between the two bodies. There is only one question to decide, and that is as to who will be the best landlord. On behalf of the Perth City Council I am prepared to accept the Bill with one or two slight amendments.

Hon. J. Cornell: I am concerned about the market.

Hon. Sir WILLIAM LATHLAIN: Members representing country districts often speak about the need for railways. A considerable sum will be required for these markets, but that would go a long way towards building a line of railway such as is required in the country. I hope the motion for the appointment of a select committee will be carried. It would lead to a proper decision as to who should control the markets. The Perth City Council, in their desire to have control, are only following in the footsteps of other capital cities of Australia and the principal cities in England. There is one important factor that will lessen the cost to the producer. Under City Council control the board would work in an honorary capacity. Under Government control members of the board will probably be well paid, and this will naturally lead to a considerable increase in the cost of running the concern. Boards of that description are more inclined to construct elaborate buildings, such as would not yet be necessary, than would be the case with the Perth City Council. I give place to no one in my desire for markets. If the committee is appointed there will be only the one question to be considered, that of the landlord. The Bill provides the nucleus of everything that is required, no matter who controls the market. The evidence the committee will be able to bring forward will undoubtedly convince the House that the Perth City Council are the right people to control the markets. I hope, therefore, that the House will refer the Bill to a select committee.

Question put, and a division taken with the following result:—

Ayes	7
Noes	16
Majority against ..	9

AYES.

Hon. E. H. Harris	Hon. J. Nicholson
Hon. J. J. Holmes	Hon. G. Potter
Hon. A. Lovekin	Hon. Sir W. Lathlain
Hon. J. M. Macfarlane	(*Teller.*)

NOES.

Hon. J. R. Brown	Hon. G. A. Kempton
Hon. A. Burvill	Hon. W. H. Kitson
Hon. J. Cornell	Hon. W. J. Mann
Hon. J. M. Drew	Hon. G. W. Miles
Hon. J. Ewing	Hon. E. Rose
Hon. E. H. Gray	Hon. H. Stewart
Hon. V. Hamersley	Hon. H. J. Yelland
Hon. J. W. Hickey	Hon. W. T. Glasheen
	(*Teller.*)

PAIR.

AYE.	NO.
Hon. H. Seddon	Hon. C. F. Baxter

Question thus negatived.

In Committee.

Hon. J. Cornell in the Chair; the Honorary Minister in charge of the Bill.

Clause 1—agreed to.

Pregress reported.

House adjourned at 10.22 p.m.

Legislative Assembly,

Wednesday, 1st December, 1926.

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

QUESTION—RAILWAYS, BURRACOPPIN STATION-MASTER.

Mr. GRIFFITHS asked the Minister for Railways: 1, Has he received a petition from the Burracoppin settlers requesting that a station-master be appointed at that

centre? 2, Is he aware of the great losses suffered by the settlers due to thieving of goods in station yard? 3, If a petition has not yet come to hand, will he carefully go into the request contained therein when it is received and see if the request can be granted?

The MINISTER FOR RAILWAYS replied: 1, No. 2, No. 3, This is always done, and it should hardly be necessary for questions to be raised in the House, to which only one reply will obviously be given.

QUESTION—MENTAL HOMES, LEGISLATION.

Mr. NORTH asked the Premier: 1, Is it a fact that under the existing law the Government have no power to prevent rest homes for erotic, neurotic or neurasthenic mental defectives from being established in closely settled areas or in proximity to boarding schools? 2, If so, will the Government at the earliest opportunity introduce legislation to remedy the position? 3, In the absence of amending legislation, will the Government assist local bodies by refusing to grant licenses in such circumstances, and thus confine the disability till the law can be amended?

The PREMIER replied: 1 to 3, Should the institution come within the definition of a private hospital, under the Health Act and Regulations (as it seems to do), the institution would require to be licensed by the local authority concerned which, it is considered, would have no option but to grant a license if the prescribed conditions were complied with. Similar legislation is in satisfactory operation in England and the Eastern States and, so far, no necessity has arisen for specially altering the law.

QUESTION—STATE HOTEL, BRUCE ROCK.

Mr. LATHAM asked the Hon. S. W. Munsie (Honorary Minister): 1, Is it proposed to sewer the Bruce Rock State Hotel as was done at Kwolyin? 2, Is it intended to provide a proper hot water service for heating water for bath rooms, etc., at the Bruce Rock Hotel? 3, If so, what system is to be installed?

Hon. S. W. MUNSIE replied: 1, Hitherto the lack of an adequate water supply has precluded the installation of an effective sewerage system. Now that water is available, the question will receive consideration 2, Yes; when funds are made available. 3 Answered by 1 and 2.

GOVERNMENT BUSINESS, PRECEDENCE.

THE PREMIER (Hon. P. Collier—Boulder) [4.33]: I move—

That for the remainder of the session Government business shall take precedence of all Notices and Orders of the Day on Wednesdays as well as on other sitting days.

There has not been much private members' business introduced during the session.

Hon. G. Taylor: And there are not many more Wednesdays in the session.

The PREMIER: At a time like this when we are drawing towards the close of the session, it is usual to abolish private members' day. I will give an undertaking to any private member who desires to bring forward business, that his business will receive fair consideration.

Hon. Sir James Mitchell: We shall see to that, of course.

The PREMIER: There is no desire to prevent private members from ventilating any matter they may desire to bring forward. At this stage of the session, however, it is advisable that the whole of the sitting days shall be devoted to dealing with Government business, consistent, of course, with giving private members an opportunity to bring forward business should they so desire.

HON. SIR JAMES MITCHELL (Northam) [4.36]: This is the usual motion introduced at this stage of the session, although it is generally brought forward at a slightly earlier stage. The Premier, we know, does not intend to sit much longer. He has given us his assurance that private members will be given an opportunity to bring forward such matters as they may desire and that, of course, is satisfactory. Private members have not taken up much of the time of the House this session, nor have they done so for some years past. We are anxious to terminate the session before Christmas, but there is not much chance of doing that if we may judge by the number of Bills that Ministers continue to introduce each day.

The Minister for Lands: My Bill is a very mall one.

Hon. Sir JAMES MITCHELL: But it is ery important.

The Minister for Lands: It contains one lause.

Hon. Sir JAMES MITCHELL: But an ll-embracing clause! It is true that the Bills on the Notice Papers are comparatively mall ones, but some are of importance and vill take some time to consider. I accept he Premier's assurance that we shall have n opportunity to bring forward matters we nay desire to ventilate, and with that assurance we may rest content. Naturally it is within the power of hon. members to force he Government to give us the necessary ime. It has not been customary for us to lo that, but to deal with Government busiess as speedily and as effectively as possible.

MR. SLEEMAN (Fremantle) [4.38]: It seems rather hard that at this stage the Premier should move that Government business shall take precedence on Wednesdays over private members' business, particularly in view of the fact that some private members have business already before the House, and their business has been placed at the bottom of the Notice Paper. Seeing that the session will not last much longer, I would like to know what chance we will have of securing consideration for our business. Had the Premier made an exception of to-day, it would have been all right. I would like to know from the Premier whether we will have an opportunity to put through the Adoption of Children Act Amendment Bill, which is at the bottom of the Notice Paper.

The Premier: Yes.

MR. HUGHES (East Perth) [4.40]: I have business on the Notice Paper that should have been further considered to-day. Apparently if it is not dealt with, it will not matter if it comes forward at all. If the House agrees to the motion in the dying hours of the session, it will have no effect. My motion was adjourned a fortnight ago at the request of the Minister, and for his convenience.

The Minister for Justice: No, it was not. I did not adjourn it.

Mr. HUGHES: I understood the adjournment was moved to suit your convenience.

The Minister for Justice: That is not so.

Hon. Sir James Mitchell: The Minister did not resist the adjournment.

The Minister for Justice: No.

Mr. HUGHES: I am sorry that my information is not correct, but I was given to understand that the adjournment was secured for the purpose I have indicated. I would like to know whether the motion will have effect, if it is carried.

The Premier: It will have effect, if carried.

Mr. HUGHES: It seems to me that we are being cut out.

The Premier: By way of explanation, I think I informed the House that an opportunity will be given to deal with whatever private members' business is on the Notice Paper now, and also any new business that private members may desire to bring forward.

HON. G. TAYLOR (Mt. Margaret) [4.43]: In arranging the Notice Paper last night the Premier must have anticipated the carrying of his motion because the House had already ordered that under ordinary circumstances to-day would be private members' day. Having regard to the ordinary procedure of the House, the Premier should have put orders relating to private members' business in their customary places on the Notice Paper. I have never before seen the Notice Paper placed in front of members in a similar condition to the one before us to-day. Had the Premier moved his motion yesterday, it would have been different. Unless we sit until the 15th December, there will not be another private members' day, if we take into consideration the order of the House to which I have already referred. To put private members' business at the bottom of the Notice Paper in anticipation of carrying the Premier's motion is a violation of the order of the House. I desire to draw your attention, Mr. Speaker, to that point.

Mr. Hughes: On a point of order. Is it in order to make the motion moved by the Premier retrospective in view of the previous decision of the House that to-day should be a private members' day?

Mr. SPEAKER: If the motion is carried, the business on the Notice Paper will be in order.

Question put, and a division taken with the following result:—

Ayes	34
Noes	6
Majority for ..	28

AYES.

Mr. Angelo	Mr. Lutey
Mr. Angwin	Mr. Maley
Mr. Barnard	Mr. Mann
Mr. Brown	Mr. Marshall
Mr. Chesson	Mr. McCallum
Mr. Clydesdale	Mr. Millington
Mr. Collier	Sir James Mitchell
Mr. Coverley	Mr. Munsie
Mr. Denton	Mr. Panton
Mr. George	Mr. Richardson
Mr. Griffiths	Mr. Stubbs
Mr. Heron	Mr. Troy
Miss Holman	Mr. A. Wansbrough
Mr. W. D. Johnson	Mr. Willcock
Mr. Kennedy	Mr. Withers
Mr. Lambert	Mr. Wilson
Mr. Lamond	(*Teller.*)
Mr. Latham	

NOES.

Mr. Hughes	Mr. Taylor
Mr. North	Mr. Teesdale
Mr. Sampson	(*Teller.*)
Mr. Sleeman	

Question thus passed.

BILLS (2)—FIRST READING.

1, Land Act Amendment.
Introduced by the Minister for Lands.

2, Health Act Amendment.
Introduced by Hon. S. W. Munsie.

BILLS (2)—RETURNED FROM COUNCIL.

1, Wire and Wire Netting.

2, State Insurance.
With amendments.

BILL—GOVERNMENT RAILWAYS ACT AMENDMENT.

Second Reading.

Debate resumed from the 25th November.

HON. W. J. GEORGE (Murray-Wellington) [4.53]: This Bill may really be called a domestic measure to deal with one of the most important of our trading concerns. I consider that the Minister in charge should have given a more detailed explanation of some of the clauses than he did give. It is proposed to make a departure from one of the main principles that govern the working of the railways. Section 52 of the principal Act is to be repealed. Members may not be fully aware what Section 52 covers. It settles upon the individual the responsibility for any neglect or carelessness in his work that may result either in damage to the property of the State or in injury to the individual, whether he be a worker on the railways or a passenger being conveyed by the railways. Section 52 distinctly states that every person employed on the railways shall be responsible for damage that might be done by his neglect or carelessness and, being held responsible, the cost of repairing the damage can be charged against him and deducted from his salary or wages, according to whether he is a salaried or a wages employee. It may be argued that such a provision would involve employees in very grave responsibility, but I ask the House whether it is possible to place too great a responsibility upon employees of a concern like the railways, which convey the public to and fro on their various businesses and where carelessness or neglect may cause loss of life or injury to employees or to the public. Section 52 has been in operation for quite a number of years. I believe it was in force during my term as Commissioner of Railways, but my memory does not serve me as to whether there were or were not cases in which it was employed. I do not remember any, and I hardly think it was employed. We should know from the Minister in how many cases it has been employed since the Act was passed. There can be but very few instances. If the section had been applied in any heavy sense, the question would have been ventilated not only in public, but in Parliament. It would have been asked by representatives of the workers at present sitting on the Government side whether the section was or was not a fair thing. If it had not appealed to them as being a fair thing, they would have inveighed against the tyranny of the Commissioner or of the Government supporting the Commissioner. I ask members to consider whether the public have rights to be protected or whether they have not. Are they simply to be regarded as persons using the railways for their own purposes, it is true, but really to provide employment for men who, if this provision be passed, may take their responsibility as lightly as they choose

:o do? I think the Government should con-iider a matter of this sort not merely from the point of view of the worker employed, whether he be on the salary or wages staff, but from the viewpoint of the responsibility that the Railway Department, as the agents of the Government, should bear to the public who are really the makers or unmakers of the Government. For my part I think the section should not be deleted from the Act. Again, another clause appears in the Bill by which an attempt is being made to reduce the period of probation. A man enters the railway service of this State—and I believe it is so in other States—as a temporary hand. He may know nothing whatever about railways, except that he has travelled on them at times and had to pay his fare and behave himself. He enters the service inexperienced in the working of railways and with an open mind, and he is regarded as a temporary employee for 12 months, until by his conduct he has shown himself to be one possessing some aptitude for the work and one who has shown by the interest he has displayed that, if given time, he will become a useful servant of the department. Is 12 months too long a term in which to ask a man to prove himself willing, and make himself fully competent in the service? If he behaves himself this service will continue throughout his life if he wishes. It is a service which from the start gives him an opportunity to rise, but this depends upon whether his abilities are such as would stamp upon him the desire to excel in the work he has undertaken. If he shows himself capable he naturally brings himself under the notice of his superior officers, from whom a recommendation for promotion will come. It is now proposed to reduce this period to six months. I know of no reason why the 12 months period should be departed from. If the Minister has given any reasons for this I apologise to him for not knowing what they are.

The Minister for Railways: You might have read my remarks in "Hansard."

Hon. W. J. GEORGE: I shall do so. Judging from my experience of railways, which is a fairly wide one, particularly in the matter of construction, I think the 12 months term should remain. I know of no reason why it should be reduced. Another clause amends Section 70 of the Act. I approve of that. It is only fair, according to the principles of British justice, that a man should be tried by his peers. When an employee has to appear before an appeal court, and is virtually standing his trial, there should be on the bench a representative of the particular trade or calling with which he is associated. There are men who may be able to grapple pretty fully with the main facts of any other callings than that with which they may be connected, but on the whole I think it would give more satisfaction to the railway employees, and give them a better realisation of what is likely to result from an appeal board, if there is on that board one who belongs to the branch to which the appellant is attached. The alteration to Section 71 is important. It deals with the preferential system. We have heard so much about preferential matters in connection with elections that it is difficult to see that any harm would accrue from extending the system to the railways. When we come to Clause 6 in Committee I shall have something to say with regard to the industrial organisations representing the section to which the appellant belongs. That is an innovation which strikes out on new lines, and requires very serious consideration. With regard to the alteration to Section 72 and the period of 30 days allowed for the lodging of an appeal or the revocation of a sentence, I consider that a just provision. If a man is making an appeal against punishment, whether it is a suspension or loss of status, the sooner the appeal is heard the better. No benefit will accrue to the department or to the man himself if he is kept hanging on a string for a long term. The sooner the appeal is heard the better. I shall certainly support that provision. Our railway organisation is such a big thing and has so many ramifications that I am sure the Minister will give consideration to any remarks that may be made by members. He knows how far reaching the effect of even a small alteration to the existing practice and regulations may be. The public have a right to feel that while every fair play is given to the employees, their interests also are being studied. Consideration must be had to the public safety when travelling, to the pockets of the people with regard to freights and fares, and also to the wider question which the government of the railways brings about, namely the incidence of the administration upon taxation. The

Government in their wisdom, following out their pledges given at the last elections, decided to reduce hours. The effect of this is reflected in the finances of the Railway Department. This is not the time in which to enter into a discussion of that question, but I should like to say that if there is one industry in connection with our ordinary lives, in which any alteration requires the fullest consideration, it is the railways. The Minister knows well the reason why, years ago, we used to work out 96 hours fortnightly instead of 48 hours per week. That system has been altered. Some slight inconvenience may be caused to some of the employees by reason of this being done, but we cannot all have feather beds to lie on. Some of us have to take the hard jobs of life. I maintain that the alteration, which was made with the idea of the convenience of a comparatively few people, has affected the working and the finances of the railways very much to their detriment.

THE MINISTER FOR RAILWAYS (Hon. J. C. Willcock—Geraldton—in reply) [5.8]: I am sorry the hon. member was not present when the Bill was brought down, and that that he did not take the trouble to read in "Hansard" my speech on the second reading. If he had done that he would have been in a better position to criticise the measure. Although I did not take long in making that speech, because the principle of appeal boards is so well known, I did explain fully the provisions of the Bill.

Hon. Sir James Mitchell: This is making only a slight alteration in the system.

The MINISTER FOR RAILWAYS: I will tell the hon. member why it was desired to eliminate Section 52 of the Act. It has not been used to any great extent, and hardly at all by the present Commissioner of Railways. It limits the right of an employee to appeal. A man may be punished under this section and mulct £5, but he has no right of appeal. The section would give the Commissioner, whoever he may be, the right to collect from a man £5. In the case of other breaches of discipline the employee would have the right of appeal, but not under this particular section. A man may be wrongfully penalised, but may get no redress.

