

in what is among the earlier towns of the State. Of all the outlying centres, Geraldton is no doubt the worst situated in the matter of hospital facilities.

I favour the appointment of a Royal Commission, in the hope that it will establish and lay down a definite priority for the building of hospitals based on the needs of the various districts. At the same time it could very usefully review the proposals put forward to the Government by Dr. Hislop, who has given a general survey of the whole position. I move an amendment—

That after the word "of" in line two of paragraph (a) of the motion the word "the" be struck out.

If the amendment is agreed to the effect will be to apply the motion to hospitals generally.

Amendment put and negatived.

HON. G. BENNETTS (South—in reply) [10.57]: As a result of valuable information obtained tonight from Dr. Hislop's speech and the views expressed by members on the hospital position in the State, I think it is evident that the Government should take note of the present situation. Dr. Hislop has even stated that a permanent commission should be set up.

The Chief Secretary: On a point of order, Mr. President, I understood that the hon. member was asking for permission to withdraw his motion.

The **PRESIDENT**: No; he is speaking in reply.

Hon. G. BENNETTS: It has been stated that a great many of our available nurses are employed in attending to aged men in various homes, which is quite true. Further, it is not in the interests of young girls to do such nursing because when I was last at the Coolgardie Hospital, the nurses had to put up with a lot from elderly and cantankerous men, although they were quite attentive in their duties. Those men are not really sick, but are without homes. In order that this class of patient may be looked after, some special provision is required.

I am surprised to hear that the two top floors of the Royal Perth Hospital are vacant because of shortage of nursing staff. This again shows that some organisation such as a commission is needed to inquire into the whole system. Personally, I think that extra

pay would solve the problem. I say that because at the Norseman Hospital the nurses receive a bonus in addition to their pay. The local hospital board is recouped its electric light payments to the mining company and the board then distributes the money amongst the nurses, with the result that no difficulty is experienced in keeping a full nursing staff at that hospital. I wish to thank the Chief Secretary for permitting me to have this motion discussed, and I now ask leave of the House to withdraw it.

Motion, by leave, withdrawn.

House adjourned at 11.2 p.m.

Legislative Assembly.

Wednesday, 17th November, 1948.

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

QUESTIONS.

RAILWAYS.

As to Suitability of Spark-Arresters.

Hon. A. R. G. HAWKE asked the Minister for Railways:

(1) Is he convinced that the Cyclone spark-arrester is unsatisfactory for use on railway engines in the country districts?

(2) If so, is it intended to remove this type of arrester from all engines at present fitted with it?

(3) Who was responsible for recommending the adoption and use of the Cyclone spark-arrester?

(4) Of the spark-arresters available to the department at the present time, is the H.D.D. type considered most satisfactory?

The MINISTER replied:

(1) Up to date they have not proved satisfactory.

(2) No, but they are being tested with each class of locomotive and any alterations made that will enable the locomotive to steam efficiently, and the spark-arrester to deal with sparks effectively.

(3) The Commissioner of Railways.

(4) No.

LEGISLATIVE COUNCIL FRANCHISE.

As to Introduction of Legislation.

Hon. A. R. G. HAWKE asked the Premier:

What is responsible for the long delay in introducing legislation to liberalise the franchise for the Legislative Council?

The PREMIER replied:

Notice of the introduction of this Bill will be given today.

HOUSING.

(a) As to Building, Midland Junction-Belleve District.

Mr. BRADY asked the Minister for Housing:

As his reply of the 28th October indicates that only 19 houses are being built in the Midland Junction-Belleve district to cope with a demand for 234 houses, including 68 holding a No. 1 priority, will he endeavour to get additional contractors to build in the district referred to?

The MINISTER FOR LANDS replied:

Although at the present time only 19 houses are under construction, existing contractors have a capacity of 36-40 homes per annum and repetitive work will be undertaken until the need is satisfied.

(b) As to Size of Foundation Stumps.

Mr. MURRAY asked the Minister for Housing:

In view of the answers to questions asked on the 16th November regarding building stumps, will he now inform the House in which district has the easement of specification been permitted?

The MINISTER FOR LANDS replied:

Welshpool.

OATS.

As to Marketing Arrangements.

Mr. PERKINS asked the Minister for Lands:

(1) Is the Government aware that many farmers have stripped considerable quantities of oats, which are awaiting delivery to some marketing authority?

(2) What action is being taken by the Government to see that some satisfactory oat marketing authority is available to market such oats?

The MINISTER replied:

(1) Yes.

(2) Efforts have been made in co-operation with Co-operative Bulk Handling Ltd. to arrange a 'growers' voluntary pool for the marketing of oats, but the scheme has not been finalised because the Commonwealth Government to whom representations have been made, have not yet agreed to a general export license for oats.

WATER SUPPLIES.

As to Reduction in Goldfields Rates.

Mr. STYANTS (without notice) asked the Minister for Water Supply:

During the past 15 months at various times I have asked for certain information to be supplied in connection with the reduction of water charges in the Goldfields areas. As that information was supplied to the Press about a fortnight ago, will the Minister inform members when the particulars will be available to the House?

The MINISTER replied:

I am glad to be reminded by the hon. member of the position and will repair the omission without delay.

BILLS (5)—FIRST READING.

1, Dog Act Amendment.

Introduced by the Minister for Local Government.

2, State Transport Co-ordination Act Amendment.

Introduced by the Minister for Transport.

3, Hide and Leather Industry Stabilisation.

Introduced by the Attorney General.

4, Health Act Amendment (No. 2).

5, Health Act Amendment (No. 3).

Introduced by the Minister for Health.

SITTING DAYS AND HOURS.

The PREMIER: I move—

That on and after Thursday, 18th November, the House, unless otherwise ordered, shall meet at 3 p.m. on each sitting day.

I intimated yesterday that I intended to bring forward this motion, the idea being to allow more time to deal with the legislation that will be brought before the House. I also intimated yesterday what I hoped or expected to be the finishing date of the session. If we have this extra time, it may not be necessary for the House to sit on Fridays, although I would not like at this stage to guarantee that we will not have to sit on some Fridays before the session ends.

Hon. A. R. G. HAWKE: I do not intend to oppose the motion, although I suggest to the Premier that he do not commence tomorrow's sitting at 3 p.m., as some members have made commitments for tomorrow afternoon that will keep them until after that hour. It will therefore not be possible for them to be here at that time, or even by four o'clock. It would be helpful to those members if the first sitting to commence at 3 p.m. were that for Tuesday next. Notice has been given of a considerable number of Bills both yesterday and today. I hope that all Bills, or practically all, have now been

mentioned, because if there is any considerable number in addition, we shall be struggling hard to finish the session on the 9th December, even with the extended sittings on ordinary sitting days and the additional sitting on Fridays, when the latter are considered to be absolutely necessary.

Mr. MARSHALL: Before the Premier replies, I wish to endorse the remarks of the Deputy Leader of the Opposition, who has suggested that we commence the earlier sittings on Tuesday next, rather than tomorrow. Of course, if the Premier replies we shall not be able to amend the motion. In order to test the feeling of the House, I move an amendment—

That the words "on and" be struck out.

It seems remarkable that as soon as we suspend Standing Orders and make ready for the close of the session, we find we have a rush of introduction of Bills. There has only been a fair effort on the part of the Government to bring in Bills earlier in the session. I do not wish to be aggressive in my utterance about the matter, because probably the delay is mainly due to the Government Printer. On numerous occasions, when a Bill has been called on, it has been found necessary to move that the Order of the Day be postponed because the measure was not ready. How is the Government Printer going to print all these Bills?

The Premier: They will be ready.

Mr. MARSHALL: That is all right. The Premier should be satisfied if we commence the earlier sittings on Tuesday next.

The PREMIER (on amendment): I was going to say, before the member for Murchison rose, that I was agreeable to the suggestion of the Acting Leader of the Opposition. I have no wish to inconvenience members and, realising that a number of them may have commitments for tomorrow, I agree to the amendment.

Amendment put and passed; the motion, as amended, agreed to.

BILL—NURSES REGISTRATION ACT AMENDMENT.

Read a third time and transmitted to the Council.

BILL—LOAN, £2,315,000.*Second Reading.*

THE PREMIER (Hon. D. R. McLarty—Murray-Wellington) [4.49] in moving the second reading said: The purpose of this Bill is to obtain Parliament's authority to raise Loan money to carry out the programme of Loan works detailed in the Estimates of expenditure from the General Loan Fund. The amount for which authority is sought in this Bill is £2,315,000, and although this is less than half the amount proposed to be spent according to the Loan Estimates, it will be sufficient, with the unspent balances authorised to be raised by previous Loan Acts, to meet our requirements for this year.

Loan proceeds last year amounted to £2,645,500, out of which £8,964 was paid for flotation expenses. From Commonwealth Loan raisings we received £2,258,000 at an interest rate of $3\frac{1}{8}$ per cent. and from domestic raisings, £387,500. Domestic raisings consist of investments of trust funds under the control of the Treasurer and these amounted to £133,500, plus our share of the excess of deposits over withdrawals by the Commonwealth Savings Bank, which amounted to £254,000. Under the Savings Bank Transfer Agreement, we receive loan money from the savings bank at 1 per cent. above the highest rate allowed to depositors which for many years has been 2 per cent. Therefore, the money borrowed from the savings bank costs the State 3 per cent.

On the 30th June last, the public debt of the State was £100,274,741 on which we paid an average rate of interest of £3 4s. 7d. per cent. Redemptions effected during the year out of sinking fund moneys available amounted to £1,409,575. There will be available for further redemptions during the current year an amount of £1,200,000.

It is necessary that the Loan Bill be approved by Parliament before the Appropriation Bill is passed. As members are aware, the Appropriation Act authorises the spending of the loan money and it is, therefore, essential that the authority to raise the money be approved by Parliament before it is asked to authorise the spending of that money. I move—

That the Bill be now read a second time.

On motion by Hon. A. R. G. Hawke, debate adjourned.

BILL—PUBLIC LIBRARY, MUSEUM AND ART GALLERY OF WESTERN AUSTRALIA AND DISPOSAL OF PUBLIC DOCUMENTS.*Second Reading.*

THE MINISTER FOR EDUCATION (Hon. A. F. Watts—Katanning) [4.54] in moving the second reading said: This is a Bill to repeal the existing law, which was passed in 1911, concerning the Public Library, Museum and Art Gallery. It is provided, however, that the measure shall not come into operation until a day to be fixed by proclamation. Therefore, if the Bill is passed, the necessary steps to effect the transition from the present board will not be undertaken before the Bill—or the Act, as it then will be—is proclaimed. Up to the present time, the Library, Museum and Art Gallery have been under the charge of a body which has been of a nominated character consisting, if I remember rightly, of 12 persons. It has not been subject, specifically, to the control of any Minister of the Crown; it has merely expended moneys which have from time to time been made available from the Treasury. As the years have gone by, these amounts have considerably increased. It is not very long since the appropriation for its purposes was between £8,000 and £9,000, whereas for the current year it will be something over £13,000 including, it is true, a sum of £500 specifically set apart for the salary of an archives officer in connection with historical records.

The present board, under the Act of 1911, has had little if any authority to undertake any vast improvement in library conditions in Western Australia. It may be said, without in any way reflecting upon the board, that, because of the comparatively limited authority it had and the situation which has existed for the past 37 years, little or nothing has been done to improve or extend library conditions and facilities in Western Australia. I have with me a book entitled "Public Libraries in Australia, Present Conditions and Future Possibilities," which was published in 1947 for the Australian Council for Educational Research. The author was Lionel R. McColvin, City Librarian of Westminster, England, and Honorary Secretary of the Library Association of Great Britain. In his work, at page 46,

dealing with the library position in Western Australia, Mr. McColvin has this to say—

Very little has been done so far to provide library sources in Western Australia. As already noted, there are no municipal libraries even in Perth and Fremantle; even institutes with all their shortcomings are less common than in, say, South Australia or Queensland. As in South Australia, outside the metropolitan area, the communities are very small and often widely separated, but if this adds to the difficulties of service it surely strengthens the case for a well-administered, centralised machinery.

Until two years ago the only help given by the State was the despatch of boxes each of fifty books from the State library to any Road Board, friendly society, or any three persons applying. This system continues. Last year boxes were sent to eighty places, and the samples seen were of reasonable quality, with some new non-fiction.

In 1945 a modest attempt was made to do something better. The State appointed a small committee and allocated £1,000 to be distributed as grants to local authorities willing to accept responsibility for the library, to provide staff and accommodation and to issue the books free of charge to readers. The grant is limited to £50 for each authority provided an equal amount is raised from local rates. By the end of last year thirty-eight places were receiving grants, the money being spent on approved books, including a proportion of fiction.

I take it he refers there to 1946. His remarks continue—

The scheme cannot be regarded as a success. The books purchased were not exchangeable, and consequently would become stagnant stock; they were insufficient to attract readers; in some cases readers were deterred by being required to leave a deposit; the local librarians lacked any professional supervision or guidance, and found it extremely difficult to know what books to buy; often the premises were dreary and uninviting; too often they were housed at, and associated with, subscription institutes. In brief, though in two or three of the places seen there was undoubted local interest, they all exemplify the axiom that, to succeed, libraries must be good.

If one must be honest, the best general country library service in Western Australia appeared to be that provided by the Western Australian Railways and Tramways Institute with headquarters in Perth and several branches from which books are sent by rail to individual members (railway employees) in outlying places. The books distributed are frankly mostly recreational, though some technical works are also circulated.

The Institute is supported partly by members' subscriptions, partly by the State Railway Commissioners, who pay a subsidy at the rate of 10s. per member.

I am not suggesting that this organisation can compare with the average British country library service; to make such a comparison would be to ignore the differing functions of the two types of service. But I do suggest that it demonstrates the virtues of centralised administration. Certainly in one town, where I saw both a local council-run subscription State-free subsidy library and a Railways Institute Branch, the latter was immeasurably more active and better provided.

The State and the local authorities of this State cannot, therefore, view the position with any satisfaction. They can, and must, do much better.

It is, or it will be, quite apparent to all members that the proper use of library services is becoming more and more involved in the education of our people. The need for library services, not only during school life but for a long time thereafter during adult life, is becoming more apparent, and it seems to me to be the duty of any Government to evolve some system whereby, associated with education, the library system in this State can be improved and developed over a period and Parliament can make reasonable and necessary appropriations for such extension and development as recommended by experts. That is the aim and objective of the Bill.

The Bill does not, because it cannot, at this stage set out by what means these improvements are to be achieved. However, it sets up an authority which I trust the House will agree is likely to be competent to make recommendations, which the Bill provides it may do. The Government by regulation can decide how much of those recommendations to accept and what position of the system, or the whole of it, if possible and desirable, can be put into operation with a view slowly but surely to providing in Western Australia a library system which is likely to do credit to the educational system of the State and be of considerable advantage to our people from that aspect. The regulations, of course, will be submitted to Parliament and open to Parliamentary discussion in the usual way.

To do that it is quite obvious that the library system must come under the control of the Department of Education. The department already has within it a number of libraries which it is endeavouring to expand. There is the Training College library, for example, the inspectors' library—the W. J. Rooney library, I think it is called.

—and the Hadley library which is used for distribution of books amongst small schools and is being expanded to some degree at present. There are other portions of libraries in a departmental way where it has been found necessary in recent times to appoint a librarian, in addition to the librarian now appointed to the Teachers' College. It is felt that while these libraries of the Education Department must perform their first service within or attached to the department, nevertheless they could, provided the Education Department were properly represented in the management of the library, possibly be of value in the extension of education through libraries in this State beyond the normal confines of the Education Department.

