a fighting chance. I was discussing this matter with one of the victims on Sunday last, and he told me that he had not succeeded in recovering any of his money. An old railway workshop man at Midland Junction had saved £1,000. Hoping to maintain his independence he invested his £1,000 in the Queensland tobacco and timber proposition and lost the lot. That is a scandalous state of affairs. The old maxim caveat emptor—let the buyer beware—is forgotten by the purchaser and, in a glow of optimism engendered by the story of someone who is not responsible for his statements, a purchase of shares is made and subsequent failure is certain. That has been the experience in the instances I have given. In the three propositions, but particularly that of the Eastern Traders and the Queensland tobacco and timber concern, the victims were numerous and were spread almost all over the State. I consider that this Bill will appeal to every member. It is not my Bill. It is one that comprehends the concentrated wisdom of the House of Commons as well as the Parliaments of New South Wales, Tasmania, Queensland, South Australia and New Zealand, and it also applies in Federal territory. I move—

That the Bill be now read a second time.

On motion by the Minister for Justice, debate adjourned.

BILL—FISHERIES ACT AMENDMENT.

Second Reading.

MR. WATTS (Katanning) [8.47] in moving the second reading said: This is a Bill which, arising out of a particular set of circumstances, will become of general application where the conditions precedent to its becoming of general application are fulfilled. The condition precedent is the vesting in the local authority of fishing places. I shall explain that by saying that on the south coast there are two places usually known as Pallinup Estuary and Bremer Bay—sometimes the latter is known as Wellstead Estuary—vested in the Gnowangerup Road Board as reserves Nos. 21646 and 21647. This Bill, if it becomes an Act, will apply only where similar circumstances may arise. While it will, in areas such as those I have referred to, take away from the Fisheries Department a portion of the control at present exercised over fishing in such waters, there will still remain the power of the Crown to take from the local authorities the right to operate under the measure by the simple procedure of the cancellation of the vesting order. Therefore no objection can be raised that the Bill will remove from the Crown the right to take any action regarding a local authority that comes under the provisions of the measure. It being borne in mind that the local authority cannot come under the measure until the place concerned is vested in the local authority, members will appreciate that the power of the Fisheries Department, which I believe would be

exercised through the Lands Department in this instance, will remain. The Bill proposes that a local authority having obtained its vesting order shall be able to make by-laws which will be based on the terms of the proclamations issued by the department in respect of those particular places under Sections 8 and 9 of the Fisheries Act and regulations under paragraphs (b) and (c) of Section 6 of the Act. By proclamation under Sections 8 and 9 it is competent for the Governor to prohibit the taking of fish of any specified species or by any specified means of capture, or the taking of any fish at all; or the taking of fish by nets or lines or other method for any specified term in any specified waters or in any specified year or portion thereof. Under paragraphs (b) and (c) of Section 6 the Governor may prescribe limits in any waters where it shall not be lawful to fish, and determine the times and seasons when the taking of fish shall commence and cease or be permitted or prohibited. The Bill proposes that those particular powers in places where the necessary vesting order has been issued in favour of the local authority shall, if the local authority decides to make by-laws, be vested in that local authority. As I said at the beginning of my remarks, particular circumstances have given rise to the measure which, if the condition precedent applied, would have general application. While I have no doubt that there will be other places in the State where in the interests of the preservation of fish and the control of fishing, advantage of this measure will be taken, I am at present only in a position to explain the circumstances that have given rise to this proposal. I said that I was referring particularly to estuaries vested in the Gnowangerup Road Board comprised in the reserves that I mentioned. Reference has frequently been made in this House and there has been much correspondence and argument over a lengthy period with the department concerned to show that while in regard to these two estuaries there has been a proclamation in existence prohibiting net fishing, the position has been that foreign fishermen—I use the term in two senses, firstly meaning that the men generally are not Britishers, and secondly that they come from places far distant from the actual spot—have been breaking the law and have in effect been allowed to break the law by taking with net fish on a very large scale, whereas those persons in the district most anxious, for reasons that I shall give presently, to make use of those places and catch fish for their sustenance and for distribution amongst their friends when occasion offers, have been prevented from making use of the estuaries on account of the depletion of fish, caused by the depredations of the foreign fishermen. In 1935 I produced some figures to the House to show the quantity of fish taken by illegal net fishing from those places. I showed that in two months 17 tons of fish had been railed from the nearest siding to the metropolitan area or elsewhere, and that in the succeeding month a further six tons of fish were brought from those places. The whole of that fish was undoubtedly caught entirely against the proclamation. So far as could be ascertained then—and evidence as to that has accumulated since—the fish was caught by nets entirely against the law. Those two estuaries are situated on the south coast, and are approximately 100 miles from Gnowangerup. The Gnowangerup Road Board has gone to considerable expense in various directions, firstly in repairing or making roads to those places and putting them in trafficable order, and secondly in improving the immediate surroundings to make them fit for holiday camping and the like. People have gone down to fish at those parts from places as far distant as Wiluna; they have also gone from the metropolitan area and in large numbers from districts east and west of the Great Southern. Frequently, when they have arrived there, they have found that the unlawful depredations of those fishermen have made the fish so scarce that it has been impossible to catch fish for their needs. The Fisheries Department has been entirely unable to cope with this trouble. The road board has devoted considerable time to endeavouring to obtain greater authority. Early this year it decided to try to bring matters to a head, and forwarded a circular to neighbouring road boards. I quote the circular as evidence of the feeling of the board and also in support of my contention. It reads—