Hon. W. J. George: Why not give him the right to appeal?

The MINISTER FOR RAILWAYS: It is not desired that employees should be made personally responsible for any damage they do when they are working for others. If that were carried to its logical conclusion it might be said that as an employee had to share in the losses he should also have to share in the profits. It may be said that if by any mischance some property is damaged by an employee he must make good the damage, but he is not to have the right to appeal against his dismissal or against any fine inflicted upon him. If the Commissioner chose to deal with a man in a certain way the man could not appeal against the decision. That procedure is not followed in other Government departments. In connection with the administration of all Government departments we say that when an employee is acting for the State, and something occurs and he is punished, he should have the right to go before an appeal board.

Hon. Sir James Mitchell: We have had appeal boards for years.

The MINISTER FOR RAILWAYS: That procedure is developing throughout the departments. This Government have introduced two or three Bills for the purpose of giving different sections of the service the right to appeal against punishments.

Hon. Sir James Mitchell: This is nothing new.

The MINISTER FOR RAILWAYS: No. It is only a question of extending the principle. Under this section if anyone were punished he would have no right of appeal. That is the only reason why the section is being repealed. The Commissioner is liable for any neglect or carelessness on the part of his employees. If he has any reason to think that they are persistently careless, or are careless in one or two instances, he has the right to fine or punish them. If the offence is such as to merit dismissal the Commissioner has the right to put that into effect. This saddles all the responsibility upon the employee, who is not personally responsible. He may be called upon to pay any damage that he is responsible for. This is not expected in any other phase of Government service, and is not carried out in other kinds of employment. There is no reason why it should be done in connection with the Railway Department.

Hon. W. J. George: Who rules that there is no right of appeal?

The MINISTER FOR RAILWAYS: There is no right of appeal under this section. There is only right of appeal when the Commissioner fines, dismisses, or punishes some employee. This is not a fine.

Hon. W. J. George: Is it not a punishment?

The MINISTER FOR RAILWAYS: It is neither a fine nor a punishment.

Hon. Sir James Mitchell: It is.

The MINISTER FOR RAILWAYS: It has been ruled that it is not a punishment, and that there is no right of appeal from it.

Mr. Teesdale: What would constitute a punishment?

Hon. Sir James Mitchell: A fine.

The MINISTER FOR RAILWAYS: The Commissioner would say "You have been so careless in the discharge of your duties that I will fine you £1, and if that has not a deterring effect the question of dismissing you from the service will be seriously considered."

Hon. W. J. George: That is a punishment.

The MINISTER FOR RAILWAYS: It has been held that it is not a punishment.

Hon. W. J. George: It is a threat held over a man.

The MINISTER FOR RAILWAYS: It is not a punishment under the Act. It is making a man personally liable for something he has done.

Hon. Sir James Mitchell: You could not make anyone else liable.

The MINISTER FOR RAILWAYS: A man is punished by being fined, by having a caution recorded on his papers, or by being dismissed.

Hon. W. J. George: It is rather a play on words. You may call it a smash with a stick or a lick with a cane, but it is still a punishment.

The MINISTER FOR RAILWAYS: The hon. member may think so. It has been ruled that there is no appeal from what the hon. member terms a punishment under this section. If there is no appeal from it we desire that everyone should have the right to appeal. Decisions have been given in regard to this matter. In any case, we can discuss the merits of the clause in Committee, if that is desired. In the meantime hon. members may have an opportunity to scan the remarks I made in introducing the Bill.

Hon. Sir James Mitchell: I think you have misread the section. The amount of the fine may be deducted from the wages.

The MINISTER FOR RAILWAYS: It is not a fine. If it were a fine it would come under Section 69, which gives a right of appeal.

Hon. Sir James Mitchell: So does this section.

The MINISTER FOR RAILWAYS: No. However, I think consideration of the matter had better be deferred until the Committee stage. Another point raised by the hon. member referred to the reduction of twelve months' permanent service to six months. In connection with all arbitration awards and departmental privileges, the provision is six months' permanent service. The proposed amendment does not mean that the department shall not have the right to dismiss after six months; it merely gives an employee the right to appeal if he has been in the service for six months.

Hon. W. J. George: Do the awards put the period at six months now?

The MINISTER FOR RAILWAYS: Most of the privileges require a period of six months.

Hon. W. J. George: We cannot go against awards.

The MINISTER FOR RAILWAYS: I think those are all the matters that have been raised.

Question put and passed.

Bill read a second time.

In Committee.

Mr. Lutey in the Chair; the Minister for Railways in charge of the Bill.

Clause 1—agreed to.

Clause 2—Repeal of Section 52:

Hon. Sir JAMES MITCHELL: If a man wilfully damages railway property, he can be punished, whether he is a railway official or not.

The Minister for Railways: He is punished under Section 69.

Hon. Sir JAMES MITCHELL: If the Minister's gate had been torn off by a man who visited him, the man could be prosecuted for damaging property. The only difference here is that the section provides for the amount of damage to be deducted from wages due. In that respect railway employees are at a disadvantage as compared with the general public.

The Minister for Railways: Under this section there is no right of appeal. Under the other section there is.

Hon. Sir JAMES MITCHELL: The man would be prosecuted in the police court.

The Minister for Railways: And probably sacked.

Hon. Sir JAMES MITCHELL: If Section 52 were deleted, the position of the employee would be rendered worse.

The Minister for Railways: The trouble is the lack of the right of appeal. The object of the Bill is to give that right.

Hon. Sir JAMES MITCHELL: I do not think there are many men in the Railway Department who would wilfully damage railway property.

The Minister for Railways: It has been held that men have been wilfully careless.

Hon. Sir JAMES MITCHELL: The negligent man is dealt with now. All the advantage which the Commissioner of Railways has is that the amount of the damage can be deducted from the employee's wages or salary.

Hon. G. Taylor: And there is no right of appeal.

Hon. Sir JAMES MITCHELL: I consider that the employee would have a right of appeal.

The Minister for Railways: It has been held that there is no right of appeal.

Hon. Sir JAMES MITCHELL: For wilful damage to property a railway employee should be dealt with in the same way as a man outside the service, and should go to the same court.

The MINISTER FOR RAILWAYS: The member for Murray-Wellington will recall that on one historic occasion a railway car in which he used to travel was smashed up while being shunted. Not long after, another carriage was smashed while being shunted. On that occasion the Commissioner said to the shunter, "You have been wilfully neglecting your duty and I will deduct £5 from your salary."

Hon. Sir James Mitchell: Would not the Commissioner dismiss the man?

The MINISTER FOR RAILWAYS: The Commissioner could do that. In such circumstances there is no appeal under the Act. Section 69 provides that if a man is guilty of misconduct he may be fined, reduced to a lower grade, or dismissed; but he has the right to appeal to a board if he thinks he has been punished unjustly.

Hon. Sir James Mitchell: That is so under the 1907 Act.

The MINISTER FOR RAILWAYS: No. It has been held repeatedly that there is no right of appeal under Section 52, because the section confers statutory power on the Commissioner to deduct certain sums of money from the wages or salaries of employees.

Hon. W. J. George: I am satisfied that in such circumstances an employee can appeal.

The MINISTER FOR RAILWAYS: No; he has no right of appeal.

Hon. Sir James Mitchell: It would look rather like a fine if the Commissioner said to an employee, "I am going to deduct £5 from your wages."

The MINISTER FOR RAILWAYS: Still, there is no right of appeal.

Hon. W. J. GEORGE: I understand that the Commissioner and the unions concerned have agreed upon the withdrawal of this section.

The Minister for Railways: Yes, and the Commissioner says it has not been used for four or five years.

Hon. W. J. GEORGE: I understand that a few years previously the department agreed to abolish this form of punishment. If the Commissioner has agreed with the unions on the subject, it is not much use our arguing the matter. However, I consider that the discipline of the railways will be seriously interfered with if the section is deleted. Whether the Commissioner puts it into force or not, it should remain. If a man were mulcted under Section 52, I do not think any Commissioner would refuse to let the matter go before an appeal board.

Hon. G. TAYLOR: Suppose a man apart from the railways, by some mishap or negligence or accident, does £5 worth of damage and the manager has the right to say to him, "I will deduct that £5 from your wages."

The Minister for Railways: He cannot do that.

Hon. G. TAYLOR: Suppose that position existed. It is what the Commissioner does under the Act.

The Minister for Railways: If he takes advantage of this section.

Hon. G. TAYLOR: What is the difference between a private employer doing that and the Commissioner doing it? There is no distinction. The employer, in point of fact, has to take the employee to court, and the court may order the employee to pay the £5. The Commissioner fines in exactly the same way as the court fines.

The Premier: The difference is that the Commissioner is one of the parties concerned, while the court is not; so there is no analogy at all.

Hon. G. TAYLOR: But the Commissioner can do exactly the same as the court does. What difference does it make to the man who has to pay whether he is fined by the Commissioner or by a court?

The Minister for Railways: The court is not an interested party, and the Commissioner is, seeing that he is the employer.

Hon. G. TAYLOR: It makes no difference.

The Minister for Railways: It does, because of one's sense of justice.

Hon. G. TAYLOR: The Minister says that the section is inoperative and may just as well be removed, that all parties concerned have discussed the matter and decided upon the deletion of the section.

The Minister for Railways: The Commissioner decided upon that three or four years ago, and has never used the section since.

Hon. G. TAYLOR: The parties being agreed, I shall not oppose the clause; but I fail to see the line of reasoning.

Clause put and passed.

Clause 3—agreed to.

Clause 4—*Amendment of Section 70:*

Hon. Sir JAMES MITCHELL: The appeal board was established in 1907. One can understand that in a great service, with men scattered all over the State and under the control of various officials, it is possible for injustice to be done. So the appeal board of 1907 was set up. What is now proposed is that the board shall be elected in a different way. I hope the Commissioner of Railways has been consulted.

The Minister for Railways: Yes, he has been.

Hon. Sir JAMES MITCHELL: I hope he has, for under the Act the Commissioner, not the Minister, has charge of the railways.

The Minister for Railways: The Commissioner has written that the proposed amendment renders the appeal board more acceptable both to the staff and to the Commissioner.

Hon. Sir JAMES MITCHELL: We want justice for the employees. I hope the people who go before the appeal board are expected to give evidence on oath.

The Minister for Railways: Yes, they have to take full responsibility for what they say.

Clause put and passed.

Clause 5—agreed to.

Clause 6—Amendment of Section 11 of Act No. 29 of 1907:

Hon. W. J. GEORGE: This makes it imperative that when a member of the appeal board is unable to be present, his place shall be filled by the industrial organisation concerned. I view with trepidation the idea that the industrial organisations shall have any further dealing in the management of the railways. Of course, the employees have the right to choose their representative. But this does not say the employees shall choose their man; it provides that the industrial organisation shall do so, although perhaps the members of the union would prefer some other person.

The Minister for Railways: What would you have them do—hold an election?

Hon. W. J. GEORGE: This is giving official recognition to the fact that the railway unions have a status entitling them to impress with the force of power their views upon the Commissioner. In this the Minister is giving the unions an official status almost equivalent to that of the Commissioner. The union will have the right to come in and say, "Neither the representative nor his deputy on such and such an appeal court case can be present, and therefore we, the union, say that so and so shall be present." If I had the power I would stop this sort of thing, for it is in the interests of the men themselves that the intrusion of the unions into the affairs of the railways should not be extended.

The Premier: Why didn't you read the Bill?

Hon. W. J. GEORGE: I have read it.

The Premier: What blithering nonsense! Apparently you know nothing at all about it.

The MINISTER FOR RAILWAYS: This concerns only the man on the appeal board who represents the appellant. The right of the employees to have a representative on the appeal board has long since been granted. The Commissioner has a representative, and there is an impartial chairman. If the representative of the men and his deputy are both absent, who is going to nominate somebody to the board? It is provided that in such an improbable

event the industrial organisations shall have the right to nominate their representative to the board.

Clause put and passed.

Clauses 7 and 8—agreed to

Title—agreed to.

Bill reported without amendment, and the report adopted.

BILL—DRIED FRUITS.

Second Reading.

THE MINISTER FOR AGRICULTURE (*Hon. M. F. Troy—Mt. Magnet*) [5.43]: in moving the second reading said: The necessity for this legislation has been urged upon me for some time by those engaged in the dried fruit industry, but I have been averse to introducing legislation of this sectional character. By the principles contained in the Primary Products Marketing Bill of last year, defeated in another place, the people engaged in every primary industry were given the fullest opportunity for organisation. That Bill passed this House, but was defeated in the Council by those essentially and particularly who claim to be the representatives of the primary producers. Since then an election to another place has been held, and the greater number of those who opposed the Bill have been returned. Presumably, therefore their constituents endorsed their action. It has been urged by certain persons in the industry that that action was not endorsed. However, until I was satisfied that there was in another place a stronger feeling in favour of the Primary Products Marketing Bill than was evidenced by the vote last session, I did not see that I could introduce that legislation this year.

Hon. Sir James Mitchell: It is not the same Bill.

The MINISTER FOR AGRICULTURE: It has the same principles. The hon. member knows it has the same principles, because when discussing the Primary Products Marketing Bill he said, "Give it to the dried fruits people."

Hon. Sir James Mitchell: I did not say, "Give it."

Mr. Sampson: The Council did pass a Dried Fruits Bill last session.

The MINISTER FOR AGRICULTURE: I am not discussing what happened last session. It was the Primary Products Marketing Bill that was rejected by another place. Representatives of quite a number of interests have waited upon me and asked for the reintroduction of that measure, but it does not appear to me that we can count on sufficient support in another place to warrant the belief that it would secure the necessary sanction. There is no doubt about the Bill going through this Chamber; I can vouch, at any rate, for members on this side of the House. The objections, however, come from another place. The people engaged in the dried fruits industry have impressed upon me the parlous condition of the industry and particularly the need for legislation to enable them to co-operate with the dried fruit producers in Victoria and South Australia. In those two States legislation of this character was introduced in 1924 and continued in 1925 and 1926, and a measure is now before the Parliaments of both those States to extend the operations of the legislation for a further period of three years. The legislation enacted in those States provides for control by boards constituted under the Dried Fruits Act, in which provision is made for the quality of fruit to be exported and the quantity to be retained for home consumption. The two States referred to complain that unless Western Australia and New South Wales pass similar legislation, their efforts to secure a livelihood for the dried fruit growers will be nullified. The Ministers of both those States have requested me on a number of occasions to submit this legislation to our Parliament and only a few days ago I received a telegram from South Australia asking me whether I proposed to introduce the Bill. At the conference of Ministers for Agriculture held at Brisbane a little time back the matter was discussed, and an effort was made to secure unanimity amongst Ministers. I noticed in the papers a few days ago that the Minister for Agriculture in Sydney had given notice of his intention to introduce such a measure into the Parliament of his State, a measure that would bring that State into line with Victoria and South Australia. The people engaged in the industry in the Eastern States operating under boards, claim that they have created a profitable market for the dried fruit products of Australia by insisting upon a considerable quantity of the fruit being exported. Western Australia invaded their market and the result of that invasion was the breaking down

of their standard. They declare that if we continue that policy they will retaliate, and it is because of that danger that it has been decided to introduce the Bill so that we may come into line with Victoria and South Australia.

Hon. Sir James Mitchell: Have the growers here seen the Bill?

The MINISTER FOR AGRICULTURE: They have asked for it.

Hon. Sir James Mitchell: Do they know its provisions?