There is one difficulty associated with the setting up at the moment of a libraries' board. The Museum and Art Gallery are at the present time, under the 1911 Act, within the control of the existing authority. It is obviously not desirable that when the library board proposed to be appointed under the Bill comes into full action and some of its recommendations are being put into practice, it should continue to have to meddle with, as it were, or control, the Museum and Art Gallery as well as a somewhat more expensive and possibly growing library system. So the Bill proposes that, while at the commencement the library board appointed under the Bill shall take charge of the Museum and Art Gallery as well as libraries, at any subsequent time the Governor may, by regulation, set up a separate committee of three to manage the Museum and Art Gallery. If this is done the appropriation made by Parliament, which by this Bill is not to be less than £13,500 per annum, shall either be dissected and appropriated separately by the Minister or by Parliament, whichever is considered most proper at the time.

Hon. E. Nulsen: Will this repeal the 1911 Act?

The MINISTER FOR EDUCATION: Yes. So that from these funds, which I venture to suggest will very shortly exceed the sum of £13,500, a proportion will find its way solely to the administration of the Museum and Art Gallery, as indeed it has in the past, but the greater part of the fund will be put to the administration and improvement of library services. The Bill pro-

poses to bring the Library, Museum and Art Gallery under the control of the Minister for Education and to appoint a board of seven persons. Three of those persons shall be ex-officio members by virtue of their office.

Hon. A. H. Panton: Who is the president of the Australian Institute?

The MINISTER FOR EDUCATION: The president of the Australian Institute of Libraries, Western Australian branch, is Miss Wood, the University librarian. The members of the board will be the President of the Australian Institute of Librarians, Western Australian Branch, the Director of Adult Education—as members are aware, Professor Alexander occupies that position at the moment—and the Director of Education who is also well known, and is at present absent from the State but will shortly return. The remaining four members of the board are to be nominated or appointed by the Governor to hold office during the Governor's pleasure and they shall be: a person having literary or scientific knowledge, an officer of the State Treasury, a representative of local government, and an inspector of the Education Department nominated by the Director of Education.

We have in the Education Department an inspector who is making a special study of library matters and indeed proposes to visit other States, and possibly other countries, with the object of extending and enlarging his knowledge on this subject. It will be clearly necessary in future that such an officer shall be available in the Education Department and clearly desirable, in view of the circumstances I have outlined, that such a person shall be a member of the board. The representative of local government has been included because at the moment local government is playing some part—I mentioned this when quoting from the McColvin report—in library development, although perhaps not on the best lines. It has been felt that a desirable representative of local government would be one who not only would be a member of local government, or the representative of it, but one who also would have some reasonable knowledge of this type of work.

The officer of the State Treasury has been suggested because, as I have already mentioned, the prospects of considerably greater appropriations than the amount mentioned as the minimum in the Bill, is by no means re-

mote. It is advisable, I think, as is the case with the University Senate, for example, and other authorities, that a representative of the State Treasury should be on the board and that he should be one who is also reasonably well equipped to deal with these matters as well as look after the financial side. The person having literary and scientific knowledge is, of course, obviously desirable.

It is proposed, as I said, that the 1911 Act shall be repealed when this Bill is proclaimed and becomes an Act, and that the transitional performances shall take place at that time. Provision is made in the Bill for this transition, the taking over of rights and obligations and the usual legal machinery which is necessary for that purpose. There is one aspect, however, which is deserving of mention. Under the 1911 Act the board itself makes regulations. That power will not be extended to the new board, but the regulations will be made by the Minister or the Governor, as the case may require, in the usual way.

Hon. A. H. Panton: It is not called a board at the moment. The members are called trustees.

The MINISTER FOR EDUCATION: Yes, it is proposed to make it the Western Australian board of the Public Library Museum and Art Gallery of Western Australia. Under the measure it is not proposed that the chairman of the board shall have more than a deliberative vote. The Governor will appoint a chairman and a deputy chairman, and the deputy chairman will take the chair if the chairman should be absent from his office.

Hon. A. H. Panton: They will be appointed from within the seven members.

The MINISTER FOR EDUCATION: Yes, there will be no more than seven members on the board. The Bill provides for a minimum appropriation of £13,500 and that will include the salary paid to an archives officer—I believe it is £500 at the present time—because this measure also provides for the preservation of historical documents. There is a South Australian Act of 1939 which makes provision in regard to public documents and something similar is contained in this measure.

Before I turn to the functions of the board in regard to future library developments I will, for a few moments, deal with

this aspect of the Bill. It provides that any person who has the custody or possession of any public documents which are no longer required for current use, may deposit them with the board which is empowered, in its discretion, to receive or refuse to receive them. It also provides that no public documents shall be disposed of by sale, destruction or otherwise, unless the person who has possession or custody of them shall have given notice in writing by registered post to the board of the intention to dispose of them and until one month has elapsed since the giving of the notice.

It is made an offence to dispose of public documents without having informed the board of the fact that they are in existence. A public document is defined in the Bill as meaning all documents whatsoever on record of any Government department or local authority, including manuscripts, papers, maps, drawings, plans, photographs, prints, pictures and all documents deposited with the Registrar of Companies pursuant to the provisions of Section 28 of the Companies Act. The idea is that no document of historical value in the future shall be lost, so that there may be as there has not been in many instances in the past, a more complete record of the development of the State of Western Australia from a historical point of view.

This is the only portion of the Bill which has been extracted from the Statute of another State. It was extracted and placed in the measure with the approval of the Historical Society which, as a matter of fact, asked for some special legislation such as this before this measure was in course of preparation. After due consideration it was considered that there was no reason why, in all the circumstances, the provision relating to public documents, on the lines which have just briefly outlined, should not be incorporated in this measure.

The principles of the Bill have been discussed with two very important people. The first of them is the Acting Director of Education who has expressed himself as being entirely in accord with the proposals there are contained in it for the reasons that he gave when dealing with them. The second is the Director of Adult Education Professor Alexander, who has expressed somewhat similar opinion in regard to the library sections of the Bill. At the same time, he did express the view that it would

be better immediately to sever the Museum and Art Gallery from the other propositions, but I pointed out to him that that must obviously be the future intention within no longer a space of time than is absolutely unavoidable.

To set up a separate body and pass separate legislation at the moment relating to the Museum and Art Gallery seems to me to be quite unnecessary, as the functions of the Library Board will not develop for some little time. But there will be no unnecessary delay on that aspect of the matter. To return to the board's most important function, they shall—

Have regard to the development of library services elsewhere, make investigations, reports and recommendations to the Minister as to the development of library services in this State.

As I have indicated, library services elsewhere are of a higher standard and of greater service than those which exist in Western Australia. It is my desire and that of the Government that the best information should be obtained before a decision is arrived at as to what method should be adopted here. This board, consisting as it will of four persons, well versed in educational and associated matters, will have an excellent opportunity to pick out the best of the seed that it may find in its investigations and make recommendations to the Governor. It will also have control of the administration of the Perth Public Library and the country free lending library scheme, and until otherwise provided will, by regulation, have the control and administration of the Museum and Art Gallery. Dealing with the recommendations which may be made by the board for the improvement of library conditions, the Bill provides that—

The Minister may, after receiving a report and any recommendations of the Board in relation thereto, make regulations for the effective discharge of the functions of the board in relation to—

(a) The matters referred to in Subparagraphs (i) and (ii) of paragraph (b) of the last preceding subsection; and

(b) any other library services approved by the Minister.

If, as a result of its investigations, some other library proposition is submitted, and found acceptable within its capacity, it will be competent for the Minister to make regulations authorising the board to take action in that direction and administer such serv-

ices. When it is decided to sever the Museum and Art Gallery from control of the Library Board the Governor, by regulation, may set up a committee of three persons for such term and subject to such conditions as the Governor shall determine, and of whom one shall be nominated and appointed chairman of the committee. They will also then be a body corporate and will take over the functions relating to the Museum and Art Gallery and generally discharge the duties relating to that particular institution.

Turning again to the appropriation by Parliament, the Bill, of course, provides for funds that may come into the hands of the board in addition to the amounts made available by Parliamentary appropriation. It provides also that when any such moneys by way of gift or devise that have hitherto been made to the trustees of the Perth Public Library in somebody's will or other document, and expressed to be in their favour, become available, they shall, by force of this Bill, be transferred to the Library Board in lieu of the trustees. So they will follow, naturally, the same intention as the donor would have expressed in his testamentary or other document, but the board would, at the same time, not have to apply for the will to be changed or make application to the court for a vesting order, because, by force of this Act, the funds will be in the hands of the board instead of that of the trustees.

Hon. A. H. Panton: I do not think they have very much.

The MINISTER FOR EDUCATION: They have not much at present, but it is considered that a properly conducted scheme would, in all probability, attract donations for its expansion. Therefore, it is desired that the position should be made perfectly clear should that eventuate. The minimum appropriation by Parliament shall be £13,500 per annum and there is to be the apportionment between the Museum and Art Gallery and the Public Library which shall be in the hands of the Minister to effect unless Parliament otherwise provides. I think there can be no objection to that because, for the time being, they will be linked together only to be separated at some subsequent occasion. I think I have indicated firstly the necessity for some change and improvement in the library system in Western Australia; secondly, the fact that it is desirable that the control should, to

some extent, be changed and brought into closer relationship with the Education Department; and thirdly, the provisions of the Bill, which simply and shortly propose to carry into effect the improvements and objects which I have disclosed.

Hon. A. H. Panton: Do I understand you to say that you will allow a reasonable time before the proclamation is made?

The MINISTER FOR EDUCATION: It is not proposed to proclaim the Act for some little time because there must be a transitional period while the matter is taken up with the trustees and a nice procedure adopted before the change-over is made. I have much pleasure in moving—

That the Bill be now read a second time.

On motion by Hon. A. H. Panton, debate adjourned.

BILL—COUNTRY TOWNS SEWERAGE.

Second Reading.

Debate resumed from the previous day.

HON. A. R. G. HAWKE (Northam) [5.24]: This Bill when passed will set up a special separate Act of Parliament to enable the Government, through the Minister for Water Supplies, to establish sewerage and deep drainage schemes in the larger country towns. There can be no question as to the desirability of the Government's establishing this scheme in as many country towns as possible. I think it is necessary that this work should be carried out under a separate Act, against its performance under the provisions of, say, the Municipal Corporations Act or the Health Act. The sewerage scheme already established and operating within the municipality of Northam was established under the provisions of the Health Act and the Municipal Corporations Act.

If I remember rightly, that scheme was put into operation about 1937 or perhaps 1936. The municipal council was fortunate in being able to establish the scheme. It was fortunate in the first place because it had, some years previously, employed the services of a sewerage engineer, I think a Mr. Gutteridge from Melbourne, who prepared plans for the establishment of a scheme. It was fortunate in the second place because the Commonwealth Government, in the latter years of the depression,

made large sums of money available to the various States for the purpose of assisting State Governments and local authorities to put useful employment undertakings into operation to assist in absorbing the unemployed. The total cost of establishing the Northam sewerage scheme was approximately £60,000, and £28,000 of that amount came from Commonwealth unemployment relief funds.

It will clearly be seen, therefore, that the Northam Municipal Council, as such, and its ratepayers, were extremely fortunate because they obtained their sewerage scheme at half price to themselves. This was a very big consideration, and meant that the rates which had to be imposed upon the ratepayers were only 50 per cent. of what they would have been had the municipality carried the whole of the cost of construction. In addition, the cost of a scheme of that size in 1936 was, I think, roughly 5 per cent. less than it would be today. It was constructed under the control of Mr. Fernie, the present Director of Industrial Development who, at that time, was district engineer for the Goldfields Water Supply Department at Northam. He too, was the engineer employed by the Kalgoorlie Municipal Council to establish the sewerage scheme in that town to serve the central portion of the municipality.

There can be no argument whatsoever as to the desirability and exceedingly great value of a sewerage scheme as against any other type of scheme. Despite the great advantages which were available to the ratepayers of the Northam municipality, there was considerable difficulty in convincing the majority of them that they should support this scheme. Largely attended public meetings were held at which opponents put forward all sorts of prophesies about the financial and technical difficulties involved in the scheme, and made wild forecasts about the tremendous cost that would be imposed upon the ratepayers if they were foolish enough to approve of the scheme at the referendum. Fortunately, a majority of the ratepayers voted for the scheme and it was established.

The ratepayers of Northam are not rate any higher for this modern sewerage and deep drainage scheme than they were rate for the old pan system. So it will be seen that the ratepayers have received very great ac

vantages at no additional cost to themselves. There is no need to recite the advantages of such a scheme as against any other system. They are very great indeed, and even the advantage from the health point of view alone is sufficient to convince members of the desirability and indeed the necessity for supporting legislation of this kind.

The Bill proposes that the Minister, with the approval of the Governor-in-Council may, at the request of any local authority where a sewerage scheme is established by the local authority or with its consent, take it over from the local authority. I am pleased that the provision is worded in this way as it might very well happen that the Northam Municipal Council will prefer to retain complete control and ownership of its system because of the efficient manner in which the municipality has been able to operate it from the inception.

With the passing of the years, however, the Kalgoorlie Municipal Council might approve of the Minister's taking over the scheme there because it serves only a comparatively small area of the municipality. I understand that the Government has refused the municipality any financial assistance to enable it to proceed with an extension of the existing scheme in order to serve a much larger area. It seems, therefore, that the Kalgoorlie council, with the passing of time, may be confronted by the question either of extending its scheme at its own expense or, if that be impossible, of negotiating for the Minister to take it over and provide out of Government funds for the extension to the whole or greater part of the municipality.

The Bill, as is proper, places an obligation upon the Minister when he establishes a scheme in a country town to treat the sewage and waste waters in a manner that will prevent their fouling any river, lake or other such stretch of water into which the effluent may be directed. The measure also proposes compensation rights to local residents for any damage sustained by their properties by reason of some wrongful act that might develop out of the operation of a scheme by the Minister or his servants.

The Bill declares that it will not be necessary for the claimant for compensation to prove or even allege negligence against the Minister in relation to the damage suffered. I am not sure whether the Minister will have

the protection he requires or whether, when drafting the Bill, he and other Ministers considered that, in the circumstances in which a claim for compensation would be made, the person concerned should be placed in this position to enable him to succeed in an action for compensation, even though no negligence on the part of the Minister or his servants could be proved.

It will also be obligatory for any water board controlling the water supply in a country town to make sufficient water available to enable a sewerage and drainage scheme established to be operated successfully. Clearly, an ample supply of water is a vital necessity in a town before steps are taken to establish a sewerage scheme. It would be most unfortunate and, in fact, a dreadful situation would develop if a sewerage and deep drainage scheme were established and operated in a town, and subsequently the water supply was found to be insufficient to meet the needs of the system. However, we have a number of large towns fully served by water schemes that would be capable, even in the hottest of summer months, of supplying the additional water required to meet the needs of a scheme of this sort. Meanwhile the Government, under its proposals to increase existing water storages and construct new ones, will be able to build up the supplies in other large towns so that by the time the Government is in a position to put in schemes, the requisite quantity of water will be available.