> 12th April, 1938. I am directed to ascertain if your board will consent to support an application by this board for the proclamation prohibiting net fishing in the above estuaries (Bremer and Pallinup) to be revoked.
>
> Notwithstanding the fact that the estuaries are closed to net fishing, professional fisher-

men, frequently using over 1,000 yards in length of net, have been fishing in the estuaries for the past 15 months, almost continuously. The Fisheries Department has been informed on numerous occasions of what is taking place, but has not taken action to check the practice owing to the distance from Perth. The result is that the estuaries have been seriously depleted of fish.

Although the estuaries are vested in this board as reserves, they have been proclaimed "closed waters" under the Fisheries Act, which automatically brings the control of net fishing under the jurisdiction of the Fisheries Department . . . The position summarised is that the Fisheries Department has the power to prevent excessive netting, but will not do so, and this board is willing to take effective action but is precluded from doing so.

The board's object is to secure the revocation of the proclamation, which will automatically cancel control of the Fisheries Department and leave this board free to make suitable by-laws.

That circular was forwarded to surrounding local authorities, all of which have been acquainted with the circumstances for a long period. Each one communicated with the writer saying that it was prepared to agree to the proposal of the Gnowangerup Road Board. The local authority also communicated with the department, and received a reply during the early part of this year. This was the reply from the Fisheries Department to the Under Secretary for Works, who in turn sent it on to the road board—

If the estuaries form part of reserves which are vested in or placed under the control of the road board, any by-laws which the board may make under the Road Districts Act, 1919-1933, to regulate the use of such reserves, could only be by-laws such as would be applicable to the whole of the reserve, including the estuary.

A road board's by-laws, however, cannot over-ride the provisions of a particular statute. Consequently, any by-laws made by the road board to regulate the use of the reserve could not possibly over-ride or interfere with the application of the provisions of the Fisheries Act.

It is pointed out that under the provisions of the Fisheries Act, the waters of the inlets referred to in this correspondence are closed to net fishing. Unfortunately, however, periodical visits—during the winter months, principally—are made to the waters by professional fishermen. To this the board members take strong exception, but owing to the distance and other causes, this department has not been able to maintain constant supervision over the waters.

It is gathered that board members, while strongly objecting to the use of nets by professional fishermen, are not averse to the employment of similar methods of capture by residents of the district or visitors.

From the Fisheries Department's point of view, this is not permissible; when a water is closed to the use of fishing nets, the prohibition extends to all sections of the community.

If the position had been as stated, this Bill would not be before the House. In other words, had the prohibition extended to all sections of the community, and had it been possible to enforce it, very little argument would have been possible. The position is that net fishing has not been enforced against the foreign fisherman with his 1,000-yard nets and his fishing activities extending over the past 15 months, but it has been enforceable against the individual who might wish to go down there for a little while with a small net, and it has also been enforced against the individual who might wish to fish with a line, from the point of view that there are very few fish left for him to catch, and his difficulties have been almost redoubled. Finally, a further communication was sent to the Fisheries Department suggesting that the proclamation against net fishing in these areas should be revoked. The feeling of the board at this time was one of disgust. Net fishing has been officially prohibited, but in actual fact it has not been prohibited. So far as the road board is concerned, there might be no prohibition at all. The local authority asked that the proclamation should be revoked and the whole area thrown open to all comers. "At least," it is said, "we shall get a few fish along with other people." The local authority also said it would like to be able to promulgate suitable by-laws to protect the waters and prevent them from being denuded of fish. The department, however, replied that it could not, in view of the Act, make such by-laws. The road board authorities say:—