The MINISTER FOR AGRICULTURE: They have asked for the provisions contained in it, though it is possible that the Bill may not be all that the growers want. In my opinion, however, it gives them the protection they require so that they may carry on their operations and co-operate with the same interests in Victoria and South Australia. The production of dried fruits in Australia is far in excess of Australian requirements and endeavours have been made to find a market oversea. The industry has been organised so far as it is possible to organise it and a market must be created if the industry is to be extended, and if those engaged in it are to make a living out of it. The production of dried fruits was accelerated in the years after the war owing to a great number of returned soldiers having been settled on those areas suitable for the growing of the grape. This happened particularly on the River Murray settlements in South Australia and Victoria. Last year I had the privilege of seeing those river settlements on the Murray, and I observed the conditions under which those who were engaged in the industry were operating. I learned also of the manner in which the settlers were being assisted. I understand that the Governments of the States concerned are involved to the extent of having advanced considerable sums of money. The production has become such that an outlet has to be found somewhere, and the quantity required for the local market being small, it was imperative that other markets should be exploited. In Great Britain our products have to come into competition with the lower-priced fruit produced in California and Levantine, countries where conditions are such that the fruit can be produced much more cheaply than in Australia. Since the termination of the war the annual production of currants, sultanas and lexias has increased from 14,000 tons to 35,000 tons, due principally to the fact that between 2,000 and 3,000 returned soldiers have been placed by the Governments of New South Wales, Victoria and South Australia on areas suitable for the production of fruit. In Western Australia 120 of the settlers engaged in the production of these fruits are returned soldiers. The average indebtedness to the Agricultural Bank is £1,100 and the total amount involved in respect of these settlers is £132,000. It will be seen therefore that Western Australia, as well as Victoria, New South Wales and South Australia, has assisted the industry to a considerable extent. Our endeavour therefore should be to make the conditions such that the people engaged in the industry will be able to carry on operations and make a competency for themselves. I have some figures which show the production of dried fruits in the years 1923-26. The following table gives the quantities of the various dried fruits produced and exported during the seasons 1923-26, the principal fruits being currants, sultanas and lexias:—

Class of Fruit.	Season.	1923 (tons).	1924. (tons.)	1925. (tons.)	1926. tons (estimated).
Currants	Production	9,500	13,200	11,693	12,250
	Exports	5,520	9,500	7,471	9,000
Sultanas	Production	18,000	23,500	20,418	19,000
	Exports	8,100	18,800	14,673	13,000
Lexias	Production	5,000	4,978	5,100	2,750
	Exports	3,750	3,045	3,174	1,000

Whilst the production has largely increased, the consumption has not increased in a similar ratio and the result is that a market must be found oversea. Hon. members will realise that by far the greater propor-

tion of the product has to find a market outside Australia, and the price procured in that market is so low that it does not repay the cost of production. The Australian consumption is about 25 per cent. of the production and in consequence the greater proportion of the crop must find a market oversea. In Victoria and South Australia the proportion fixed by the respective State boards for the 1925 season crop for consumption in Australia was:—Currants 35 per cent.; sultanas 25 per cent. and lexias 35 per cent. The balance of the crop was exported beyond Australia, chiefly to the United Kingdom, and in a small degree to Canada and New Zealand. The production in Western Australia was 1,000 tons of dried fruit and we consumed only 100 tons. Last year we exported 166 tons oversea and 327 tons to the Eastern States. It is claimed against Western Australia as a producer that we have taken advantage of the market provided in the Eastern States and that we are selling the greater proportion of our product there in competition with the product of the Eastern States. Last year the Victorian Government commandeered a considerable quantity of our fruit. The consignment comprised 1,500 boxes, of which 400 were distributed amongst retailers before the department in Victoria became aware of the position. The remaining 1,100 boxes were seized by the board of Victoria and were disposed of according to the wishes of the Minister for Agriculture in that State. I am told very definitely by the authorities in Victoria that they must look after the interests of their own people, and if we pursue the policy of invading their market, they will retaliate and flood our markets as well.

Hon. Sir James Mitchell: As they have done with butter recently.

The MINISTER FOR AGRICULTURE: It is the fear of that happening that has induced me to introduce this legislation. The South Australian Government may do likewise and flood Western Australia with their commodities to our detriment.

Mr. Sampson: After all it is a reasonable action.

The MINISTER FOR AGRICULTURE: Perhaps, from their point of view, but the Federal Constitution provides that there must be no restriction of trade between State and State. The Victorian Government claim to be working under an Act that overrides the Federal legislation and under that they were able to seize our products. I understand that immediately it goes into the possession of the Victorian purchaser, our product comes under the Victorian law. The department here got into touch with the Federal authorities and inquired whether the action taken by Victoria was permissible. We repeated that inquiry, but the Federal Government never answered our question.

Hon. Sir James Mitchell: We are at liberty to send our products over there.

The MINISTER FOR AGRICULTURE: If the industry is to be protected, then it must be organised and there must be co-ordination in regard to marketing between the several producing States. Unfortunately the oversea market, to which the greater quantity of the fruit has to be exported, is a non-paying market. Hon. members will have seen cabled references in the Press to the effect that manufacturers of cakes had refused to use the Australian products because of the presence of grubs in the fruit.

Hon. Sir James Mitchell: Of course that has nothing to do with the growers.

The MINISTER FOR AGRICULTURE: No, but we have to see that the fruit is good. That is one of the great difficulties. If our fruit is to be put on the market in the Old Country it must be in as good condition as the Californian product, and fruits from other countries.

Hon. Sir James Mitchell: At any rate our fruit is much better than that from Greek countries.

Mr. Sampson: To do what the Minister suggests, we must have control.

The MINISTER FOR AGRICULTURE: And with control we must have efficiency. Apparently there is not the efficiency that is necessary, but it may be brought about by means of control.

Mr. J. H. Smith: Well, give the growers their own control; they do not want Government control.

Mr. Sampson: The Minister has shown that it is absolutely essential.

The MINISTER FOR AGRICULTURE: I wish to impress upon hon. members that the oversea market to which the greater proportion of the dried fruits of Australia are exported is a non-paying one. The follow-

ing table shows the quantities of various dried fruits sold, and the approximate average prices realised on the London market during the past three seasons:—

Class of Fruit.	1923.		1924.		1925.	
	Quantity sold. (tons.)	Average price.	Quantity sold. (tons.)	Average price.	Quantity sold. (tons.)	Average price.
Currants	4,300	£ s. d. 53 0 0	3,500	£ s. d. 42 0 0	6,630	£ s. d. 31 0 0
		*Less 17 15 0		*Less 17 15 0		*Less 17 15 0
Sultanas	6,800	46 0 0	17,000	39 0 0	13,506	68 0 0
		*Less 20 9 0		*Less 20 9 0		*Less 20 9 0
Lexias	3,500	31 0 0	3,000	23 0 0	3,122	32 0 0
		*Less 17 15 0		*Less 17 15 0		*Less 17 15 0

* Total charges from Sweat Box to Store in London.

The following table shows the quantities of the various dried fruits marketed within Australia, and the approximate average prices realised during the seasons 1923-25:

Class of Fruit.	1923.		1924.		1925.	
	Quantity sold. (tons.)	Average price. (per ton.)	Quantity sold. (tons.)	Average price. (per ton.)	Quantity sold. (tons.)	Average price. (per ton.)
Currants	2,980	£ 47	3,766	£ 47	4,222	£ s. d. 53 11 0
Sultanas	4,900	69	4,700	65	5,745	69 6 0
Lexias	1,250	43	1,933	38	1,032	49 11 6

I wish to compare the prices received in Australia with those received oversea. It is held that it is only by co-operation and control, something along the lines we know are followed in South Australia and Victoria, that the price received by growers in Australia is payable. We are told that without the measures taken there the growers could not continue the industry profitably. I cannot speak from personal knowledge of the position of the dried fruits industry in this State, but I am given to understand by my advisers in the Agricultural Department that the position of the growers here is practically the same as that in which the growers of the Eastern States find themselves. Without a payable market, they cannot carry on. From the tables I have given it will be seen that in 1923 the average price of currants in Australia was £47 per ton; in 1924 £47 per ton, and in 1925 £53 11s. per ton. I was unable to get the figures for last year, but the figures I have given were taken from the statement prepared by the Department of Markets and Migration for presentation by the Australian delegates at the Imperial Economic Conference of 1926. In 1923 the price received in Australia for sultanas was £69 per ton, in 1924 £65 per ton, and in 1925 £69 6s. per ton. Similarly in 1923 the average price obtained in Australia for lexias was £43 per ton, in 1924 £38 per ton, and in 1925 £49 11s. 6d. per ton. It is said that it is necessary to get £40 per ton for these products to secure what is regarded as a living wage. In some instances we have secured higher returns than that figure in Australia, but it is pointed out that owing to the costs involved that have to be deducted, the price obtained in London for the greater proportion of the dried fruits does not come up to anything like that figure.

Hon. Sir James Mitchell: That reduces the grower's average return.

The MINISTER FOR AGRICULTURE: The same thing obtains in connection with

our sugar supplies in Australia. It is sold at a payable price in Australia, but the quantity above that required for Australian consumption is sold abroad at a loss.

Hon. G. Taylor: I do not know that very much is sold at a loss.

The MINISTER FOR AGRICULTURE: Apparently the Federal Government are satisfied that sales are made at a loss because of the attitude taken up by the Sugar Board.

Hon. Sir James Mitchell: At the present time, due to industrial troubles, sugar seems to be joy riding on the ships between the various States!

The MINISTER FOR AGRICULTURE: The same position arises in connection with the dried fruits industry.

Hon. Sir James Mitchell: But nothing like as bad as with the sugar industry.

The MINISTER FOR AGRICULTURE: Only for the reason that dried fruits are not a necessary commodity. People must have sugar.

Hon. G. Taylor: Dried fruits represent a necessity for many people.

The MINISTER FOR AGRICULTURE: People are not compelled to purchase dried fruits as they are compelled to buy sugar. It cannot be said that dried fruits represent an essential commodity to the same degree as sugar.

Hon. G. Taylor: In the outback areas in the early days, dried fruits represented an absolute necessity because we could not get any other sort of fruit.

The MINISTER FOR AGRICULTURE: In my opinion if the people engaged in this industry pushed their products in the local market more than they do, there would be a far larger demand for their dried fruits. They have their organisation and if steps were taken along those lines, the consumption would increase and that would necessitate greater production.

Hon. G. Taylor: In the back country of New South Wales and Queensland 40 years ago, we would not have had any fruit at all if we had not been able to secure supplies of dried fruits.

The MINISTER FOR AGRICULTURE: At the same time it cannot be contended that dried fruits represent a necessary commodity as does sugar, and so the whole position is different. As against the prices received in Australia, to which I have drawn attention, I will contrast the prices received in the British market for our dried fruits that were placed there. In 1923 the average price received for currants sold on the London market was £53 per ton, as against £47 per ton in Australia. It would appear at first glance that the London price was much higher. That, however, is not the parity price for from it had to be deducted £17 15s. which represented the total charges from the sweat boxes to the stores in London. Thus the growers netted on their London sales £35 5s. as against £47 for the goods sold in Australia. In 1924 the average price received for currants sold in London was £42 per ton, less charges amounting to £17 15s., which netted £24 5s. as against £47 per ton received in Australia.

Hon. G. Taylor: The charges against the London returns are terrible!

The MINISTER FOR AGRICULTURE: In 1925 the average price received in London for currants was £31 per ton, less charges amounting to £17 15s. That left the growers £13 5s. per ton as against £53 11s. per ton paid for currants in Australia. Hon. members will agree that a return of £13 5s. per ton would represent the lowest form of subsistence for the growers.

Mr. Sampson: That would represent a little over £3 per ton for the fresh fruits.

Hon. G. Taylor: The charges are extremely high between here and England.

The MINISTER FOR AGRICULTURE: I have quoted the prices given to me.

Hon. G. Taylor: Those charges cover freight, commission, market dues and everything else.

Mr. Lindsay: At any rate, the total charge is very high indeed.

The MINISTER FOR AGRICULTURE: As I have already indicated, the figures I have quoted were prepared by the Commonwealth Department of Markets and Migration and were to be placed before the Imperial Economic Conference held this year. It would not be possible to get more authentic information than this.

Hon. G. Taylor: I quite agree with that. I am not questioning the figures at all.

The MINISTER FOR AGRICULTURE: Regarding sultanas the price secured per ton in London in 1923 was £46, and the charges that had to be set off against that return amounted to £20 9s. That left a margin of £25 11s. in London as against £69 per ton received by the growers for the sale of their products within Australia. In 1924 the average price per ton for sultanas in London was £39, less £20 9s., as against

an average price per ton of £65 in Australia. In 1925 the price per ton received in London was particularly good. It averaged £68 per ton, less £20 9s. for the charges I have referred to, leaving £47 11s. per ton as against £69 6s. per ton received for sultanas in Australia. It will be seen therefore, that when we compare the price obtaining in London with that obtained in Australia the former is practically half what is received for the product in Australia.

Sitting suspended from 6.15 to 7.30 p.m.

The MINISTER FOR AGRICULTURE: Before tea I was quoting the prices of dried fruit sold in London and comparing them with the prices realised in Australia. I showed that the prices received in London were very much lower than those obtained in Australia, and that in the opinion of people interested in the industry, the London prices did not provide anything more than a pittance to growers. When the cost of marketing overseas is deducted, it will be seen that the prices realised in London have been very much less than those obtained in Australia. The position of the industry has been viewed very seriously, not only by the States that have placed a large number of soldier settlers in this industry, but also by the Commonwealth Government. The Commonwealth Government, realising the necessities of the industry, passed legislation nearly two years ago constituting what is known as the Commonwealth Dried Fruits Control Board. The board was appointed for the purpose of controlling the export and distribution of Australia dried fruits. The board consists of three representatives elected by the growers of Victoria, New South Wales, and South Australia, one elected by the growers of Western Australia, two representatives with commercial experience appointed by the Commonwealth Government, and one Commonwealth Government official. The duties of the board are to arrange for the marketing of the product abroad and also in Australia. Licenses to export are issued by the Department of Markets and Migration on conditions recommended by the board. The greatly increased production of dried fruits in Australia since the war and the serious fall in prices brought about a crisis in the industry, and the Commonwealth Government introduced legislation in 1924 providing for advances to growers under the Dried Fruit Advances Act, 1924. The Act provides for the payment to growers through various packing organisations approved by the Minister of advances on the export proportion of the 1924 crop at the rate of 30s. per ton on dried currants and £9 per ton on dried sultanas and lexias. The total advances under the Act amounted to £199,241, of which £1,253 came to Western Australia. Those amounts, of course, have to be repaid to the Commonwealth Government under the conditions laid down in the Act. Members know that a considerable agitation has been maintained to secure British preference for Australian dried fruit in the Home markets. The Prime Minister, while attending the Imperial Conference gave considerable attention to the question and sought to obtain preference. The present British preference on Australian dried fruit over the foreign product, namely Californian and Levantian, is £2 in respect of currants and £7 in respect of sultanas and lexias. It has been strongly urged that British preference on Australian currants should be increased to the rate of preference on sultanas and lexias, namely, £7. As I have pointed out, almost the whole of our export trade is to British markets. Producers have endeavoured to secure a footing in the Home markets, and in addition endeavours are being made to market the fruit in Canada and New Zealand. Under the tariff reciprocity agreement between the Government of the Dominion of Canada and the Commonweal, the benefits are extended to Australian dried fruits, which receive a preference of £14 per ton over foreign fruits. That preference extends to dried fruits shipped direct from Australia and not through any other country. That is a distinct advantage because it eliminates all possibility of fraud. It is understood that the New Zealand Government will be prepared to negotiate with the Commonwealth Government with a view to granting preference to Australian fruits at the rate of £18 13s. 4d. per ton, provided that the Commonwealth Government extend certain privileges to New Zealand. The New Zealand preference is entirely dependent upon Commonwealth concessions that have not yet been made. I mention this to show the House that the dried fruit producers are not confining their attentions to the Australian market but are exerting efforts to secure markets abroad. Unless markets are secured abroad, there is no possibility of the industry being extended until such time as the Australian consumption overtakes the supply.

Mr. Teesdale: Is much dried fruit imported into Western Australia at present?

The MINISTER FOR AGRICULTURE: Only a small quantity. There is a duty on imported dried fruit from overseas of 3d. per lb.

Mr. Teesdale: And still it comes in!

Hon. G. Taylor: Surely there is not much being imported in view of that duty.

The MINISTER FOR AGRICULTURE: No.

Lieut-Colonel Denton: There is quite enough coming from the Eastern States.

The MINISTER FOR AGRICULTURE: The following figures will interest the member for Roebourne:—

	Imports.	Exports.
	Tons.	Tons.
1921-22	310	754
1922-23	277	147
1923-24	236	508
1924-25	166	473
1925-26	176	493

Mr. Teesdale: Do you know whether those figures include raisins and currants, or do they relate to other dried fruits?

Hon. G. Taylor: Do they represent only such fruits as peaches and apricots?

The MINISTER FOR AGRICULTURE: Those are the statistics of dried fruits, sultanas, raisins and currants. I have had no opportunity to verify the figures, but they were supplied to me by Mr. Wickens, head of the fruit department, and I have no reason to doubt their accuracy.

Mr. Teesdale: Is it possible that we should be importing currants and raisins when our growers retail them at 5d. a lb., and they are as good as any that can be obtained in the world?

The MINISTER FOR AGRICULTURE: The preference granted to Australian goods in Great Britain, Canada and New Zealand will be valueless unless we produce a product of high quality. Only fruit of first grade will be able to compete with the Levantian and Californian fruit. After having produced a high grade quality, it is essential to successful marketing to ensure proper grading and proper supervision. This Bill gives the organisation power to do all things necessary, not only to provide for marketing in Australia, but also to deal with the quantity exported. Given such powers, it will be a sad thing for the State if the organisation does not live up to its great responsibilities. There are great possibilities ahead of the dried fruit industry in Australia. It is one of the primary industries that is capable of very great expansion, and in many parts of the Commonwealth it is the only industry that offers great possibilities of expansion. When I think of the great possibilities along the River Murray in Victoria and South Australia, and along its tributaries in New South Wales, and the possibilities in our Swan valley, on to Toodyay and further afield in the Great Southern, I do not know of any primary industry that offers such possibilities of expansion. Expansion, however, will be absolutely impossible unless the people engaged in the industry are able to make a livelihood. While I confess that I am not altogether favourable to giving such great powers as are proposed in the Bill, still, in view of the organisations in the Eastern States, the danger to Western Australia from those organisations, and the possibility of our market being flooded, I see nothing for it but to provide this legislation.

Mr. Teesdale: And the sloppiness of some of our people in turning out the product.