Provision is made for the deferred-payment system to apply to the liabilities that property owners will have to shoulder when the drains are installed to service houses and so forth, and for supplying all the fittings required to connect houses and other buildings to the system. This follows the practice already operating in the metropolitan area under the legislation covering that area. The maximum rates proposed in the Bill are 3s. in the pound on the annual ratable value of the land or, as an alternative, 6d. in the pound on the capital unimproved value of the land where the local rating system is based on the unimproved value. As those figures represent the maximum, I do not think there is any need to discuss them at length, because they appear to be reasonable.

There is one other part of the Bill I wish to discuss and my discussion of it will be

critical to a considerable extent and will have the effect, I trust, of causing the Minister seriously to consider whether that part should be retained in its present form. I refer to the provision for the liability for and recovery of rates. The Bill states that the amount of any rates made and levied shall be payable in the first instance by the occupier of the land rated. I am not sure whether I understand the position correctly but, as I read the provision, it seems to impose a legal obligation upon the tenant of a house and make him liable for the payment of sewerage and drainage rates imposed upon the land.

The Minister for Works: Is it not optional with the Minister for the time being to approach either the tenant or the owner as he deems fit?

Hon. A. R. G. HAWKE: Reference to a later part of the Bill shows that the Minister will have an option as he suggests, but why should he have an option to decide at his own discretion whether the rates shall be recovered from the owner or the occupier of the land? I consider that the Minister should not have any discretion at all. If I were renting a house at, say, Merredin, and it was connected with a sewerage scheme established by the Minister, why should he have the option of calling upon me as the tenant to pay the sewerage rates? If the Minister is to be given such discretion, then this proposed legislation will give him full legal right to proceed against the tenant or occupier and obtain the rates from him. This, in my opinion, should not be permitted. I think Parliament would be acting most unjustly to occupiers and tenants of dwelling houses if it permitted the Minister any legal discretion in the matter of recovering these rates.

The Minister for Works: I would not assert it, but does not the option obtain in the Metropolitan Water Supply, Sewerage and Drainage Act?

Hon. A. R. G. HAWKE: I am not aware whether it does. Even if it does, that does not make this proposition any more attractive to me. Should a similar provision appear in a number of statutes, I should like it none the better. After all there is an owner of the land and the owner is the person who should be called upon to pay the rates. If the owner, in negotiation with the tenant—whether it be a shop or a

house that is concerned—comes to an arrangement about the question of recouping the owner, that is purely a matter for their mutual discussion and decision. The portion of the Bill I am discussing goes on to state—

(2) The amount of such rates may also, at the option of the Minister, be recovered from the owner of the land rated.

(3) Provided that, except where the Crown is the owner, any amount of such rates paid by an occupier shall, in the absence of special agreement to the contrary, be afterwards recoverable by the occupier from the owner: . . .

I suggest that if this part of the Bill is endorsed, Parliament might place a considerable number of occupiers in an extremely difficult position especially if, in the meantime, the legislation controlling rents happens to be repealed or expires by effluxion of time. I can imagine some occupiers, if they were called upon to pay these rates and did pay them, having a very unpleasant time, if not a difficult one, trying to recover the rates from their landlords. Therefore I want the Minister very seriously to reconsider this part of the Bill. He might possibly be able to convince me that the principles contained in it should be accepted if he can supply evidence to the House as to how this particular portion of the Act covering the metropolitan sewerage and drainage scheme has operated over the years.

The Minister might be able to produce evidence to the effect that similar provisions have operated in the metropolitan area very successfully and that in no instance has the Minister called upon an occupier or a tenant to pay the rates; or, if in some instances that has been done, there has been no difficulty subsequently between the occupier and the land owner in so far as the land owner recouping the occupier has been concerned. Apart from that criticism, I support the general principles of the Bill and trust that its passing by Parliament will cause the Government, through the Minister, to speed up, as far as speed is practicable in these days, the establishment of a number of sewerage and deep drainage schemes in the larger country towns of the State.

HON. E. H. H. HALL (Geraldton) [5.50]: I listened with great interest to the statements of the Acting Leader of the Opposition. It filled me with envy to hear his account of the very successful attempt of

the Northam Municipal Council to obtain solid financial assistance from the Commonwealth. The Municipality of Geraldton has been in touch with the department in the last few months, seeking financial assistance to install a deep sewerage system. Some years ago, at considerable expense, a septic tank system was established in the municipality; but the town is growing and it has been found by the council that the system is satisfactory only up to a point.

Geraldton has peculiar difficulties in connection with such a scheme, owing to the fact that it is only a few feet above sea-level. This Bill is to be welcomed from many points of view. The one uppermost in my mind is that so far as Geraldton is concerned the water supply—which, as the Acting Leader of the Opposition pointed out, is of vital concern in connection with a scheme like this—is under Government control. We pay water rates to the Government and other rates to the municipality.

Mr. Marshall: I understand the water supply is not adequate.

Hon. E. H. H. HALL: We are not in a very happy position. While we were boring for coal at Eradu, we struck the water on which we principally depend for our supplies. Thirty miles out, on the Mullewa line, there is a dam; but unfortunately most of the catchment area is in sandplain country, and we do not get a run-off unless there is a heavy downpour. But the water that runs into the dam at Wieherina is supplemented by bore water, which comes from a number of bores put down close to the dam, and that is our main standby.

I am pleased to say the Minister has favourably considered the advances made by the municipality to assist with the very great cost of initiating this sewerage scheme. I could not help thinking while the Acting Leader of the Opposition was speaking about assistance given by the Commonwealth Government at the time when it was helping all sorts of schemes designed to provide employment during the depression—and I hope I will be forgiven for mentioning this matter, because it affects us all so vitally—that when work of this kind is so expensive, and it is essential work, the State Government finds itself pretty well bankrupt and the local Government authorities are in very little better position. But in the Federal

sphere—and we are all State electors and Commonwealth electors and not two different sets of people—we have our central Government with a bursting Treasury. Just how long the people of Australia are going to put up with this lopsided arrangement, I do not know.

Mr. Graham: The State Government could not spend all its loan money last year.

Hon. E. H. H. HALL: Works necessary to be undertaken for the sake of the health of the people are not provided because of the everlasting lack of money to begin them, while the Commonwealth has a bursting Treasury. I commend the Government for introducing this measure. I hope it will not be long before it will come to the assistance of the municipalities and take over this work. I would point out that we in Geraldton do not happen to be on the Goldfields water pipeline and are entirely dependent for our water on bores; and, seeing that the water supply is owned and administered by the Government, it should take over the sewerage and run that too. The Acting Leader of the Opposition has given me food for thought. He pointed out clauses in the Bill by means of which the Government intends to hold tenants responsible for rates. I do not know whether the Minister has had advice from the officers of his department; but speaking as an owner, I do not like the idea of the tenants being held responsible.

Mr. Styants: It has always operated in connection with metropolitan water supply and sewerage.

Hon. E. H. H. HALL: It may be all right down here; but if the Government administers these schemes in outback towns, there will be a lot of trouble in store for it if it intends to chase the tenants for these rates. It would be more satisfactory to make the owner responsible and let him enter into an arrangement with the tenant to have the rates included in the rent.

MR. STYANTS (Kalgoorlie) [5.56]: This Bill will be very acceptable to many of the larger country towns. It is very welcome from the State's point of view. The Bill proposes to set up a separate organisation for the purpose of assisting country local governing authorities to install sewerage schemes. On reading the provisions of the measure, I find that to a very large ex-

tent they have been lifted from the Metropolitan Water Supply and Sewerage Act. So those provisions have been tested over a great number of years and will doubtless have the approval of the House to a large extent. This proposal is particularly desirable because, as I think everyone agrees, the pan system is obsolete. It has been out of date for half a century and is an anachronism so far as health matters are concerned.

In addition to assistance in the installation of deep sewerage, the Bill provides for assistance to local authorities in the provision of septic tanks. I hope that few of our local authorities will avail themselves of the opportunity of installing a system of septic tanks, as one has to be particularly careful of the type of ground in which they are used. If the precaution of examining the soil were not taken, it would be possible for any municipality to have the same unfortunate experience as that at Kalgoorlie, where the hotels were compelled by the health authorities to install septic tanks. That action was taken without knowledge or experience of local conditions, and the scheme proved to be a costly failure. After a short period, the effluent, owing to the nature of the soil, would no longer seep away, and it was necessary to resort to the practice of pumping it out from the tanks into specially adapted vehicles, so that it could be carted away and emptied in the bush. Members can imagine the stench created for hundreds of yards around while the pumping process was going on. Even under the best conditions, a septic tank cannot compare with deep sewerage.

I believe that the metropolitan area has the most suitable type of ground for the successful operation of septic tanks, which are certainly much ahead of the pan system, but are nevertheless to be regarded only as a makeshift pending the installation of deep sewerage. There is no comparison between the two systems, deep sewerage being infinitely the more desirable. The central portion of Kalgoorlie is sewered and that work will be fully paid for in about five years. For a number of years the Kalgoorlie Municipal Council has been anxious to have the remainder of its area sewered, but, mainly owing to the intervention of the war, it was not able to proceed with that work. It received substantial assistance from the Government in implementing that part of the

scheme that is already operating. At that time the rendering of assistance was made comparatively easy, because there was a great number of men unemployed, and the Commonwealth Government made available a sum of £1,000,000 per annum to be distributed on a population basis between the various States, to assist local authorities to put in hand certain works that otherwise could not be undertaken, the idea being to relieve unemployment.

From those moneys, the Kalgoorlie municipality was able to get a sum of £12,000 out of an estimated total expenditure of £35,000 for its deep sewerage scheme. That work was completed without the striking of an exorbitant rate and is now at least two-thirds paid for, the amortisation period being 15 years. However, we have had no success in our efforts to obtain Government assistance in the sewerage of the remainder of the area. When I said, the other night, that the work would have been done by now had we been able to get assistance from the Government, the Minister immediately jumped to the conclusion that I was dealing with the matter from a party political point of view.

The Minister for Works: Did I say so? What reason had you to believe that?

Mr. STYANTS: The Minister inferred it and said, "Yes, if we had got it in 14 years ago." That had some significance and I immediately concluded that the Minister thought I meant that we might have been able to get the assistance from the previous Government. In fact, we tried just as hard to get it from the previous Government as from the present Government, but still without success. I am not endeavouring to make party political capital out of it.

The Minister for Works: Have you a completely sound case for it?

Mr. STYANTS: We think so, and we put up that case on the basis of a 15 years amortisation period. By the simple expedient of increasing that period to 25 years—

The Minister for Education: Or even 20 years; you would still be out of credit.

Mr. STYANTS: By the extension of that period, the Minister was able to show that through the imposition of what he considered a reasonable rate —

The Minister for Education: The same as in the metropolitan area.

Mr. STYANTS: I hope it will not be suggested that country municipalities should have to pay anything approaching 3s. in the pound. It is a difficult question, owing to the different methods of assessment of values in various municipalities throughout the State, to arrive at a uniform basis. Three shillings in the pound on the annual value may be much more in one district than in another, and it is therefore difficult to find a uniform basis. We have nevertheless tried hard ever since the cessation of hostilities to obtain help from both the previous Government and the present Government, but so far without success. That has been principally due to wise administration on the part of the Kalgoorlie council in past years and the fact that its financial position is now somewhat better than that of most municipalities.

Because the Kalgoorlie council has no loan indebtedness apart from a certain sum outstanding on the first section of the sewerage scheme, it is now said that the municipality and the ratepayers should foot the bill for the whole of the remainder of the work. I am not envious of other municipalities. I hope they will have more luck in their appeals to the Government for financial assistance than the Kalgoorlie body had. I would warn them, after a long discussion I had with the Minister for Education, who at that time was Acting Treasurer, not to be too optimistic as to the amount of assistance they may get.

The Minister for Education: If they cannot pay a rate of 2s., they will get assistance, but you could have paid 1s. 6d. and were not entitled to assistance.

Mr. STYANTS: I cannot understand why it is said that in the case of some municipalities 2s. 6d. would be a reasonable rate, or why it is necessary to strike such a high rate in the case of Kalgoorlie, which would have to cart all the material for the scheme nearly 400 miles. It is contended by the Government that the Kalgoorlie ratepayers are capable of paying a rate of 1s. 6d. in the pound. It appears at present that in order to get Government assistance, a local authority must be in a bankrupt condition or else be prepared to strike a fairly high rate. The attitude of successive Governments towards the Kalgoorlie Municipal Council has been that they were prepared to put a premium on thriftlessness. Due to careful administration in the past, the Kal-

goorlie council is now not burdened with any great loan indebtedness, and because of its good financial position is said not to be entitled to assistance in sewerage the remainder of its area.

I was at first somewhat concerned at the criticism of the Acting Leader of the Opposition with regard to the proposal in the Bill relating to the collection of rates, but I find that that provision was lifted from Section 103 of the Metropolitan Water Supply and Sewerage Act. That applies with regard to water rates as well as municipal rates. In the Municipalities Act there is provision that if a municipality does not prefer to levy the rates on the owner, it can serve notice on the occupier in all cases, and he is responsible for the rates. If there is no agreement between the tenant and the owner as to who shall pay the rates, it is generally regarded that the owner shall be liable for them. If he does not pay the rates, under the Act the tenant is permitted—as also under the proposal in the Bill—to withhold the amount of the rates from the weekly rental. In that case, the sum withheld is regarded as payment of weekly rental to the owner of the premises. We need not be perturbed about that.

I am pleased to support the measure because I realise, after three years served on the health committee of the Perth City Council, what a wonderful advantage it will be. On one occasion at Kalgoorlie the people, by means of a referendum, turned down a proposal to extend the sewerage scheme. They did that only because they did not understand how great a benefit it would have been. There is a considerable burden placed on the owner of the property—particularly if he is a person on low wages—but an extended period is provided for over which payment may be made and the advantage to be derived from sewerage more than recompenses the owner for the cost of the installation of the system. I hope the Government will see its way clear to install deep sewerage, thus doing away with an unpleasant anachronism that still exists in many of the larger country towns throughout the State.

Sitting suspended from 6.15 to 7.30 p.m.

THE MINISTER FOR WORKS (Hon. V. Doney—Williams-Narrogin—in reply) [7.30]: I am obliged to the Acting Leader

of the Opposition and the members for Geraldton and Kalgoorlie for their very ready acceptance of the main principles of the Bill and its general provisions. No serious criticism of the measure was offered by any member. On the contrary, they applauded the Bill and regarded its introduction as timely. The Acting Leader of the Opposition did question whether it was wise to render accounts for rates to occupiers, and suggested that preferably they might be sent to the owners. That matter can be dealt with in Committee, and I think that I will then be able to show that the method set out in the Bill is the better one. As to the taking over of existing schemes, members concerned in any way with that phase need have no fear that any compulsion will be exercised. The words contained in the Bill, namely, "at the request of or with the consent of a local governing body" indicate very plainly that no compulsion is likely to be exercised.

Question put and passed.

Bill read a second time.

In Committee.

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

Clauses 1 to 6—agreed to.

Clause 7—Certain officers to give security:

Hon. A. R. G. HAWKE: The clause sets out that before any officer, entrusted with the custody of money or other property, enters upon his duties, the Minister shall take from him sufficient security for the faithful execution of his work. I notice that the clause is taken from an existing statute. Will the Minister explain the necessity for it, and just what form the security likely to be sought is to take?

The MINISTER FOR WORKS: This provision is more or less a polite fiction taken from the Metropolitan Water Supply, Sewerage and Drainage Act. Inquiries I have made indicate that it is never enforced.

Mr. May: It could be.