Both the estuaries are land-locked and are open to the sea only after a flood or heavy winter rains, and if unduly depleted do not restock for some years. The estuaries are also among the few reasonably accessible places in the Great Southern area where good fishing can be obtained. The beach at Bremer is a safe one, and with fishing available provides an excellent holiday resort. During the past two years £700 has been spent on improvement to the road, and money has also been spent on the camping area. There is another consideration apart from the preservation of fishing, and that is the maintenance of the road. The distance from Gnowangerup to Bremer is 104 miles and, as you will appreciate, the mainten-

ance of the road is a considerable drain on the board's finances. Last year 30 miles of the road between the mouth of the Gairdner River and Jarramongup was severely damaged by fishermen carting with trucks during the winter months, and what was once a good track has now been rendered almost impassable in wet weather, owing to the ruts and trenches made by the heavy vehicles whose owners have contributed nothing to this board's revenue.

The suggestion that there should be a revocation by proclamation did not entirely find favour with me, and apparently did not find favour with the department. A discussion took place between the Under Secretary and the Gnowangerup representatives. The Under Secretary said, "I understand your position, but if you throw open these waters whilst foreigners are about, there will be still more of them in the future, and your position will be worse than ever." He undertook to consider the matter, as well as an alternative proposal that the board put before him by letter. A proposal was advanced that persons should be licensed to take fish from the estuaries for domestic purposes, with nets of a stipulated size and length, but that no license be granted to any person to take fish from the estuaries in question for sale. It was also suggested that the estuaries in question be exempt from the provisions of the Act under Section IV. The letter from the Honorary Minister, in reply to the representations, is dated the 21st July, and reads—

Consideration of the proposals (a) and (b) causes me to believe that the road board's desire is that the estuaries in question should be reserved to the use of local residents and visitors using nets or lines, and that all persons using nets for catching fish for sale should be excluded. In the first-mentioned connection it is pointed out that when any area of water is closed to the use of fishing nets, such closure applies to amateur and professional alike.

That is in theory only.

In the second connection, the Fisheries Act requires that all persons catching fish for sale must be licensed to do so, these licenses authorising the holders to catch fish for sale by net or line in any waters not closed to either method of fishing.

Thus we were, to use a Latin phrase, in statu quo, just where we were. It seems to me that the position could best be met by the Bill I have submitted. I have read the letter from the Gnowangerup Road Board, the body that has been able to provide evidence of the necessity for the Bill. This measure will, I believe, apply elsewhere with equal force later on. The road board in question is prepared to deal with the matter as effectively as possible, and along lines that will find approval with the majority, if not the whole, of the people situated in districts within 150 to 200 miles of this area. They are the people who ought most to be considered, since they will deal with the question in a manner that will not prevent other persons from any part of the State, who wish to take advantage of tourist resorts, into which these places are capable of being converted, from doing so. Persons coming from Wyndham or Wiluna will find, after the situation has been dealt with by the board as it is proposed to deal with it, that the facilities offered within the area are greater than they have been in the past. Hitherto fish have been taken out of these waters as the result of illegal fishing over long periods. This, apparently, the Fisheries Department has been unable to prevent, in view, as the officials indicate, of the long distance from Perth, and for other reasons. The long distance from Perth is the best justification for handing over to the local authority an element of control, as proposed by the Bill, subject to there being reserved to the Crown any rights to the effect that, if the by-laws are not properly carried out, the privilege embodied in the Bill may be withdrawn. I trust the House will agree that in all the circumstances the present difficulties would be brought to a speedy termination. This measure is as good a method as can be found whereby the local authority can handle a difficult situation. After members have carefully considered the Bill, I hope they will be prepared to give it their support. I give my assurance that the justice of the case is very apparent to all who are acquainted with the circumstances. I have done my best to make the situation clear and I suggest to members who have similar places in their own districts to bear in mind that the time may come when they may require the same sort of assistance to deal with a position that, without such assistance, would become almost impossible. I move—

That the Bill be now read a second time.