The MINISTER FOR AGRICULTURE: That is quite possible. If the people, having the opportunity, do not live up to it, they will deserve very little from the State. We propose to give powers that Parliament is chary about giving to any body of people, namely, such powers as absolute control of the industry, arranging for the local market supply, arranging for export and providing heavy penalties against people who contravene any of the provisions of the measure. The Bill adopts the South Australian Act of 1924 as amended last session. It is intended that that Act shall continue in force until March, 1930. The Victorian Act is on similar lines. The desire is that there shall be substantially uniform legislation in all the States. Under this Bill, however, members of the board, who will number five, will be representatives of the growers, whereas in South Australia and Victoria there are three growers and two officials on the board. That is a marked distinction. The whole of the representation under this Bill will be given to the growers and there will be no official representation whatsoever. The first board will be appointed by the Government, but in this regard the growers are to be consulted.

Members may rest assured that if the Bill is passed the gentlemen who will be appointed by the Government to the board will be those suggested by the growers and the growers' organisations. After the first year the representatives of the board will be elected by registered growers on the principle of one grower one vote only. The board shall not hold office longer than two years. After the first board has been constituted every succeeding board will be elected in the manner indicated. Under the South Australian and Victorian Acts the power compulsorily to acquire dried fruits is exercised by the Minister for Agriculture on behalf of the Government, or by the board with the authority of the Minister. Under the Bill the power compulsorily to acquire dried fruits will be exercised by the board, and not by the Minister or with the authority of the Minister. The clause provides that the board is subject to the control of the Minister, and that any action or proceeding, or intended action or proceeding by the board, if not approved by the Minister, can be vetoed. That clause is absolutely necessary. We are giving a body of producers a very great power. We are giving them a monopoly over the home markets, and giving them power to enforce compulsory unionism amongst the other producers. Parliament ought not to give any body such powers as this unless the Government are able to exercise supervision over its actions. The passage of the Bill is dependent upon this clause remaining in it. I have told the growers I will not be a party to introducing any legislation which gives any body of people, primary producers or otherwise, the right to form a union or compulsory organisation, to exploit the market and the public without let or hindrance. Whereas this power may be given with the best intentions in the beginning, the time may arrive when the representatives of the organisation on the board may act in a manner contrary to the public interest. In the Bill, therefore, I have inserted a provision that the board shall be under the control of the Minister for Agriculture for the time being. If anything is done that is contrary to the public interest the Minister may veto the action of the board. The board may impose a levy on all growers, that is, any person producing dried fruit for sale or barter, to the extent of one-sixteenth of a penny per lb. on the quantity of dried fruit produced by them in any year. That levy will go into the revenue of the board, and will assist them in their administration. Until extended by proclamation the Bill refers only to dried fruit, which means dried grapes. The board may make contracts for the purchase or sale of dried fruits produced in Australia. They may enter into arrangements with boards in other States for concerted action in marketing dried fruits. They may open shops for the sale of dried fruits either wholesale or retail. Power is given to provide depots for the storage or distribution of dried fruits. It is at the board's absolute discretion to determine whether and in what quantities the output of dried fruits is to be marketed, and to take whatever steps are thought fit to enforce such determination. These are extraordinary powers, but they have been given in legislation that is in operation in other States. If the board is to operate as successfully as the boards in the other States are alleged to be operating, similar powers to these must be given. Any grower, dealer, or owner or occupier of a packing shed, who sells or disposes of dried fruit contrary to any determination of the board, is liable to a penalty of £500. I admit that these penalties are extremely heavy, but in legislation of this character this is necessary. The board is to be given very great powers; it will have a monopoly of all products of this kind, and will have the administration of the sale of the products and the control of the marketing. In order to prevent other people from doing anything contrary to the intentions of the board, heavy penalties have to be enforced. A penalty of £50 or £100 would not be sufficient to meet the case. The penalty here provided is identical with that which may be imposed in the other States. All growers must register with the board, and furnish particulars of dried fruits produced or likely to be produced by them. Dealers, except shopkeepers who sell only dried fruit bought from registered dealers must register with the board and supply particulars of the quantity of dried fruit sold, and of the estimated sales. Dealers must furnish returns and obey all the directions of the board. Fruit packing sheds shall be registered with the board. Power is given to cancel the registrations if the requirements of the board are not complied with, or, in the case of refusal to collaborate with the board. The cost of registration will be £1 per annum, and transfers may be effected at a cost of 5s. The board may pur-

chase by agreement or compulsorily acquire dried fruits. If these are compulsorily acquired, the owner shall receive payment at export parity price, which means the selling price in London less freight and all other charges. That is the principle followed in the other States. The board must have some means of financing their business. I understand that the board desires most of all to have power to control the quantity of dried fruit exported. They want this power particularly to ensure that the export quantity shall not be shipped to the Eastern States in competition with similar organisations that are in operation there. Existing contracts for the sale of dried fruits to be produced in the year next following the commencement of the Act are annulled, subject to a proviso enabling dealers who have agreed to sell the fruit of that season already purchased by them from growers to acquire such fruit in order to fulfil their contracts. The standards for dried fruits may be prescribed by regulations, and such regulations must be observed in packing and marketing. Power is also conferred upon the board to make regulations generally for all the purposes of the Act. These are the main provisions of the Bill. Whilst these powers may seem very arbitrary and the conditions very drastic and probably contrary to the opinions that may be held by many people and members of this Chamber, I can see that unless such legislation is introduced and Western Australian producers co-operate with each other and with the producers in the other States, not much help can be given to our own producers. In order to get the necessary organisation, and the conditions of marketing which appertain under existing legislation in the other States, we must adopt a Bill of this character here. I wish all this could be done voluntarily, but it seems that in matters appertaining to primary production, voluntary organisations have not been successful in the past. The people are isolated. They are suspicious of all new ideas, and they must see them put into practice elsewhere before being willing to adopt them. In other walks of life and in other business circles people are prepared to take risks, experiment, and do things which people in more isolated localities, and who follow largely individualistic lines in regard to their lives generally, do not care to adopt. I hope Parliament will be satisfied that we must, in the alternative proposed in the Bill, give these powers to our producers of dried fruits. I do not think the powers will be exercised with danger to the community. I am convinced, from what I know of the industry and from what I know has been done in the other States, which have been compelled to pass similar legislation, that in order that the producers may get a decent living out of their products they must be given legislation such as this. If they cannot get a fair price for their products they should not be asked to continue in the industry. We have to see that they do get it, or take them out of the industry and place them in some other occupation. Whilst the Western Australian Government have not so much money involved in this industry as have the Governments of South Australia and Victoria, we have at least £132,000 of the money of the Agricultural Bank involved: and it is our business to see that those who have borrowed the money carry on their industry in such a way as will enable them to earn a livelihood, and pay back their liability to the State. I do not think that at present the producers will do anything that is contrary to the best interests of either themselves or the State, but in legislation of this kind it is necessary to have some provision to prevent any attempt to exploit the community. As the Bill is drafted, should any attempt of that sort be made, the Minister of the day will have power to veto it at once. I move—

That the Bill be now read a second time.

On motion by Mr. Sampson, debate adjourned.

BILL—COAL MINES REGULATION ACT AMENDMENT.

Council's Message.

Message from the Council received and read notifying that it insisted upon its amendment No. 4, disagreed to by the Assembly, and disagreed to the amendment made by the Assembly to the Council's amendment No. 3.

BILL—WEIGHTS AND MEASURES ACT AMENDMENT.

Council's Message.

Message from the Council received and read notifying that it had proposed an alternative amendment to its amendment No. 1 disagreed to by the Assembly, in

which alternative amendment the Council desired the concurrence of the Assembly.

BILL—POLICE ACT AMENDMENT.

Second Reading.

Debate resumed from 25th November.

HON. G. TAYLOR (Mt. Margaret) [7.59]: In supporting the second reading, I do so with a desire that we may be able to alter it to meet the requirements of those concerned to a greater extent than is provided by the Bill. The Bill now provides for an appeal board to consider punishments only. I know the desire of the association is that the Bill should deal also with promotions. Speaking from my own knowledge of the actual working of the Police Department, I say it would be more to the advantage of the force to have a board dealing with promotions than to have a board dealing with punishments. That may seem a strange statement to make, but my reason for making it is that when an officer or a man is punished, he knows he is punished and if he feels he is wrongly punished he can put into motion certain machinery by which he can justify himself and secure redress. In the case of failure to obtain promotion, however, there is no machinery by which a man who has been overlooked year after year by his superiors or the head of the department can obtain consideration. There is no machinery through which the question of his promotion can be discussed. On this point I propose to move in Committee an amendment which I shall read out presently, so as to give the Minister an opportunity of considering it. It will bring into line promotion with punishment. I have here a long report of a deputation from the Police Association to the Minister. The report was published in the "Police News," which I presume to be the official organ of the force. The subject dealt with is a proposed statutory appeal board. The report covers many pages, and I shall not weary the House by reading it now. If it be necessary to press the claims of the association in Committee, certainly I shall not be able to do it with the same force and knowledge as were brought to bear by the president of the Police Association, Mr. McGowan, at the deputation to the Minister. Even then, however, the Minister showed himself adamant on the point that no promotional board would be granted. In reply to an interjection of mine made when he was moving the second reading of the Bill, the Minister said the measure would deal only with punishments, breaches of discipline, and so forth. Then I asked whether the Bill would not plied in the negative. The whole of the replied in the negative. The whole of th ereport to which I have referred treats of the necessity for a promotional board, and the reasons for such a board are set forth. So convinced was the Minister of the necessity that in April, 1924, he appointed a temporary board to consider promotions. The board was composed of an acting magistrate, Mr. Kidson, a representative of the Commissioner of Police, and a representative of the force. Nine cases were considered by the board, and I believe that in seven of them the appellant was successful.

The Minister for Justice: No fear!

Hon. G. TAYLOR: The majority of the appellants were successful However, all the facts bearing on that aspect are contained in the report to which I have alluded.

Mr. Richardson: The report says that seven of the appellants were successful.

Hon. G. TAYLOR: If the Minister contradicts that statement, I shall still be precluded from reading the report, because to do so would take a couple of hours. However, a very strong case was made out for the creation of a promotional board. The Commissioner of Police himself, in his 1924 report, advocated in no uncertain language the establishment of such a board. He said that he was fresh from a conference of police authorities held in the Eastern States, and that those States had boards dealing with promotion as well as the matters mentioned in the Minister's Bill. It is remarkable that the State quoted by the Commissioner of Police was New South Wales. I have here the New South Wales Act, consisting of only nine sections, with very few subsections, but covering the whole of what I desire to introduce into this Bill in Committee and also what the Minister has already provided for in it. Nine sections suffice to do all that in the New South Wales Act, whereas the Minister's Bill, dealing merely with punishment, breaches of discipline, and so forth, consists of 17 clauses. The Bill proposes to deal with a force of 500 odd men, whereas the New South Wales Act deals with a force numbering over 2,000. So satisfied was the Commissioner in 1924 that a promotional board was quite the pro-

per thing, that he recommended the establishment of such a board here. He based that recommendation on the experience he had gained at the conference referred to.

The Minister for Justice: He withdrew his advocacy of the board after he had had experience of it here.

Hon. G. TAYLOR: According to last year's report, the Commissioner has gone back on that recommendation, though he does not give many reasons for going back on it. He sets up the contention that if business concerns were run on such lines, they would certainly be failures. But we have the experience of the New South Wales Act which has operated since 1903, and to which very little objection has been raised. The Act is generally accepted as being most satisfactory. That is so according to the New South Wales Inspector General of Police, who is equal in status to our Commissioner of Police. The Act has also been pronounced satisfactory by the New South Wales force. An Act which has operated for that length of time controlling four or five times as man men as we have to deal with here, affords ample proof that we ought to go a step further than the Minister desires. Perhaps it would be as well for me to read what the Commissioner of Police said on the subject of promotional boards in his report of 1924—

> I am of the opinion that the time is opportune for the appointment of an appeal board on similar lines to the one established in New South Wales to deal with appeals regarding the granting or refusing of promotion to a member of the force, the imposition of punishment where such punishment consists of the infliction of a fine, suspension, or reduction in rank, or a dismissal, discharge, or transfer in connection with such punishment. The board should consist of a stipendiary magistrate, and two assessors who shall be members of the force, one to represent the Commissioner, and the other to represent the members of the force. To give effect to this recommendation legislation is necessary, and I would urge it to be dealt with as early as possible. At the recent conference of Police Commissioners in Sydney I went into the subject, and I am satisfied that the different Police Associations in the Commonwealth are desirous of having such a board. At the annual conference of members of the force held on the 24th August a similar request was made.

That is the recommendation of the Commissioner of Police in 1924 on which recommendation he has gone back. There can be only one reason for his doing so, and that reason the Minister has indicated by interjection—that the temporary appeal board dealing with promotions disposed of cases in a manner which did not warrant the Commissioner in supporting a statutory appeal board to deal with promotions. What must have happened? I know not, but it seems that the cases did not result as largely in favour of the Commissioner as he anticipated. The cases dealt with had been held over for years. Most of them, or a large proportion of them, were upheld by the temporary board. On those results the Commissioner has repudiated his previous statements, notwithstanding the fact that, according to him, the police authorities of all the States were anxious to have this form of legislation. Indeed, the Commissioner then informed the Minister that time was the essence of the contract, and that a Bill should be brought in as speedily as possible. Having regard to those facts, we should have more grounds for the Commissioner's repudiation of his previous statements.

The Premier: He is not the first man who has changed his mind.

Hon. G. TAYLOR: The Premier has changed his views on finance, as was shown clearly and definitely here yesterday evening. I do not think the hon. gentleman has done wrong in that respect. However, he has had a longer period and greater experience and—I say this with all due respect—more proof than exists or can be found in the case of the Commissioner of Police. Evidently the temporary board did not suit the Commissioner. If it is only the temporary board that has decided him to alter his views, then I say that is not sufficient justification and this House ought not to support him. If in the Eastern States legislation had been introduced repealing the principle of promotional boards, the Commissioner would be justified, because then it could be argued that the working of the boards had proved their inefficiency. But no such thing has happened. So far as we know, the boards in the Eastern States have been a success. We are trying to make our force more contented and give them a better opportunity of handling their own situation, and the Government are prepared to go a certain distance, which I contend is only one step. The executive of the Police Association who met the Minister at the deputation were, I believe, satisfied to accept the Bill as a step in the right direction. They pressed the other request, but

found it hopeless, and said, "We will take the Bill rather than nothing." I wish to point out clearly and definitely that to me it is more serious to be overlooked in promotion and to have no machinery available for bringing my claims to light, than to be supplied with a board to which I can appeal when I am punished. For if I feel I am wrongfully punished I can put into operation machinery to defend myself, whereas if I feel I am wrongfully deprived of promotion, I am helpless. Last April the Minister was good enough to give them the board, and that board has tried cases that had been passed over. Previously there was no machinery by which the cases could be presented and considered. That is why I am anxious to see an appeal board for promotion. In Committee I propose to move an amendment, that after "Act" in line 8 of proposed new Section 4 the words "or if a non-commissioned officer or constable is dissatisfied with any decision of the Commissioner in regard to the granting or refusal of promotion." That will come in, following on the other provisions dealing with punishment and insubordination.

Mr. Marshall: The man who takes advantage of that amendment will be buying a lot of trouble.

Hon. G. TAYLOR: If he thinks he is not getting a fair deal, there is the appeal court for him to go to. Those people will only buy trouble if they are dissatisfied with a decision of the Commissioner, and they themselves will be the judges of their own dissatisfaction. However, under the Minister's proposal they can be dissatisfied year in and year out.

The Minister for Justice: What other section of the public service enjoys such an advantage?

Hon. G. TAYLOR: We are dealing, not with the public service, but with the police.

Mr. Hughes: Are not they part of the public service?

Hon. G. TAYLOR: I do not put the police on the same footing as other sections of the public service.

Mr. Davy: But all public servants have an appeal board.

The Minister for Justice: Only for classification.

The Premier: Not for promotion—a different thing altogether.

Mr. Davy: For classification and salaries.

The Premier: It is an entirely different matter.

Hon. G. TAYLOR: The Premier cannot put the police force on the same footing as other sections of the public service.

Mr. Hughes: Why not?

Hon. G. TAYLOR: Consider the difference in the duties they have to perform.

Mr. Hughes: Is there such a difference in their pay?

Hon. G. TAYLOR: However that may be, the police force are in a more difficult position than is any other section of the public service in respect of the risks they run, the danger, the discomfort of being out in the cold all night on duty.

The Premier: Wrap them in cotton wool.

Hon. G. TAYLOR: No, they do not want that. All they want is common justice. I do not compare the police with other people who go to office at 9 o'clock in the morning and leave it at 5 o'clock in the afternoon.

Mr. Hughes: One public servant worked 40 hours consecutively.

Hon. G. TAYLOR: It must have been by a mistake.

The Minister for Lands: He was waiting for a boat to come in.

Hon. G. TAYLOR: We do not see other public servants being kicked to pieces when on duty. That is what is happening every day to the police in other States, and even in this State, apparently, a start is being made. I do not suggest that any section of the community should be wrapped in cotton wool, as the Premier says, but I cannot compare a policeman on duty with an ordinary public servant. We do not read in the papers nearly every day of other public servants being brutally kicked while hundreds of civilians look on but refuse to help the victim. That is what is happening in some of the States.