The MINISTER FOR WORKS: Yes. I do not want this provision to be obligatory, and I shall move an amendment that will tone it down. I move an amendment—

That in line 3 the words "shall" be struck out and the word "may" inserted in lieu.

Amendment put and passed: the clause, as amended, agreed to.

Clauses 8 to 36—agreed to.

Clause 37—Persons liable for payment for compulsory drainage may agree to pay by deferred payments:

Mr. HEGNEY: Will the Minister explain Subclause (2), which sets out that interest at five per cent. per annum, or at such rate as may be prescribed, on the amount remaining to be paid, is to be added to each instalment, and so on. The implication there is that the five per cent. will be the minimum rate of interest and the Commonwealth Bank rate is much less than that.

The MINISTER FOR WORKS: The intention is to charge five per cent. or such rate as may be prescribed, which will allow for the levying of a lower rate. The intention is that five per cent. will be the maximum rate of interest. I admit that on the wording of the subclause another interpretation can be placed upon it.

Clause put and passed.

Clauses 38 to 74—agreed to.

Clause 75—Who is liable for rates:

The MINISTER FOR WORKS: The Deputy Leader of the Opposition drew attention to this clause. The charging of rate to a tenant has been the law since 1906 when the Metropolitan Water Supply, Sewerage and Drainage Act was passed. The Minister will probably recall that, during his lengthy occupancy of the position of Minister controlling that department, no trouble arose in connection with that provision. During the tea suspension, I telephoned the Under Secretary and asked him what he thought. He said that it would be unwise to make a change and he hoped none would be made. It is much more difficult to get in touch with an owner than it is with an occupier or tenant, who is always in the house. The owner might be in New South Wales or New Zealand or on the high seas.

Hon. Sir N. Keenan: Or dodging round the corner.

The MINISTER FOR WORKS: Yes. Provision is made by a later clause that if the tenant is called upon to pay the rate he may apply the rent to that purpose. The matter therefore solves itself quite satisfactorily.

Mr. MARSHALL: I have something to say on this clause. I opposed a similar provision in the regulations made under the

Electricity Act. I cannot quote any case of hardship, but what a ridiculous argument the Minister advanced when he said that the department could not locate the owner, but incidentally could locate the occupier.

The Minister for Works: Would the occupier necessarily know where the owner was? The owner might be on the high seas, in the bush or in the Old Country.

Mr. MARSHALL: The owner always has an agent. Make the agent liable. He collects the rent.

The Minister for Works: You cannot make him liable.

Mr. MARSHALL: When an owner occupies the premises, there is no trouble. But one person may have vacated premises and another person may have moved in. He, after being in possession for only a few days, might be liable to pay these rates. It is laziness on the part of departmental officers who want to make their work easier.

Mr. Hegney: Departmental officers are doing a good job on the average.

Mr. MARSHALL: Who is arguing that they are not? They are doing a splendid job. It is easy for members of Parliament to deal with civil servants, but the unfortunate citizen is not in that position. I am fearful of departmental officers and their bureaucratic attitude.

Hon. J. B. Sleeman: To which department are you referring?

Mr. MARSHALL: I am not mentioning any department. The hon. member is another affluent person who might be able to use his influence, but, unfortunately, Bow-yangs has none. I am speaking for the unfortunate person without money. If Labour members like to grin and giggle, they can do so, but I will continue my fight for the unfortunate person in a helpless position. Let the department locate the owner.

The Minister for Works: If the tenant cannot find the owner, he does not pay him any rent.

Mr. MARSHALL: The agent will see that the rent is paid and he should be responsible for the payment of the rates.

Mr. STYANTS: I find myself at variance with the champion of the helpless.

Hon. J. B. Sleeman: I am not surprised.

Mr. STYANTS: The tenant is fully protected by a succeeding provision, as was explained by the Minister. The member for Murchison evidently thinks that a tenant who receives an account for rates, which the owner will not pay, must pay them himself. If that were so, the case of the member for Murchison would be based on firm ground. There is a similar provision covering the payment of municipal and road board rates.

Mr. BOVELL: I listened with interest to the member for Murchison, who has created a doubt in my mind. A person may be in occupation of a house for only two or three weeks and might be liable for the payment of arrears of rates which the previous occupier should have paid. There should be some way of protecting the new tenant.

Mr. MARSHALL: The member for Kalgoorlie said that the tenant could pay the rates out of the rent, but how is he to finance the payment? He may be a person with no money and might have to borrow it by mortgaging his property or borrowing from a friend.

Mr. Styants: The rates are payable in two moieties.

Mr. MARSHALL: Take the position of a home equipped with sewerage facilities costing £50 or £60! A tenant going into such a house would be liable under this provision to meet that cost.

The Minister for Works: You are dealing with rates now.

Mr. MARSHALL: This provides that the occupier shall be liable for the amount.

The Minister for Works: For the rates, yes.

Mr. MARSHALL: A man might go into a house on which arrears of rates were owing, and he would have to find the money. Some people cannot afford that.

The Minister for Works: Have you found where, in the measure, an incoming tenant is responsible for outstanding rates?

Mr. MARSHALL: I am dealing with the particular provision here, which is the one I see and detest. The departmental officers should get hold of the owner and see that he carries out his responsibility. The tenant should not be liable first.

The Attorney General: Do you suggest that arrears could be claimed under this?

Mr. MARSHALL: The tenant would be liable for arrears of rates.

The Attorney General: I doubt that.

Mr. MARSHALL: It is here in plain English. I am not concerned about the owner-occupier, but the nomadic individual who has to search for a home.

Hon. J. B. SLEEMAN: I think the member for Murchison is leading the Committee astray. Under the Metropolitan Water Supply, Sewerage and Drainage Act the occupier is not compelled to pay for any liability incurred during the tenancy of the previous occupant.

Hon. A. R. G. Hawke: That provision will not cover the position under this measure.

Hon. J. B. SLEEMAN: Read the Bill! I admit the member for Murchison has put up a good case, but I also admit that during the years I have represented some of the poorer people in Fremantle I have never had any complaint about the Act.

Mr. BOVELL: I still am in agreement with the member for Murchison. From the departmental point of view it is easier to find the owner than the occupier. Tenants are sometimes birds of passage, and it might be difficult to recover rates from them.

The MINISTER FOR WORKS: The member for Sussex has put up an amazing case. I do not know how he can imagine that it would be easier to find a man, whose whereabouts are not known, than a person whose address is known. The big point here is that from 1909 up to the present time no substantial trouble has arisen.

Hon. A. R. G. HAWKE: These rates apply to the land which belongs to the owner. I can understand that it would be easier for departmental officers to levy the rates, in the first place, on the occupier rather than on the owner, but an occupier might be harassed unreasonably. There is no justification for sending the account for the rates to the occupier, or demanding that he pay rates levied on the owner of the land. I am sorry the member for Fremantle unconsciously tried to mislead the Committee in regard to the point raised by the member for Murchison. He said that, because some section in the Metropolitan Water Supply Sewerage and Drainage Act stipulated a certain procedure the same position would

apply under this measure. When we reach Clause 77, the member for Fremantle will see, if he reads Subclause (2), that the contention of the member for Murchison is absolutely correct.

Hon. J. B. Sleeman: I do not think you are right. Have a look at Clause 77.

Hon. A. R. G. HAWKE: I shall read it for the benefit of the hon. member at a later stage. The Minister said it would be an easy matter for an occupier to contact the owner if the occupier had been compelled to pay the rates.

The Minister for Works: No, I did not say that.

Hon. A. R. G. HAWKE: Well, how is the occupier to obtain from the owner a receipt of rates he pays on the owner's behalf?

The Minister for Works: From the rent that he would give to the agent.

Hon. A. R. G. HAWKE: I have seen nothing in the Bill to authorise an occupier to grab out of the rent due to an owner the amount which the occupier had already paid for rates.

The Minister for Works: It is covered in the last three lines of Subclause (3).

Hon. A. R. G. HAWKE: I see. Does the term "owner" in that clause also include the owner's agent?

The Attorney General: I think it does.

Hon. A. R. G. HAWKE: I see the position is covered by the definition of owner. That eases the position quite a deal. It means the occupier could get his recourse much more quickly by taking it out of the rent than if he had recourse only to the owner. It also means that the Minister could make a claim upon the agent, the trustee or the attorney instead of simply upon the owner, if he did not desire to claim upon the occupier. In these circumstances most of my objections are met.

Mr. MARSHALL: I am not satisfied with the provision in the clause which allows the occupier, if he pays that which is the liability of the owner, to deduct the amount from the rent payable by him to the owner. There are people who could not afford to find the money to do that. In the first place they have to pay rent and then they may be called upon to pay these rates. I want to know from the Minister just what would be the position in the case of an absentee

owner. One of the provisions which would make the basis for a successful application for eviction is the non-payment of rent. In other words if the occupier of a home fails to pay his rent, then the agent or the owner can make application for the eviction on those grounds. Take the case of an absentee owner who has made no arrangement with his agent to conform to the provisions of this clause. The provision is given effect to and the occupier finds himself in a position of having to pay the amount. If he sets out to deduct that figure from his rent, he will leave himself open to an application for eviction.

Mr. BOVELL: The time will come in due course when we will have unoccupied houses and it will be necessary in those cases to trace the owners. If they can trace them then surely they should be able to trace them all the time.

Mr. Styants: You are looking a long way ahead.

Mr. BOVELL: It happened once and it can happen again. The Busselton Municipal Council and the Sussex Road Board used to have a system where the tenants were liable for the sanitary rates, but they discovered that so many of them were fly-by-nights that they decided to make the owners liable and they could be recouped by an additional amount on the rent.

Mr. Styants: This has operated for 39 years and there has not been any trouble with it.

Mr. BOVELL: I do not know anything about the metropolitan area but I am discussing places that I know in the country. If the rent is say 12s. 6d., the owners usually add say 1s. 2d., or whatever it may be, to cover the sewerage rates.

The MINISTER FOR WORKS: The member for Murchison is hatching a brood of imaginary troubles. If the hon. member would read the interpretation of the word "owner" at the commencement of the Bill, he would clear up many of his difficulties. If a tenant is able to find the rent, surely he will be able to find the £4, £5 or £6 which will have to be paid for sewerage rates. There is nothing arbitrary about the attitude of the Metropolitan Water Supply Department or any other similar supply authority towards the occupiers. If a man finds himself unable to pay the amount in one sum

the department is quite prepared to allow him to pay by instalments. It is just a friendly arrangement, although it may not be specifically provided for.

Mr. NEEDHAM: I think the point raised by the member for Murchison is a very interesting one. An injustice could be perpetrated if an occupier did not have the money to pay the rates at the time and in the event of the owner not being located. There have been many cases of considerable hardship to occupiers where they have been forced to pay these rates when the department could not locate the owners. How is the occupier going to get that recoup, as shown in the clause, if he cannot find the owner?

The Minister for Education: He does not pay his rent until he has been recouped.

Mr. NEEDHAM: From what I can gather from the debate, the agent is not responsible if the owner cannot be located, but it should not be left to the occupier.

The Minister for Education: Every principal is responsible for what his agent does.

Mr. NEEDHAM: If the Minister can assure me that in the event of an owner not being located, and that where an occupier has paid the rates and wants to get a return by way of rent it can be done through the agent, I will be quite satisfied.

The Minister for Works: The hon. member may have that assurance.

Hon. J. T. TONKIN: The Taxation Department might, with equal justification, ask the occupier to pay an owner's taxation. This is merely for the convenience of the department. If the unfortunate occupier happens to be living in a dwelling on Crown land, he must pay up and look happy. If the owner happens to be the Crown, then the occupier has to find the money to pay the rates straight away and then go through the ordinary process of getting a recoup. Trying to get a refund from the Treasury is sometimes a very long job and it may be six months or more before a tenant can recover his money.

Whilst the reason for the inclusion of this clause might be a desire on the part of the department to get its money quickly, with the least trouble, it is not much satisfaction to the occupier. It is possible to

have a situation similar to that mentioned by the member for Murchison where a tenant enters into occupation but a few days before the rate notice arrives. It is then his business to have the account squared up and to locate the previous tenant and recover from the owner the proportion that he is called upon to pay. Surely the debt is one due by the owner and it is to the owner that the account should be rendered.

Mr. MARSHALL: I am astonished to think that a member of this Chamber would give so little consideration to the unfortunate individuals in lowly circumstances. Persons who have money are not concerned because they can meet their liabilities, but it is not so with a person such as a man on the basic wage. It is easy to say that such men can pay and then obtain a recoup, but if they do pay then they deprive their children of the necessities of life. I agree that I am not aware of any such cases existing but none of us knows what is to eventuate until it happens, and then it is too late because, in the meantime, some unfortunate individual has had to make the sacrifice.

Mr. NEEDHAM: The member for North-East Fremantle drew attention to Subclause (3). According to my reading of that subclause, the rates would not be recoverable where the Crown was the owner. That is the interpretation I place on the subclause. I would like some information from the Minister as to what effect the Crown Suits Act has on that subclause.

The MINISTER FOR WORKS: I can only tell the hon. member that, without the Act in front of me, it is impossible for me to reply on the spur of the moment. In reply to the member for Murchison, this Act has been in operation for 40 years. The hon. member must have been asleep for 40 years because, although he is extraordinarily interested in it, he knows nothing whatever about it. He could not have read the clause; otherwise he would have found that all his objections are answered one by one in the three subclauses. Strangely enough, the Act has been operating quite smoothly. If there had been constant trouble arising, I could understand the attitude of the member for Murchison and that of other members. There is nothing whatever to prevent the Minister, through the officers of his department, from seeking payment direct from the owner, if he can be found.

Hon. J. T. Tonkin: You know the department will not attempt to find him.

The MINISTER FOR WORKS: The hon. member does not ask for my opinion and I consider he has answered his own question. I can only suggest that the matter go to the vote.

Mr. READ: I do not think that another modification of this clause would be workable. For many years the set-up under which most rates are collected has been quite successful. The departmental administration would be almost impossible without this clause. Actually, under this wording, the occupier is made the agent of the department for the collection of rates. Numerous instances have been given where a Bill for rates has been presented to the occupier after he has been in the house for only a week or so. However, there will be no hardship on those persons because in the past they have been able to pay those rates in the equivalent of rent. This clause provides that the payment of the rates shall be legal tender for the rent. It would be absolutely impossible for the department to follow up owners in every part of the State, or even in other States, as the rates are fixed from year to year. It is therefore necessary to make the occupier of the home the department's agent for the collection of rates.

Clause put and passed.

Clauses 76 to 92—agreed to.

Clause 93—Application of purchase money:

Hon. A. R. G. HAWKE: This clause sets out the procedure to be followed in the application of moneys received where land is sold for non-payment of rates. There are seven preferences in regard to the distribution of such moneys. I am interested in preferences 3 and 4. Preference 3 covers moneys owing to the Crown, and preference 4 moneys owing to local authorities. Moneys owing to the Crown are given a higher claim than moneys owing to local authorities. As the sewerage and drainage scheme to be constructed under this proposed legislation will be performed within the boundaries of local authorities, I think it might be reasonable for moneys due to local authorities to have the same rating in degree of priority as moneys owing to the Crown.

The Minister for Works: You mean 3 and 4 jointly?

Hon. A. R. G. HAWKE: I am suggesting that in preference 3 the word "fourthly" might be deleted, which would allow moneys owing to the Crown and to local authorities to be rated equally out of the partial moneys received for non-payment of rates.

Hon. N. Keenan: Suppose money were due to both, how would you allot it?