Mr. SPEAKER: Before asking the House to vote on this question, I should like to say to the member for Katanning (Mr. Watts) that I shall have to get the Bill reviewed by my advisers. I question whether we can—I do not declare it—extend the functions of

local governing bodies, and give them power to make regulations, by an amendment to the Fisheries Act. It does seem to me that the Bill requires some clarification in that direction. I, therefore, inform the hon. member that it will be necessary for me to make inquiries in the direction I have indicated.

On motion by the Minister for Works, debate adjourned.

BILL—ROAD DISTRICTS ACT AMENDMENT.

Second Reading.

MR. MARSHALL (Murchison) [9.13] in moving the second reading said: Although this Bill differs materially in title from one which I introduced last session, it has the same object in view. Last session the Bill sought to amend the Hawkers and Pedlars Act. Members who were present then will recollect that my action was thought to be too drastic, although it would have achieved the same effect as the Bill now before the House will achieve if it becomes law. Road boards have little or no authority to control hawking in the more comprehensive sense of the word. It will be understood that, by the Hawkers and Pedlars Act, and also by the limitation imposed in the Road Districts Act, local authorities are limited in their activities in respect to the making of by-laws or regulations to control hawking. It is not difficult for anyone who is hawking something that is not specifically mentioned in either of those Acts to submit, when the case is being heard, that he is not really hawking within the meaning of the Hawkers and Pedlars Act, in that he is hawking goods of his own manufacture. In consequence, such persons can evade prosecution, or any by-laws or regulations made under the Road Districts Act. The Bill now before members will provide road boards with full and comprehensive power to control all forms of hawking within their districts. I do not suggest that there will be a total prohibition of all types of hawking, but it is certainly desirable that road boards shall have power to regulate the practice, irrespective of what the commodity or merchandise hawked may be. Since the advent of the motor car it has not been difficult for individuals to load up their vehicles—incidentally, they can evade the transport laws of the State—and then proceed to remote districts to dispose of their goods. They are able to sell their commodities with impunity, without regard to the interests of those who have spent their means in establishing themselves in business in country towns. Those storekeepers have assisted in providing the amenities that make existence in the outer centres more pleasant, and yet they are confronted with the unfair competition of the hawkers. Particularly in the more remote goldfields areas, hawkers of all sorts of goods have invaded the townships. The position has become almost intolerable. Apart from the element of unfair competition, it may be mentioned that the hawkers usually demand cash for the goods they sell. They have wily methods by which to induce sales, and they dispose of inferior articles at maximum prices. The buyers believe what they are told, only to find to their sorrow shortly after the hawkers have taken their departure that they have purchased inferior articles. Even this has an effect in more than one direction. It will be seen that as cash has to be paid for the goods purchased from hawkers, the storekeepers have to extend credit to the community to enable the people to carry on. That emphasises the unfairness of the competition. The Bill provides that the local authority shall have the same power as the municipal corporations. In fact, the same words that appear in the Municipal Corporations Act are used in the Bill. We have heard no complaints from those who hawk within the boundaries of municipalities, and my object in submitting the Bill is to provide that road boards shall have the same powers as municipalities possess. I am convinced that the road boards in my electorate will exercise those powers with discretion, as the municipalities already do, and it will be on rare occasions only that anything approaching prohibition will be enforced. I do not think members need have any fear in passing the Bill, which also contains a definition of the term "hawker." That is necessary because no such definition appears in the Road Districts Act. Unless that deficiency be remedied, it will be possible for an individual to evade his responsibilities by declaring he is not a hawker within the meaning of the Act. The amendments embodied in the Bill are necessary to allow road boards to exercise control over hawking within their respective districts,

under terms and conditions to be specified in their by-laws, which, in turn, must be endorsed by Parliament. In those circumstances, Parliament is not asked to grant supreme power to road boards, but merely such power as will be granted by this Chamber and by the Legislative Council. The Bill is introduced as the result of a conference of road boards in the Murchison district, and I have presented it at their request. It contains only the provisions I have indicated, and I have emphasised the necessity for them. I have already outlined the position in detail on two previous occasions, and I shall content myself with the brief summary I have submitted of the present Bill. It will be agreed that road boards throughout the State desire the powers sought to be conferred upon them. I move——

That the Bill be now read a second time.

On motion by the Minister for Works, debate adjourned.

BILL—ALSATIAN DOG ACT AMENDMENT.

Second Reading.