Mr. Chesson: Civilians are not paid to take a hand at such times, and so usually they look on.

Mr. Davy: Nevertheless it is their duty to help.

Mr. Panton: A man is likely to get his nose knocked off if he sticks it in.

Hon. G. TAYLOR: Of course, that is why people do not interfere. In London the public do not hesitate to take a hand. There they are always behind the police.

Mr. Chesson: Mostly they are well behind the police in Australia.

Mr. Davy: About 400 yards behind.

Mr. Teesdale: Collecting bottles with which to stonsh them.

Hon. G. TAYLOR: I have no desire to carry the debate any further. I have been speaking principally to the Minister, because he knows all the arguments that were advanced by the deputation. There are here pages of them that I could read. I will support the second reading, and when in Committee will endeavour to secure an amendment.

On motion by the Minister for Lands, debate adjourned.

BILL—LAKE BROWN - BULLFINCH RAILWAY.

Second Reading.

Debate resumed from 25th November.

HON. SIR JAMES MITCHELL (Northam) [8.24]: We are dealing now, not with the opening up of the country, but with the provision of a railway in country already partly settled. The other day we passed a Bill authorising a line from Ejanding northwards, and with a spur eastwards. That line, of course, when it goes east will be parallel with the line running from Koorda to Bencubbin, a little more than 20 miles north. It seems to me that line should have been the one to go into Bullfinch, whilst the line we are considering should junction with the eastern railway somewhere nearer to Merredin. Then, perhaps, this country would be better served by the spur line recently authorised, if the junction could be made at Carrabin, or some point thereabouts. In the discussion we had the other night the member for Avon (Mr. Griffiths) said that I, when Premier, promised that the junction would be at Merredin or somewhere near to Merredin. The Minister for Lands has been good enough to let me have the notes of the deputation that waited upon me, and I find in those notes no record whatever of that promise. I am surprised that the member for Avon, without consulting me, should have used my name so freely. I admit I always intended that the line should junction at Merredin, and I hope the Minister will give that suggestion some consideration. At Bullfinch we cannot go much further north with a railway. Therefore the line we are now considering will be the outer line. The Minister will see that its junction should be somewhere at Bullfinch, and indeed must be there, or at any rate it must join up with the line that will run from the proposed Bencubbin extension to Bullfinch. There are in this area a great many people to be served. Undoubtedly when we built the line from Bencubbin east and south it was quite obvious we did not intend to go to Bullfinch. In fact that much I did say to the deputation, namely that the line would not be extended to Bullfinch; but I did not say just where it would junction.

Mr. Griffiths: How about the deputation that asked you to build the line to Merredin?

Hon. Sir JAMES MITCHELL: The official notes taken at the deputation are far more reliable than is the memory of the hon. member. No Minister receives a deputation without having a shorthand reporter to take a note of the proceedings. I urge that the line be not continued to Bullfinch, but junction with the existing line much nearer to Merredin. It seems to me probable that the hon. member and I are actuated by the same ideas on the subject and would readily serve the same people. I asked the hon. member to let me have a map of the area showing the railway proposals, but he has not done so. I think Carrabin is the best place, and that is what I urge on the Minister. We ought to keep in mind the extension of the line north of Bencubbin that is now authorised, to Mollerin, before we commit ourselves to this line to Bullfinch. I urge the Minister to give this matter every consideration before passing the measure. The interests of the country will be served and the interests of the people will be best served by adopting the suggestion I have made.

Mr. E. B. Johnston: What about the Advisory Board's recommendation?

Hon. Sir JAMES MITCHELL: We are not obliged to accept the recommendation of the Advisory Board. Bullfinch is served now, but there is a good deal of land still between Bullfinch and the existing Bencubbin line. I doubt whether the Minister had any idea until recently that they would suggest to the House that approval be given for the continuation of the Bencubbin line to Bullfinch. There are two reports on the subject.

Mr. Griffiths: One is for and the other against.

Mr. Corboy: The position is totally different since the first report was issued.

Hon. Sir JAMES MITCHELL: I assure the hon. member the land is just as it was

when the first report was made. There could be no difference in the land.

Mr. Corboy: The land is the same but the position is different.

Hon. Sir JAMES MITCHELL: It is the land that must be served by the railway. We are fortunate in having land to serve. This is not a matter that the hon. member can treat lightly. This is a matter that we must consider entirely in the interests of the country. Our best way is to serve the people who are already on the land, and the next thing to be considered is the direction in which the railway shall run. It seems to me that the Junction at Carrabin would be better for the railway department, and it is perfectly clear that it would be much better in the interests of the people at Bullfinch and the country to be served in between. If the Minister had not thought of running a line to Bullfinch he would not have sold the hotel property he had there as was done recently for a sum which was a mere bagatelle.

Mr. Corboy: It was sold for twice as much as the Minister expected to get.

Hon. Sir JAMES MITCHELL: I do not know about that.

Mr. Corboy: He drove a pretty hard bargain as it was.

Hon. Sir JAMES MITCHELL: No he did not. He got far more than he expected to get at one time.

Mr. Corboy: It did not cost the Government one penny.

Hon. Sir JAMES MITCHELL: When Bullfinch was discovered it was the policy of the Government to reserve hotel sites in every township. Bullfinch went down as we know, and one hotel there was demolished, while the other was continued at a nominal rental. At any rate it was of very little value and that is how it got into the hands of the Crown.

Mr. Corboy: I am not complaining.

Mr. E. B. Johnston: It was sold by public auction.

Hon. Sir JAMES MITCHELL: I know.

Mr. J. H. Smith: Anyhow there is nothing to prevent a second hotel being built. Why not have three or four hotels there?

Hon. Sir JAMES MITCHELL: We cannot have them in wholesale fashion. I hope before we take a division on this question the Minister will give consideration to the position as it appeals to me. The country will be better served if the proposal I suggest be carried out. The people are already on the land there and after all it is a question of serving territory. The Minister will realise that what I want him to do will be best for the country and the people already there. If the member for Avon will support the junction at Carrabin——

Mr. Griffiths: Yes, I will.

Hon. Sir JAMES MITCHELL: I confess a great change has come over the usefulness of the land by reason of the better price we are getting for our wheat. Land that could not be looked at a few years ago can now be settled profitably. We should have no hesitation in building railways. At one time we had to look for first class land to justify the building of a line. To-day the whole position is changed by reason of the improved price of wheat, wool, and meat. I hope that the Minister will consider whether the best is being done and that he will go into the matter with the Advisory Board again if possible, and get them to consider the suggestion I have advanced.

The Minister for Works: It has already been referred back to them.

Hon. Sir JAMES MITCHELL: Will they consider the extension of a spur to the north of Cowcowing? The Minister should not mind my suggesting that the matter is worth reconsidering. That is the only way to serve the greatest number of people and not the way now proposed.

The Premier: Bullfinch itself is already served.

Hon. Sir JAMES MITCHELL: I am talking about the land west of Bullfinch.

The Premier: The country between Lake Brown and Bullfinch.

Hon. Sir JAMES MITCHELL: I am not talking about the township but the land to the west. Bullfinch has had its railway for a long time. I am sure that the suggestion I have made for the opening up of that territory is the right one.

The Premier: If you turn in at Carrabin now you will leave a fair number of settlers unserved even by any possible extension around Bullfinch.

Hon. Sir JAMES MITCHELL: Oh, no!

Mr. Corboy: Yes, you will.

Hon. Sir JAMES MITCHELL: I say no, because we have our lines not more than 25 miles apart. Youth has its advantages and I envy the member for Yilgarn his youth and enthusiasm, but in matters such as these it is experience that counts. We know that these lines should be 25 miles apart, and if that is the case all will be served. I am

very proud that we have built so many miles of railway and that they are paying well. To another part of the district represented by my friend the member for Yilgarn, we promised a railway when a certain number of settlers were there and a certain area was under crop. The Minister carried out the promise we made and built the railway.

Mr. Corboy: And he made a good job of it.

Hon. Sir JAMES MITCHELL: Not as good a job as my friend Mr. George would have made of it. Whilst the hon. member represents Bullfinch in this House and is anxious to serve the people in his electorate, I assure him he will serve those people just as well, and probably better, if he supports the suggestion that I have put forward. I hope the Minister will agree to go into this matter further, and that the line that is now headed towards the Eastern Goldfields line, and which will have to be turned away from it if it is to go to Bullfinch, will be allowed to link up with the Eastern Goldfields line at Carrabin. That will leave the other railway to be extended to serve the Bullfinch country. Naturally, the country I refer to must, in turn, be served by a railway. From what the Minister for Lands said, it should be done quickly if we are to accommodate all the people who are seeking land. We will not make any mistake in building agricultural railways and certainly not if we construct wheat belt railways at the present time. I do not know what the Newdegate railway actually cost per mile, but I understand the work was carried out very cheaply. In the level wheat belt country we can construct a considerable mileage of railway for the expenditure of a very limited sum of money. I do not know that there is any agricultural railway that is not actually paying. Of course they all pay indirectly, but with the increased traffic I should not be surprised if it were found that they are paying directly as well. It is not a question of hanging up the Bullfinch line for any length of time.

Mr. Lindsay: But they must have their railway.

Hon. Sir JAMES MITCHELL: Of course they must, but I think the Government should hesitate and give consideration to the suggestions that have been made to them. It is for the Government to decide the question but I hope they will review it and agree with the views expressed by the member for Avon (Mr. Griffiths) and those who have spoken on the Opposition side of the House.

MR. LINDSAY (Toodyay) [8.47]: Twice previously I have spoken in connection with this railway. On a former occasion it would have been much easier to discuss the matter because we had a map that enabled us to see the various railway routes proposed. With the small map at present available it is impossible to adequately describe the various features to hon. members. In the past it was decided that in the wheat belt area railways should be 25 miles apart. In order to realise what facilities are necessary to serve that class of country, it is essential that we should bear in mind the existence of the goldfields line and the proposed Ejanding Northwards extension. If hon. members take the goldfields line as the base and run north to the Dowerin-Merredin loop, they will see that there is a distance of considerably over 25 miles between the lines. At that time there was a junction at Wyalcatchem and the railway ran north to Koorda and another was swung east and slightly north to Nungarin. It has since then been swung to the southward to Merredin and that now represents the Merredin-Dowerin loop. Later the Wyalcatchem line was extended to Lake Brown, which is considerably to the south and east of Koorda. When the Railway Advisory Board reported on the railway some years ago, they recommended that it should run into Merredin. That meant it would go south from Lake Brown to Merredin. I take it that what influenced the Railway Advisory Board then was that the area referred to was the furthest east that, in their opinion at the time, we could settle the wheat lands of the State. Since then, as hon. members know, there has been settlement as far east as Bullfinch. Because of that it has since been decided to vary the route for the railway from the original proposal to one slightly to the north-east. I understand that the Railway Advisory Board when they went out to inquire into this proposition, intended to consider the question of two railways and not of one only. They realised, so I understood, that it was necessary to construct the line to the north, but it was also essential to inquire regarding a railway to the south so as to make provision for the lines in the future. From my knowledge of the

country and the geographical features disclosed on the map, I know that there is only one way that we can settle the Bullfinch areas, and that is by an extension of the railway system to the eastwards. There is a good deal of settlement in the Bullfinch area but in my opinion, if we take a line from Southern Cross to Bullfinch, that will represent the extreme limit of our settlement for wheat production in an easterly direction, at any rate in our time. We have millions of acres to the south of that district that have not yet been fully occupied and that area is served with a better rainfall than the Bullfinch areas. We know that if we take the rainfall area from Geraldton outwards it becomes lighter to a considerable extent as we proceed from the coast. The country further north to Bencubbin is much better off regarding rainfall than is the Bullfinch district. I am not condemning the Bullfinch area by any means, but we must appreciate the fact that we will have to face greater difficulties in settling those areas than we will have in other parts where there is a more favourable rainfall. The trouble is that the people who are being settled in the lighter rainfall areas are using the same methods as we adopted in the westward country, where the rainfall is much greater. The Bullfinch district can only be successfully farmed by the adoption of proper methods. I am of opinion that a lot of the country where there are not many trees, will be profitably dealt with, although there is less rainfall than in the more heavily timbered areas. We have decided to construct the railway from Ejanding Northwards and part of that line will run through my electorate. I know there are about 100 settlers located there 20 to 25 miles north of Lake Brown and out towards Koorda. I was out with an Honorary Minister 19 miles north of Mukinbudin and even then we found that men were selecting country several miles to the northward. We will have to serve those people with a railway, and any such line cannot be left at a dead end in the bush. It cannot be taken further than Bullfinch and some day we may find ourselves confronted with the necessity for constructing another line, and that will mean that we will, if we agree to the Bill before us now, have two railways running in to Bullfinch where one would do. I know it is a serious thing to take exception to a report submitted by the Railway Advisory Board. If we think their report is wrong in any particular we should say so. I believe that if the Railway Advisory Board had given this matter their fullest attention and considered the requirements of the country north of Koorda and north and east of Lake Brown, they would have altered their proposed route for the railway. Because a small area is farmed by a number of people, I do not claim that railways should be taken to such centres and swung away from natural routes. In 1925 the proceedings reported in "Hansard" show that similar views to those I am expressing were held by the Premier. The member for Yilgarn was speaking and the Premier interjected on several occasions. The report of the proceedings includes the following:—

> The Premier: We should build it into the Eastern Goldfields line, perhaps into Merredin.
>
> Mr. Corboy: That would mean running still another parallel line within a few miles of the existing line into Merredin.
>
> The Premier: Perhaps it would go into Burracoppin.
>
> Mr. Corboy: Even if it were run into Burracoppin, it would not do so much to open up the country as would the line I suggest The line I propose would open up the country north of Westonia.
>
> The Premier: I think both lines are required.

That is the crux of the whole question. There must be a junction for both lines. I do not think it possible to extend the wheat belt further east than Bullfinch. Some time ago I attended a largly attended conference at Lake Brown when this question was dealt with. At that time the people wanted the line to junction at Merredin. They demanded that I should express my views and I did so. That was before the Advisory Board's report had been laid upon the Table. It was suggested that the line might go to Bullfinch but they considered it should junction to Merredin. On that occasion I said that the Railway Advisory Board had made a mistake and told the people that, notwithstanding their views, I would not support legislation authorising the construction of the line into Merredin. I told them that it should junction with the goldfields line at Carrabin. It is to the credit of those people that later on, when they had more information at their disposal, they held a further meeting at Merredin and decided to reverse their earlier decision and to support an ex-

tension of the railway to junction with the main line at Carrabin. We have made mistakes in the past by adopting the reports of the Railway Advisory Board. In my opinion, if we follow their recommendations on this occasion we will make another mistake. I shall oppose the second reading of the Bill.

Mr. CORBOY (Yilgarn) [8.57] : There are one or two aspects of the discussion that I would like to deal with briefly. In the first place, the most serious criticism that has been indulged in is the assertion that, by passing the Bill, we will adopt a course of action based on the report of the Railway Advisory Board. It is said that the report originally put in, or some modified form of it, should have been adhered to. That report was put in at a time when there was no settlement worth mentioning in the Yilgarn area. There was no settlement in the Bullfinch area and practically none in the Southern Cross area or other areas that have been mentioned. Since then, and during the last three years particularly, the position, as the Advisory Board have admitted, has materially changed. The Agricultural Bank has on its books no less than 160 settlers in that area. Those settlers are being assisted by means of loans from the Agricultural Bank. In addition to those settlers there are a great many who are not on the books of the bank at all, but are working their blocks in the areas referred to. The majority of those settlers are on blocks lying west of Bullfinch in what is known as the Yilgarn area, and in the Southern Cross, Doonjin and Parker's Range districts. The bulk of the settlers are in those areas, and a great many of them are upwards of 17 miles west of Bullfinch. I have twice traversed the route proposed by the Railway Advisory Board, the second occasion as recently as a fortnight or three weeks ago, and I took the opportunity on that occasion to go through the whole of the area that would be served were the first recommendation of the Advisory Board adopted. It seems to me that the settlers between Kalkalling and Bullfinch who are without railway facilities to-day can best be served by the recommendation now before us. The Advisory Board admitted candidly that there are a few settlers who will be outside the 12½ miles limit if this proposal is agreed to, but the great majority will undoubtedly be best served by the present proposal.

Mr. Griffiths: An area of 50,000 acres will not be served.

Mr. CORBOY: I am not going to dispute the hon. member's statement that 50,000 acres will not be served, but the official report of the board states that only 9,000 acres will be outside the radius. The member for Avon made a point that actually 50,000 acres will be outside the radius because of the devious route that farmers must follow to reach the railway. I have not examined the lake which the hon. member says is a bar to a direct route, but I know that with roads constructed in other parts of my electorate and in adjoining electorates, no difficulty was experienced in crossing the lakes, so I do not think the difficulty in this district is insurmountable. In addition to the settlers who are in the Yilgarn area, that is west of Bullfinch upwards of 17 miles, I found during my recent tour that there are a considerable number of settlers on their blocks east of Geelakin who would be left out. A number of settlers are actually on their blocks endeavouring to develop them under very adverse conditions, and they would be left at least 20 miles from railway communication if the original report of the Advisory Board were adopted. There has been a considerable amount of misrepresentation regarding the case that has been presented. I hope that that misrepresentation has not been deliberate. The Advisory Board drew attention to the fact that the present proposal would provide rail facilities for 417,000 acres against 106,000 acres if the other proposal were adopted.