Hon. A. R. G. HAWKE: There are seven priorities in all and each deals with the claims of a different authority.

Hon. N. Keenan: How would you decide between a debt to the Crown and a debt to the local authority?

Hon. A. R. G. HAWKE: My suggestion is that they rank equally. If there were insufficient money remaining after the first and second priorities had been satisfied, it would be applied pro rata between the Crown and the local authority. I am not pressing the Minister to make a decision now but I ask him to consider the matter.

The Minister for Works: And recommit the Bill?

Hon. A. R. G. HAWKE: I do not wish to delay the passage of the measure, but if the Minister approves, an amendment might be made in another place.

The MINISTER FOR WORKS: There may be a few implications not apparent to me at the moment. I undertake to consider the matter with the departmental officers. I have some sympathy with the view expressed by the hon. member. However, this provision has been lifted in its entirety from the comprehensive water supply legislation passed last session, the Municipal Corporations Act and the Road Districts Act.

Clause put and passed.

Clauses 94 to 119—agreed to.

Clause 120—Power to suspend certain provisions of local government Acts:

Mr. MARSHALL: The clause provides that the Governor may in his discretion by Order in Council suspend the operation within any area of the provisions relating to sewerage of any local government Act. What is the necessity for the provision?

The MINISTER FOR WORKS: The clause will enable us to meet any emergency, particularly when any other statute makes provision for sewerage installation, and will also prevent the clashing of schemes as between the Crown and a local authority having similar powers.

Clause put and passed.

Schedules, Title—agreed to.

Bill reported with an amendment and the report adopted.

BILL—ELECTRICITY ACT AMENDMENT.

Second Reading.

Debate resumed from the 10th November.

THE MINISTER FOR WORKS (Hon. V. Doney—Williams-Narrogin) [8.55]: While listening to the member for East Perth, I had hoped to be able to do something towards meeting his wishes. His intention is laudable enough, as members will agree, and he has obviously made certain investigations, but I think he has given too little consideration to the obstacles in the way and also to what appears to be the accepted practice throughout the world.

The question before us is whether the Electricity Commission is going to do what long experience has shown to be best, namely, deal direct with the consumer, or whether it should, as he desires, deal direct with the owner of the house. To my mind there can be no question that the commission should deal with the consumer. The member for Murchison is evidently realising—and his stare makes me realise, too—that in this proposal lies the same problem in another form as the one with which the House has been dealing during the last couple of hours or thereabouts.

The consumer can always be found. It will be readily understood that faulty wiring or any installation fault constitutes a matter of extreme urgency. Speed in correcting faults is essential so that cut-offs may be squeezed down to the shortest possible period. As to the owner of the house, where would he be? Who could tell? We have agreed quite recently that it is extremely difficult to pin the owner down in the matter of locality. He might be on holidays; he might be in the North, on the Goldfields, in

the Eastern States, in the Old Country, on the high seas, anywhere. We cannot pin him down and so it is vastly better, particularly in matters of urgency, that the person to be contacted should be the occupier.

If it is desirable—and the House indicated a little while ago that it is desirable—even in matters affecting water supplies and sewerage that the man to be contacted and required to pay the rates, rental or whatever it may be, should be the occupier, tenant or consumer, it is desirable in this case. In any event, I put this point for the hon. member's consideration: Is not the occupier, after all, the person whose interest in the house is the greater? As a general rule, he owns, not the installation, but something of far greater value. It may be an electric cooker, electric iron, sweeper-cleaner, toaster or other appliance for which electricity is the motive power. Any one of these pieces of equipment may easily become involved in a breakdown and so, especially when electricity is used, it is desirable that the consumer be regarded as the important man in the case.

The intention of Section 28 of the Electricity Act, 1945, is to ensure that immediate attention is given to the repair of any faults in the wiring of a house where they have been discovered by an inspector of the Commission during his rounds. I emphasise that the inspector is an officer of the Commission, and not necessarily an officer of the supply authority. In the course of his remarks the member for East Perth drew attention to action that had been taken by the Perth City Council—which incidentally is a local authority and not a supply authority, and which is in no way comparable with the Electricity Commission—in ordering the owner of a building to provide bathroom and laundry facilities; adequate water supply to the water closet, bathroom, laundry, wash troughs and kitchen sink, as well as water to connect the premises to the sewerage system, and in ordering him to remove a structure. I do not know what assistance the hon. member anticipated from that statement, as in all those instances the expenditure involved is capital expenditure.

It will be appreciated that the time available in which to ascertain the owner's name and address, and to issue an order, obtain the compliance or otherwise of the

owner, and then have the work done, would necessarily extend over a considerable period. The delay, there, would have no material consequences as the work would not be a matter of urgency.

Mr. Graham: You say it would not be urgent if there was no water in the house?

The MINISTER FOR WORKS: I do not wish to go through the list again. It involved a number of major alterations to an existing house. The hon. member probably has in mind the supply of water, but I cannot see what assistance he hoped to get from his copious reference to water supply. Water is a more or less harmless item, but electricity is something that might properly be claimed to be more deadly than a dangerous snake, therefore requiring the most circumspect handling. Immediately a fault such as would be complained of by the Commission's inspector exists, it involves a risk of the loss of human life and it is then essential that action be taken to effect repairs with the least possible delay.

The wording of the Bill gives the right, but does not impose an obligation on the supply authority, which would mean that, after locating the unsafe wiring, the Commission's inspector would have to approach the local authority and ascertain whether it proposed to deal with the owner or discuss with the occupier whether he would have the system repaired. In any case, the inspector's hands would be tied for a period which is expressed in the Bill as one month. I think the hon. member implied in his remarks that the period might be substantially longer than that.

Mr. Graham: I do not think the Minister has read the Bill.

The MINISTER FOR WORKS: I have.

Mr. Graham: Then he does not comprehend it.

The MINISTER FOR WORKS: If the hon. member can tell me how he can link up repairs to a house, having nothing to do with electricity, with an electricity Bill, I might find myself in an improved position. As I have said, the owner might be an absentee and if, as is often the case, he had an agent in the State, that agent might not have power to do anything other than collect rent. An analogy of the position under discussion is found in the practice

of the Metropolitan Water Supply and Goldfields Water Supply authorities. In that case, if a water main within a property bursts, the supply is immediately cut off and the occupier, who is the person immediately within reach, is advised to have the pipe repaired. When that is done the supply is again turned on. In a case such as that there is no time to look round for the owner.

When dealing with electricity, the urgency due to the dangerous nature of electric current is plainly far greater than that in case of water supply. It is only in rare circumstances that the supply of electric current is cut off from the whole building. I am informed that in 75 or 80 per cent. of cases the fault is in one particular section of the wiring and it is possible to isolate that portion while allowing the rest of the installation to carry current to the various appliances and equipment to be served. In the case of electricity supply the practice is to deal with the consumer. The definition of "consumer" is given in the State Electricity Act, but there is no definition given of "owner," and members will appreciate what that implies.

It is incumbent on me to ensure that nothing is done to limit the power of the Electricity Commission to put unsafe wiring out of action immediately. I could not agree to allow its power in that regard to be whittled down. The occupier of a dwelling will have the option of arranging for a licensed electrical contractor to repair any fault and to deduct the cost from the rental or otherwise settle the matter between himself and the owner. In this case the same position applies, by and large, as exists in relation to the sewerage problems recently dealt with in this House. If the Bill be passed, the appointment of the inspector would largely be nullified as it would be almost impossible for the Commission to keep track of the action being taken in each case, which might easily drag out over a relatively long period. In the meantime, if a child were killed through a known fault in the wiring of a house not being rectified immediately, contrary to the advice of the Electricity Commission, a very grave responsibility would rest upon members of this House.

The method set out in the Electricity Act is that which obtains all over the State and throughout the Common-

wealth. I am advised that it obtains throughout the world, as far as can be ascertained. The method referred to in the Bill is common practice. The present method has given rise to no grave difficulties. Such problems could hardly arise, as the attitude of the Commission towards problems of the kind now being dealt with is by no means arbitrary, but entirely of a give and take nature. We should let that method remain. There is harmony of relationship between the Commission—either as a Commission or a supply authority—and its clients.

I see no reason for the passing of a Bill calculated to upset that smooth relationship. It is only in cases of impending danger that in the public interest the cutting off of current is insisted on. Had there existed troubles that it was necessary to obviate and had I thought the Bill went even half way in that direction, I would gladly have given it my support, but the inquiries I have made have confirmed my opinion that its acceptance by the House would not improve the position at all. I must therefore reluctantly refrain from supporting the measure.

MR. GRAHAM (East Perth—in reply) [9.10]: I find it difficult to reply to the Minister because I think he failed palpably in coming to grips with the Bill. He erected all sorts of Aunt Sallies and proceeded to his own satisfaction to dispose of them. He then resumed his seat apparently considering that he had fully dealt with the Bill. It is not expected of me that I should give a second reading speech at this stage. However, it is obvious to me that the Minister does not comprehend what is in the Bill, and possibly it was my fault that I did not make my intentions clear or make lucid the particular problem that confronted certain sections of the community, which I thought could be resolved by this simple amendment to the Electricity Act. I am faced with the fact that there is a problem in existence today.

When introducing the Bill I stated that the requirements of this amendment, if it becomes law, would apply to a minute number of owners only. Unfortunately, there are certain difficult and unreasonable persons, some of them adopting that attitude because, for a number of years, they have been unable to remove the tenants from their houses, and so a certain amount of friction and irritation has grown up between the parties. As a re-

sult a few landlords refused to play the game. I feel that in the year 1948 we are entitled to expect, in the metropolitan area and the country towns where electricity supplies are available, that persons who let houses have a responsibility to ensure that electricity is supplied to their tenants. Cases have arisen where landlords have refused to do anything in regard to electrical installations.

The Minister pretends that this is a small and simple matter and that there have been no great difficulties in the past. But a person occupying a house for months or perhaps years is sometimes suddenly faced, because of the obstinacy of the landlord, with his household being plunged in darkness and being unable to use his electrical appliances. That is a situation that could be easily averted and some action should be taken accordingly. The Act provides that if the electrical installations and wiring are not up to the required standard, certain steps can be taken. It is not intended, and certainly not provided in the Bill, that that particular section should be interfered with in any way whatsoever. The Bill applies only to premises used for human habitation and its provisions will have to be invoked in a limited number of cases only. The reason I mentioned the action taken by the Perth City Council at its last meeting—the day before I introduced the Bill—was to demonstrate that public authorities at present have considerable powers to force, not the occupiers, but the owners of houses, to undertake certain work. They can order that structures be demolished because they are constructed of unsuitable materials; they can force the owners to supply water to certain portions of the building and to make other improvements and alterations where necessary.

I do not think it can be seriously suggested that a public authority would issue such orders—to the owners I repeat—and abuse the powers that are entrusted to it. In exactly the same way the State Electricity Commission, or the public authority supplying electricity in some isolated centre, if confronted with a landlord who refused to take steps to place the wires and electrical installations of a home in proper condition could issue an order against that person. The Bill provides that if the wiring and electrical installations are in such a state as to result in danger to human life then, instead of discon-

necting the electricity from the home, the supply authority can arrange for a licensed and registered electrician to undertake the work and charge the owner for the work performed. Alternatively, in a smaller community, where the local supply authority happens to have the only licensed electrician in the township, that supply authority itself could undertake the work.

However, the point at issue and the position I want to resolve is that persons occupying a house, so far as this Bill is concerned, can be subjected to the inconvenience of being without light and power in the house; something to which they are not accustomed and which they do not deserve. One can well imagine the inconvenience caused to a household, which has been used to electric current over the years, suddenly being deprived of it when they have had no kerosene lamps or means of supplying power to the radio, electric iron, electric cleaner, toaster and other electrical appliances which are now used in so many homes. The tenant is certainly not responsible for fair wear and tear and maintenance to the house which he occupies.

After all, if there were a blockage in the water pipes or the pipes had burst, admittedly the Water Supply Department would disconnect the water from that house—as has rightly been pointed out by the Minister—but the local governing authority would immediately issue an order against the owner requiring him to reconnect that house with the water supply when repairs to the pipes had been effected. But under the Electricity Act the owner can sit back and chuckle at the inconvenience of the poor unfortunate tenant which surely is a position that no responsible body such as Parliament should tolerate a moment longer. I am not concerned that the present arrangement, in the mind of the Minister, works quite satisfactorily; I know it does not. Within recent months I quoted two instances, which were given to me by the Electricity and Gas Department itself, of houses being plunged in darkness because owners would not take action to have the electric wiring of the premises placed in good order. So the position has not been particularly satisfactory.

The Minister for Works: How many cases do you know of; two cases?

Mr. GRAHAM: Two cases within recent months.

The Minister for Works: Two cases are terribly impressive!

Mr. GRAHAM: During the last session I introduced a Bill dealing with electricity and at that time I was aware of one instance in a small dead-end street off the eastern end of Hay-street. On that occasion my Bill was opposed by the Minister for Education. It was in respect of the electrical installations of one block of premises that I introduced the Bill but since that time the member for Victoria Park, who is associated with one local governing body, has reported many more cases. In fact, it is astounding the number of houses in the city of Perth that have never been connected to the electricity supply. People within a short distance of the Perth Town Hall for more than 50 years have been living without electricity. Nevertheless that Bill was opposed by the Minister for Education, but this House and, subsequently Parliament, in its wisdom passed the Bill. I hope that a similar fate will befall this Bill. I trust I have disposed of the belief of the Minister for Works that it will whittle away any of the powers of the State Electricity Commission.

The Commission's present powers will remain untouched. The provisions of the Bill propose to give additional powers to the supply authority. I took copious notes whilst the Minister was addressing himself to the Bill and I was rather surprised that he should decide that it was not acceptable, instead of adopting a more conciliatory attitude by suggesting that it could be modified perhaps to some extent—and I think I am amenable to reason—to make it a little more workable than it might appear to him at the moment. But for the life of me I am unable to see how the Minister can sustain an objection to the general principles that are involved. It would be only a most conservative type of mind that would be prepared to allow a situation to continue along the lines that operate at present.

I want to deal with one point referred to by the Minister, namely, that the Electricity Commission would probably lose track of the situation because proceedings could extend over some considerable time. I do not

think it is a difficult task to ascertain who is the owner of any particular land or building. There are Government departments and public authorities that can supply that information if need be. Where it is merely normal wear and tear on the wiring of electrical apparatus, and it is not falling into a state such as is likely to be dangerous a matter of a little delay is not of great concern so long as the work is put in hand, and provision is made giving a reasonable time which the supply authority may care to stipulate in view of the circumstances. It is only when the wiring is in a dangerous state that the supply authority would take any direct steps or where the owner failed to observe the terms of the notice served upon him. I do not think the Minister could raise any valid objection on the score that this in an endeavour to socialise and to give the supply authority power to carry out work, which power it does not possess at the moment.

As I said when I moved the second reading of the Bill, the Electricity and Gas Department of the Perth City Council has not the officers, and has no such desire, to undertake electrical work within the confines of any buildings. Supply authorities generally are empowered under the amendment to make the necessary arrangements with any licensed electrician to put the work in hand. I feel the Bill should commend itself to members because of its necessity, even though it does apply to such a limited number. It is definitely wrong that we should allow people, through no fault of their own but merely because of the stubbornness of landlords, to have their homes in periods of darkness, which periods might extend over a matter of years and just so long as the owners of such premises are obstinate. The alternative is that, in order to provide the necessary facilities, the occupier of any such premises should himself pay from £5 to £10 to carry out the repairs and maintenance necessary in this respect.