HON. P. D. FERGUSON (Irwin-Moore) [9.23] in moving the second reading said: Section 2 of the Alsatian Dog Act of 1929 reads—

> No person shall, after the expiry of three months from the passing of this Act, be the owner of, or keep or have in his possession, or under his control, any dog of the Alsatian wolf-hound species, if such dog is of or over three months of age and has not been effectively sterilised.

That provides for the illegality of keeping an Alsatian dog over the age of three months if it is not effectively sterilised, and the Bill that I have placed before members is designed to secure the deletion of the words "is of or over three months of age and" in lines 4 and 5 of the section. If the Bill be agreed to, it will be illegal for anyone to keep an unsterilised Alsatian dog in Western Australia.

Mr. Hegney: That is rather vicious.

Hon. P. D. FERGUSON: It is not half as vicious as are some of these dogs. At present the Act provides that it is illegal for anyone to breed an Alsatian wolf-hound in this State, and that is natural when the previous section provides that it is illegal to keep such a dog over the age of three months unless it is effectively sterilised. After the measure became law, effective steps were taken to have all dogs of the Alsatian breed and their crosses, both male and female, sterilised or destroyed. Naturally those steps were not 100 per cent. effective, and some dogs were bred in country districts. Later on I will indicate to members some of the disastrous results of the work of dogs that have "gone bush." At present there are not many dogs of this breed that have not been sterilised, but unfortunately there are some in an adjoining State. Occasionally pups under the age of three months are brought over, and they come mainly from South Australia. Those pups are taken to country districts before they are effectively sterilised. In some States the restrictions on Alsatian dogs are less stringent than in Western Australia, but in other States the breed is practically banned. In at least two States the control of the legislation dealing with Alsatian dogs has been placed in the hands of what are known as the pasture protection boards, which, I understand, have powers somewhat similar to those of our local governing bodies. Those boards have effectively dealt with the trouble. The same applies to the Federal Territory, where the breed has been effectively banned since 1934. At present pups are occasionally imported by air, rail or sea. There are one or two recognised importers who have worked in conjunction with the authorities who have been notified regarding importations. Protective steps have been taken to have the animals sterilised, but where there are private individuals, or persons who are not concerned about complying with the law as it operates in Western Australia, it is possible for the Alsatians to be taken to the goldfields, or into the agricultural areas before they are effectively sterilised, and that is what constitutes the danger to-day. Those pups have become a menace to the sheep men of Western Australia. With a view to overcoming that menace, I have deemed it advisable to introduce the Bill embodying the amendment I have already mentioned. The effect will be to prevent any animal of the Alsatian wolf-hound breed, and its crosses, from being brought into this State, unless it has been effectively sterilised. I have consulted veterinary authorities on the question, and have

been given to understand that it is not practicable in all cases effectively to sterilise male or female pups much under three months of age. While it may be possible in some instances, in other cases no definite guarantee can be given by any veterinary surgeon that sterilisation has been effective. It will be seen that the age limit does not enter into the question except to the extent that it becomes illegal for anyone to keep this breed of dog in Western Australia; thus the only really effective way to deal with the problem is to make it illegal for anyone to keep the dogs at all, unless sterilised. There have been numerous instances throughout the country areas of the Alsatian wolf-hound and its crosses causing depredations amongst our flocks and those instances can be verified. But it has not always been easy to sheet home to the owner of the dog the responsibility for the damage. It was well known in one district east of the Wongan-Mullewa line that about the time of the passing of the Act an Alsatian wolf-hound in the district was not sterilised. The residents of the district also knew that the dog often "went bush," staying with dingoes for considerable periods. Proof of this was provided when a well-known trapper in the locality, which is in the electorate represented by my friend, the member for Mt. Marshall, came across a dingo bitch with a litter of Alsatian-cross pups. The pups were captured and despatched to the Department of Agriculture: there was no doubt about their breeding. The dog referred to left home and was lost for a long time. Some of his progeny crossed over the Wongan Hills line and made their home in the district between Wongan Hills and Piawaning.

Mr. Mann: They were no respecters of boundaries.

Hon. P. D. FERGUSON: No.

Mr. Cross: Was he a matured dog?

Hon. P. D. FERGUSON: Yes. He was several years old. One particular dog in the district was known as "Two-toes" because he had once been caught in a trap and lost two centre toes It was easy to track that dog, and well-known farmers in the locality have computed that he has destroyed sheep to the value of not less than £1,000.

Mr. Cross: The wonder is they did not shoot him.