Mr. Griffiths: Into Merredin.

Mr. CORBOY: Or into Carrabin; I do not think it makes a great deal of difference.

Mr. Griffiths: That route would serve a lot more settlers.

Mr. CORBOY: I do not think so. The Carrabin route has been urged quite recently in an endeavour to prevent the linking up of the line suggested.

Mr. Griffiths: Or even Bodallin.

Mr. CORBOY: The member for Avon stated that the board had got down to acres as against settlers. That is not the position at all. The settlers east of Geelakin and west of Bullfinch are waiting for rail facilities, just as those people in his own electorate have been waiting for so many years.

Mr. Griffiths: Then how do you account for the 3,000 acre blocks?

Mr. CORBOY: I can account for them quite easily. I was very disappointed indeed when we went a considerable distance north of the proposed route, and had a look at the farms along the rabbit proof fence. The results obtained there not only this year, but during the last three years, have been very disappointing. I think I shall not be guilty of a breach of confidence if I say that the officials of the Government, in whose company I travelled, were also greatly disappointed. The route suggested by the member for Toodyay (Mr. Lindsay)—to take the line from Mollerin to Bullfinch—would traverse an almost continuous belt of morrell country. Anyone who knows anything about wheat growing in this State understands what the building of a railway through a continuous belt of morrell country would involve the State in. Right through from Bullfinch to the rabbit proof fence the proposed route traverses a practically unbroken belt of heavy salmon gum and gimlet forest.

Mr. Griffiths: Oh no!

Mr. CORBOY: I have been through it and I know that the hon. member has not. For verification of my statement I refer him to the Premier, who also has been right through it. I think the Premier will agree that the car was not out of the heavy salmon and gimlet country all the day.

Mr. Griffiths: It is easy to go through a strip of country and imagine that it is a wide strip.

Mr. CORBOY: That was not done. We climbed to the top of granite rocks and had a good look over the country. Undoubtedly the belt of forest is an extensive one. The member for Avon said it was proposed to serve country so poor that it had to be cut into blocks of 4,000 acres.

Mr. Griffiths: There it is on the map.

Mr. CORBOY: That is not the country it is proposed to serve; that is only one little corner of it. The hon. member has a map showing one little corner.

Mr. Griffiths: There are two maps.

Mr. CORBOY: And the two maps contain about a dozen blocks.

Mr. Griffiths: No, 102 blocks.

Mr. CORBOY: There are many people 17 miles west of Bullfinch waiting for railway facilities, all of whom are on 1,000-acre blocks. Yesterday I read a statement by the hon. member in which he asserted quite seriously—I do not know where he got his estimates; I am sure they are not official—that the Government were proposing to build a line into Bullfinch to serve an area which has 20,000 acres under crop that will average only one bag of wheat to the acre. That is the type of misrepresentation that is being broadcast to try to kill this proposal.

Mr. Griffiths: A man who is an undoubted authority told me there are 20,000 acres in the Yilgarn area that will go only a bag to the acre.

Mr. CORBOY: I should like to know the name of the hon. member's informant.

Mr. Griffiths: No, you don't.

Mr. CORBOY: Irrespective of the name of his informant, the hon. member must take the responsibility for having broadcast that statement. It has been broadcast in the Press by the hon. member, and he must take the responsibility for it.

Mr. J. H. Smith: And members have a copy of it.

Mr. CORBOY: I am not speaking of a private letter sent to members; I am speaking of an article inserted, undoubtedly with the hon. member's consent, in a newspaper circulating in the State, and the article contains the assertion I have mentioned. The position is this: The hon. member, in speaking of the people who would be served by the line into Carrabin, for which he is asking, said he saw some very bad crops—I think rotten was the term he used to describe them.

Mr. Griffiths: Quite so.

Mr. CORBOY: And alongside of them he saw some good crops. Exactly the same applies in the Bullfinch and other areas; in fact, it applies right through. Even if the assertion that it will return only one bag per acre were true, which it is not, it would be highly improper to condemn the proposal because of that. As a matter of fact, several crops in the vicinity of Bullfinch are being stripped that are averaging 17 bushels to the acre, while many are averaging 12 bushels, and those holdings will be served by this railway. I want members to realise that the crops were put in under the worst possible conditions, conditions that no farmer should have to tolerate. The men were compelled to work under those conditions because of the disabilities that they were suffering under the Agricultural Bank.

The Premier: The hon. member's leader stated that the crops in that country were amongst the finest he had seen and that the farmers should receive the full amount of the Agricultural Bank advance.

Mr. CORBOY: I agree that those men should be getting the full amount of the advance. The member for Katanning, the hon. member's leader, attempted to convey the impression that if he were in charge he would, or if the present Government were so minded, they could direct the Bank trustees to advance the full loan to those settlers, and that it was simply due to lack of sympathy on the part of the Government that the settlers were in their present position.

Hon. G. Taylor: He tried to convey that, but it was not correct.

Mr. CORBOY: Of course it was not correct. Every member knows that the Agricultural Bank trustees are absolutely free from dictation by the Ministry or the Parliament.

Hon. G. Taylor: It was a case of drawing the wool over their eyes.

Mr. CORBOY: Of course. The hon. member's leader said he saw in that district some of the best crops in the State and that they warranted the full advance being made by the Agricultural Bank. He also said that all possible assistance should be given to those settlers. Now the member for Avon comes along and tells us the country is so dog poor that the railway should not be built. The position has been grossly misrepresented. There are some poor crops in the district. I know of one crop to which I shall refer. I do not know whether the owner made a mistake, but he had the capital and got in early. He was afraid his crop might go off and not prove sufficiently good for stripping, so he bought a lot of store cattle from the goldfields and cut his crop for hay. Thus he is converting it into meat.

The Minister for Lands: That happens in various parts of the State.

Mr. CORBOY: I do not mind admitting that that settler cut his crop for hay because he thought it would not be worth stripping. Two crops alongside his holding that were left for stripping, however, are giving a 4-bag return, so I think the settler was a bit hasty in the action he took. There are crops that will give a very poor return, but those crops were put in even worse than most in the district, and the best of them were put in badly enough. The results achieved are such that the Agricultural Bank trustees, on their recent visit through the district, after having inspected fully 80 per cent. of the crops, expressed themselves astounded at the results, and said that on their return to Perth they would seriously, and probably favourably, consider making an alteration in their policy of granting only a half-loan and so on. That the trustees were very favourably impressed, there is no doubt. I wish to emphasise that, despite the appeals received by members of the Opposition and of another place from the member for Avon to abide by the earlier decision of the Advisory Board, the conditions have materially changed. Settlers who are out east of Geelakin and west of Bullfinch are in urgent need of railway facilities, and this line will serve practically every farmer between Lake Brown and Bullfinch in the best possible way. I hope members will not be misled any further by misrepresentation such as the impression conveyed by the member for Avon that the district is capable of producing an average of only one bag to the acre. That is a gross libel on a district that will in the next year or two prove of great value to Western Australia.

The Minister for Lands: It is not a good advertisement for it.

Mr. E. B. Johnston: It has been recommended for settlement.

Mr. CORBOY: Yes. The Leader of the Opposition will agree with me when I say that I did endeavour, when this land was first made available for settlement, to induce him, as Minister for Lands, to cut it up into 2,000 acre blocks. I wish that had been done. I believe that country is not essentially wheat-growing land. It is country in which every settler should be able to combine the raising of a reasonable number of sheep with his wheat growing activities. The settlers would have had a prospect of doing better for themselves if they had had larger blocks to enable them to run a greater number of sheep. In the near future the district will be a very prosperous one, and will be doing a great service for Western Australia by combining wheat growing with sheep raising. I appeal to members to support this proposal, which will in the near future give facilities to a great many men who are working under considerable disadvantages to-day. I realise there are a few men, as quoted by the member for Avon, who will not get all they anticipate out of the route. We can, with the expenditure of very little money, much less than the cost of building two railways, provide them with a crossing over the lake, or some other means of bringing them within reasonable carting distance of the railway.

Mr. Griffiths: It will be a long stretch to get right across that lake.

Mr. CORBOY: The Bill provides, as is usual with railway Bills, for a five-mile deviation. It may be that the settlers can be brought closer to these facilities by the exercise of the power to deviate to the extent of five miles. There are sound reasons why the proposal of the Railway Advisory Board should be adhered to, apart from the reason that it has been the practice and custom of Parliament to adopt the advice of those who make up this board Members of the board have no axe to grind. Everyone is liable to make a mistake, but the Advisory Board do put up what they believe to be in the best interests of the State and the settlers, when recommending certain railway facilities.

Mr. E. B. Johnston: It is the proper tribunal to decide such a question.

Hon. G. Taylor: The first board came to another decision.

Mr. CORBOY: That decision was all right in view of the conditions then existing, but these have changed since.

The Premier: They are the same men who have reviewed their other judgment.

Mr. Griffiths: There are two men who are not the same.

Mr. E. B. Johnston: There have been six years of settlement in the meantime.

Mr. CORBOY: When the first report was made, no Agricultural Bank assistance was given in the Yilgarn area, and there was no land surveyed or rendered available for selection there. The whole of the settlement in the Yilgarn district has occurred since the report was presented in 1920. The conditions have materially changed. I hope members will not be misled by any misrepresentation that may have been put before them on this Bill. The member for Toodyay asked members to look at the map. I hope they will do so, especially the areas coloured green, which are blocks alienated and are most of them in the possession of settlers to-day. Members will see that the proposed railway provides the maximum facilities for the settlers throughout the country proposed to be served.

MR. J. H. SMITH (Nelson) [9.20]: I am not greatly concerned about the wheat areas, for I know more about the conditions of the South-West. There is a conflict of opinion amongst the supporters of the different routes. I really wonder whether this railway is warranted or not.

Mr. Corboy: You are looking for trouble now, for you will have us combining forces.

Mr. J. H. SMITH: The arguments on both sides are very confusing. It makes one undecided whether to vote for the second reading or not. A regular battle of routes is being waged. I do not know whether I am justified in voting for the line that is now suggested by the Advisory Board, or whether I should vote for the first one that was suggested.

The Premier: I think you had better go outside.

Mr. Chesson: I should toss up.

Mr. J. H. SMITH: I can always make up my mind, and come to a decision at once.

Mr. Chesson: But you said you were undecided.

Mr. J. H. SMITH: I am undecided when I find so much confusion amongst members. Furthermore, a circular has been sent out to different members saying that the land along the proposed route will not yield more than one bag to the acre.

Hon. Sir James Mitchell: That is wrong.

Mr. J. H. SMITH: The statement has been broadcast.

Mr. Corboy: It is a gross libel.

Mr. J. H. SMITH: I have a copy of that circular in my drawer. No doubt other members have had it.

Mr. Corboy: We did not get it on this side.

The Premier: You had better read it. It is an extract from "Hansard" No. 13, and that is the only way in which we shall get it.

Mr. J. H. SMITH: This has nothing to do with the Bill. The member for Avon represents a wheat growing constituency and we must respect his opinion. He tells us in the circular—I presume he has fathered it—that if we put ths line through, it will serve land that will not yield more than one bag of wheat to the acre under the most favourable conditions.

The Premier: I have not been privileged to get a copy of the circular. You might lend me yours.

Mr. J. H. SMITH: We know the Agricultural Bank hold that this land does not come within the zone for full bank advances.

The Minister for Lands: I have never heard them say so.

Mr. J. H. SMITH: The Minister knows that the bank will not advance more than 50 per cent. of the full sum.

The Minister for Lands: I do not know that this appertains to the area under discus-

sion. In some portion of the Yilgarn electorate that may be so.

Mr. J. H. SMITH: I am speaking of the portion of the district through which this line will pass. The member for Toodyay is supposed to be an authority on wheat growing. His advice as a practical wheat grower is not to go on with the second reading. He says he knows if we carry through this line into the morrel country it will be a failure. This leaves us in a greater maze than ever. Unless members representing the wheat growing areas are fairly unanimous as to the route that should be taken, and in believing that it would be a success and of benefit to the State, we should be careful how we vote.

The Minister for Works: I do not think the hon. member said this proposed route would go through the morrel country.

Mr. J. H. SMITH: He advocated the alternative route.

Mr. E. B. Johnston: He wanted to give that country another railway.

Mr. J. H. SMITH: Some little time ago the Advisory Board recommended that the line should take a certain course, and later on perhaps under more favourable circumstances, the recommendation was that a different route should be taken. The Leader of the Opposition says the line should not link up where it is proposed to link up, but should go somewhere else. There is a great deal of confusion in the matter. The member for Irwin says that country which will not produce at least four bags to the acre in a season like this should not be opened up by railway communication. The member for Avon sent out a circular stating that under the most favourable conditions the land will produce only a bag to the acre, and that it should not be considered. I feel inclined to vote against the second reading. The member for Yilgarn made out a good case, and I have a great deal of sympathy for the people who have been promised railway communication. We must be careful, however, how we act. There is any amount of land in the South-West requiring railway communication. There is never any drought there, and intense culture can be practised every day in the year. The Premier, the Minister for Lands and the Minister for Works have only to look at the plans to see what a network of railways there is in our wheat areas. Let us be careful, therefore, lest we make any mistake in this case. We know what occurred over the Bullfinch railway. This was built during a wave of optimism. We must not do the same thing to-day.

Hon. W. D. Johnson: That was in connection with mining.

Mr. J. H. SMITH: And so it was in connection with the Marble Bar railway. There was a boom at that time when those railways were being built. Wheat growing is booming to-day. When we get a conflict of opinion amongst those who represent the wheat growing districts, we should be very careful as to what we do. I am at present very undecided in the matter.

THE PREMIER (Hon. P. Collier—Boulder) [9.31]: It is rather unfortunate that a battle of the routes should arise in connection with a Bill; but after all, I suppose, it is to be expected. Men who know the country and hold definite opinions on it are entitled to express those opinions, but I do think that all members who have no personal knowledge of the districts or areas coming within the influence of the proposed railway would be well guided in accepting the recommendation of the Railway Advisory Board.

Mr. Griffiths: The Railway Advisory Board did not go across from Kalkalling to Bullfinch.

The PREMIER: The members of the board are capable and honest men, and surely the hon. member is not insinuating that they have made a recommendation without a thorough examination and a thorough knowledge of the subject. If that is so, let us have it understood, and let us change the personnel of the board. But from many years' experience of the men composing that board I venture to say that not one member of the House would suggest for a moment that they are not thoroughly capable and thoroughly conscientious in the discharge of the duties placed upon them.

Mr. Griffiths: I said that I thought they had done what they considered right, but that I thought a mistake had been made.

The PREMIER: Surely the members of the board are qualified to judge. They make certain definite statements which are in contradiction to the statements made by the hon. member interjecting. The members of the board say they speak from a knowledge of the plans and of all the information available in the departments of the

State. All that information is equally available to the hon. member.

Mr. Griffiths: My statements are the same as those which were made to you at the deputation.

The PREMIER: That does not make them correct. The members of the board, after first reviewing the position in the light of the development and settlement that have taken place since their recommendation of 1920, and after an examination of the country, now recommend the junctioning with Bullfinch. The whole position has changed since the first recommendation was made.

Hon. Sir James Mitchell: But the land has not changed.

The PREMIER: Our knowledge of what the land will produce has changed. Six years ago nobody believed that there would be any settlement out towards Bullfinch. The land, of course, remains the same; but our knowledge of the possibilities of that land has broadened and widened, and so the position has changed.

Hon. Sir James Mitchell: We must open up the country northward of the Beneubbin line.

The PREMIER: That matter has been considered by the board. According to a statement included by the member for Avon (Mr. Griffiths) in his circular, the Government had determined to do certain things. Let me say that the Government had no feeling or interest in the matter at all. For myself, I have never spoken to the members of the Railway Advisory Board on this subject, nor has any member of the Cabinet done so. Seeing that there was a recommendation standing on the records for a junction at Merredin—a recommendation made in 1920—and that during the past year or two, owing to the settlement which has taken place in what is called the Yilgarn or Bullfinch district, an agitation has arisen for the linking up of this line with Bullfinch, the present Government did what all Governments do in such circumstances—namely, asked the Advisory Board to report on the matter again. They did so; and—I think we are entitled to assume this—after giving the fullest possible consideration to all the facts that could be stated with regard to either route they unhesitatingly recommended the Bullfinch connection. They gave their reasons. I do not intend to read the report. Hon. members have been able to peruse it; the file has been on the Table of the House. The board gave what they considered sound information as to the area of land to be served by one route as against the area to be served by the other. When the report was published and the Goomarin settlers were dissatisfied with the board's recommendation, the member for Avon brought a deputation to me. At that deputation all the points that have been urged by him to-night were advanced, and a note was then taken of them. Even the possibility of a continuation of the Ejanding Northward line to Lake Morrell eastward being a better proposal for connecting with Bullfinch was mentioned at the deputation. The Railway Advisory Board were asked to report in the light of the arguments advanced. Each of the speakers at the deputation urged that the proposal then advocated would give far greater railway facilities to the districts concerned than would the railway recommended by the board. That was the case put up. I forwarded the deputation's suggestion on to the board, saying that in view of these representations I would be grateful if the board would kindly consider the matter further and advise me whether they thought the deputation had advanced any grounds for alteration of the board's recommendation. Accordingly the board considered the matter again. They reported as follows:—

> The board have again considered the proposal in view of the representations put forward by the deputation on the 13th August. It does not appear to the board that the deputation advanced any grounds for the alteration of the route. The statement that some of the Goomarin settlers would be 19 miles from a railway by the nearest practicable route is not borne out by the official plans, which show that the centre of the 9,000 acres outside the 12½-mile radius is only 15 miles from Burracoppin by a surveyed road, and about the same distance from the proposed line. To deviate the line as suggested would mean that a large area of cultivable land would be left unserved for some considerable time. The board consider that their recommendation should be carried into effect.