If there is something wrong with the water supply, the owner has the responsibility of rectifying the matter. If the roof is damaged, it is the responsibility of the owner. Only in this particular instance is there no power to force an owner to accept the responsibility that is essentially his. To oppose the Bill on the score that it is the first of its description in Australia

is a proposition that is too absurd for words. The Bill might very well be treated on its merits rather than to take a trip to other parts of the Commonwealth to ascertain whether the people there have done anything about this particular matter or not. I desire the approach to the Bill to be that even though the problem may be confined to a small number, its correction is necessary. I hope the majority of members will agree with me on that point of view.

Question put and a division taken with following result:—

Ayes	..	..	..	..	22
Noes	..	..	..	..	18

Majority for 4

AYES.

Mr. Coverley
Mr. Fox
Mr. Graham
Mr. Hawke
Mr. Hegney
Mr. Hill
Mr. Hoar
Mr. Kelly
Mr. Leslie
Mr. Marshall
Mr. May

Mr. Needham
Mr. Nulsen
Mr. Panton
Mr. Read
Mr. Reynolds
Mr. Shearn
Mr. Sleeman
Mr. Smith
Mr. Styants
Mr. Tonkin
Mr. Rodoreda
(Teller.)

NOES.

Mr. Abbott
Mr. Ackland
Mr. Bovell
Mrs. Cardell-Oliver
Mr. Cornell
Mr. Doney
Mr. Grayden
Mr. Hall
Sir N. Keenan.

Mr. Mann
Mr. McLarty
Mr. Nalder
Mr. Perkins
Mr. Seward
Mr. Thorn
Mr. Watts
Mr. Wild
Mr. Brand
(Teller.)

PAIRS.

AYES.

Mr. Wise
Mr. Triat
Mr. Leahy
Mr. Brady

NOES.

Mr. McDonald
Mr. Murray
Mr. Nimmo
Mr. Yates

Question thus passed.

Bill read a second time.

In Committee.

Mr. Perkins in the Chair; Mr. Graham in charge of the Bill.

Clauses 1 and 2—agreed to.

Clause 3—Supply authority may give notice to owner to do work in certain cases:

Mr. GRAHAM: As I intimated when I moved the second reading, it is necessary to amend proposed new Section 28A to correct a clerical error, for which I accept the responsibility. I move an amendment—

That in line 5 of Subsection (4) of proposed new Section 28A after the word "penalty" the words "not exceeding £20 and to a further penalty" be inserted.

That will make the provision practically identical with that appearing in the legislation passed last year except that in that instance the maximum penalty was £10. The reason for the higher penalty this time is that, whereas under the measure of last session it was merely a matter of inconvenience to the tenant, in this instance there is a possibility of danger to the lives of inhabitants and also of fire, quite apart from the matter of inconvenience.

Amendment put and passed; the clause, as amended, agreed to.

Title—agreed to.

Bill reported with an amendment and the report adopted.

ANNUAL ESTIMATES, 1948-49.

In Committee of Supply.

Resumed from the 11th November; Mr. Perkins in the Chair.

Vote—Education, £1,728,475 (partly considered):

MR. GRAYDEN (Middle Swan) [9.44]: This Vote concerns school-books, and I bring forward a matter I desire to discuss at this juncture. Some days ago during the debate on the Estimates, the member for South Fremantle made some reference to an apology that he seemed to think I owed the Historical Society.

Mr. Fox: I did not seem to think that; it was Professor Murdoch who thought so.

Mr. GRAYDEN: At any rate, the hon. member mentioned the matter and has done so on previous occasions. I have been reluctant to bring this matter forward, because historical matters unquestionably weary the Committee. I dealt with this subject on a previous occasion during this session, and referred the member for South Fremantle to a four-column reply to Professor Murdoch's report which was published in "The Kalgoorlie Miner" of the 30th June of this year. Apparently, it was too much trouble for the hon. member to peruse that report. Since he has broached the matter again, he leaves me no option but to make a full explanation. If I weary the Committee in doing so, I shall regret it; but, as I say, I have no alternative.

Mr. Hegney: How long will it take, do you think?

Mr. GRAYDEN: I hope it will not take too long. Perhaps, Mr. Chairman, when I have finished, the member for South Fremantle will realise that it is the Historical Society which owes me an apology, and I do not think he will be so prone to make jibes, as he does from time to time, at the expense of early pioneers of the State. Before concluding, I intend to make a proposition to the member for South Fremantle which, to my mind, will quickly make clear to the Committee exactly how sincere he is in his statements as to the origin of the Goldfields water scheme. Before I deal with Professor Murdoch's report, there is another historical subject I wish to bring before the Committee, to illustrate the type of thing which the Historical Society is perpetrating in Western Australia. I bring it forward to emphasise the tremendous harm which such a body can do if it fails to give historical matters sufficient consideration.

The CHAIRMAN: I take it the hon. member will link this up with school books.

Mr. GRAYDEN: Yes. I am dealing with a statement that appears in school books as a result of information furnished by the Historical Society. Such a body has power completely to distort the history of the State. I regret to say that that is what is happening at present. History must know the truth; I think we all subscribe to that principle. Yet it would almost appear that certain forces are at work in Western Australia determined to see that history shall not know the truth. I bring this historical subject up at this juncture in an endeavour to see that justice is done to a pioneer and explorer of this State. I refer to James Francis Connelly, an illustrious and deservedly honoured pioneer and explorer of this State, and to his discovery of the Murchison goldfield. James Francis Connelly discovered the Murchison goldfield in July, 1890. That is an established fact. He received a grant made by the Government at that time for his discovery. No-one can question that. I feel sure the member for Murchison will substantiate that statement, if necessary. Yet this illustrious and deservedly honoured pioneer and explorer has been the subject of what amounts to a scurrilous attack by the Historical Society of Western Australia.

Hon. J. B. Sleeman: Why do you suggest that the society should make a scurrilous attack?

Mr. GRAYDEN: I cannot tell the hon. member, but the fact remains that the society did make it, as I shall demonstrate to him very shortly. As members will know, the Historical Society publishes a brochure entitled "Early Days," which is the journal of proceedings of the Western Australian Historical Society. This brochure is published annually. In the issue of 1946, there is a four-page article on the finding of the Murchison goldfield. That article amounts to a scurrilous attack on James Francis Connelly, the discoverer of that goldfield. I do not want the Committee to accept my statement. I shall read a statement prepared by James Francis Connelly's son, who is residing in this State. He, of course, with his other relatives, took strong exception to this four-page article attacking his father. This is his statement—

This statement of the Murchison Goldfields has been prepared by James Connelly, acting on behalf of the family, to protest against the unwarranted and derogatory nature of the article "The Finding of the Murchison Goldfields," a paper prepared by Mr. C. M. Harris and published in "Early Days," 1946, a journal published annually by the West Australian Historical Society.

Mr. Harris, with the sanction of the Society, has made an awful hash of the matter, and has, in the opinion of our family, portrayed my father as a come-by-chance schemer, an imposter, a "dirty trickster," and a no-account informer of an order so low that other men on the fields, the majority of whom were of no elevated social order themselves, that they, to quote "Early Days"—"Looked down on them (Connelly and Dugles) and nobody would associate with them . . . and they were so unhappy that they soon left."

The whole tone of the article is biased from start to finish and is both historically and chronologically incorrect, and we do not wish to have his memory and achievements dishonoured to future history and in the eyes of the public who, knowing nothing of the correct facts and having no access to the correct sources of information, are only too prone to take for granted the contents of the Historical Society's article in "Early Days."

Surely that is sufficient condemnation of the article. The son goes on to give the true story of the finding of the Murchison goldfield. I propose to read it. These inaccurate statements are appearing in our school books because the Historical Society

is sponsoring them. I desire to relate the true story in order that it may be recorded in "Hansard." To continue—

I have done a lot of painstaking research into the matter and can back up every statement I make with proof and documents, etc., that I have in my possession, and have numbered the articles in the book of cuttings in red 1, 2, 3, 4, etc., up to 15, to facilitate checking.

Mr. Graham: Have the true facts been conveyed to the Historical Society?

Mr. GRAYDEN: Yes.

Mr. Graham: Before it made the report of which you complain?

Mr. GRAYDEN: Yes.

Mr. Graham: The society was aware of it at the time it made the publication?

Mr. GRAYDEN: I am not sure on that point.

Mr. Reynolds: It would appear that you have a good case.

Mr. GRAYDEN: I am convinced that I have. To continue—

Also is a book of references from some of the leading and most esteemed men of those times which are quite sufficient to prove that the unprincipled aspersions on my father in the Historical Society's publication "Early Days" were erroneous and unjustified.

John Francis Connelly arrived at Geraldton per s.s. "Rob Roy" on the 15th May, 1890 (see shipping list in "Victorian Express," 17/5/1890), to examine and report on the Murchison. (See notes 1a and 2.) He arrived at Annean Station and discovered gold on the station on Sunday, the 13th July, 1890. (See notes 10 and 11.) He marked the position of his find on a map which he later lost and which was later found by a native and given to the station manager, Robson. He continued on the journey to Moorarie and reported his find at the Mount Gould police station. News of the discovery appeared in the "Victorian Express," Geraldton, of 6th September, 1890. (See note 3) and in "The West Australian" of 6th September, 1890. (See note 4).

Peterkin and McPherson, who were prospecting for tin around Greenbushes in 1890, saw the report in the papers and decided to give the Murchison country a trial. (See note 13, which is an extract of an article in the "Golden West" of 1924-25, written by J. C. Peterkin, jr., nephew of J. Peterkin, who Mr. Harris says gave him the information for his article in "Early Days"). They left Geraldton on 6th October, 1890, to go prospecting eastward (see note "D") and arrived at Annean Station and asked the manager where Connelly had found the gold, and were told where to find the location. (See part marked I in note 10.) They worked the claim till 11th

or 12th March, 1891, and went to Perth. (See note "D"), and returned to Geraldton on 6th May, 1891. (See note "C"). I might add that Bayley and party had arrived on the scene soon after Peterkin and McPherson and both parties had agreed to keep quiet about the gold they were getting, and that both parties left the field together to return to the coast for supplies. They arrived back at the claims in June, 1891, and found that Douglas (or Dugles) had arrived on the scene and jumped their claims (see note "D"), and also others who had heard the reports of the find.

Now Peterkin and Co. and Bailey and Co., as well as others had all pegged out protection areas along the line of reef extending along for about four miles. According to the mining regulations existing, only one protection area could be held on one line of reef. Dugles, who was aware of this regulation, jumped Bailey's claim. A dispute ended in Bailey hitting Dugles over the head with a shovel and in Dugles heading for Geraldton to seek police protection where he "blew the gaff" on the whole lot of them. (See note "D" and note 12). A wholesale rush set out from Geraldton to the field, amongst whom was J. C. Peterkin, Jr., a "new chum" just out from England, who came to the field as a result of his uncle, J. Peterkin, letting him in on the news of the find, and from whom Mr. Harris claims to have got his "accurate" report on the early history of the find.

On to the heads of Connelly and Dugles is heaped the blame and discredit for all the consequent claim-jumping, fighting and "dirty trickery" that ensued, when in reality it was the greediness and secretiveness of Peterkin and McPherson and Bailey and Co. in wanting the field to themselves that was the cause of the trouble on the field. And such secretiveness is admitted in the article in "Early Days," more than once. Dugles was quite within his rights, according to the mining regulations, in jumping the claims as no more than one protection area was legal on the one line of reef. Connelly was not anywhere near the scene of the disputes and "dirty trickery" that was going on, as this occurred in June, 1891, and onwards, and Connelly was then fulfilling the rest of his commission out Moorarie and Mt. Maitland way, after having reported his discovery at Mt. Gould police station a year previously.

After leaving Mt. Gould, Connelly and party eventually reached to near the Gascoyne River where, owing to the drought conditions, the party split up, three of them heading north and Connelly and a native boy retraced their steps to Annean Station where Connelly assisted Police Constable Troy to define the original boundaries of the proclaimed Murchison Goldfield, and a street in the townsite of Nannine records his name.

When Peterkin came down in October, 1891, it was Robson who accompanied him, his travelling mates being Connelly of the Connelly Mine (now part of the Murchison Consolidated G.M. Ltd.), Edwards, who floated the companies in

Adelaide, young Peterkin and Kinnane the policeman, who was sent up as escort to the 3,100 in sovereigns which was taken up by Edwards to purchase Connelly's claim with, and which when delivered had to be brought down again. See note 10, of which the foregoing is an extraction.

"To go back to the claim for the reward, after the Murchison was going strong as a goldfield, several people put in for the reward, amongst whom was Connelly, and he asked me to make a statement on his behalf, which I did, and he got the reward (£500) as he stated. He got it because he discovered the first payable gold, and it was his reporting the fact at Mt. Gould police station that led to its subsequent opening up, and I think he was the right man to get it as he gave the benefit of his discovery to the community." This latter part is an extraction of Robson's statement in the "Murchison Advocate" of Thursday, 4th November, 1909, concerning the discovery of the Murchison (see note 10).

Now all through these opposing versions (the W.A. Historical Society's and mine) I have checked and counter-checked and supported by the testimonials and newspaper clippings and my father's own written story (and yea, even by the inaccuracies and claims of Peterkin himself!) I have in my opinion proved the utter worthlessness of the article in the W.A. Historical Society's publication and also proved my father's prior right to be the honoured recipient of the award of the discovery.

It now remains for the W.A. Historical Society to rectify the incorrect statements in "Early Days" and to give credit to my father, John Francis Connelly, as his rightful due.

That was the statement of the son of James Francis Connelly and if the son had not been in Western Australia that four-page article would have spread throughout the State and no correction would have been made. Subsequently the relatives of the explorer took exception to the article and made representations to the Historical Society. Eventually the society published something in the nature of corrections. The full facts were given to the society by the relatives of the explorer and yet, despite that, the Historical Society saw fit to publish four pages of inaccuracies and material that amounted to a scurrilous attack on the explorer and then tucked the correct version away in about three inches on the bottom of a page. They made nothing in the nature of an apology to the explorer, but simply acknowledged that he was the original discoverer. My next quotation from a subsequent issue of "Early Days" is as follows:—

The Finding of the Murchison Goldfield.

Among the papers published in "Early Days," 1946, was one on "The Finding of

the Murchison Goldfields; as told by the late J. C. Peterkin, nephew of J. Peterkin." Since the publication of this paper, Mr. J. Connelly, the son of J. F. Connelly, has made available additional material relative to the discovery. Using this material and after going through all the available records, including the files of the Mines Department, Mr. F. W. Bateson has prepared a report for the Society of which the finding is given below:—

(1) James Francis Connelly found, located and later reported his discovery at the police station, Mt. Gould, this discovery having taken place on July 13, 1890.

(2) Peterkin and McPherson arrived at Nannine late in June, 1891, and they obtained over 1,000 oz. of gold before leaving for further food supplies.

(3) After their return later Bayley and mate, also William Dugles (Mines Department file spells the name this way) arrived in Nannine. Douglas left after a row with Bayley.

(4) It was not until Douglas left the field that Peterkin and McPherson pegged No. 1 claim.

(5) J. F. Connelly rightly received the reward of £500 from the Western Australian Government.