Hon. P. D. FERGUSON: One farmer I know lost sheep to the value of £300; they were all destroyed by the dog known as "Two-toes." The dog had been seen on several occasions and all the farmers in the district were concerned about his capture. So concerned were they about the depredations of the dog that for months at a time they yarded their sheep. The damage done by this dog, estimated at £1,000, does not represent anything like the loss sustained by the farmers. For instance, you Sir, will know, as one who has had experience with flocks, that if sheep are yarded at night they do not thrive so well, they do not cut the same fleece, nor do they have anything like the same percentage of lambs. The loss mentioned could probably be doubled or trebled. Some little time ago a trapper employed by the Central Vermin Board was sent to the district to trap the dog, which had until then evaded all the wiles of the local farmers. After some weeks the trapper caught the dog. So pleased were the farmers in the district that they raised a considerable sum of money amongst themselves—which they could ill-afford—for presentation to the trapper in recognition of his services. I have some photographs of the dog which I would like hon. members to see, because they definitely prove the breeding of the dog. There is no doubt that it was an Alsatian-cross.

Mr. Hegney: Were the photographs taken after the dog was trapped?

Hon. P. D. FERGUSON: Yes. One shows the trap on its leg; another, the dog without the trap; and still another, the dog held up by the trapper employed by the Central Vermin Board. The photographs will prove to members the menace that this breed of dog can become. I have traced the history of the first dog from the time it got away in the early days when it was brought to Western Australia unsterilised. Eventually, as I have said, it was caught and destroyed. At least one litter of its pups was caught and destroyed. The dog "Two-toes" is one of another litter.

The Act provides that a veterinary certificate shall be supplied showing that dogs have been effectively sterilised. I hold it would be just as simple for a dog to be effectively sterilised before it was shipped from the Eastern States, and a veterinary certificate should be

supplied to that effect. There is no great hardship in keeping dogs of this kind out of Western Australia until they are old enough to be effectively sterilised. To-day they are being brought into the State when they are four or five weeks old, kept here until they are three months old and then sterilised. It should be made impossible for any dog to enter Western Australia until it has been effectively sterilised. That means the dog should be kept outside the State until it is old enough to be sterilised. This is a matter of vital importance to sheep owners and I hope hon. members will see the necessity for the proposed amendment of the Act. The amendment will give considerably more protection to sheep farmers than they enjoy at present. I move—

That the Bill be now read a second time.

On motion by the Minister for Agriculture, debate adjourned.

House adjourned at 9.48 p.m.

Legislative Assembly.

Thursday, 1st September, 1938.

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

QUESTION—EDUCATION.

Perth Technical College, Additional Accommodation.

Mr. NEEDHAM asked the Minister for Education: 1, Does the Government intend to provide additional accommodation for students at Perth Technical College? 2, If so, when will the necessary work be put in hand?

The MINISTER FOR EDUCATION replied: 1 and 2, The matter is receiving fullest consideration at the moment.

QUESTION—GAS.

Prospective Customers, Claremont and Swanbourne.

Mr. NORTH asked the Minister for Works: 1, Are any steps being taken to empower prospective gas customers in the portions of Claremont and Swanbourne now beyond the Perth City gas area to connect up with the mains? 2, If the Fremantle Gas Company is not taking further powers to meet these cases, is the Government arranging to proclaim the "no man's land" in question as part of the Perth City Council's terrain?

The MINISTER FOR WORKS replied: 1, Yes. 2, A proposal submitted by the Fremantle Gas and Coke Company for an extension of its area is now under consideration with a view to the introduction of the necessary amending legislation.

QUESTIONS (2)—RAILWAYS.

"AZ" Coaches.

Mr. DONEY asked the Minister for Railways: 1, Is the arrangement whereby "AZ" coaches have—except for one upward and one downward journey—been transferred from the Great Southern line to the Perth-Kalgoorlie line a permanent arrangement? 2, Does the Railway Department intend to build more "AZ" coaches?

The MINISTER FOR RAILWAYS replied: 1, Only until the present limited supply of these coaches is added to. 2, Yes.

Coal Box Wagons, Bulk Wheat Trucks.

Mr. DONEY asked the Minister for Railways: 1, Was there in 1930, or in any other year, a surcharge of 1s. per ton freight on coal carried over the State railways in coal box wagons? 2, Over what period did this surcharge operate? 3, If coal box wagons have been constructed in the Midland Junction Workshops, what is the cost per wagon to the Railway Department? 4, During the