That was a reconsideration of the whole position in the light of all the arguments advanced for the change. The board state in their second recommendation that only an area of 9,000 acres would be outside the 12½-mile radius, and that even those 9,000 acres, or nine settlers, would only average 14 or 15 miles from the railway.

Mr. Griffiths: By aeroplane.

The PREMIER: The board in their report say, by surveyed road. This, I would remind members, is the second report and the second recommendation of the board, who went into the matter again in the light of all the statements made as to settlers being 19 miles from a railway and as to there being a greater area than 9,000 acres outside the 12½-mile radius.

Mr. Griffiths: Those statements are absolutely correct.

The PREMIER: Those representations were put before the board, and, notwithstanding them, the board repeat their former recommendation. I acknowledge, of course, that members with a knowledge of the district have spoken quite sincerely as to their views on the matter; but I do urge that the House should not take upon itself to decide the route of a railway contrary to the recommendations of the Railway Advisory Board unless for very grave and very sound reasons.

Hon. Sir James Mitchell: I think there are such reasons in this case.

The PREMIER: I do not think so. We would be initiating a policy fraught with dangerous possibilities. I do not say that any board should be put above Parliament. I do not suggest that the House should hesitate to set aside the recommendation of a board and adopt its own views if members believe the board to be wrong. But in this instance no substantial case has been made out for the contention that the board are wrong. Had it not been for the industry and energy of the member for Avon (Mr. Griffiths); had it not been for the circular he sent out——

Hon. Sir James Mitchell: He did not do me the honour of sending me a copy of that circular.

The PREMIER: I was left out, too. I notice, however, that in the circular the hon. member states that the present Leader of the Opposition definitely promised this railway within two years—that is, the railway to Merredin. That is a statement which the Leader of the Opposition has denied this afternoon. Therefore the member for Avon should exercise the greatest care in compiling his circulars.

Mr. Griffiths: I am quite prepared to stand by everything in that circular.

The PREMIER: I know the hon. member is so much pressed with work of this kind that he is sometimes apt to slip.

Mr. Griffiths: There is no error in this.

The PREMIER: Probably owing to the nature of the circulars he is engaged upon he has slipped on this occasion. However, I repeat that no case has been made out to justify the House in departing from the matured judgment of the board, a judgment given on a second occasion.

Hon. Sir James Mitchell: The House might reconsider the matter because the board have reported both ways.

The PREMIER: The hon. member will not say for one moment that the report of 1920 was made in similar circumstances to those under which this year's report was made.

Hon. Sir James Mitchell: I think so.

The PREMIER: The position has entirely changed, and the hon. member knows it.

Mr. Corboy: The Leader of the Opposition himself was responsible for throwing open that country six years ago.

The PREMIER: When the first recommendation was made, there could be no justification for going to Lake Brown around Bullfinch.

Hon. Sir James Mitchell: Yes.

The PREMIER: Not at all. What we were considering six years ago was the matter of pulling up the Bullfinch railway. But since then the country has all been opened up and selected and occupied. That has altered the situation. The alteration in question apparently justifies the board in varying their first recommendation. The House should be careful about setting aside the recommendation of a board of this nature and deciding upon a route of its own merely because some member displays unwonted energy in the direction of getting the route altered.

Question put, and a division taken with the following result:—

Ayes	29
Noes	11
Majority for	18

AYES.

Mr. Angwin	Mr. Lamond
Mr. Barnard	Mr. Lutey
Mr. Brown	Mr. Marshall
Mr. Chesson	Mr. McCallum
Mr. Clydesdale	Mr. Millington
Mr. Collier	Mr. Munsie
Mr. Corboy	Mr. Panton
Mr. Coverley	Mr. Sleeman
Mr. Heron	Mr. Stubbs
Miss Holman	Mr. Troy
Mr. Hughes	Mr. A. Wansbrough
Mr. W. D. Johnson	Mr. Willcock
Mr. E. B. Johnston	Mr. Withers
Mr. Kennedy	Mr. Wilson
Mr. Lambert	*(Teller.)*

NOES.

Mr. Angelo	Sir James Mitchell
Mr. Davy	Mr North
Mr. George	Mr. Sampson
Mr. Griffiths	Mr. Taylor
Mr. Latham	Mr. Richardson
Mr. Lindsay	*(Teller.)*

PAIR.

AYE.	NO.
Mr. Cunningham	Mr. Maley

Question thus passed.

Bill read a second time.

In Committee.

Mr. Lutey in the Chair; the Minister for Works in charge of the Bill.

Clauses 1, 2—agreed to.

Clause 3—Deviation:

Mr. GRIFFITHS: I assure the Committe that the numbers of the blocks and the statements of distances given by me are approximately correct. I should like the Minister to see whether any deviation made could not be used to bring the settlers a little nearer to the railway. Nothing I have said was said to belittle the Advisory Board. The board did the best they could in the light of the information laid before them. On the plan many of the settlers are within 14 miles of the line, but, taking the contour of the country, they are 19 miles away. The distances I gave on the second reading were correct. Those quoted by the board must be as the crow flies.

The Minister for Lands: The board said it was by made roads.

Mr. GRIFFITHS: I say the men supposed to be 12½ miles away will be found to be anything up to 20 miles away. I should like that to be remembered by the Minister when the question of deviation is being considered.

Hon. Sir JAMES MITCHELL: I hope the Minister will make a note of it that the deviation must not be away from the existing goldfields railway, else the position will be made still worse for the settlers. That was done on the Merredin line with harmful results. The deviation must be south, not north.

The MINISTER FOR WORKS: The member for Avon contends that the departmental plans are wrong.

Hon. Sir James Mitchell: It is of no use contending that they are wrong.

Mr. GRIFFITHS: I only contend that the settlers are so far from the railway.

The MINISTER FOR WORKS: The hon. member contends that the departmental plans are wrong. Actually, the men for whom he pretends to speak got their blocks from the departmental plans, which he now says are wrong. The Advisory Board personally inspected the route. They do not say the distances they give are by aeroplane, but that they are by surveyed road.

Mr. Griffiths: No.

The MINISTER FOR WORKS: The Premier read out the statement. The Advisory Board distinctly said it was distance by surveyed road.

Hon. G. Taylor: Is that the road across the lake?

The MINISTER FOR WORKS: They do not survey roads across lakes. I will refer this question of distances to the Engineer-in-Chief and ask him to look into them. When the surveyors are out there they will be able to investigate the position.

Mr. Griffiths: I thank the Minister for that.

The MINISTER FOR WORKS: If there be anything incorrect in either the statement of the Advisory Board or those of the hon. member, the surveyors will be able to check it.

Hon. Sir James Mitchell: If there is anything wrong about these distances it might be to some extent rectified by the deviation.

The MINISTER FOR WORKS: That is so. Of course at such time there is always a tendency to overstate the distance from the railway. Both the point raised by the Leader of the Opposition and that put forward by the member for Avon will be inquired into. Certainly the deviation will not be allowed to take the line farther away from the settlers.

Mr. CORBOY: There is just one point I should like to clear up. According to the official plans these settlers are 15 miles from Burracoppin by surveyed road. That road

does not cross the lake. The route that goes near the lake is the route of the new line.

Clause put and passed.

Clauses 4 to 7, Schedule, Title—agreed to.

Bill reported without amendment and the report adopted.

PUBLIC WORKS ACT AMENDMENT.

Second Reading.

Debate resumed from the 23rd November.

MR. DAVY (West Perth) [10.5]: The Minister in introducing the Bill told us that it was merely to bring our legislation into line with that of the Commonwealth. That is not correct. The effect of the amendment will by no means make our law, dealing with the compulsory resumption of land, similar to the law of the Commonwealth. Our Public Works Act at the present time is the hardest piece of legislation with regard to compensating owners whose land is compulsorily taken, that I am acquainted with in any part of the British Empire. It is very much harder on the person whose land is taken than the Commonwealth law as it is to-day, than the English law, than the New South Wales law and I believe any law dealing with a similar subject in any part of Australasia. The section that deals with the granting of compensation to the owner whose land is compulsorily taken under our Act is Section 63, and I ask members to read it for themselves and consider whether anything could be fairer and clearer than it is as it stands, from the point of view of the resuming authority. Section 63 sets forth all the factors that may be taken into account by the court in determining the amount of compensation to be paid. The first head they may consider is the probable and reasonable price at which such land, that is the land taken with any improvements thereon, might have been expected to sell at, on the date it was taken, without regard to any increased value occasioned by the proposed public works. That is the problem, simple in terms, but of course sometimes not quite so simple when put into application, that the court is faced with on each occasion—the probable and reasonable price at which such land with any improvements thereon may have been expected to sell, at the time it was taken. There is no question of goodwill or any other factor except t simple one, the probable and reasona price at which the land may have been pected to sell. The Commonwealth Act u entirely different language; the English uses entirely different language; the N South Wales Act uses entirely different la uage. There the expression used is that resuming authority shall pay the value of land at the time it was taken, and un the Federal Act, at the beginning of year in which the land was taken. T word "value" used in that way, is of cou a loose expression, and it has been held enable the court to grant to the owner the land taken, an amount of compensat taking into account all kinds of thi other than are allowed to be taken i account in Western Australia. For stance, it allows the court to aw compensation for the ruin, either p manent or temporary, of the ma business carried on in the premises on land taken. In fact the word "value" treated as meaning the value to the ow of the land, not the market value. T result may be that he may get far grea compensation than he could hope to under our Act. Some time ago in anticip tion of the possibility of the Forrest Pl extension being put through by the C Council—the House will remember that was defeated owing to the poll in conn tion with the loan not being carried—I into touch with the City Solicitor in Sydn where an enormous amount of resumpti has been taking place. The City Solicit there said this:—

> Cases which present the greatest difficu in assessing compensation are those wh businesses are carried on on resumed la and claims are made for disturbance of b iness.

In Western Australia the court may take into consideration in any way wh ever any compensation for the disturban of business. That being the position, I s that we do not need for one minute to ma conditions for assessing compensation a harder than they are at the present tim It is true that any resumption Act w allow the possibility of a rogue who ge wind of the fact that certain land is to resumed by the Government for the pu pose of some public work, to fake his pri in anticipation. The Minister talked fictitious options being obtained, enabli the man whose land is resumed to go to t

court and demonstrate a value which was not genuine. In answer to that I would say that the court has to be convinced of the genuineness of any evidence produced showing the value, and although the skilful rogue may be able to defeat a judgment of the court on occasions, that is not a peculiarity of land resumptions. The rogue can defeat tribunals of this country on occasions. Therefore we do not set to work to alter our law in such a way as to perhaps harm the honest man. I submit to the House that the Minister, to catch an occasional rogue, is prepared to run the risk of refusing justice to the genuine, honest man. For my own part I would rather see the Government or the local authority defeated at times by a rogue than see the honest man defeated on occasions. I would rather see the Government or anybody defeated six times by a rogue than see one innocent man fail to get his rights. I am not prepared to glorify the State or the local authority to such an extent that I am prepared to see the possibility of an innocent man not getting his rights merely to catch the rogue. In so far as we can tighten up the law to defeat the rogue, I am in favour of it, but not at the possible expense of the rights of the genuine man. If we carry the amendment suggested by the Minister, the result will be that our Section 63 will not be at all like the Federal Act; it will be an absolute mixture for which I know no parallel. If the Minister wants to bring it into line with the Federal Act I suggest that we substitute the exact words used in the Federal Act. The addition of the words proposed will not bring us into line with the Federal Act. It will be a part mixture of our own special wording and a part mixture of the Commonwealth Act. The Minister rather gave me the impression that he thought it was a very frequent event for fictitious claims to be successfully made against the resuming authorities in this State. I interjected that the cases that had gone to the court were very infrequent. The Minister, however, did not agree with me; in fact he said that at least 20 cases had gone to court since he had been a Minister.

The Minister for Works: I did not say the court.

Mr. DAVY: I am not allowed to quote the only authority, but refreshing my memory from it, I am satisfied he did say so, and I believe hon. members will agree with me. As a matter of fact, the number of cases that go to the court is very few indeed, and I will quote to the House the number of resumption cases that have actually gone to the court since 1918. In 1918 there were none. In 1919 one went to the court, and in 1920 seven went to the court, and of those seven I happened to be acting in six. Only one was heard as a test case. The others were to stand or fall by that particular one. The cases were in connection with certain blocks of land that had been resumed around Rocky Bay. There was no suggestion of anything in the nature of a ramp or a fictitious sale. The value was fixed for all those blocks on the price that had been paid by a flour milling company that had, about that time, bought a block of land for the purpose of erecting a factory. It may have been the Great Southern Flour Mill. At any rate the company bought a similar block for the purposes of their business. It was a genuine sale, too, because they had already started to erect their mill on the land. The court was guided by that sale. After all, recent sales represent the only possible guide to determine the value of land. There is no other guide that is available.

Hon. W. D. Johnson: That is, provided the sale was made without any special knowledge.

Mr. DAVY: Of course. I have already said that it was a recent genuine sale. It could not be otherwise, because the flour milling company had bought the land for the purposes of their business and had already commenced to erect their buildings. At the same time, the Government had commenced building a siding to the block of land they had purchased. However, in 1921 there were no cases; in 1922 one case; in 1923 one case; in 1924 five cases went into court, of which four were local court cases; in 1925 three cases went into court. This year the figures show that there were six cases listed, four being City Council cases and two Government cases. I can state that of the four City Council cases none has yet gone into court.

The Minister for Works: I believe that a number have gone to private arbitration.

Mr. DAVY: I am amazed to hear the Minister say that, because those that go to court participate in an arbitration process.

The Minister for Works: Yes, but a great number of cases are by agreement referred to a sole arbitrator.

Mr. DAVY: Perhaps that is so, but I have no knowledge of it.

Hon. G. Taylor: Perhaps that is where the Minister gets his 20 cases from.

The Minister for Works: I will explain that later on. At any rate, your details already give about 20 cases.

Mr. DAVY: Yes, but 20 cases since 1918!

The Minister for Works: How many cases are pending now?

Mr. DAVY: I have already said that there are six cases that have been recorded by either the local court or the Supreme Court, two being Government cases and four City Council cases. Of the City Council cases, two may be tried this month and of the remaining two, one has been settled and the other has not yet been listed.

Hon. W. D. Johnson: What is all this to prove?

Hon. G. Taylor: The Minister said there were already 20 cases.

Hon. W. D. Johnson: Surely the member for West Perth is trying to prove more than an inaccurate statement on the part of the Minister.

Mr. DAVY: Yes, when I interjected during the Minister's speech it was not for the purpose of getting him to commit himself to inaccurate figures.

The Minister for Works: You were arguing regarding the number of cases disputed; I did not think you mentioned cases that went into court.

Mr. DAVY: Yes, I did.

Hon. W. D. Johnson: Why labour that?

Mr. DAVY: I am extremely sorry that my methods of arguing cause annoyance to the member for Guildford.

Hon. W. D. Johnson: It is not a matter of annoying me. Do not get nasty! You have quoted a list of cases from 1918 onwards and I want to know what you are seeking to prove.

Mr. DAVY: The list proves that the Minister was slightly inaccurate in his statements. I do not desire to blame him for inaccuracies.

The Minister for Works: I will show you later on where the "inaccuracy" comes in!

Mr. DAVY: I will be prepared to listen to the Minister. The point I was endeavouring to make was that there has been no great difficulty to be overcome, because so few cases have been taken into court.

Hon. W. D. Johnson: That is what I wanted to get from you. Do not you think that settlements of such cases would be influenced by previous judgments that the courts have given, and as to the probable decision they would give?

Mr. DAVY: No. There can be no precedents to guide future settlements. Each case is settled on the evidence produced and in accordance with the Act as it stands. It is not possible to know from the awards made in previous cases as to whether the court allowed even the 10 per cent. compensation for disturbance. The court has to decide what is the reasonable price at which the land might be expected to have been sold, and then may add 10 per cent. as compensation for compulsory acquirement. The only way of ascertaining whether the court has made any allowance for compensation is to question your assessor, who together with the assessor for the other side and the judge, sit as the compensation court. In practice the court does not allow any compensation under that heading unless it be for some disturbance of business.

Hon. W. D. Johnson: I have had many experiences regarding settlements where we were not satisfied that the Government had received a fair deal. The position regarding settlements was that instead of going into court, those concerned were influenced by the knowledge of what the court's decision was likely to be under the Act as it stands today.