They made that correction subsequently, after repeated representations by the son of the explorer. They admitted they were wrong, though not in those words. We have reached a sorry pass when a responsible body such as the Historical Society can print and publish four pages of inaccuracies and material that amounts to an attack on an explorer and then, when his son points out their error, publish in reply about three inches of the correct facts.

Mr. Hegney: That is the only time they have been proved inaccurate.

Mr. GRAYDEN: I said earlier that they made a scurrilous attack on this explorer. There is on the Murchison at present a tree bearing the name of Francis Connelly, together with the date on which he discovered the Murchison Goldfields. The time is opportune for the State Government to erect a railing round that tree or put a plate on it, or both. I will not disclose where the tree is, for reasons that may be obvious to members. The least the Government could do would be to erect a plate to the discoverer of that goldfield. The Government should also make representations to the Historical Society to ensure that in its next publication, which will be out shortly, it will make amends for the scurrilous attack it has made on this explorer. The Government could easily make those representations, and I ask it to do so.

The other night the member for South Fremantle said I should apologise to the Historical Society for the statement I made when speaking to this Vote last year in connection with the inaccuracies that appeared in schoolbooks as the result of the attitude adopted by that society. I am not satisfied with the Murdoch report, because the conclusions reached cannot be substantiated, as an examination will show. I am not satisfied with the way in which the investigation was conducted, though I do not reflect on the integrity of Professor Murdoch in any way. My chief objection to the way in which the investigation was carried out is that the evidence was not taken on oath. If that is not done it immediately discounts any value that a report could possibly have, and this evidence was not taken on oath. I take strong exception to the fact that I was not called to give evidence at the inquiry although I had made a thorough study of the matter.

Mr. Fox: What evidence could you have given? Your evidence would not be accepted anywhere.

Mr. GRAYDEN: I was not called to give evidence, although I had raised the question, and on his own admission the member for South Fremantle was called, though, in his own words, he did not go because he knew nothing about the matter. None of the witnesses I had gone to the trouble to locate was called, and they were the only people still available, so far as I know, who were on the Goldfields at that time. In spite of that, Professor Murdoch did not bother to call them.

Hon. J. B. Sleeman: Did you say the member for South Fremantle gave evidence?

Mr. GRAYDEN: No. He was called to give evidence but did not attend because he did not know sufficient about the matter.

Mr. Fox: I was in exactly the same position as you were in.

Mr. GRAYDEN: He was called, and I was not, although I had brought the matter up—

Mr. Fox: You could not have told them any more than I could.

Mr. GRAYDEN: The witnesses I located were not called although they were the only people still available who were on the Goldfields at the time in question. One of them is Mr. Faulkner, who is at present in Victoria Park, and there were two others. Earlier in this session I referred the member for

South Fremantle to a four-column article in the "Kalgoorlie Miner" dealing with this question. He asked for an apology on two occasions and therefore I have now no option but to read the report which is in fairly concise form. I quote from the "Kalgoorlie Miner" of Wednesday, the 30th June 1948. The heading is "Water Supply Scheme. Reply to Professor Murdoch's Report," and then appears the following:—

In your issue of the "Kalgoorlie Miner" of June 1, 1948, you published the report submitted by Professor Murdoch on the origin of the Coolgardie Water Scheme.

This investigation was made at the request of Mr. W. Grayden, M.L.A., who raised the matter in the Legislative Assembly. It was hoped that this investigation would settle the question once and for all. However, the report submitted by Professor Murdoch merely serves to cloud and confuse the issue. The conclusions reached in the report cannot be substantiated as a cursory examination will show.

Dealing with these points in chronological order, Professor Murdoch states at the beginning that he applied the usual methods of historical research, accepting as evidence no statement which was not backed up by documents. Apparently he did not follow this dictum in its entirety as he departed from it when by doing so he could support his suppositions.

For instance, Professor Murdoch takes cognisance of an alleged dream of Sir John Forrest, told by Sir John to Lady Forrest, then to Lady Forrest's sister, and then to himself while he disregards the work of Mr. Beveridge, a personal friend of Sir John Forrest, a man of probity and honour, and seeks to ridicule his statement that Sir John Forrest said to him, "A man named Harper was the father of the scheme." This statement is supported in a personal letter to me from Sir John Forrest himself, in his own handwriting (which I still have), in which he stated "The great water scheme is ours," the word "ours" being underlined. A perusal of the report will reveal many other instances of inconsistency and shows how fallacious the suppositions reached in the report are.

Professor Murdoch has also omitted to make any reference in his report to John Woolcock's letter, a prominent personality at that time on the goldfields and who was at one time manager of the Golden Horseshoe mine, Kalgoorlie, and who was actually at the Kanowna banquet and was one of those who assisted me when we discussed the proposal after the banquet in Sir John Forrest's room in the Criterion Hotel, Kanowna, until the early hours of the morning.

In this letter, which appeared in the "West Australian," John Woolcock outlined what took place at the Kanowna banquet and he went on to state, "In talking the matter over in

the train from Adelaide to Melbourne in company with a member of the Federal Parliament, Sir John referred to it as 'Harper's scheme,' and turning to me said, 'You remember the night he suggested it at Kanowna.' Sir John Forrest further referred to the matter on one occasion when Federal Treasurer, having met Bray, Harper and myself, he invited us up to his rooms in the Treasury and I distinctly remember him saying, 'Harper, it's your scheme.'"

I made a special point of drawing the attention of Professor Murdoch to various debates on the scheme which are to be seen on pages 241 (Charles Moran), 252 (Sept. Burt), 272 (Venn), 284 (Sir John Forrest), 294 (Lefroy), 382 (Fowler), and 2730 (Kingsmill). No reference to these appears in the report. In addition to these and other instances of inconsistency nowhere have we any proof that Professor Murdoch obtained evidence on oath which was surely the correct procedure if the evidence is to be reliable and which was surely the intention of Mr. Grayden's motion.

In his own house on a Sunday afternoon I told Professor Murdoch that Lady Forrest informed me that Sir John came home from the goldfields about the end of November, 1895, "like a big schoolboy, bubbling over with delight at the idea of being able to supply the goldfields with water from the coast." I said to Professor Murdoch that I can positively swear to this, yet he makes no mention of it.

Hon. A. H. Panton called attention to the state of the Committee.

Bells rung and a quorum formed.

Mr. GRAYDEN: To continue:—

Further, Professor Murdoch says in his report, "I have not thought it necessary to examine the text books of history now in use in our schools." In his visit to my house I showed Professor Murdoch Professor Portus's book, "Australia Since 1606," which is one of the text books in use in West Australian schools, and he said that the history was decidedly wrong. I have proof of this. As Professor Murdoch took no notes at any time I can only conclude he had forgotten.

I suggested two important witnesses that I would have liked Professor Murdoch to interview but he failed to do so.

Professor Murdoch, in his report stated that he has examined all relevant evidence, yet he makes no mention of the application of H. J. Saunders and George Gray for a water right through Septimus Burt, Attorney General of the Forrest Government. That application was made early in September, 1895, and refused about the middle of the month. I brought this under Professor Murdoch's notice.

Professor Murdoch makes mention of a letter by J. S. Talbot, published in the "West Australian" on March 17, 1894, as being the first public proposal to take water to the goldfields. This letter contained a suggestion to pump

water to a tower and allowing it to gravitate to the fields. The writer admitted that he had no engineering experience. This proposal did not impress Sir John Forrest in any way. The time limit proves this. Also no mention was made of this during his long search when introducing the Goldfields Water Supply Bill. The only man mentioned in the speech which is to be found in "Hansard" is myself, when Sir John graciously admitted that I supplied him with the quantities of water required for battery purposes.

Professor Murdoch goes to great lengths in an attempt to justify Maher's proposal to supply Coolgardie with water. In "Hansard" of October 4, 1894, Mr. Venn, Director of Public Works, said in an answer to a question asked in the House by Mr. Throssell, that the Government had not made any inquiries from its professional staff as to the feasibility of such a scheme. The Bill to grant the application was never introduced and the application lapsed. This surely finalises Maher's application.

Hon. A. R. G. Hawke: Maher who?

Mr. GRAYDEN: It might cheer up the hon. member if I tell him that I am half way through the report. To continue—

Professor Murdoch mentions P. V. O'Brien as one of "the few surviving members of O'Connor's staff," and quoted him as saying that in 1894 a catchment and possible dam site in the Darling Ranges were being investigated and that it was evident to him and other engineers that "there were brains at work in Perth quietly looking ahead and collecting data with the idea of providing a big scale water supply for Coolgardie and Kalgoorlie in the event of those fields justifying heavy expenditure." This is purely conjecture and is very ambiguous.

This is another instance where a cross-examination on oath would have been valuable.

Sir Edward Wittenoom, Minister for Mines, in "Hansard" of August 13, 1896, read a letter from myself in support of the Goldfields Water Supply Loan Bill, in which I stated, "For the last two years I have strongly advocated this scheme as being the only certain permanent and adequate supply." This was never contradicted, challenged or repudiated, yet Professor Murdoch makes no mention of this in his report. In this letter I outlined details of the scheme and how it should be carried out. This letter was written on August 3 and was used in lobbying by the Government, and permission to publish this letter was asked me by telegram from Sir John on August 11.

Professor Murdoch quotes a memorandum from the engineer-in-chief, written on October 30, 1895, to Mr. Venn, Director of Public Works, asking him "to get the Mines Department to ascertain the quantity of fresh water and salt water respectively which there would be a sale for at Coolgardie prices which he mentions." This is altogether too ambiguous to warrant an answer. Suffice to say that Fer-

rest said himself, in his speech in "Hansard" introducing the Bill and in a personal letter to me, which I still have, that he relied upon me for the quantities of water required. This is another instance of which Professor Murdoch makes no mention.

There is no evidence that any plans which the Public Works Department were making were based on O'Connor's proposals. According to Mr. J. T. Simpson, M.L.A. for Geraldton, Forrest exuberantly stated at Bunbury, early in 1896, shortly after the Kanowna banquet, that he had something that would "stagger people," to divulge. The first public utterance that Sir John Forrest made in connection with the Coolgardie Goldfields Water Scheme was at the opening of the railway to Coolgardie in March, 1896. Sir Hal Colebatch was present at that opening, which was four months after the Kanowna banquet.

Deep Boring Policy.

Professor Murdoch in his report states:—"It seems overwhelmingly probable then that Forrest, when he visited the goldfields late in November, 1895, was well aware of O'Connor's plan, and that he carried with him documents connected with it." In reply, I would point out that the Government's declared policy, which was one of deep boring, remained unchanged.

Two days and one day, respectively, before the Kanowna banquet Sir John Forrest met deputations at Coolgardie and Kalgoorlie in connection with the water problem. Reports of these may be seen in the "Daily News" and the "Coolgardie Miner" and other papers.

The "Daily News" of November 23, 1895, reporting the deputation at Coolgardie of the previous day, states:—"Sir John Forrest, in reply, said that he took objection to the manner in which the request had been placed before him. He wanted to hear how matters stood as to the question of water. He admired the absolute trust of Mr. MacDonald's statements regarding his unredeemed promises. As a reason for this he could mention that only recently he became aware that the Kaufman borer was not in Coolgardie. As a matter of fact, the orders given by the Government were not carried out by the Water Supply Department. Mr. Jobson told him the Kaufman machine was useless and would make the Government a laughing stock. That argument appened strongly to him and the result was that Mr. Jobson was instructed to obtain the very best bore procurable, and he was now in the Eastern colonies, arranging the matter. He felt sure Mr. Jobson would be back in a few days. The Government was not a bit stingy about the matter."

This proves conclusively that up until the time of the Kanowna banquet, that Forrest's policy was deep boring in various parts of the districts. Further proof of this attitude of the Forrest Government is contained in a report published in the "Coolgardie Miner," of November 26, 1895, of the deputation to Sir John Forrest at Kalgoorlie on November

23. Sir John Forrest said, "If it's a claypan it's a very different matter but if it's a salt marsh it would be useless." In regard to the resolution submitted by Mr. Hephson, the Government was desirous of conserving the water along the road, Sir John said. He was quite ready to admit that the Government had not done all that was necessary, but the intention of the Government was to try and give a water supply to the district.

Mr. Hegney: What are you trying to prove?

Mr. GRAYDEN: I am reading this report as an answer to the remarks made by the member for South Fremantle.

Hon. A. R. G. Hawke: Whose money are you using?

Mr. GRAYDEN: To continue—

The question of supplying the town with water presented some difficulties. They had to consider how best the town could be adequately supplied and he would like to have the advice of experienced persons here as to how the Government should solve the difficulty. However, the question had to be faced. Then there was the still greater question of supply to the mines. Both these things must be obtained and it would be only reasonable and right that before an immense expenditure was gone into procuring water from the seaboard the Government should exhaust all the schemes within narrow range. With that object the Government intended to expedite deep boring in various parts of the district (cheers). Even though the effort proved unsuccessful valuable information would be obtained.

Mr. Jobson was now in Victoria (Mr. Jobson was head of the Goldfields Water Supply Department) arranging for the purchase of deep boring machinery. The Government did not wish to be niggardly in the matter but wished to be as liberal as it could be and if the deputation left it to him he promised them the Government would put down these bores to an immense depth and would test the question once and for all."

I would emphasise that these are the statements of Sir John Forrest immediately prior to the Kanowna banquet. And for this nonsense about bores, "to an immense depth," Forrest was cheered and whether he liked it or not, Forrest had committed his Government to a policy of deep boring. By the time he reached Kanowna Sir John saw this error, hence his volunteered speech as no one had troubled him about water there. What I proposed at the banquet ended all that wicked waste of time and public money on a policy doomed to failure before it started.

In his speech at Kanowna on November 24, 1895, reported in the "West Australian" on November 27, Sir John said:—"One of the greatest difficulties to be grappled with is that of water, and one of the chief objects of my visit is to find out how the Government

of the colony can assist in the matter. The difficulties to be encountered with regard to the scarcity of water will, I believe, be overcome, although I cannot say how. What a transformation there would be if the district had a stream of fresh water running through it. How a supply can be obtained, I repeat, I cannot say, but it must be secured."

The "Daily News" of November 26, 1895, reported that "Mr. Harper, manager of the Robinson Gold Mines, responded, recommending the bringing of water from the Avon River, near York, for use on the goldfields."

That same night, after the Kanowna banquet, Sir John showed keen interest in my proposal, and he suggested the Helena as a better source, as it was better drinking water than the Avon.

In reply to this, the professor in his report says:—"Sir John Forrest, as his speech at Coolgardie had shown, knew very well how the water supply could be provided. When he said, 'I cannot say' there is reason to think he meant 'I do not know.' It is more reasonable to suppose that he meant what he said. He did not feel himself to be yet in a position to make the scheme public. It may be that he was not sure what the public reaction would be. He probably anticipated much opposition to the proposal, and, if so, he showed himself a true prophet, for the opposition was long and bitter. In this speech at Kanowna he was feeling his way politically."

Professor Murdoch forgets that Sir John was not a Professor of English and so said things as the ordinary man would say them. A further illustration of the manner in which Professor Murdoch has played with words in the compilation of his report is evidenced in the way in which he interprets the meaning of the personal letter from Sir John Forrest to myself.

The letter reads:—"My dear Harper, I am glad to get your letter and should be delighted if you could get in. I sent you some copies of my speech at Bunbury. I am the only one who has done anything for the 'fields—all the others have done nothing. I cannot understand what the Oppositionists have to find fault with. We are spending this year £200,000 on water on the 'fields and the great water scheme is ours."