Mr. DAVY: I did not know that the member for Guildford had ever handled resumption cases!

Hon. W. D. Johnson: I happened to be Minister for Lands at one time.

Mr. DAVY: I did not know that, although I knew that the hon. member had held some distinguished positions during the course of his public life.

Hon. G. Taylor: Where have you been all your lifetime?

Mr. DAVY: At any rate I am surprised to hear that a Minister would consider it his duty to scrutinise such matters. I thought there was an officer who would attend to that work. The fact remains that during the course of my experience in Western Australia, the court has never accepted quotations from High Court cases or English cases as relevant to the issue. Although my experience has been somewhat brief, it has involved perhaps more than the ordinary practitioner's share of this particular kind of work. I know that the court has refused to be guided by precedents, but has devoted

itself to the problem set forth under Section 63.

Hon. W. D. Johnson: But the officers would naturally have a knowledge of the court's opinion regarding particular cases.

Mr. DAVY: It is impossible to find out what the court's opinion may be. The court adopt the attitude that there is a problem set forth in accordance with the Act and the court refuses to listen to authorities or precedents or arguments regarding potentialities. The problem set forth is to determine the reasonable and probable price the land may be expected to sell at on the date of the resumption. The only evidence that can be produced to support a claim in that respect is evidence regarding recent sales of land. I admit it may be possible for rogues to fake their evidence and even to get away with their claims. In my opinion that would be an extremely uncommon experience. If the Minister's proposal is agreed to, the court will have to find out what is a reasonable price for the land, not at the date when it was resumed, but at a prior date. All sorts of things may have happened in the interim. The Minister knows that a year or so ago the values in Murray-street between William-street and Barrack-street rose repeatedly. They went up 10 per cent. monthly for a considerable period. The rise in values was extraordinary. In fact the increase in values is still going on. The value of city property throughout the metropolis is rising day by day. Almost every week we hear of the sale of a property in the centre of the city at figures that astonish the conservative valuers of metropolitan property. A building may be sold to-day for £10,000 and in three or four days' time the purchaser is offered £2,000 on his bargain. That has always been the experience when a country is prosperous and booming, as we are tending to do at present. The proposal is that the owner shall get what is a fair and reasonable price for the land not when it is taken, but perhaps at a date that will be a year before the resumption actually is made. I submit that in those circumstances the price fixed might easily result in robbing a man of something that should in reality be justly his. We are not discussing the question of whether it is right or wrong for an individual to enjoy what is called the unearned increment. I will admit there is a good deal to be said in favour of the theory that the enhanced value of land as the result of the labours of the whole community should belong to the whole community and not to the individual. I do not say whether the theory is right or wrong, but merely that there is much to be said in favour of it. The amendment proposed in the Bill is not on that basis and does not involve the question whether a man is entitled to the benefit accruing to him as the result of his ownership. We have to argue the proposed amendment on the present basis and on no other. Until we alter the law, if we do alter it, and provide for the community gaining the benefit of the unearned increment, we must argue the principle on the basis that the increment belongs to the owner. To give an instance, the City Council might again propose the scheme for the extension of Forrest-place.

Hon. G. Taylor: That scheme resulted in vastly increased values during the past few years.

Mr. DAVY: That is so. In order to catch a rogue the Minister desires to provide certain safeguards. In my opinion there are very few rogues in our community. In fact, they are vastly in the minority.

Hon. W. D. Johnson: You would make a fortune if there were more rogues.

Mr. DAVY: I am not too keen on having rogues for clients, and I am not aware that I have any at present. Naturally it is not usual to meet self-avowed rogues and I know of none such who are my clients. However, in order to catch these very few rogues, the Minister proposes to alter the law in such a way that it may well be an honest man may have taken from him by the community something that belongs to him. If the community asks an individual to surrender his property to the community, the community ought to pay him full value for it, and indeed lean towards generosity.

Mr. Lindsay: Because it is being taken for the public good.

Mr. DAVY: Precisely. Moreover, the whole community can much better afford to pay a little more than can the individual to take a little less than the strict value. Particularly is that the case when, under this measure, it is clear the man whose land is taken cannot get a penny for the loss of his business; in fact, for anything at all except the value of the land and the improvements. That is the existing law. I can quote the case of a man whose land was taken. On that land he was conducting a milk business. He claimed the market value

of the land and improvements, and also claimed compensation on the score that his business as a milk vendor was ruined. At the time it looked as if it really was ruined, for he could not anywhere in the vicinity find a suitable piece of land on which to re-establish his business. He was answered that he could be paid nothing except the market value of the land and improvements. I believe that subsequently, through a stroke of luck, he was able to find a suitable block of land on which to carry on his business If the City Council's street extension scheme had gone through, a large portion of Messrs. Harris Scarfe and Sandover's property would have been resumed and not a farthing would have been payable to the firm for the dislocation of their business. Our Act being as hard as that, we require to be very careful before making it any harder just with a view to catching the stray rogue. I propose, therefore, to vote against the Bill. It seems to me the thing we are attempting to prevent happening very seldom happens; and if it does, it is better that it should continue to happen than that the other evil, the evil of taking from a man what is his without compensating him fully, should come into existence.

MR. J. H. SMITH (Nelson) [10.35]: I propose to vote against the Bill on the score of that case of Thompson at Pemberton. A road was cut through the holding, a very valuable property. The Public Works Department entered into that property without serving any notice on the owner, and cut a road through it, and that man is now hoping for compensation. He came to me only a few days ago. He wants to know what compensation they are going to allow him. Looking through the Bill I wondered if it provides for this specific case. This man has suffered and is suffering great hardship, for he now has to take his cows half a mile around. His property, which cost him from £50 to £60 per acre to clear, has been seriously cut up. This was done seven months ago, and the resumption has not yet been gazetted. The road was taken by the Public Works Department, not by the road board. Does the case come under the Bill?

The Minister for Works: No, the Bill is not retrospective. Did the Public Works Department do the job?

Mr. J. H. SMITH: Yes. Although the work has been in operation for six months or more, the resumption has not yet been gazetted.

The Minister for Lands: How long has the man had the land?

Mr. J. H. SMITH: From 17 to 20 years. The Minister must know Thompson's property, just opposite Pemberton.

The Minister for Lands: Under the Land Act there is power to take land for roads.

Mr. J. H. SMITH: But this man must be paid compensation for his clearing and his pasture.

Mr. Davy: There can be no compensation for anything beyond improvements.

Mr. J. H. SMITH: At all events, I am glad to know the Bill does not specifically deal with that case.

HON. W. D. JOHNSON (Guildford) [10.40]: The member for West Perth was interesting in his remarks but, as I explained by interjection, I was at a loss to understand why he had gone to so much trouble to look up the cases. I could not quite see what he was trying to prove. I did not think he had gone to all that trouble merely to ascertain whether the Minister had understated or overstated the number of cases. Evidently the member for West Perth inferred that the limited number of cases since 1918 would convey that, in the administration of the Act, no great difficulties have been experienced, and that the arbitration provisions are not brought into operation to any great extent. That, of course, would depend upon the number of resumptions. What percentage of the resumptions made have gone to arbitration? A large area of land was resumed prior to 1918. The activity was most pronounced about 1911, 1912, 1913 and up to the outbreak of war. All the land resumed near the Beaufort street bridge for the purpose of anticipating railway expansion was settled for about 1913.

Mr. Davy: I was quoting figures for local authority as well as Government resumptions.

Hon. W. D. JOHNSON: I am dealing with Government resumptions. In 1911 £152,000 was paid in compensation for land resumed in the metropolitan area, and in 1912 the amount was £129,000.

Hon. G. Taylor: Not much of that land has been utilised yet.

Hon. W. D. JOHNSON: I handled a great number of those cases. Of course the Minister does not deal with the details of

ınd resumption, but he has to be consulted a particular cases when the resumption fficer is not satisfied with the position set p by the land owner. The officer consults is Minister as to whether he will settle on given basis, or whether the case shall e submitted to court. I have a distinct re-ollection of quite a number of cases in hich the advising officer of the department ıtimated that he was not satisfied, but he lso expressed the opinion that if we went) court certain things would happen. In ıy opinion—I may be wrong—the decisions f the officer are often influenced by the act that his experience enables him to un-erstand what the court is likely to do. herefore, when a question of settlement is ıvolved, he is undoubtedly influenced by ıat consideration.

Mr. Davy: What could be fairer than aving it to the court?

Hon. W. D. JOHNSON: The answer to ıat is to be found in the introduction of ıis Bill. The department find that the .ct does not do justice to the State.

Mr. Davy: They think so.

Hon. W. D. JOHNSON: The depart-ental officials have had very wide experi-ıce and, with all due respect to the mem-er for West Perth, they have had a wider xperience than he has had.

Mr. Davy: Of course they have.

Hon. W. D. JOHNSON: The land re-ımption officers of to-day were the officers f 1911, 1912, and 1913, when the greatest ctivity was displayed.

Mr. Davy: But the department have ways been on one side, and naturally get iassed to that side.

Hon. W. D. JOHNSON: The department ave had quite a number of cases in which ıey have succeeded and quite a number in hich they have failed.

Mr. Davy: That is so.

Hon. W. D. JOHNSON: Consequently, ıey have had experience of both sides.

Mr. Davy: Wherever they have failed, ıey have thought the court was wrong.

Hon. G. Taylor: They always have ıought so.

Hon. W. D. JOHNSON: With a great ımber of resumptions running into ındreds of thousands of pounds, it is xtraordinary that, careful as one may be, ıneone gets knowledge of the proposals. hat the State has been robbed in numbers ! cases by men who are supposed to be reputable citizens, there is not a shadow of doubt.

Mr. Davy: That may be.

Hon. W. D. JOHNSON: They have made what one would be justified in terming bogus sales, in that sales were made because of the knowledge that the land was to be resumed and in order to establish a value, as the flour mill people did. I do not say that the flour mill people acted corruptly; I believe that transaction was perfectly honest. Very often, however, we paid the 10 per cent. over and above the bogus sale price. I could quote quite a number of cases in which the expert officers were satisfied that the State was deliberately robbed because, by some means or other, although the information was kept as close as possible, it leaked out.

Mr. Davy: How can you suggest that one could rob the Government if they were going to resume land for a railway?

Hon. W. D. JOHNSON: I do not know about the resumption of land for a railway.

Mr. Davy: Well, for a bridge or anything else.

The Minister for Works: I will tell you presently.

Hon. W. D. JOHNSON: What people do is quite simple. Jack Jones has a block of land and Bill Brown goes along and says, "This land is likely to be resumed. If you sell it to me at a good price, that will establish the value of the land." Consequently they go into court and prove that it was a genuine sale. Bill Brown says he bought from Jack Jones at a given time and paid so much for the land. In some cases buildings were actually erected, but it was perfectly clear that was done with a knowledge that the land was to be resumed by the Crown. Consequently it is necessary to protect the Crown against such bogus sales and what one might call corrupt practices. It is quite a reasonable proposition that we should have the right to declare the value, not at the time of the actual resumption, but, as the Bill proposes, at a time when there was no possibility of any corrupt practice being indulged in to defeat the State. I have had a good deal of experience, and sad experience indeed, of having to make settlements on the advice of officers, knowing perfectly well that the transactions were not fair, square and above-board. It was suggested then that a Bill of this description should be introduced, but it is one of the things that has

been postponed. I am glad that the Minister has brought the Bill down, and I trust the House will endorse it.

THE MINISTER FOR WORKS (Hon. A. McCallum—South Fremantle—in reply) [10.48]: First of all I should like to refer to the point raised by the member for West Perth (Mr. Davy) as to the difference between the figures he quoted and the ones I mentioned the other evening. On refreshing my memory by perusing "Hansard," I realise that I was wrong at the time, but interjections were coming pretty fast from members opposite. I had in mind that what was referred to was the number of times the Minister had to exercise his powers under the Act. It was interjected that people were willing to sell and did not dispute their transactions with the Government, being not anxious to go to law, and that law was not resorted to often. I did not have in mind that the hon. member meant cases that actually went into the court. I thought he meant cases in which the Minister had to exercise his right under the law. I see, however, that the hon. member did mention cases that went into the court. I find that the actual number of cases which have had to go to court—these include cases dealt with by an independent arbitrator, a sole arbitrator, who sits without taking evidence but is bound by the Act—is 12, and that there are six pending.

Mr. Davy: Since when?

The MINISTER FOR WORKS: Since I have been in office. The hon. member did not think there had been two since I have been Minister for Works. His figures show that I was nearer the mark than he was. I said 20, and he said two.

Mr. Davy: Five have gone to the court, and you have held the portfolio for two years.

The MINISTER FOR WORKS: I have been here for three years. The hon. member said there had been six in one year.

Hon. W. D. Johnson: What does it matter?

Mr. Davy: There were two this year and three last year.

The MINISTER FOR WORKS: There have been 12, and there are six pending, making 18 altogether. The number of occasions when I have had to exercise my power under the Act is approximately 100.

Mr. Davy: What do you mean?

The MINISTER FOR WORKS: I mean in the case of giving notice of compulsory resumption.

Mr. Davy: Of course.

The MINISTER FOR WORKS: This shows that the Minister is very frequently called upon to use the powers given under the Act.

Mr. Davy: The City Council is resuming land all the time, and has never yet had a case in court.

The MINISTER FOR WORKS: Is that so? I have frequently to sign documents for the City Council. They are often doing this sort of thing. Many cases may be settled outside. People do not look upon a local authority as the same kind of milch cow as the Government. The point made by the member for West Perth is that the value that may be added to land between January and the date of resumption will not be allowed to the owner, that he will be denied the increased value. This will not be the case. It is recognised by the courts, and the records show it, that when a claimant can show the potential value of his land, its probable development, and what he had in view for it, no matter what the strict wording of the Act may be, those things must be taken into consideration. Such claims will constantly be made, and decisions will repeatedly be given taking into consideration those points. Such cases are by no means singular. The records of the department show that land has been resumed for public purposes, and documents have been produced to show that obligations have been entered into by the owner. In one instance there was an obligation to erect an enormous coffee palace. No one could say that the site was not suitable for such a building, or that it would not be a payable proposition when erected. Everything appeared to be in order, and this obligation had to be allowed for in the payment that was made.

Mr. Davy: I contend such an obligation had not to be paid for.

The MINISTER FOR WORKS: It was paid for.

Mr. Davy: The department was careless and negligent in paying for it. The court could not and would not have awarded any payment.

The MINISTER FOR WORKS: The court did award costs. This has been the experience under the Act. People have to be compensated for loss of that kind.

Mr. Davy: There is no power to do it. The court never has awarded anything for such damages as these.

The MINISTER FOR WORKS: The hon. member is only making a bald statement without any knowledge of the facts. It does not become him to give a denial of this description when he knows nothing about the matter. His denial can carry no weight when the records of the department show to the contrary. I could name the individual if I so desired.

Mr. Davy: I would like to have a talk to you about it afterwards.

The MINISTER FOR WORKS: The hon. member has failed to mention one of the most important reasons why the Bill should be passed.

Mr. Davy: I am not called upon to give reasons why it should be passed.

The MINISTER FOR WORKS: He made no attempt to combat the argument in favour of it. I refer to a free public discussion while these public works are contemplated. I mentioned the question of the Fremantle bridge. If a public discussion were held as to the probable sites for the structure, the matter would be discussed by all the local commercial men and those who were likely to be most intimately affected. There would be a general discussion over the whole thing, and when the price was fixed it would be known as the price at the last January. No one would have the opportunity of buying land or putting up bogus sales or fictitious leases, or of producing evidence of obligations undertaken to show that these had been entered into, in an attempt to get money from the State which would not be warranted. No one would be able to do that, and the community would have the benefit of a free and open discussion while such works were under review. These points should weigh with members when voting upon the Bill. No attempt has been made to show that the section of the Commonwealth Act has in any way worked a hardship. Considerable areas of land have been resumed all over Australia, but in no case has it been shown that the section of the Act has meant any hardship to the land owners. It would not be the desire of any Government or official, when land is resumed, that an injustice should be done to the owner, or, on the other hand, that the community should pay a generous thing, as the hon. member suggested, for the land so taken. No one wants to be hard on the land owner, or to deprive him of the full value of the property, but everyone also wants to see that the community gets a fair deal and is not imposed upon. The necessity for protecting the public has been realised for many years. Representations have been made over a long period to Governments for an alteration of the Act so that the points to which I have referred can be cleared up, and that better facilities may be afforded for negotiation. If the Bill becomes law, fewer cases will be taken to the court than go there at present. There will be more cases settled by negotiation. There will also be freer discussion, and a fairer deal arrived at than the existing law provides for. I hope the Bill will be passed.

Question put and passed.

Bill read a second time.

House adjourned at 10.59 p.m.

Legislative Council,

Thursday, 2nd December, 1926.

The PRESIDENT took the Chair at 3 p.m., and read prayers.

QUESTION—ELECTORAL, COUNCIL ROLLS.

Plural Voting and Claim Cards.

Hon. E. H. HARRIS asked the Chief Secretary: 1, Have the Electoral Department any records that will indicate to what extent plural voting exists in connection with the Legislative Council elections? 2, If so, will he submit a return showing the number