This is a personal letter from Sir John Forrest to Mr. Harper and the word "ours" is underlined.

In reply to this Professor Murdoch says:—"I have considered the various friendly letters from Forrest which Mr. Harper has preserved, and can find nothing in them with any real bearing on this question. One of them ends with the words, 'and the great water scheme is ours.' Mr. Grayden read this letter in the House, drawing attention to the fact that the word 'ours' was underlined, with the evident implication that 'ours' meant 'yours and mine.' Anyone who reads the phrase in its context can see that it meant nothing of the kind.

'I cannot see what the Oppositionists have to find fault with. We are spending this year £200,000 on the 'fields and the great water scheme is ours.' Obviously 'ours' meant the Government's, and not the Opposition's. If 'ours' had meant 'yours and mine,' the 'we' in the same sentence must have meant 'you and I' and we are asked to believe that Forrest asserted that Mr. Harper and he were spending £200,000 on the goldfields in that year."

I would point out to Professor Murdoch that King's Counsel whom I have consulted on the point takes the directly opposite view to that expressed by Professor Murdoch.

Professor Murdoch concludes that the engineer-in-chief and Sir John Forrest were jointly responsible for the scheme. The engineer-in-chief emphatically denied, in sworn evidence at a Royal Commission in 1902, that he was the author of the scheme. Sir John Forrest never at any time claimed to have originated the scheme. However, he did in letters to myself and in public statements clearly show that I was the author of the scheme.

There are many other points in Professor Murdoch's report which, given space, could easily be refuted. My chief interest is to see that history of this great scheme as told in our school books should be accurate.

In conclusion, if the engineer-in-chief were alive today there would be no necessity for any controversy. To quote Sir Henry Lefroy ("Hansard," page 294), "The engineer-in-chief was quite right in saying the proposal was not his. As an honest man he said so. I think he was quite right in saying so."

Mr. Hegney: Who wrote that article?

Mr. GRAYDEN: It was written by Mr. Harper in reply to Professor Murdoch's report published in the "Kalgoorlie Miner." I have another letter headed "Goldfields Water Supply" which was published in the "West Australian" of the 17th September last. It reads—

In your issue of May 27 last Professor Murdoch states that in 1895 plans to supply the goldfields with water were made with the utmost elaboration of detail, and by the end of the year a great deal of minutely detailed work had been done.

This statement is incorrect, and a reflection on the late Lord Forrest. I would respectfully remind Professor Murdoch that no plan or plans can be made without having first a survey made, and that a survey was not made in this case, as the following facts will prove.

Mr. T. C. Hodgson (engineer) early in 1896 was employed on a first trial survey on a proposed reservoir site by W. N. Hedges, near the railway tunnel at Swan View. Hodgson and his staff continued trial surveys in many places until he finally decided on the Mundaring site on the Helena River.

Lord Forrest, when introducing the Water Scheme Bill, said that he had asked the opinion

of Mr. Hodgson, and his reply was: "I have had several sites surveyed on the Helena and can with safety recommend one situated about five miles south-west of Sawyer's Valley" ("Hansard," pages 137 and 138, July 21, 1896). By July 15 Hodgson had his surveys and plans for Mundaring completed.

Professor Murdoch says in his report that by November 12, 1895, John Pidgeon had completed the plan of the Coolgardie Goldfields Water Supply, showing a longitudinal section of the railway and road water supply, and that on the plan Pidgeon had written that the Premier had taken the plans with him to Coolgardie.

That plan had nothing whatsoever to do with the Goldfields Water Scheme. The longitudinal section of the pipeline did not exist at that time—November 23, 1895. Professor Murdoch did not know or trouble to find out the difference between a railway line and a pipeline.

Professor Murdoch based his report firstly on the interpretation of the letter in which the word "ours" was underlined, but a K.C. I have consulted takes the opposite view.

Hon. A. R. G. Hawke: Which K.C.?

Mr. GRAYDEN: The one I have consulted.

Hon. A. R. G. Hawke: Can you tell us his name?

Mr. GRAYDEN: I can tell the hon. member.

Hon. A. R. G. Hawke: Was the opinion charged for?

Mr. GRAYDEN: I think that matter is irrelevant. Secondly, Professor Murdoch based his report on the railway map that Sir John Forrest was supposed to have taken to Kanowna. Professor Murdoch did not see the railway map. What he saw was a memo. on the side of a Public Works Department file stating that Sir John Forrest had taken the map to Coolgardie. I have seen the map, which is in the Public Works Department now. It is not a map of the Goldfields Water Scheme; it is nothing more or less than a longitudinal section of the railway line from Fremantle to Kalgoorlie. Yet this is said to be the plan of the Coolgardie water scheme that Sir John Forrest was supposed to have taken to Coolgardie. However, Professor Murdoch based his report on that map without having seen it.

Hon. A. R. G. Hawke: Could not you prevail upon the Government to have this matter investigated?

Mr. GRAYDEN: So convinced am I that my statement is correct that I am prepared

to put a proposition to the member for South Fremantle, which I hope will be acceptable to him. The hon. member has been very dogmatic on the subject. I suggest that the Government appoint a K.C. and an independent practical engineer to make an investigation of the plans. If the report of those two people is not radically different from that of Professor Murdoch, I shall be pleased to bear the entire expenses of the K.C. and the engineer. Otherwise, I suggest that the member for South Fremantle should be prepared to pay the expenses. The member for South Fremantle is convinced that he is right and has been very adamant, but so convinced am I that I am right that if such an investigation proved that I was wrong, I should be glad to pay the expenses. However, my proposal as regards the member for South Fremantle is perhaps rather rough on him, so I ask the Government to appoint a K.C. and an independent practical engineer and I shall be pleased to pay the full expenses, so completely convinced am I that I am right and that I cannot accept Professor Murdoch's report for the reasons I have given.

Tonight I have brought up two distinct matters. In connection with the first, the discovery of the Murchison goldfields, I ask the Government to make representations to the Historical Society to remedy the injustice that has been done to James Connolly and, secondly, I ask that an iron railing be placed around the tree in the Murchison and that a plate be placed on the tree bearing the name and date on which Connolly discovered the field. As to the origin of the Goldfields water supply, I repeat my request that the Government should appoint two men as I have indicated and reiterate that I shall be glad to pay the full costs of the inquiry.

MR. FOX (South Fremantle) [10.43]: I regret that the member for Middle Swan has opened up this discussion again. I think his action in doing so shows very little confidence in the Government which he supports and which appointed Professor Murdoch. Members on this side of the House had no say in the selection of any person to inquire into the originator of the scheme.

Mr. Grayden: You were consulted.

Mr. FOX: After the Government has acceded to the hon. member's wishes, he dis-

agrees with the referee. He reminds me very much of a football barracker who is always disagreeing with the umpire. That is a very bad trait in the hon. member. The hon. member also said that I refused to give evidence. What a farce it would have been to call me to give evidence! I do not suppose the hon. member had any idea whether I knew anything about the subject or not, but one would have needed to be on the spot when the scheme was initiated before his evidence would have been accepted. Nobody could go into court and give evidence to the effect that somebody had told him so and so.

Mr. Grayden: I did not object to that.

Mr. FOX: Some of the legal members on the hon. member's side could have put him right. To say that I should have given evidence is stupid.

Mr. Grayden: You were called.

Mr. FOX: The hon. member was not born and I was not in the State at that time. The only thing to go on was documentary evidence and that is what Professor Murdoch took into consideration. My only interest in the matter was that, years ago I knew Talbot who is supposed to be the first man to suggest that water should be pumped from the coast. My only other interest was to see justice done so that the man who first made the suggestion would get whatever kudos there was. In passing, I say that John Forrest was remarkably lucky that the Goldfields water scheme was not a white elephant. There is no other spot in Western Australia where it would have been successful. If Kalgoorlie had not been discovered—and there is no such place in the world except Cripple Creek in America—the water scheme would have petered out years ago; and Mr. Harper would not want to be associated with such a failure at all.

Except for a short revival, Coolgardie was extinct 20 years ago, and that was what John Forrest was afraid of. The undertaking was a big one, and he did not know how long the mines would last. He took a great risk, and, as it happened, it turned out all right. I looked up some documents in the Public Works Department, and I shall refer to a couple of them. Mr. Harper was supposed to have made the announcement at a banquet at Kanowna in November, 1895. On the 4th September, 1894, John Maher made application to the Government for the right to carry water to the Goldfields by pipeline.

As I have said, Mr. Harper is supposed to have made his speech in November, 1895.

Mr. Grayden: That is a different matter altogether.

Mr. FOX: The hon. member was allowed to speak without interruption. John Maher was associated with two other men, and one of them went to England to raise £2,500,000 to carry out the scheme. John Forrest told them it would be necessary to have a private Bill passed through Parliament. They were also told it would cost money to have the Bill passed. Anyway, the Bill was never passed and John Forrest went on with the scheme himself. By the end of 1895, detailed plans had been made to construct the pipeline from the coast to Kalgoorlie. It is only reasonable to suppose that those plans would have taken a considerable time to draw up; they comprised a lot of detail.

Mr. Grayden: The survey was not made until much later.

Mr. FOX: On the 30th October, 1895, there was a memorandum from O'Connor to Venn, Director of Public Works, asking him to ascertain the quantities of fresh water and salt water that there would be for sale at Coolgardie. In another memorandum of the same date he wanted an estimate of the cost of pumping engines of large magnitude. He said the costs he had already received were so variable that he wished to have a cable sent to the Agent General asking him to find out, as soon as possible, the probable weight and cost at Fremantle, with boilers complete, of pumping engines developing 12,000 horsepower to be located at six places, so that there would be about 2,000 horsepower at each. That would be before John Forrest went to Kanowna in 1895.

Mr. Grayden: I have answered every point there.

Mr. FOX: Members do not want to listen to a wrangle between me and the member for Middle Swan, but I am not going to allow the hon. member to put over something his uncle has told him, although no doubt he is doing it in good faith. There is ample evidence on the file to show that the water scheme was thought of long before Sir John Forrest went to Coolgardie. Mr. Harper had made several investigations before the hon. member moved in this House for the appointment of the commission which the Government was good enough to

appoint. I think the member for Middle Swan should be sporting enough to accept Professor Murdoch's decision, because the professor is not personally interested in the matter, and he had all the facts available on the file.

Mr. Grayden: He would not listen to our witnesses.

Mr. FOX: I think he did a pretty good job. When the scheme was completed, Sir John Forrest sent out elaborate invitation cards: quite recently I saw one which was sent to a man who was in the department for a long time, and who I know quite well. On the card he said that he was extending the invitation so that the person being invited could be present at the opening of the Coolgardie water scheme by the author, Sir John Forrest. There was not a word about Mr. Harper, or anyone else.

Mr. Grayden: Sir Hal Colebatch was at the opening, and you should hear what he has to say.

Mr. FOX: I suppose the member for Nedlands was there also, and if anyone in this Chamber would know anything about it, he would. I knew Mr. Harper on the fields years ago, but I never heard his name mentioned in connection with the water scheme. The matter of getting water to the Goldfields was not such a great thought to come to anyone because people who worked on the Goldfields in Victoria, where a tremendous amount of water has to be pumped out of the mines, knows it would be quite simple to pump water any distance, because of the way the Cornish lifts pump the water from the alluvial mines in that State. The member for Leederville would know about that. It is a wonder he never thought about the scheme.

Hon A. H. Panton: I thought of it long before these fellows, but I did not want to say so.

Mr. FOX: The hon. member might have been knighted had he suggested it. When the Government appoints a commission, some notice should be taken of the findings. Also it should carry out the recommendations.

Mr. Leslie: Who actually set the scheme going?

Mr. FOX: Sir John Forrest.

Mr. Leslie: What grounds have you for making that statement?

Mr. FOX: Because of what I saw on the files in the Public Works Department. The member for Middle Swan should not be permitted to make the statements he has with out some members of the Government saying a few words on behalf of Professor Murdoch. The Government has a duty to the man it appointed as commissioner, and it should have something to say. The hon. member has suggested he would pay the expense of someone else to make another inquiry.

Mr. Grayden: Professor Murdoch's report is farcical. The least that can be done is to have a decent investigation.

Mr. FOX: This is ridiculous.

The Minister for Education: The Education Department is not incorrect, and that is the only reason for the debate.

Mr. FOX: The Minister should get up and tell the member for Middle Swan that he is quite satisfied as to the correctness of the historical facts in the schoolbooks. The professor recommended that the man responsible for making the first public statement should have his name honoured such as by putting a tablet at Mundaring Weir or some other conspicuous place. That would cost very little and would be some recognition of Mr. Talbot who had the foresight to make the suggestion in the early days when the people on the Goldfields were suffering from a short age of water. The Government should carry out that recommendation even if it does not go so far as to ask the member for Middle Swan to apologise for his tirade against the Historical Society. In the matter of Connolly, who found the Murchison, I do not know anything at all, but the Historical Society has made the amende honourable. No doubt the society got some person to write the article. Perhaps it might have examined the article more thoroughly before it was published, but when a relative of J. F. Connolly drew attention to the error, the society was big enough to admit the error, and made amends; and that is the least the member for Middle Swan can do in regard to Professor Murdoch.

Another matter I want to mention is this, that when the member for North-East Fremantle was Minister for Education I suggested to him that where parents and citizens associations made a considerable contribution

to the education of the pupils by providing amenities and educational facilities, the Government should pay a subsidy of a pound for each pound expended by them. The Beaconsfield Parents and Citizens' Association spent £90 on a projector for the school, and that is one of the best means of educating children.

The Minister for Education: When did they spend that?

Mr. FOX: Just about the time when we went out of office. I am certain that had the member for North-East Fremantle still been the Minister for Education that suggestion would have been carried out. Both he and the then Premier gave me an assurance that they would do so.

Mr. Bovell: We spent £220.

Mr. FOX: The hon. member represents a rich dairying district as he told us the other night and it is not much trouble for the people down there to get money. However, in an industrial district it is most difficult to get £90 because the people are called upon to pay other sums for various extras that are not supplied by the Education Department. I hope the Minister will look into the matter because I am sure he will recognise it as a worthy cause.

The Minister for Education: If you have bought it since last October 12 months, you will get a subsidy. A man must start somewhere.

Mr FOX: Perhaps it might be their initiative that prompted the Minister to suggest a subsidy.

The Minister for Education: I am afraid it was my own initiative this time.

Mr. FOX: If it is not too late, I will tell them to put in a claim and ask the Minister to give the matter his attention. There is nothing better to give children an opportunity of seeing what is taking place in various parts of the State than a projector. I saw some films on the timber industry at the Beaconsfield school and I had been down to see that particular place and the film was just as good as the reality. I saw the apple industry as well, and it covered the picking and packing phases. I also saw a film on dairying, and I think the Premier was in it.

Hon. A. H. Panton: Did he have his hand up?

Mr. FOX: So I trust the Treasurer will look into the matter. I will ask the secretary of the parents' association to send a claim to the Minister for the subsidy, and I hope he will give it favourable consideration.

Progress reported

House adjourned at 11.3 p.m.

Legislative Council.

Thursday, 18th November, 1948.

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

BILLS (4)—FIRST READING.

1. Companies Act Amendment.
Introduced by Hon. H. K. Watson.
2. City of Fremantle (Free Literary Institute).
Introduced by Hon. Sir Frank Gibson.
3. Country Towns Sewerage.
4. Electricity Act Amendment (Hon. E. H. Gray in charge).
Received from the Assembly.